

Mobility & Access Committee for Scotland (MACS) Main Committee Meeting.

**Minutes of Meeting held on Tuesday 13 April 2010
Conference Room 2, Victoria Quay.**

Present:

Anne MacLean, Convener

Members:

Andrew Holmes (AH)
John Ballantine (JB)
Heather Fiskien (HF)
Clare Byrne (CB)
Muriel Masson (MM)
Jane Horsburgh (JH)
Jane Steven (JS)
Shonagh Terry (ST)
Grahame Lawson (GL)
Annette Monaghan (AM)
James Glover (JG)

Apologies:

Bob Benson (BB)

Not present:

Steven Boyd

Secretariat:

Bill Brash, (BBrash) Sponsor Team Leader
Judith Ballantine (JB) Secretary
Sarah Guy (SG) Assistant Secretary

Observers:

Caroline Britt (CB) Disabled Persons' Transport Advisory Committee (DPTAC)
Gary Lawson (GaryL) Passengers' View Scotland
Brian Juffs (BJ) Scottish Government Senior Bus Policy Adviser

Palantypist:

Gillian Croft

Welcome and Introductions

1. The Convener welcomed everyone to the meeting. She introduced Gary Lawson from Passengers' View Scotland (PVS) who was attending as an observer instead of Hugh Flinn. She also introduced Sarah Guy to the Committee. Sarah was recently appointed as Assistant Secretary to MACS.

Apologies

2. Apologies were received from Bob Benson.

Minutes of the last meeting

3. The minutes of the last meeting were considered. Amendments were agreed as follows:

Paragraph 9 – the final sentence was amended as follows: “There are currently 4 blocks of bus stops on Princes Street, this will be reduced to 3 once the tram stop is in place.”

Paragraph 15 – The second sentence was amended as follows: “He also noted his membership of the Independent Living **Core Reference** Group.”

Paragraph 29 – The first sentence was amended so that it read as follows: “The discussion went on to consider the ~~lack of~~ **composition of the membership of the Scottish Rail Accessibility Forum in relation to members who also sit on the** Glasgow Access Panel (GAP). ~~representation on the SRAF.~~”

Matters arising

4. JS requested a copy of the of the National Transport Strategy (NTS) Delivery Plan. **ACTION – Secretariat**

5. Paragraph 30 – The Convener advised that as a result of this, she would raise an item under any other business regarding the use of the REACT system on buses as well as trains.

6. Paragraph 36 – JG referred to the action point which stated that he and BB should undertake an Equality Impact Assessment (EQIA) of MACS work plan. He suggested that he, BB and AH meet to do this. He advised that he would liaise with the Secretary (who would seek assistance from the Scottish Government's Equalities Division) in order to take this forward.

ACTION – JG/BB/AH/Secretary

Secretariat Update

7. BBrash provided the Secretariat update. In relation to the item on the Forth Replacement Crossing, JH mentioned that a group has been established to work with the Replacement Crossing's design team. She thought that MACS should be represented on that group. The Secretary agreed to establish what the composition of the group was and to contact them, with a view to MACS joining them.

ACTION - Secretary

8. AH queried whether MACS should make the Minister aware of the planned "off-bridge" investment. BJ advised that the Transport, Infrastructure and Climate Change Committee reports contain information relating to this.

9. The Convener thanked BBrash for the work that he had put in to the Accessible Transport Website as part of the work that was being taken forward by the British Irish Council's Accessible Transport Sub-group. He advised that there are still some aspects of it which require to be completed.

10. The National Conversation was discussed. JS agreed that she would have a further look at the White Paper, Your Scotland Your Voice.

ACTION - JS

11. Visit Scotland have recently issued a guide which includes a restricted selection of disability symbols (containing images relating only to self propelling and manual wheelchairs – there were no symbols to demonstrate sensory impairments).

DRT (Demand Responsive Transport) Seminar

12. BJ advised that he was attempting to find out more in relation to accessible services. He noted that Pauline Howie of the Scottish Ambulance Service aims to provide transport for those who have demonstrable clinical need, however, many journeys do not fall in to the 'blue light' category and could perhaps be accommodated by other forms of DRT. It was agreed that many local transport strategies are very out of date, but there is a follow up meeting soon which will hopefully resolve this issue. BJ advised that he will also be asking the Scottish Government's Bus Policy team to issue guidance.

