

<b>SEStran Regional Bus Strategy</b>	
<b>Document</b>	<b>Child Rights and Wellbeing Duties - Impact Assessment – Scoping Report</b>
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# Childs Rights and Wellbeing Impact Assessment Template

## 1 Child Rights and Wellbeing Duties

### 1.1 Introduction

The Children and Young People (Scotland) Act 2014 requires public bodies to consider whether existing and emerging legislation, policy and guidance have an impact on children and young people and to assess what further action is required to ensure compliance with the United Nations Convention on the Rights of the Child (UNCRC). Child Rights and Wellbeing Impact Assessments (CRWIAs) are one of the general measures of implementation under the Convention. It recommends that all levels of government complete a CRWIA as part of their policy development.

There are four general principles of the UNCRC which must always be considered in policy appraisal:

- apply rights without discrimination (Article 2);
- best interests of the child to be a principal consideration (Article 3);
- right to life, survival and development (Article 6); and
- right to express a view and have that view taken into account (Article 12).

These articles underpin all other rights in the Convention and have formed the basis for consideration in this Child Rights and Wellbeing (CRW) impact assessment. Additional articles considered to be relevant to this appraisal are set out in Section 3.2.

### 1.2 This Scoping Report

This Scoping Report sets out the background to the SEStran Regional Bus Strategy study and presents the evidence base and Child Rights and Wellbeing Duties Impact Assessment process to be undertaken at an interim impact assessment stage during the options appraisal stage of the study.

## 2 SEStran Regional Bus Strategy

### 2.1 Study Background

The development of a SEStran Regional Bus Strategy has its foundations embedded in the SEStran Regional Transport Strategy (RTS) (2021 – 2035), and its vision, priorities and objectives, and clear policy statement setting out the aim for a world class passenger focused public transport system.

The 2035 SEStran RTS was published in 2023 and reinforces national policy ambitions, setting out the following Vision for transport in the region:

*A South-East of Scotland, fully integrated to reflect new national, regional and local policy priorities. It sets out the type of region we want the South-East of Scotland to be and how transport can contribute to achieving that for everyone. The vision also shapes the strategy objectives by providing a high-level context and long-term focus for the strategy.*

The RTS signals the need for transformational change in transport and travel behaviour. The strategy recognises the transport challenges around active travel, public transport, mixed modes, freight, and car use. The challenges addressed those from a user perspective, which cover issues such as travel costs, the lack of public transport connectivity and services, confusing travel information, safety, accessibility, and reliability.

The RTS concluded that the **strategy Vision will not be achieved without improving the quality and integration of the bus network and set out a policy aiming for a world class passenger focused public transport system**. Given this conclusion, the need for the development of a SEStran Regional Bus Strategy (SRBS) was recognised with the new powers and opportunities available through the Transport (Scotland) Act

The development of the world class system is guided by the RTS ‘Transforming and extending the bus service’ mobility theme which focuses on the spatial context for the RTS and future RTS Delivery Plans, setting out the strategic gateways, corridors and locations that will be a focus for future transport appraisal and investment to support regional development priorities and economic strategies.

In seeking to deliver its vision, the RTS sets out four strategic objectives to anchor the strategy within the wider societal goals transport needs to help:

- Transition to a sustainable, post-carbon transport system
- Facilitate healthier travel options
- Transform public transport connectivity and access across the region
- Support safe, sustainable and efficient movement of people and freight across the region

From these priorities, four transport objectives were set covering the transport system in terms of sustainability, healthier travel options, connectivity, and safety and efficiency.

The RTS sets out a range of policies and actions that will shape investment in transport for the next 10 to 15 years. This aims to ensure the climate emergency is addressed by meeting the Scottish Government’s target to reduce car traffic levels by 20% by 2030. This will need investment in active travel and public transport so these become attractive modal choices and achieve a key theme within the strategy of *reducing car km and car mode share*.

The SEStran Regional Bus Strategy is being developed through the consideration of:

- the role of bus in delivery of the RTS;
- the spatial context of the bus network; and
- the attributes and components of a world class bus network for the region.

