



Equality Impact Assessment (EIA)

Title of policy/process under consideration

Trust Fund Policy

Lead department

Corporate Affairs

Is this policy/process? (Please tick)

New Existing Revised

Is this a full EIA? (Please tick)

Yes No

Please state the reasons for the above decision.

The policy reflects the expectation of the Trust Deed as stated in Schedule 3, clause 4. The EIA screening does not identify any adverse affects on any of the protected characteristic groups.

What are the policy/process objectives and aims?

The policy objective is application of the mean testing of the ILF. The purpose is to ensure that capital cannot be excluded from means testing by being placed in a trust fund which the user has access to. The policy only applies to those users who applied after 1 April 2008. It was deemed inappropriate to retrospectively apply the policy to those who had applied before this date.

Please state the reasons why the changes are taking place.

The policy has been reviewed in line with the ILF's rolling review programme. The policy itself has not been changed but new guidance for exceptional decisions has been provided and the list of excluded trusts has been updated to reflect the Income Support regulations.

Key			
-2	Significant negative impact	+1	Mild/moderate positive impact
-1	Mild/moderate negative impact	+2	Significant positive impact
0	Neutral impact		
Protected Characteristic	Impact	Notes	
Age	-1	<p>The policy has a direct impact upon eligibility. As a high percentage of applicants after 2008 were young working age adults the impact upon this group will have been greatest. (See table 1 below)</p> <p>However, it would be difficult to mitigate against this change due to the fact that the ILF is no longer accepting applications.</p>	
Disability	0	<p>ILF recipients have a range of impairments/conditions and the policy applies to the general population. It could be considered that the policy would adversely affect those with impairments/conditions caused through accidents as personal injury payments are often put in trust funds but these are specifically excluded from the policy. The origin of trust funds does therefore not appear to be linked to the nature of the impairment or condition.</p>	
Gender	0	<p>There is no evidence that trust funds are more likely to be held by men or women. This change should therefore not impact one gender differently to another gender.</p>	
Gender reassignment	0	<p>No data is collected on the gender reassignment of ILF recipients. However, we believe that there are no grounds to suggest this policy will adversely affect users based on gender reassignment.</p>	

Marriage and civil partnership	0	The ILF procedure for means testing looks at the income and capital of both the ILF user and their partner. However, the definition of partner includes those individuals who are married, in a civil partnership or single but living together so this policy should not adversely affect those in a marriage or civil partnership.
Pregnancy and maternity	0	The ILF does not retain information on users' pregnancy or maternity but as it is unrelated to the receipt of a trust fund, people should not be treated differently because of this characteristic.
Race	0	The ethnicity data for the ILF largely reflects the population of the UK as a whole. There is no data to suggest that individuals of a certain race are more likely to receive monies in trust.
Religion or belief	0	The ILF does not collect information on a user's religion or belief unless it pertains to their support requirements. There is no reason to believe that the policy proposed will impact differently on users of different religious beliefs.
Sexual orientation	0	The ILF does not collect information on a user's sexual orientation. There is no reason to believe that the policy proposed will impact differently on users of different sexual orientations.

What alternative policy/process options have been considered to reduce or alleviate any identified impact?

What research has been gathered/considered when making decisions regarding the Protected Characteristics?

The Income Support (General) Regulations 1987

ILF data on the gender and ethnicity of ILF recipients

Table 1

ILF data on the age spread of users who applied before and after 1 April 2008

Age	Pre-1 April 2008	Post- 1 April 2008
16-25 yrs	8%	26%
26-35 yrs	23%	17%
36-45 yrs	23%	17%
46-55 yrs	21%	20%
56-65 yrs	14%	13%
65+ yrs	10%	5%

As you can see from the above table, although there is slight variation in each category, the only category with a noticeable variance is 16-25 yrs.

Are any future actions required for example monitoring or review?

SMP/UPCC will be consulted regarding the guidance following their review of a case which falls under the policy.

EIAB comments/recommendations

The EIAB reviewed the EIA on 10 July 2012 and subject to the minor amendments detailed in the minutes of 10 July 2012 the board agreed to the EIA.

Date form completed 28 June 2012

Signature of EIAB chair Jesse Harris

Date 26 July 2012

Subsequent amendments to policy/process

Date of amendment

Details of amendment

Reason why a new EIA is not required

Date of amendment

Details of amendment

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