13. The Convener, BJ, JS and HF will have a meeting to discuss this prior to covering it in the annual report.

ACTION – AM/JS/HF/BJ

14. JS was very positive about this, but pointed out that DRT is quite an impermanent service and not very economically viable, therefore if local authorities are making significant cuts financially then this may be a real target. Community Transport may become more reliant on, for example, lottery funding which can be temporary. AH advised that there is a variety of different expenditure sources, many of which are not always widely publicised.

Convener Update

15. The Convener reminded the group that the deadline for the annual report was now approaching, and that all Members would be required to contribute. She noted that she was keen to keep the report focussed and succinct. All contributions from Working Group leads (having been assisted by other working group Members) should be with the Secretariat **by Friday 11 June**. She then went on to say that she would finalise the draft report along with the Secretariat using the following timescale:

28 June – draft report will issue to Members for comments;

12 July – all comments on the draft report to be submitted to the Secretariat;

27 July – final draft to be agreed by the Committee at meeting on 27 July.

Early August – final report to be put to Ministers prior to laying in Parliament.

16. On a separate note, GL pointed out that there is no method to keep up to date with consultations which MACS has responded to. Secretariat advised that they have a tracker on which they record the details of all consultation responses and that this can be circulated to Members in advance of meetings, alongside the other meeting papers.

ACTION - Secretary

Presentation on Independent Living in Scotland (ILiS) – Heather Fiskien

17. HF covered the main aspects of the Independent Living in Scotland (ILiS) project, how it relates to Transport Policy and how MACS might contribute to the delivery of this strategy.. She said that Scottish Government was adopting a more holistic approach to independent living for disabled people. She explained what independent living means and that it covers rights to access and for support in relation to every aspect of daily life, including transport.

18. The Scottish Government has provided funding for the ILiS Project, including it's Steering Group of disabled people, for the next 3 years. The project team are undertaking a range of activity including outreach and awareness raising work, research, piloting co-production inducting Ambassadors and community and capacity development for the Independent Living Movement. The Project and Steering Group are members of the Independent Living Core Reference which also includes COSLA, heads of Scottish Government divisions (including Transport) and other members such as the Association of Directors of Social Work (ADSW). She went on to say that ILiS are holding a Festival in September and MACS may wish to attend this. In addition, MACS may be interested in being part of the co-production pilots..

19. The Convener focused on the three questions with which HF concluded her presentation:

1. What can MACS do to contribute to the ILiS Agenda?
 2. What benefits can MACS obtain for its own aims through this agenda?
 3. How do we go about doing this, i.e, what are the next steps?
20. JS queried how HF's presentation generally, and the work ILiS is taking forward specifically, might link up with the previous discussion on Community Transport.
21. The Convener asked how independent living fits in with Transport Policy. HF thought it might be more beneficial to consider instead how Transport Policy fits in with ILiS.
22. JG suggested that it might be more effective for each different working group to make connections with ILiS and they would then be able to be aware of how independent living impacts on their specific areas of work. The Convener agreed that this would be a sensible approach to take. JS thought that there might need to be some overarching policy included in this.
23. HF went on to say that she agreed with what JG had said, and offered to circulate a paper to this effect. JH also noted that she welcomed JG's comments and HF's offer to draft the paper outlined above.

ACTION - HF

24. JS noted the issue of SPT's running costs. She advised that Social Work departments perhaps need to reconsider current transport costs and commitments and look at revising them.
25. BJ asked if any Members were involved in the concept of social return on investment (SROI). AM asked when decisions are being made in respect of SROI, this can make a significant difference, so it would be not be helpful for this to be completely disregarded. HF advised that ILiS are doing a significant piece of work on cost benefit analysis.

Discussion on Disability Equality and Awareness Raising Working Group

26. The Convener noted the DPTAC Training Guidance which the Committee had had sight of prior to the meeting, and advised that she was keen for MACS to use this as a basis to produce their own training guidance. She asked Members how they thought that training should be disseminated. The Committee agreed that it would be helpful for it to be issued to train, bus, ferry and aviation operators, as well as the traffic commissioner.
27. It was also agreed that it would be helpful to establish who delivers training of bus drivers, as some of the content might be appropriate for that particular organisation to have sight of. JB suggested that it should also be circulated to SATA who would make sure that it was shared with all Access

Panels. The Secretariat also advised that they would send it to the organisations (>400) contained on the appointment database which was used for publicising the previous MACS appointment round. Members also agreed that it would be helpful to share it with Regional Transport Partnerships and the 32 Scottish local authorities as well as Passenger Focus and the Association of Train Operating Companies (ATOC).