The option development and appraisal process will consider the operating and funding model (from the range of bus reform options available to SEStran) and during the option appraisal process will be informed by this Fairer Duties Scotland Impact Assessment. The appraisal will identify the most appropriate operating and funding model(s) for the region, taking into account the powers available through the Transport (Scotland) Act 2019.

### 3 Evidence base

There are clear overlaps between the requirements of this duty and the issues considered under part of the protected characteristic for ‘age’ under the Public Sector Equalities Duty (PSED). There are also overlaps with the evidence bases presented for the Fairer Scotland Duty assessment (see separate FSD Assessment Reports) where children and young people live within families who experience socio-economic disadvantage. Children (0- to 15-year-olds) comprise 17% of Scotland’s total population, and young people (16- to 24-year-olds), 10% (National Records of Scotland, 2021).

#### 3.1 Transport and Accessibility

The key factors affecting the ability of children and young people to access transport are their socio-economic background, geographical location and the accessibility and safety of public transport available (Transport

Scotland, 2021). The ability to access safe, convenient and cost-effective transport has an impact on the ability of children and young people to access education, public services and economic opportunities, particularly for children from low income and deprived socio-economic backgrounds (Transport Scotland, 2022a). Young people in Scotland were less likely (in 2019) to drive every day, less likely to hold a driving licence and (along with older people) travel by bus more regularly than other groups (Strathclyde Partnership for Transport, 2021b).

### Access to education

The importance of access to education is paramount, especially in deprived areas. In Scotland, those from the '20% Most Deprived' Scottish Index of Multiple Deprivation (SIMD) Data Zones are also the least likely to go into 'Positive Destinations' (90.0%) compared to those from the '20% Least Deprived' areas (96.3%). Notably the '20% Most Deprived' Data Zones are primarily located within Urban Areas and their suburbs (that is 'Large Urban Areas' and 'Other Urban Areas') (Scottish Government, 2021b)

In Scotland, over 70% of young people and children travel to Schools, training or work 3-5 times a week (Transport Scotland, 2022b). Nearly half (45%) of those travelling to/from education used a bus (either a school bus or service bus), while over a quarter (29%) used active modes (i.e. walking, cycling and scootering). Those travelling to an apprenticeship/training or to work were more likely to use the bus or drive/be driven (Transport Scotland, 2022b). Secondary school children are more likely to take the bus than get driven to school (Transport Scotland, 2021b).

The Connectivity and Deprivation Audit Tool (CDAT) shows large level of disparities of connectivity to colleges and universities. The greatest correlation between deprivation and public transport connectivity is shown in Edinburgh, West Lothian, Falkirk, and Fife. The level of connectivity to education in South East Scotland is most prevalent in urban areas, with the majority of the worst connected educational institutions being in these regions. Although there are also connectivity problems in rural areas, the poorest connectivity to tertiary education and lowest levels of education attainment are in the urban areas (Stantec, 2021).

Children and young people in rural areas are typically more dependent on public transport, particularly for accessing education and training, public services, social and economic opportunities. The availability, cost and frequency of public transport in rural areas is often a significant challenge for young people. For many young people in rural areas, having a driving licence and being able to access a car is essential to reach key education, training and employment destinations (Transport Scotland, 2020a).

The impact of school bus services in rural Scotland has been significant, especially considering the unique challenges that rural areas face. School bus services are crucial in rural Scotland for connecting young people to education. They provide a vital link for students who might otherwise be unable to travel to school due to the long distances and lack of alternative transport options. Despite their importance, rural school bus services face challenges such as funding, maintaining service levels, and dealing with the impacts of weather and remote geography. The lower population density in rural areas can make routes less commercially viable, leading to a reliance on subsidies and support from local authorities (Transport Scotland, 2023).

The Scottish Government has recognized these challenges and has taken steps to support rural bus services. For example, the Community Bus Fund aims to improve local public transport in rural deprived areas by supporting local authorities with funding and resources to explore innovative transport solutions (Transport Scotland, 2023).

