![GO SEStran — South East of Scotland Transport Partnership logo]

REGIONAL TRANSPORT STRATEGY

Equality Impact Assessment

October 2021

In partnership with: **Stantec**

EQUALITY IMPACT ASSESSMENT RECORD

Screening

Policy Aim

A new Draft Regional Transport Strategy (RTS) has been prepared by South-East of Scotland Regional Transport Partnership (SEStran) to establish a new transport vision for the region through the development of new transport policies and strategic objectives.

The RTS is currently at the draft stage and will be published for public consultation for 12 weeks to ensure the strategy is reflective of all transport users in the region.

The Draft RTS comprises:

- A transport problems framework to identify transport inequalities users currently face within the SEStran area. This has been developed through extensive public and stakeholder consultations. The framework identifies what needs to be considered to as drivers of change and sets out what should be achieved.

- From the problems framework, four strategy objectives have been developed to resolve the inequalities raised. These are: transitioning to a sustainable, post carbon transport system, facilitating healthier travel options, widening public transport connectivity and access across the region and supporting safe, sustainable and efficient movement of people and freight across the region.

- Under the four transport strategy objectives, a series of 12 regional mobility themes to act as drivers of change and help to address the challenges raised during the initial public consultation.

Once finalised, the new RTS will provide an integrated spatial and strategic framework to underpin transport planning and development decisions and to guide transport infrastructure investment across the SEStran area. The RTS recognises that transport is a crucial enabler of sustainable and inclusive economic growth and a key tool in the Scottish Government's target of net zero emissions by 2045.

The new RTS will also provide a platform and the strategic context necessary to address key economic, social, and environmental challenges through the transport system. The RTS vision for the transport system relates directly to creating a more inclusive and accessible transport system contributing to a more equitable society. Reducing Inequality is a key theme throughout the strategy and has influenced the development of both the transport planning objectives and the 12 regional mobility themes.

Who will it affect?

Transport affects access to services, amenities, economic opportunities, and social activities for all people across all parts of the SEStran region. The new RTS will therefore affect any person in the region who:

- Travels for any purpose and by any mode; or,
- Interacts with, or faces barriers to accessing, the transport system, e.g., as a resident, worker, or visitor.

Reflecting the high level and strategic purpose of the document, all components of the RTS have been designed to apply universally rather than to target specific demographic groups. Improvements to the transport system and the resulting *reductions in inequality*, climate sustainability, inclusive growth, and health and well-being can be expected to impact all people in the region.

What might prevent the desired outcomes being achieved?

The intended role of the RTS is one of setting a visionary strategic framework to underpin future decision making. Achieving the desired outcomes will therefore be dependent on the scope and future implementation of individual proposed RTS components, which are inherently high-level. It has therefore been necessary to adopt an iterative approach to this EqIA, focusing on relevant strategic issues raised within the Draft RTS as published for consultation. In this regard the Draft RTS provides a strong and positive framework for future action to tackle inequalities and deliver a more inclusive society, with equalities issuing being afforded high importance throughout the document. The findings of the EqIA will however require to be reviewed and updated throughout the implementation of the RTS to account for the design and delivery specific interventions and to ensure continued compliance with Section 149 of the Equality Act 2010.

Stage 1: Framing

Results of framing exercise

Given the importance of assessing the impact on each of the protected characteristics, SEStran has considered the framework set out in the RTS against the needs of the general equality duty as set out in section 149 of the Equality Act 2010.

An internal framing exercise has been completed which has identified that the RTS may have some impact on all protected characteristic groups, with some groups being more impacted than others. Where any negative impacts have been identified, SEStran has sought to address these.

Extent/Level of EQIA required

<u>Requirements</u>

Following the findings of the framing exercise which indicate the presence of likely equalities impacts, the development of the RTS has been underpinned by an iterative impact assessment process covering the following suite of statutory 'equalities' duties regarding a broad range of equalities considerations.