28. BJ advised that the Certificate of Professional Competency (CPC) contract is with GoSkills (Richard Wheater). GL noted that it was important to establish who in local authorities the document should be sent to – if not correctly targeted then it risks being lost as it cascades through the organisation. JS asked whether there was an assessment process that goes with this, and agreed that it would be beneficial. AM agreed, but thought it might be inevitable that companies who would normally embrace this sort of training would already be delivering something similar but others would be more difficult to pin down.

29. GaryL thought that the best way to assess effectiveness would be to engage organisations with a phone call or a meeting. As a follow up, the Minister could then be made aware which organisations had engaged successfully and which had not. The Convener felt that problems may arise where a lot of work was already being carried out by operators. HF pointed out that the suggested follow up action might just result in operators saying, “yes, we had a training day.” CB suggested that it might be worthwhile making it clear in advance that there would be follow up action, and when issuing a letter to this effect, it might be helpful to make a passing reference to the DDA.

30. It was also agreed that it might be helpful to ask the Traffic Commissioner whether they hold any data in this respect. JH referred to point 15 in the Secretariat Update which noted that the Civil Aviation Authority has been designated to enforce these regulations, and the Equality and Human Rights Commission (EHRC) is also handling and monitoring complaints from passengers. She thought that this might offer an opportunity to access relevant statistics. The Convener re-iterated that the first step was to write to all the relevant organisations and make them aware that this action was imminent. She suggested including an evaluation form at the end of the document in the hope that this would provide *some* feedback. It was agreed that it would be useful for a representative of the EHRC to attend the next MACS meeting in order to provide an overview of complaint handling and monitoring.

ACTION – Secretariat

31. The Convener referred to item 4 on BB’s paper (“Request programme leads for Rail, Light Rail, Technology and Information, Roads, Commonwealth Games, Bus and Community Transport, Ferries, Climate Change, Taxis and Blue Badge report back to Strategy Group on how disability equality and awareness training strategy objectives are leading to mainstreamed activity and implemented across service policies and services, and how these are impacting on the travel experiences of disabled people.”). The Convener said she hoped that Members/groups did this anyway. JH noted that some groups

may not always be in a position to do this – the request to do this could certainly be taken in to account, and she noted that it was important that such updates be evidence-based. ST noted that BB's paper was merely a request for clarity.

32. JH thought that the paper that HF had undertaken to produce would also help in this regard, although HF pointed out that her paper would refer specifically to ILiS. Having been mentioned previously it was agreed that it would be helpful if the Secretariat produced a "crib" sheet for Members to refer to.

ACTION - Secretariat

33. As suggested in BB's paper, the Convener discussed re-naming the working group currently called 'Promoting Disability Awareness'. BB had suggested that 'Disability Equality and Awareness Strategy' would be more appropriate. JG agreed that he was happy to do this.

General discussion on Working Groups

34. The Convener asked whether Members were content with the way in which the working groups are operating. GL advised that he was still unclear how the groups were meant to operate, and felt that he was not always contributing to the extent he wished to.

35. HF noted that the process for communicating was sometimes challenging, with endless e-mail trails often containing specific local knowledge making it difficult to ascertain exactly what is happening and who has responsibility for taking forward specific aspects of work. This was particularly noticeable when referring mainly to the issues relating to the Trams in Edinburgh.

36. BBrash advised that the best way to address this was for the lead Members of each working group to take forward any actions relating to their working group along with their supporting colleagues and not necessarily copy in other Members, particularly when the subject area is not something that they deal with.

Single Equality Duty – Graeme Bryce

37. Graeme Bryce thanked MACS for inviting him to speak about the Single Equality Duty (SED) in the Equality Act 2010 which received Royal Assent on 8 April. He advised that he would speak about the new duty, the consultation the Scottish Government carried out on the Public Sector's obligations under the new duty, where we are now and future challenges. He outlined the new duties and gave an overview of the aims. The 8 characteristics covered by the duty are:

- Sex
- Disability
- Pregnancy/Maternity-related issues
- Age

- Gender re-assignment
- Religion
- Sexual preference
- Race

38. The consultation in Scotland on the duties to be adhered to across the Public Sector consisted of 39 questions, considering the need to focus on improving outcomes for people and improving individuals' circumstances and life chances. Graeme noted that the Scottish Government had asked in its consultation whether public bodies should be setting outcomes, mainstreaming and using evidence. It would also be helpful if public sector organisations used evidence from communities affected by discrimination. Other issues covered included transparency, how organisations should be held to account, the role of procurement in advancing equality and the role of Scottish Ministers in this new landscape.

