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# **National Transport Strategy 2 (NTS2) Draft for Consultation**

## **Equality Impact Assessment Record**

## Equality Impact Assessment Record

Title of policy/ practice/ strategy/ legislation etc.	National Transport Strategy 2 (NTS2) – Draft for Consultation	
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Lead official	Ewan Burns – NTS2 Team	
Officials involved in the EQIA	name	team
	Laurence Kenney	NTS2 Team
Directorate: Division: Team	Transport Strategy and Analysis	
Is this new policy or revision to an existing policy?	New strategy developed following review of existing National Transport Strategy	

### Screening

#### *Policy Aim*

The National Transport Strategy 2 (NTS2) is being prepared by Transport Scotland to establish a new transport vision for Scotland and an associated set of strategic transport objectives. This will enable a subsequent update to the Strategic Transport Projects Review 2 (STPR2) to take place to set out Scottish Ministers' transport infrastructure priorities in alignment with the development of National Planning Framework 4 (NPF4).

The Draft NTS2 is being published to allow consultation of the proposed substantive components of the document, comprising:

- Identification of Current and Emerging Challenges and Opportunities
- A Vision for Transport in Scotland, with cross-cutting Themes and constituent Outcomes
- an implementation framework comprising a suite of 14 policies and 38 linked policy measures

Once finalised, the NTS2, STPR2 and the NPF4 will provide an integrated spatial and strategic framework to underpin planning and development decisions and to guide transport infrastructure investment across Scotland up to 2040. Recognising that transport is a critical enabler of sustainable and inclusive economic growth, the NTS2 will provide a visionary platform and the strategic context necessary to address key economic, social and environmental challenges through action within the transport system. The NTS2 vision for Scotland's transport system relates directly to creating an inclusive and accessible transport system contributing to a more equitable society. Promotes Equality is one of the four priorities underpinning the vision.

### ***Who will it affect?***

Transport affects access to services, amenities, economic opportunities and social activities for all people across all parts of Scotland. Once finalised, the NTS2 will therefore affect any person in Scotland who:

- travels for any purpose and by any mode
- 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 Draft NTS2 have been designed to apply universally rather than to target specific demographic groups. Improvements to the transport system and the resulting improvements in equality, climate sustainability, inclusive growth, and health and well-being can be expected to impact all people in Scotland.

### ***What might prevent the desired outcomes being achieved?***

The intended role of the NTS2 is one of setting a visionary strategic framework to underpin future decision making. Achieving the desired outcomes is therefore dependent on the scope and implementation of individual proposed NTS components that at this stage remain relatively undefined. This EqIA is an iterative process and will be revisited as the strategy develops. This will ensure the delivery of the three needs of the Equality Duty. The Draft NTS2 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.

## Stage 1: Framing

### *Results of framing exercise*

Transport Scotland officials engaged relevant stakeholders through discussions, events, and workshops to support the development of the emerging NTS2 and the implementation of applicable statutory equalities duties, including the public sector equality duty. This exercise identified a variety of perceived inequalities and potential impacts of the strategy on persons relating to protected characteristics.

Concurrent to stakeholder engagement, a desk-based baseline review focused on the following themes of relevance to transport and to protected characteristics:

- **Infrastructure and Connectivity:** how do different demographic groups access and use the transport system?
- **Demographics:** how does transport respond to demographic changes and influence population growth across Scotland?
- **Education and Public Services:** how does transport influence access to and opportunities afforded by public services including education?
- **Employment and Earnings:** how does transport influence access to employment and associated socio-economic outcomes for different demographic groups?
- **Income and Wealth:** what is the relationship between transport and income and wealth distribution across Scotland?
- **Health:** how does transport influence access to healthcare services and health outcomes for different demographic groups?
- **Security and Safety:** what is the relationship between transport, crime, safety and security across Scotland?

Evidence from consultations and the baseline review highlighted specific issues relating to protected characteristics and transport which should be addressed in the emerging NTS2, whilst recognising the presence of a range of other inequalities in society. Key identified issues include:

1. Transport costs (fuel, tickets, etc) influence access to and use of the transport system by different demographic groups, with cost increases disproportionality impacting on socio-economically disadvantaged groups. This contributes to wider societal inequalities of both opportunity and outcome in society, including in terms of access to employment and overall quality of life.