Analysis undertaken as part of the Case for Change for the SEStran Regional Bus Strategy highlights that 4% of households across the South East region do not have access to a bus stop (within a suitable walking catchment defined (for this analysis) as within 400m in large urban and urban areas, within 600m with accessible small towns and rural small towns, and within 800m in accessible rural areas and remote rural areas); 13% of

households (defined as having access to a bus stop) have a bus less often than every 30 minutes, with this rising to 20% for stops located outside of Edinburgh; 48% of households outside of Edinburgh have no direct bus to Edinburgh on a weekday, nearly one in ten households (8%) have no access to a service after 19:00 (rising to 11% outside of Edinburgh); and 9% of households are not served by a Sunday service. This limits the use of the bus network by many including for employment, education, leisure and social activities, especially in more rural areas.

The Young Persons' Free Bus Travel Scheme ('under 22s') was introduced in January 2022 and provides free bus travel throughout Scotland at any time of the day for holders of a NEC or Young Scot NEC who are aged between 5 and 21 inclusive. It is important to note that the NEC provides free travel on the bus network only. While under 22s bus travel is free, the scheme had corresponding effect on the bus network work and the network is consequently shrinking as result of reduced revenue. The Scottish government pays bus companies for each individual journey made under the scheme. The payment value is a percentage of what an adult single fare would be. For journeys made by 5 to 15-year-olds, bus companies receive 43.6% of an adult single fare, while for 16 to 21-year-olds, they receive 81.2%.

While the card can be used to obtain a discounted fare on the rail network, it does not enable free travel. Therefore, the concession is not able to be equally used across the region and provides greatest benefit to those with good access to the bus network. It also creates a potential financial penalty for concessionary pass holders where the rail network is good, and as a result there is a reduced bus network, meaning travel must be undertaken by rail (which is not free).

School children with a long-term condition are less likely to walk than those without a condition (39% compared to 52%). Those with a long-term condition use a school bus more often (19% compared to 14%) and a taxi far more often (12% compared to 1%) (Transport Scotland, 2021). For families with young children, disabled children or children with health conditions, transport not running to schedule poses several problems. It is not always feasible or practical to be able to access alternative routes which could be some distance apart. Those whose activities were limited due to a health issue are more likely to indicate that they/their child missed out on activities/opportunities.

When looking at the main method of travel to school by SIMD quintiles, those in the lower two quintiles (that is the 40% most deprived) are more likely to walk to school or travel by bus while those in the upper two quintiles (that is the 40% least deprived) are more likely to travel by car or by school bus (Transport Scotland, 2020b).

### Access to Employment

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. Providing safe, convenient, and affordable transport has a large impact on children and young people with helping them to access education and economic opportunities. This is especially prevalent in rural communities where the people are more likely to walk to work and therefore the provision of appropriate public transport is vital (Transport Scotland, 2021).

## **3.2 Affordability**

Location, convenience and cost of public transport are typically the key factors affecting inequality and transport, particularly for low-income families. Children and young people are more likely to rely on public transport, and active travel is a key mode for journeys to school by children particularly for those in more urban areas (and lower income groups). Being able to access education, employment and training is critical for low-income households as a means of escaping poverty and for general wellbeing (McHardy & Robertson, 2021). Parents who are unable to afford transport, have to take long walks for shopping, get isolated from support groups and reduce household spending including food (Transport Scotland, 2021).

The cost of transport can act as a barrier to accessing employment and education and subsequently impact educational choices and progress into employment. Young people can be particularly hit by the cost of travelling to college or work, especially if they have to travel some distance or are only earning the lower minimum wage for young people. Where there are concessionary fares available for young people, they may not include peak time travel which typically means they will not benefit those travelling to work or college (Poverty and Inequality Commission, 2019)<sup>1</sup>.

Nearly half (48%) of young people and parents of children indicated they find travel and transport generally unaffordable, compared to around a quarter (26%) who find it generally affordable (Transport Scotland, 2022b). A survey of young people (aged 16-26) found that almost half of respondents said that transport costs had prevented them from accessing suitable employment, and a fifth of respondents had missed out on education opportunities (Scottish Rural Action, 2018). Even though bus passengers in South East Scotland are highly satisfied with services, the lowest levels of satisfaction with the bus network are related to the value for money provided with only 76% satisfied. This impacts young people significantly as they are the most likely to use bus services and so the cost of fares are too high considering the quality of the bus services they are being provided with (Stantec, 2021).

