

**Mainstreaming the Equality Duty**

**1. INTRODUCTION**

Transport is an area where inequalities in access and provision for different sectors of society can have significant effects. Transport is the glue that binds so many different activities for us all and if equal access to transport is not available then it can lead to a range of other manifestations of inequality. Some relevant issues are recorded below with particular relevance to the transport sector.

*According to the National Travel Survey, in 2011, females made 5% more trips than males (981 per year compared to 935), this difference is highest in the 30-39 age group where females make 22% more trips than males. However, males travelled 24% further than females, averaging 7,573 miles a year compared with 6,105 miles respectively.*

*Since 1995/97 the average number of car driver trips by men has fallen by 18% and average distance travelled fell by 16%. This compares to an 11% increase in car driver trips and a 23% increase in distance travelled by women. However, men still drive nearly twice as many miles per year than women (4,480 miles compared to 2,433).*

*Travelling by car forms a large proportion all individuals' personal travel, in 2011 it ranges from 47% for those aged 17-20 years to 72% for 50-59 year olds, and these account for 61% and 85% of the distance travelled respectively. Males make more car driver trips overall than females (435 per year compared to 361); however this is not the case in all age groups. Females aged between 17 and 49, made more car driver trips than males, while males aged 50 and over made significantly more car driver trips than females*

*Cycling is most prevalent among men than women (23 trips person per year compared to 8 trips). However, cycling only makes up 2% and 1% respectively of their total trips. Women make more bus trips on average than men (74 trips per person per year compared to 54 trips).*

*The proportion of trips made by bus was highest among those aged 17-20, accounting for 15% of all trips in this age group. Bus use was higher for those aged 60+ than in middle age groups, particularly among females, reflecting the availability of concessionary travel for older passengers and differences in driving licence holding across age groups. Women of all ages*

*used buses more than rail, but men aged 30-39 used rail more than buses, reflecting the more widespread use of rail among commuters.*

*In 2011, 49% of trips to and from school by primary school children (aged 5-10) were made on foot. The proportion of trips by car for these children was 43%. Among secondary school children (aged 11-16) in 2011, 38% of school trips were on foot and 22% were by car. For secondary school children, the proportion of trips by bus (including school bus/coaches) was 33% in 2011 and 3% were by bicycle.*

*Car travel accounts for the greatest proportion of trips and distance travelled in every income quintile group. Households in the highest income quintile travel just over 3 times further by car than the lowest income quintile.*

*Use of public transport is also related to income. From the lowest to highest income quintile, the average number of trips by bus decreases (100 bus trips per person per year in the lowest income quintile compared with 32 bus trips in the highest). However, rail use is highest in the top income quintile with just over 3 times more rail trips and 3 and half more rail miles than the lowest quintile.*

***According to the Scottish Household Survey in 2011, Forty six per cent of households in the 15% most deprived areas of Scotland as defined using the Scottish Index of Multiple Deprivation have at least one car available to them compared with around three-quarters (74%) in the rest of Scotland.***

*Just over two-thirds (67%) of adults hold a full driving licence with a higher proportion of males (76%) holding a licence as compared to females (60%). The percentage with a full licence peaks for females within the 35 and 44 age group (76%) and for males between the ages of 45 and 59 (86%). There are significant differences between driving licence possession amongst most age groups for males and females, however these are most pronounced in those aged 60 and over. Around 29% of females aged over 75 have a licence compared with 67% of males*

*People with a disability or long-term illness are less likely to hold a full driving licence compared to people who report no disability/ long-term illness.*

*Adults from minority ethnic groups are markedly less likely to hold a driving licence) than white ethnic groups.*

*Adults with a disability or long-term illness are more likely to use a local bus service than those with no disability or long-term illness.*

*Women make more use of local bus services than men.*

*Pensioners are more likely to use local bus services than other adults.*

## **2. EQUALITIES DUTIES**

The Equality and Human Rights Commission have now produced guidance on how public authorities can meet the requirements of the Equalities Act 2010 and the Equalities Act 2010 (Specific Duties) (Scotland) Regulations 2012 .

The Equality Act 2010 defines “general equality duties” which are as follows;

- Eliminate unlawful discrimination, harassment and victimisation and other prohibitive conduct
- Advance equality and opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share protected characteristic and those who do not.

The Act also sets out that;

- Meeting different needs includes (among other things) taking steps to take account of disabled peoples disabilities
- Fostering good relations means tackling prejudice and promoting understanding between people of different groups
- Meeting the general equality duty may involve treating some people more favourably than others.

## **3. SPECIFIC DUTIES**

The specific duties are the steps required to deliver the general duties as outlined above.

The general actions required are;

- A mainstream report (which includes employee information) to be published no later than 30<sup>th</sup> April 2013
  - This report is to include the following;
    - Show how equality becomes part of the structures, behaviours and culture of an authority
    - Demonstrate how, in carrying out its functions, it is promoting equality
    - Mainstreaming equality contributes to continuous improvement and better performance.
- Equality outcomes report, prepared using involvement and evidence to be published no later than 30 April 2013.
  - This report is to;
    - Define a set of equality outcomes which it considers will enable the authority to better perform the general equity duty.