Section 149 of the Equality Act 2010 sets out a 'public sector equality duty'. This requires public authorities in exercising their functions to "have due regard to the need to:

a. *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*

b. *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

c. *foster good relations between persons who share a relevant protected characteristic and persons who do not share it."*

The protected characteristics referenced within this duty are specified within Section 4 of the Act, namely:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

<u>Approach</u>

Owing to the presence of strong linkages between different types of inequalities (in terms of both inequalities of opportunity and of outcomes) experienced across the South East of Scotland, a co-ordinated approach has been adopted to discharge the following statutory duties throughout the preparation of the RTS in addition to the Public Sector Equalities Duty:

- Fairer Scotland Duty – Section 1 of the Equality Act 2010; and,
- Child Rights and Wellbeing Impact Assessment – Section 1 of the Children and Young People (Scotland) Act 2014.

This process has involved gathering further information of relevance to the statutory duties to build on the framing exercise described above through a desk-based review of literature.

Likely impacts from the RTS were then considered in the context of each applicable statutory duty. This has been undertaken throughout the development of the RTS to shape the document and in doing so to maximise the ability to tackle identified inequalities.

This integrated approach enabled the carrying out of each duty to influence the content of the RTS whilst avoiding unintended conflicts or gaps that could arise from considering each duty in isolation. An Equalities Assessment Framework was developed which groups specific Guide Questions under each applicable statutory duty.

Reporting

This Record Sheet describes how the Public Sector Equality Duty has been discharged and discusses any identified likely impacts of the RTS on persons with one or more protected characteristic.

Stage 2:   Data and evidence gathering, involvement and consultation

Sources of Literature and Evidence

With reference to each protected characteristics, the table below summarises the main literature and evidence sources which have informed this EqIA and RTS preparation, as well as identifying any key evidence gaps.

Protected characteristic	Evidence gathered and strength/quality of evidence	Sources of Evidence	Data gaps identified and action taken
Age	Elderly people tend to travel relatively less often and for shorter distances than other adults (Fatima, et al. 2020). Without needing to commute, elderly people are more likely to travel between the hours of 9:00 and 15:00, with most trips for shopping (mostly undertaken by elderly women) (Su and Bell 2012). According to Davis (2014), young people may have a more local focus than the population as a whole. This suggests that young people from deprived areas may look for jobs and training opportunities only in their local area and those easily accessible via public transport.	Academic literature and reports published by third-sector organisations drawing on national statistics.	Information relied upon relates to Scotland, England, or to the UK.
Disability	An individual will generally use public transport less frequently if they experience a greater number of difficulties completing daily tasks (Yarde, et al. 2020). However, travel behaviour among this group varies widely as the behaviour of people with specific types of disabilities is often markedly different to each other (Clery, et al. 2017).	Academic literature and reports published by third-sector organisations drawing on national statistics.	Information relied upon relates to Scotland, England, or to the UK.
Sex	In general, women engage in travel linked to domestic commitments and are more likely to travel with young people and the elderly (Duchene 2011; Sánchez de Madariaga 2013). This influences travel behaviour and women tend to travel shorter distances within a more restricted geographical area, make more multi-stop trips, and rely more on public transport.	Academic literature and reports published by third-sector organisations drawing on national statistics.	Information relied upon relates to Scotland, England, or to the UK.
Pregnancy and maternity	Evidence related to this protected characteristic is robust and draws from peer reviewed academic literature. Findings relating to complex travel patterns and how this relates to the transport system is evidenced by quantitative data published through national bodies.	Academic literature and reports published by third-sector organisations drawing on national statistics.	Information relied upon relates to Scotland, England, or to the UK.