Rail and particularly bus fare rises above levels of inflation in recent years have a disproportionate effect on young people and other protected groups who are more likely to use buses to meet everyday travel needs. Analysis undertaken to inform the SEStran Regional Bus Strategy Case for Change highlighted that, in Scotland, between 2004-05 and 2021-22, whilst bus fares have increased by 88%, this has largely reflected increasing operating costs per bus-kilometre which have increased by 98% (both in current prices) - similarly, and reflecting the reduction in passenger numbers, the operating cost per passenger has increased by 215% over this period (all figures in current prices).<sup>2</sup>

The percentage of children (aged 16 and under) living in relative low-income families higher in South East Scotland than the rest of the UK. Clackmannanshire is the region with the highest level in South East Scotland with 22% in 2020, compared to the UK which was 13% and lower than every local authority in South East Scotland. The percentage of children in relative low income families has increased for every region in South East Scotland between 2015 and 2020, with Clackmannanshire, Fife, Scottish Borders, and West Lothian all experiencing the largest increase of 5%. Local authorities and regional health boards are required under the Child Poverty (Scotland) Act 2017 to produce Local Child Poverty Action Reports to set out ongoing and planned action to tackle child poverty at the local level.

Recent research on behalf of Transport Scotland (McHardy & Robertson, 2021) into transport and child poverty identified that transport was an essential part of the lives of low-income families and critical in shaping their experience of poverty. Choices for parents and carers were shaped by transport costs which could place additional stress on families with some drawing on support networks with access to private transport. Young people reported transition points such as moving into further/higher education or accessing employment as financial pressures in their usage of public transport.

### 3.3 Air quality

The Scottish Government's *Cleaner Air for Scotland 2* publication sets out an air quality policy framework for the next five years and a series of actions to deliver further air quality improvements. The framework notes NTS2's recognition that Scotland's current transport system is a significant contributor to poor air quality, and that there is a need to reduce vehicle journeys, and reduce the need to travel unsustainably and accelerate sustainable mode shift. Indeed, the framework states that **buses are arguably the single most important**

<sup>1</sup> Some of the challenges in relation to affordability of bus fares for young people may have been alleviated since the introduction across Scotland in early 2022 of a concessionary bus scheme for people under 22.

<sup>2</sup> Scottish Transport Statistics

**mode for reducing transport-related air pollution** due to their central role in reducing congestion, improving journey time reliability, and as a key component of future Mobility as a Service (MaaS) solutions.

Children and young people are more vulnerable than other age groups to the adverse effects on health of traffic related noise and air pollution and a reduction in the air pollutants from buses would significantly impact on this demographic.

Children are also at risk of dangerous levels of air pollution in cars because exposure to toxic air is often far higher inside than outside vehicles (King, 2017). It is suggested that walking or cycling to school would be beneficial for children’s health. Air pollution is known to damage children’s developing lungs but recent research also indicates it harms children’s ability to learn at school and may damage their DNA. (King, 2017)

### 3.4 Road safety

Safety is also a key issue for children with child pedestrian casualties in Scotland in 2019 accounting for 44% of all pedestrian casualties and with children most at risk of road traffic accidents on their journeys to and from school. Children from deprived areas and certain ethnic minority groups are also more at risk of accidents as pedestrians (Transport Scotland, 2022c). Research by Sustrans identified that children living in socio-economically disadvantaged areas are more likely to be adversely affected by road traffic and safety problems (Sustrans, 2019). Any reduction in traffic, achieved through a more attractive and affordable bus network that encourages modal shift should support a reduction in road traffic and associated related children with child pedestrian casualties.

## 4 Proposed Assessment Framework

### 4.1 Introduction

The following guide framing questions and assessment criteria matrix will be applied to testing the performance of the emerging SEStran Regional Bus Strategy (SRBS) options in relation to implementing the CRW Duties. This provides a transparent framework to assess the extent to which emerging SRBS components have an impact on children and young people and assess what further action is required to ensure compliance with the United Nations Convention on the Rights of the Child (UNCRC). The assessment will be informed through engagement activities with relevant groups of interest and impact (as discussed below).