## **4. MEETING OUR DUTIES**

#### **4.1. Identifying the functions and policies relevant to equality**

SEStran is the South East of Scotland Transport Partnership covering the areas of the eight local authorities of Edinburgh and the Lothians, Fife, Falkirk, Clackmannan and Scottish Borders Councils and brought into being under the terms of the Transport (Scotland) Act 2005 in December of that year.

SEStran is currently a Model 1 partnership having the statutory duty to develop a Regional Transport Strategy for its area. At present, although SEStran has other powers this remains its only duty under the 2005 Act and SEStran has not moved towards seeking additional powers to allow it to move to a service delivery role. Consequently SEStran remains a very small organisation with a total of only eight staff.

The current establishment comprises:-

- Director
- Strategy Manager
- Programme Manager
- Communications Officer
- Travel Plan Officer
- Office Manager
- Admin. Assistant
- Receptionist

SEStran is assisted in carrying out its functions by the provision of financial services by The City of Edinburgh Council, Human Resources services by Falkirk Council and Legal services by Fife Council. These services were agreed by resolution of the SEStran Board and in effect form service agreements with the three Councils concerned. SEStran staff are not employed by any of these councils but are directly employed by SEStran itself.

Since December 2005, SEStran has very much concentrated on its primary duty to provide and implement a Regional Transport Strategy (RTS).

At present, SEStran is responsible for funding projects through its revenue budget which in 2012/13 was £0.876m. Consequently, while SEStran is not a direct provider of transport services, it can influence that provision through grant assistance to local authorities and other public bodies, it can influence central government and other national transport providers through responses to consultations and pro-active lobbying and it can strongly influence transport policy and provision through the requirement for local transport and planning authorities to take cognisance of the Regional Transport Strategy when drawing up their own statutory documents.

#### **SEStran Regional Transport Strategy (RTS)**

The RTS contains a range of objectives, policies and proposals that are designed to promote equality of access to transport for all sectors of the

community from the disabled and the socially excluded, as a result of multiple social deprivation, to those who do not use public transport for fear of personal security e.g. women. It also seeks to provide equality of opportunity to access transport no matter where one lives.

The overall objectives of the Strategy are

- Economy,
- Accessibility,
- Environment and
- Safety and Health

with the objective for Accessibility being particularly relevant to equality issues.

This objective seeks:

**“to improve accessibility for those with limited transport choice (including those with mobility difficulties) or no access to a car, particularly those who live in rural areas.”**

From this high level objective numerous policies and interventions were developed which address equality of access for all to jobs, health facilities, education, shops and leisure facilities.

The interventions that are particularly relevant are those relating to “Initiatives for Specific Area and Groups” and “Area Wide Measures”.

As required by Scottish Government, our RTS is being reviewed to bring it in line with the current capabilities of SEStran and this review will be published later this year.

### **Initiatives for Specific Area and Groups**

This theme concentrates on improving accessibility for specific geographical areas and groups of travellers. This is particularly focussed on:

- Access to health care services;
- Access to employment;
- Community transport/demand responsive transport;
- Public transport in rural areas;
- The travel needs of disabled people.

By addressing these issues in a non discriminatory way we will achieve equality of accessibility by all our residents and visitors.

### **Region-Wide Measures**

This theme concentrates on measures which are not geographically specific and include measures in relation to public transport services use, integration and tackling mobility impairment.

Again applying these measures in a non discriminatory way will improve access for all.

## **Equal Opportunities**

A core policy of the RTS (Policy 25) is that: **“all interventions will be the subject of an equality audit to ensure that they promote equalities in accordance with the law”**.

The current RTS is available on our web site [www.sestran.gov.uk](http://www.sestran.gov.uk)

## **Employment Duty**

Advice on human resource issues is provided to us by Falkirk Council who have developed their own comprehensive Equality Scheme. Therefore any advice supplied is compliant with our equalities requirements. Similarly legal advice is provided by Fife Council..

As a result we have made significant progress on a number of fronts and have developed, approved, published and applied policies and procedures on:-

- Capability
- Data Protection
- Disciplinary Procedures
- Equal Opportunities and Dignity at Work
- Family Leave
- Flexible Working
- Grievance
- Sickness and Absence Management
- Violence at work
- Training
- Terms and conditions of Employment
- Stress Management
- Smoking
- Severance
- Retirement
- Relocation
- Recruitment
- Public Interest Disclosure
- Public interest (Whistle Blowing)
- Mobile phones and Driving
- ICT
- Home Working
- Fraud Response Plan
- Fire action plan
- Emergency Action
- Drug and Alcohol
- Diversity and Equality
- Anti Bribery
- Adverse Weather
- Accidents and Incidents at work

Health and Safety  
Grievance Policy and Procedures  
Recruitment  
Code of Conduct

The above are all published on our web site.