Protected characteristic	Evidence gathered and strength/quality of evidence	Sources of Evidence	Data gaps identified and action taken
Gender reassignment	Evidence relating to this protected characteristic is relatively limited, particularly in how disadvantages relate to the transport system. National statistics are often limited by binary reporting categories.	Due to data limitations, the primary evidence base draws from reports published by third sector organisations.	Information relied upon relates to Scotland, England, or to the UK.
Sexual orientation	Discrimination and disadvantage faced by persons related to this protected characteristic is well documented in terms of safety and security, however there is a gap in what other barriers members of the LGBT+ community may face to the transport system, such as affordability. The evidence base therefore draws on literature related to inequalities experienced across society as a whole.	As sexual orientation data is seldom captured by national labour force and household statistics, this evidence base has largely been compiled using the work of third-sector organisations.	Information relied upon relates to Scotland, England, or to the UK.
Race	Data at a Scotland-level is limited on different ethnic minority groups (Scottish Government 2015, 26) and any analysis of race-based discrimination must consider the differences in people's experiences and preferences both between and within different ethnic groups (Gentin 2011). Yet recent research suggests that black and ethnic minority individuals take relatively few active leisure trips such as walking or cycling (Colley and Irvine 2018). Potential explanations can include socio-economic disadvantage, fear of discrimination, and language barriers.	Academic literature and reports published by third-sector organisations drawing on national statistics.	Information relied upon relates to Scotland, England, or to the UK.
Religion or belief	There is a limited evidence base detailing how this protected characteristic relates to inequalities on the transport system. Evidence that details the disproportionate presence of such groups within wider inequalities, such as income deprivation, utilises widely accepted sources.	Primarily national statistics and Scottish Government Reports.	Information relied upon relates to Scotland, England, or to the UK.

Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence gathered; this section considers the potential impacts – negative and positive – that the RTS might have on each of the protected characteristics defined. It is important to remember the PSED is also a positive one – it explores whether the RTS offers the opportunity to promote equality and/or foster good relations, rather than simply to reduce inequalities.

Taken as a whole, the final RTS provides a positive framework to, within the context of the transport system, eliminate discrimination, harassment, victimisation, advance equality of opportunity and foster good relations between people with or within individual protected characteristics. However, the strategic nature of the RTS and its universal focus precludes at this stage the identification of specific impacts on persons with individual protected characteristics.

The RTS vision for the region's transport system relates directly to creating an inclusive and accessible transport system contributing to a more equitable society, A commitment to advancing equality of opportunities across protected characteristics is embedded in the strategic framework of the RTS, referenced directly in its strategy objectives. The RTS also establishes a positive framework which will allow interventions to be designed around targeting existing inequalities experienced by persons related to each of the nine protected characteristics on the transport network and in society more widely.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment, and victimisation on the basis of age. It is however noted that the RTS seeks to reduce inequality of opportunity by widening public transport connectivity across the region. This is likely to have positive differential impacts on people because of their age, as elderly and young people are more likely to rely on the public transport network.
Advancing equality of opportunity	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of people in relation to their age characteristics. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity for all, i.e., across different age groups.
Promoting good relations among and between different age groups	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among and between different age groups. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment, and victimisation towards disabled persons.

	Positive	Negative	None	
				However, it is noted that the RTS has a stated aim to ensure any new development is fully accessible for disabled users. This is likely to have positive differential impacts on people related to this protected characteristic.
Advancing equality of opportunity	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of disabled persons. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of disabled persons.
Promoting good relations among and between disabled and non-disabled people	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among and between disabled and non-disabled people. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment and victimisation towards women. However, it is noted that the RTS contains explicit commitments to increase connections disproportionately relied upon by women to access key services in urban areas. This is likely to have positive differential impacts on people related to this protected characteristic.
Advancing equality of opportunity	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of women. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of women.
Promoting good relations between men and women	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among and between men and women. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and	Positive	Negative	None	Reasons for your decision

Maternity				
Eliminating unlawful discrimination	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment and victimisation towards pregnant persons and mothers and no explicit commitments are made in this regard. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of pregnant persons and mothers. However, it is noted that the RTS identifies the need to tackle inequalities faced by lone parents as a key challenge. This provides a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.
Promoting good relations	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among pregnant persons and mothers and the wider public. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment, and victimisation towards transsexual persons and no explicit commitments are made in this regard. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of transsexual persons. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of transsexual persons.
Promoting good relations	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among and between cisgender and transsexual people.

				Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	✔			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment and victimisation on the basis of sexual orientation and no explicit commitments are made in this regard. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity	✔			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity across different sexual orientations. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity across different sexual orientations.
Promoting good relations	✔			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among groups of people with different sexual orientations and towards the LGBT+ community. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	✔			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment, and victimisation towards those from an ethnic minority background. However, it is noted that the RTS seeks to encourage active travel, which may lead to differential health outcomes among persons relating to this protected characteristic.
Advancing equality of opportunity	✔			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of those from an ethnic minority background. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of those from an ethnic minority background.
Promoting good race relations	✔			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among and between different ethnic backgrounds.

				Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on unlawful discrimination, harassment and victimisation on the basis of sexual orientation. However, it is noted that the RTS identifies the need to ensure fair access of persons related to the religion or belief protected characteristic to services we need as a key challenge. This provides a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.
Advancing equality of opportunity	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts on advancing equality of opportunity of people belonging to all faith and belief groups and no explicit commitments are made in this regard. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.
Promoting good relations	✓			The high-level nature of the strategy and all associated policies and policy measures precludes the identification of any specific impacts promoting good relations among and between those of different faiths and beliefs. Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.

Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership[1]	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			✓	The focus on transport and high-level nature of the strategy means that no different impacts are likely to occur on people because of their marriage or civil partnership.

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[1] In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4:   Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	Yes
Is the policy directly or indirectly discriminatory under the Equality Act 2010[2]?	No
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	N/A
If not justified, what mitigating action will be undertaken?	N/A

Describing how Equality Impact analysis has shaped the policy making process

The implementation of the PSED was undertaken on an iterative basis throughout the development of the NTSRTS2 in order to embed the consideration of likely equalities impacts within the document. This was achieved in three ways:

- **More explicit references to existing inequalities in transport problems:** whilst initial drafts of the Case for Change identified problems disproportionately experienced by demographic groups, these inequalities were not explicitly stated. The RTS now clearly emphasises the particular demographic groups and protected characteristics which experience relevant inequalities. This aids the identification of likely differential impacts from options designed to address the problems identified;

- **Inequalities identified in principle reporting frameworks:** following EqIA recommendations, key equalities issues are now explicitly described in the frameworks themselves. This makes likely differential impacts clear to readers and policy makers who may only be referring to these summary outputs; and,

- **Differential impacts identified in strategic objectives:** following EqIA recommendations, the four RTS Strategic objectives defined within the RTS now include specific reference to social groups, protected characteristics and young people.

Summary and Next Steps

The evidence provided in this Record Sheet demonstrates that the implementation of the PSED to date has directly informed and improved the draft RTS.

A holistic Equalities Assessment Framework has also been prepared as a tool to support the continued implementation of the PSED and other applicable statutory equalities duties in the design and delivery of future transport interventions (funding streams, policy programmes, physical infrastructure development, etc.) to implement the RTS.

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[2] See EQIA – Setting the Scene for further information on the legislation.

Stage 5 - Authorisation of EQIA

Please confirm that:

- This Equality Impact Assessment has informed the development of this policy:

  Yes   ☒   No   ☐

- Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

  - Eliminating unlawful discrimination, harassment, victimisation;
  - Removing or minimising any barriers and/or disadvantages;
  - Taking steps which assist with promoting equality and meeting people's different needs;
  - Encouraging participation (e.g. in public life)
  - Fostering good relations, tackling prejudice and promoting understanding.

  Yes   ☒   No   ☐

- If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

  Yes   ☐   No   ☐   Not applicable   ☒