### 4.2 Guide questions

The framing questions, as set out below, will be applied to test and confirm the implementation of relevant Scottish Ministers’ duties under the Children and Young People (Scotland) Act 2014 and the UNCRC in the emerging SEStran Regional Bus Strategy (SRBS). They have been formulated with reference to the approach recommended within the Scottish Government’s Child Rights and Wellbeing (CRW) Impact Assessment Guidance (Scottish Government, 2021a).

The objective is to help progress the realisation of children’s rights, and safeguard support and promote the wellbeing of children and young people

#### Guide Questions: Child Rights and Wellbeing

- *How does the intervention relate to, promote, or inhibit the provisions of the UNCRC, other relevant international treaties and standards, or domestic law?*
- *Have children and young people been consulted on the intervention?*
- *What impact might the intervention have on the rights of children and young people?*

**Guide Questions: Child Rights and Wellbeing**

- *Will the rights of one group of children in particular be affected, and to what extent?*
- *Are there competing interests between the groups of children, or between children and other groups, who would be affected by the intervention?*
- *Is the intervention the best way of achieving its aims, taking into account children's rights?*
- *Will the intervention protect and enhance access to high quality community facilities, public services and key amenities for children and young people?*
- *Will the intervention improve access using active travel and public transport to educational, social and economic opportunities for children and young people?*
- *How will the SRBS support or otherwise affect the implementation of relevant UNCRC Articles?*

The framing questions will be applied in relation to the UNCRC articles and taking account of the Scottish Government's wellbeing indicators developed for the Getting it Right for Every Child (GIRFEC) approach to children's services provision in Scotland. These indicators were developed from the UNCRC and are incorporated in the Children and Young People (Scotland) Act 2014. They are: safe, healthy, achieving, nurtured, active, respected, responsible and included.

**4.3 Assessment Criteria Matrix**

The framing questions will be assessed against the following assessment criteria matrix. The assessment criteria provide an objective means of undertaking and reporting the equalities assessments of the transport options on a consistent basis. The colour coding also allows for rapid identification of the impacts most likely to be significant, generally those assessed as having a major positive or negative effect.

Impact Score	Description	Symbol
Major Beneficial Effect	The policy contributes significantly to the requirements of the PSED, particularly to advancing equality of opportunity and meeting the needs of people with protected characteristics	++
Minor Beneficial Effect	The policy contributes to the requirements of the PSED, particularly to advancing equality of opportunity and meeting the needs of people with protected characteristics, economic and social issues, but not significantly	+
Neutral / Negligible Effect	The policy has no clear relationship with the requirements of the PSED or the relationship is negligible	0
Minor Adverse Effect	The policy adversely affects the requirements of the PSED particularly with respect to advancing equality of opportunity and meeting the needs of people with protected characteristics	-
Major Adverse Effect	The policy significantly adversely affects the requirements of the PSED particularly with respect to advancing equality of opportunity and meeting the needs of people with protected characteristics	--
Uncertain Effect	The policy has an uncertain relationship to the PSED requirements or insufficient detail or information may be available to enable an assessment to be made.	?
No Clear Relationship	There is no clear relationship between the proposed policy and the achievement of the PSED	~



## 5 Next Steps

This scoping document has set out the core evidence base with regards to the duties of public bodies under the Children and Young People (Scotland) Act 2014 to inform the assessment of options being developed and appraised to inform the SEStran Regional Bus Strategy.

**This scoping document is to be shared with each Local Authority and children's advocacy groups** (such as Children's Health Scotland) within the South East Scotland area, to gather any feedback on the scoping documents and /or additional evidence base information.

During the appraisal of options for the strategy, an **interim assessment** is to be undertaken on the options being developed and appraised toward the development of the SEStran Regional Bus Strategy. This assessment will support the options appraisal process. A final assessment would also be undertaken as the Strategy itself is developed.

The interim assessment will be undertaken using the Guide questions and assessment criteria matrix as set out above, and informed through an engagement exercise, as discussed below. The outcome of the assessment and engagement will be clearly stated in the appraisal outcomes, with options adapted if required, given the assessment findings.

### 5.1 Stakeholder Engagement and Consultation

As part of a wider consultation exercise planned for the options appraisal and SRBS development process, engagement would include a range of key stakeholders pertinent to the CRW as well as more generally through the planned public engagement exercise.

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