In applying equal opportunities in our recruitment procedures, we carry out monitoring of the candidates and have provided a web based application documentation that allows applications electronically and allows large print access. This allows us to identify any bias in the selection process and allows those with disabilities to apply more easily.

We carry out occupational health screening of candidates and we need a more proactive way of addressing issues that arising from the screening process.

The building that we currently use for our offices has level access and wide doors, but we need to carry out a DDA compliance audit of our premises to ensure all issues have been considered.

#### **4.2. Assessing and consulting on the impact of our policies;**

##### **Assessment**

The Regional Transport Strategy was developed and assessed in line with STAG (Scottish transport Assessment Guidance) principles with Summary Assessment Table presented in Appendix D of the strategy.

The STAG process examines the strategy in terms of Economy, Accessibility, Environment, and Safety and Health indicating the overall impact of the strategy in these areas. The process identified that improving public transport accessibility by improving the availability, facilities, and affordability of public transport as key issues.

##### **Consultation**

A comprehensive consultation was carried out as part of the development of our RTS as described in our Report of Consultation and is published on our web site.

Stakeholder consultation was carried out at three key stages of the development

1. **Problem and issue identification** – to ensure that all the relevant issues were identified.
2. **Objective setting and prioritisation** – to ensure that there was agreement on priority of issues
3. **Draft Strategy** – a wide spread consultation on the draft strategy with a comprehensive analysis of comments and how they were taken on board within the final strategy.

Throughout the process numerous organisations representing the interests outlined below were sought.

Health	Safety	Mobility	Commerce	Employment
Cycling	Emergency Services	Education	Bus	Heritage
Walking	Economic Dev.	Environment	Rail	Freight
Tourism	Road	Leisure	Education	
Young People	Air	Shopping	Elderly	

### **Equalities Forum**

A key element of our previous Equalities Scheme was the establishment of an Equalities Forum which currently meets on a three monthly basis, involving local equalities groups, to discuss the work that SEStran is doing and how it operates, to get feed back and suggestions on how we can usefully improve on equalities issues.

It was quickly established that the Forum wanted to be more than just a discussion group and have proactively introduced the SEStran Thistle Card that allows bus passengers to inform drivers of their disability and the help they require. We have now distributed 35,000 cards. The card was designed with input from the forum, especially on the layout, colouring and content of the card. The information accompanying this card comes in a variety of languages and in large print.

Other projects include the development of an audio travel information App and involvement in the redesign of Waverley and Haymarket stations to ensure all disabilities are considered in the redesign.

The initial purpose of the forum is to:

- Inform people of what SEStran is doing and what are our future plans;
- Allow for discussion and involvement in decision making on relevant issues;
- Allow issues of concern to be raised;
- Use as a basis of developing initiatives; and
- Allow employment issues to raised and discussed.

It is not intended that the forum should be a vehicle just to tell people what we are doing but to provide a venue at which a wide range of issues can be discussed and developed.

The forum involves people of all sorts of disabilities and ethnic groupings but at the moment tends to focus on access to and information on public transport services and facilities.

We also have an Access to Healthcare group, Bus and Rail Forums and a Sustainable Transport forum, which although not specifically aimed at equality groups, aims to improve transport for all users.

### **4.3. Monitoring policies for any adverse impact on equalities;**

Built into the RTS is a monitoring plan associated with specific targets. A monitoring report is reported to our Board on an annual basis within our Annual Report

Most of the monitoring measures relate to accessibility, which in terms of equality is an important issue but there are other issues related to equality that could also be monitored.

As previously mentioned there is a policy that requires an equality audit on all relevant interventions. This requires further definition.

All reports reported to our Board require comment to be made on equalities issues to ensure Board members are aware of any equalities issues.

### **Employment Duty**

We carry out monitoring of the candidates as part of our recruitment process and have provided a web based application documentation that will allow applications electronically and allow large print access.

In general the monitoring processes need to be reviewed to ensure equality issues are fully recognised and possibly examine a cost effective way providing access to information in various languages.

#### **4.4. Publish the results of assessments, consultation and monitoring;**

The Mainstreaming the Equality Duty Report and Equalities Outcome Report will be published on our web site.

Proposals related to the Equalities Outcome report will be reported through our Annual Report. The Annual Report will include reference to equalities issues and proposals and will allow updating where required.

Our annual report is published on our web site and identifies progress on HR policies. It includes a specific section on equalities reporting progress.

The implementation of equalities policies is an ongoing process rather than simply the requirement to publish specific reports.

#### **4.5. Ensuring employees are aware of their duty to promote equality.**

All our policies relating employment and the strategy are available on our web page. They are also subject to reports to the Board which again are available on our web site.

Employee policies are circulated for comment prior to finalisation to allow comments to be made.