

Equality & Poverty Impact Assessment 00130 (Version 1)

SECTION ONE: ESSENTIAL INFORMATION

Service & Division:	Development Services Planning & Economic Development	Lead Officer Name:	Richard Broadley
		Team:	Planning & Environment Unit
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Proposal:	Crematorium & Burials - Fees & Charges	Reference No:	DV38

What is the Proposal?	Budget & Other Financial Decision	Policy (New or Change)	HR Policy & Practice	Change to Service Delivery / Service Design
	Yes	No	No	Yes

Who does the Proposal affect?	Service Users	Members of the Public	Employees	Job Applicants
	Yes	Yes	No	No

Other, please specify: Potential impact on vulnerable or low income families.

Identify the main aims and projected outcome of this proposal (please add date of each update):

15/02/2019	As part of the Services for the Bereaved project, burial fees have been increased by c12-13% to align Falkirk to the Scottish average and an inflationary increase of 3% applied to Cremation charges.

SECTION TWO: FINANCIAL INFORMATION

For budget changes ONLY please include information below:			Benchmark, e.g. Scottish Average
Current spend on this service (£'0000s)	Total:		
Reduction to this service budget (£'0000s)	Per Annum:		
Increase to this service budget (£'000s)	Per Annum:		
If this is a change to a charge or concession please complete.	Current Annual Income Total:		
	Expected Annual Income Total:	£67k	Benchmarking across Scottish local authority fees and charges for bereavement services shows Falkirk Council is significantly below (2018) national average.
If this is a budget decision, when will the saving be achieved?	Start Date:	01/04/2019	
	End Date (if any):		

SECTION THREE: EVIDENCE Please include any evidence or relevant information that has influenced the decisions contained in this EPIA. (This could include demographic profiles; audits; research; health needs assessments; national guidance or legislative requirements and how this relates to the protected characteristic groups.)

A - Quantitative Evidence This is evidence which is numerical and should include the number people who use the service and the number of people from the protected characteristic groups who might be affected by changes to the service.

Quantitative evidence used by Development Services officers and service accountant including; local government benchmarking of funeral fees and charges, and the number of people who use the Falkirk Council burial and cremation service. However no data exists on the number or percentage of service users who may be in the protected characteristic group of poverty or low income .

Reports provided by CAB Scotland on funeral poverty and Scottish Government guidance on new provisions at national level for these on low incomes via Scottish Government Funeral Expenses Assistance.

B - Qualitative Evidence This is data which describes the effect or impact of a change on a group of people, e.g. some information provided as part of performance reporting.

Social - case studies; personal / group feedback / other

Best Judgement:

Has best judgement been used in place of data/research/evidence?	Yes
Who provided the best judgement and what was this based on?	Development Services officers and Service Accountant financial modelling and projections against benchmarking, costs, income, demographics.
What gaps in data / information were identified?	% of service users who do/ would be able to access Scottish Government Funeral Expenses Assistance
Is further research necessary?	Yes
If NO, please state why.	

SECTION FOUR: ENGAGEMENT

Engagement with individuals or organisations affected by the policy or proposal must take place

Has the proposal / policy / project been subject to engagement or consultation with service users taking into account their protected characteristics and socio-economic status?	No	
If YES, please state who was engagement with.		
If NO engagement has been conducted, please state why.	<p>The Burial and Cremation (Scotland) Act 2016 sections 20 and 63 state that the burial or cremation authority "may charge such.. burials ...and cremation fees as they think fit". It is recognised that any increase in fee could potentially impact on vulnerable or low income families.</p> <p>In response to this, by way of mitigation to this proposal, a national debate and consultation on funeral poverty at a Scottish Government level work has culminated in recent legislation (link below) to mitigate The Funeral Expense Assistance (Scotland) Regulations 2019http://www.legislation.gov.uk/sdsi/2019/9780111040461/contents</p> <p>The Funeral Expense Assistance (FEA) will replace the current DWP Funeral Payment in Scotland and improvements mean around 40% more people will be eligible to apply. FEA will provide financial support directly to those who need it most at the point of bereavement.</p> <p>Regulations enabling delivery of this new system were laid in Parliament 18th January 2019.</p> <p>A new benefit providing help for people on low-incomes to meet the costs of a funeral is on course to be delivered by the Scottish Government through Social Security Scotland by summer 2019.</p>	
How was the engagement carried out?	What were the results from the engagement? Please list...	
Focus Group	No	
Survey	No	
Display / Exhibitions	No	
User Panels	No	
Public Event	No	
Other: please specify	National measures underway.	

Has the proposal / policy/ project been reviewed / changed as a result of the engagement?	No
Have the results of the engagement been fed back to the consultees?	No
Is further engagement recommended?	No

SECTION FIVE: ASSESSING THE IMPACT

Equality Protected Characteristics: What will the impact of implementing this proposal be on people who share characteristics protected by the Equality Act 2010 or are likely to be affected by the proposal / policy / project? This section allows you to consider other impacts, e.g. poverty, health inequalities, community justice, public protection etc.

Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Please provide evidence of the impact on this protected characteristic.
Age	✓			Groups with protected characteristics not affected.
Disability	✓			Groups with protected characteristics not affected.
Sex	✓			Groups with protected characteristics not affected.
Ethnicity	✓			Groups with protected characteristics not affected.
Religion / Belief / non-Belief	✓			Groups with protected characteristics not affected.
Sexual Orientation	✓			Groups with protected characteristics not affected.
Transgender	✓			Groups with protected characteristics not affected.
Pregnancy / Maternity	✓			Groups with protected characteristics not affected.
Marriage / Civil Partnership	✓			Groups with protected characteristics not affected.
Poverty			✓	Links to work by CAB nationally, and Scottish Government (Affordable Funeral Policy Manager, Social Security Policy Division), COSLA and the funeral sector .https://consult.gov.scot/social-security/statutory-guidance-on-funeral-costs/Consultation on Draft Statutory Guidance on Funeral Costs
Other, health, community justice, public protection etc.	✓			Groups with protected characteristics not affected.
Risk (Identify other risks associated with this change)				

Public Sector Equality Duty: Scottish Public Authorities must have 'due regard' to the need to eliminate unlawful discrimination, advance quality of opportunity and foster good relations. Scottish specific duties include:

	Evidence of Due Regard
Eliminate Unlawful Discrimination (harassment, victimisation and other prohibited conduct):	
Advance Equality of Opportunity:	
Foster Good Relations (promoting understanding and reducing prejudice):	

SECTION SIX: PARTNERS / OTHER STAKEHOLDERS

Which sectors are likely to have an interest in or be affected by the proposal / policy / project?	Describe the interest / affect.	
Business	Yes	There are public and private providers operating in this market.
Councils	No	
Education Sector	No	
Fire	No	
NHS	No	
Integration Joint Board	No	
Police	No	
Third Sector	Yes	C.A.B. have championed funeral poverty debate at a national level and provided reports to Government on funeral poverty.
Other(s): please list and describe the nature of the relationship / impact.	<p>Scottish Government have sought views on draft statutory guidance on funeral costs, which the Scottish Government will publish under Section 98 of the Burial and Cremation (Scotland) Act 2016. (Opened 16 Aug 2018 Closed 8 Nov 2018).</p> <p>The draft guidance sets out steps that burial authorities (cemeteries), cremation authorities (crematoriums) and funeral directors can take to improve transparency and availability of funeral pricing information. There are public and private providers operating in this market. For this reason, the guidance also includes a section specifically for local authorities on charge setting and tackling funeral poverty, recognising that councils operate many cemeteries and crematoriums.</p> <p>The overall aim of the draft guidance is to support transparency in the funeral market to help consumers understand, compare and choose the services that are right for them.</p> <p>The responses were published on the 8th February 2019: https://www.gov.scot/publications/draft-guidance-funeral-costs-analysis-consultation-responses/ Responses to the consultation will be used to inform the final version of the guidance. It is expected the Guidance will be made available during 2019 (tbc - not available at time of EPIA)</p>	

SECTION SEVEN: ACTION PLANNING

Mitigating Actions: If you have identified impacts on protected characteristic groups in Section 5 please summarise these in the table below detailing the actions you are taking to mitigate or support this impact. If you are not taking any action to support or mitigate the impact you should complete the No Mitigating Actions section below instead.

Identified Impact	To Who	Action(s)	Lead Officer	Evaluation and Review Date	Strategic Reference to Corporate Plan / Service Plan / Quality Outcomes
Additional cost of funeral.	Families of the bereaved, particularly vulnerable or low income families.	Key mitigation action is direct assistance targeted to those families most in need through Scottish Government Funeral Expenses assistance payment scheme to be implemented 2019 following recent legislation enactment in Jan 2019. In addition the service has introduced a Direct Cremation service in 2018 (which is 50% approx. of normal charges).	Sco. Govt lead. R. Broadley (Bereavement)	01/09/2019	Towards a Fairer Falkirk - Poverty Strategy Development Services - Service Plan

No Mitigating Actions

Please explain why you do not need to take any action to mitigate or support the impact of your proposals.

Are actions being reported to Members?	No
If yes when and how ?	

SECTION EIGHT: ASSESSMENT OUTCOME

Only one of following statements best matches your assessment of this proposal / policy / project. Please select one and provide your reasons.

No major change required	Yes	Scottish Government welfare/ Funeral Expense Assistance scheme will mitigate and offset cost to those in poverty or low income families during 2019.
The proposal has to be adjusted to reduce impact on protected characteristic groups	No	
Continue with the proposal but it is not possible to remove all the risk to protected characteristic groups	No	
Stop the proposal as it is potentially in breach of equality legislation	No	

SECTION NINE: LEAD OFFICER SIGN OFF

Lead Officer:

Signature:	<i>Richard Broadley</i>	Date:	15/02/2019
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SECTION TEN: EPIA TASK GROUP ONLY

OVERALL ASSESSMENT OF EPIA: Has the EPIA demonstrated the use of data, appropriate engagement, identified mitigating actions as well as ownership and appropriate review of actions to confidently demonstrate compliance with the general and public sector equality duties?	No
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ASSESSMENT FINDINGS If YES, use this box to highlight evidence in support of the assessment of the EPIA If NO, use this box to highlight actions needed to improve the EPIA	No information provided on protected characteristic groups. Impact on poorer families mitigated by benefits.
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Where adverse impact on diverse communities has been identified and it is intended to continue with the proposal / policy / project, has justification for continuing <u>without making changes been made?</u>	Yes / No	If YES, please describe:
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LEVEL OF IMPACT: The EPIA Task Group has agreed the following level of impact on the protected characteristic groups highlighted within the EPIA

LEVEL		COMMENTS
HIGH	Yes / No	
MEDIUM	Yes / No	
LOW	Yes	

SECTION ELEVEN: CHIEF OFFICER SIGN OFF

Director / Head of Service:			
Signature:	<i>Rhona Geisler</i>	Date:	18/02/2019