39. 160 responses were received, including a comprehensive one from MACS, for which Graeme thanked the committee. The full content of the responses will be published at the end of June. The report will also set out what will be included as part of the specific duties.

40. The timetable for implementing the different aspects of the Equality Act is a matter for the new UK Government, however, the current suggested timetable is as follows:

- October 2010 – main anti-discrimination provisions
- April 2011 – Public Sector Equality duty
- 2012 – Age discrimination provisions.

41. The current financial climate will make implementing the duties more challenging, as does the move to incorporate 8 different duties. As far as the Scottish Government is concerned, he advised that it was appropriate to consider the duty in the context of Public Sector Reform and the National Performance Framework.

402 The Convener pointed out that there are organisations who receive significant amounts of public sector money that are not required to comply with any of these duties. Graeme advised that this arrangement relates to public functions: there is a general duty to comply under the public sector requirements, not a specific duty. The Convener thought that there was a tension between the two due to the fact that some bodies get hardly any funding yet still need to comply.

43. JG advised that conditions can be attached to the funding which organisations receive (who are only subject to general duties, not specific ones) stipulating that you don't have to adhere to the specific duties, but you do need to do adhere to a specific condition stipulated. JG said that he thought that it may be helpful for MACS to give advice to Ministers as the new duty beds in.

44. GL also thought that there was a requirement to draw attention to arms length organisations, in order that they too are aware that there are duties that they must observe. JB noted the need for the Scottish and UK Governments to work closely together in this regard.

45. HF thought that MACS should be looking to see how it should be addressing the full agenda, particularly has it has responsibility to address all 8 duties.

Members reports on events attended – matters arising

Level Crossings:

46. There were no issues arising from JH's report on level crossings.

TACTRANS:

47. JS asked whether some of the issues she had highlighted were national or not. AH went on to say that only a small amount of work was required in order that Traveline could include this additional information on their website.

48. BBrash referred to his discussion with the Clerk of the Transport Infrastructure and Climate Change Committee (TICC). They are currently conducting a review of Regional Transport Partnerships and may call upon MACS to provide views.

Scottish Rail Accessibility Forum (SRAF):

49. JH referred to the bullet point at the bottom of page 2 of MM's report. She thought that the point related to step-free access – not the aim of making stations fully accessible. MM advised that this had not been made clear. It had been pointed out that where large scale refurbishment was being carried out it would be DDA compliant. JH thought that this still related more to step-free access. The discussion moved on to the Airdrie-Bathgate line and the minimal staff present, particularly driver-only trains. However it was noted that there will always be someone on board to assist with disabled access.

Commonwealth Games:

50. Grahame's paper noted that there is a need to start establishing contact with the relevant stakeholders, in order that MACS contributes to the Commonwealth Games' accessibility agenda.

ACTION – Secretariat

Blue Badge Working Group:

51. The group discussed the existing £20.00 administration fee which local authorities have been able to charge applicants since 2007. BBrash said that the Working Group is currently looking at required legislative changes. He

also said that the outcome of the forthcoming UK election may have implications for some of the proposals being considered by the Department for Transport for reform in England.

AOB

SATA:

52. JB requested that a MACS Member attend SATA as an observer. The Convener stated that she was not clear what the advantage would be in sending an observer – the two organisations are able to view each other's minutes, and an observer would not be able to contribute to either meeting. JH was concerned that it might set a precedent, and GL agreed that there was not a requirement for such an arrangement to exist. There was a general agreement from the group not to send an observer. The Secretariat will write to Alan Rees to confirm the decision.

ACTION – Secretariat

Halcrow:

53. The Convener noted Halcrow's pilot project in the North of Scotland which would be outlined at the Roads for All Conference on 8 June 2010.

DPTAC:

54. The Convener asked for nominations for a Member to represent MACS at the Disabled Persons' Transport Advisory Committee (DPTAC), as the current representative has now represented MACS for nearly a year.

ACTION – All

Date and time of next meeting

55. The next meeting of the Main Committee will take place in Victoria Quay on **Tuesday 27 July at 11.00am.**

MACS Secretariat

May 2010