2. There is a need to ensure the transport system reduces and minimises barriers to travel for all people, in particular for disabled people who face physical barriers yet are more reliant on public transport than the rest of Scotland's population.
3. Employment deprivation disproportionately impacts groups who face existing structural disadvantages, including disabled people, women and ethnic minorities. Additionally, access to employment is more limited for individuals with limited resources or in deprived areas.
4. To deliver sustainable and inclusive economic growth there is a need to reduce child and adult poverty levels in both relative and absolute terms. National trends indicate that income poverty disproportionately impacts groups who face existing structural disadvantages, including disabled people, women and specific ethnic groups.
5. Whilst socio-economic background and other measures of socio-economic disadvantage (income, wealth, area deprivation, etc) have an easily identifiable impact on the health of an individual, the impact of gender and ethnicity is more unclear.
6. There has been an increase in crime rates across Scotland, in part driven by increased awareness and reporting of sexual crimes, the majority of which are experienced by women. National trends indicate that certain demographic groups and communities facing structural disadvantages are at greater risk of experiencing crime, including disabled people, women, and ethnic minorities.

This evidence body helps to demonstrate how equalities issues have been considered in the development of the emerging NTS2 to date.

As a key Scottish Government publication which will influence both transport and wider policy development and implementation over the next 20 years, it is clear that the emerging NTS2 should set out an appropriate strategic framework and implement policies to tackle inequalities and support the delivery of inclusive growth across Scotland. This means that action should be taken by the Scottish Government and other stakeholders through transport policy, planning and the operation of the transport system to tackle identified geographical, socio-economic and other societal inequalities throughout Scotland.

### ***Extent/Level of EQIA required***

Owing to the high-level nature of the emerging NTS2 and to reflect the intended role of the document in setting a visionary strategic framework to underpin future decision making, at this stage the EqIA necessarily focuses on demonstrating how relevant equalities issues and duties have been considered in policy development and on highlighting linkages between proposed NTS2 components and equalities issues, rather than on assessing

specific impacts from the implementation of individual components of the document.

## Stage 2: Data and evidence gathering, involvement and consultation

An extensive overview of baseline equalities issues that have been taken account of in the EqIA and should be addressed in the NTS2 is presented in the accompanying Equalities Evidence Base report. Identified issues are drawn from a high level review of pertinent equalities issues and socio-economic conditions relating to transport across Scotland. This focused on the following themes of relevance to transport and to the statutory and policy requirements:

- **Infrastructure and Connectivity:** how do different demographic groups access and use the transport system?
- **Demographics:** how does transport respond to demographic changes and influence population growth across Scotland?
- **Education and Public Services:** how does transport influence access to and opportunities afforded by public services including education?
- **Employment and Earnings:** how does transport influence access to employment and associated socio-economic outcomes for different demographic groups?
- **Income and Wealth:** what is the relationship between transport and income and wealth distribution across Scotland?
- **Health:** how does transport influence access to healthcare services and health outcomes for different demographic groups?
- **Security and Safety:** what is the relationship between transport, crime, safety and security across Scotland?

Each of these issues have been examined specifically with respect to relevant protected characteristics. Further analysis of issues and challenges related to each protected characteristic and the transport system is provided below.

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
Age	<p>The preparation of the draft NTS has been informed by engagement with a wide range of stakeholders and the public. From this, the following concerns or issues were raised regarding:</p> <ul style="list-style-type: none"> <li>• people having limited access to employment, economic opportunities and services owing to poor transport links</li> <li>• impacts on the mental health of older people dependent on services</li> <li>• lack of transport options for older people, especially in rural areas, who lose the right to drive due to eyesight deterioration or other medical problems</li> <li>• usage restrictions on Young Scot cards, preventing young people accessing discounted rail fares when travelling to school, university and jobs</li> <li>• inadequate time for older and infirm people to get off buses safely</li> </ul>	<ul style="list-style-type: none"> <li>• NTS2 stakeholder engagement as detailed in Equalities Evidence Base</li> <li>• relevant secondary data, publications, and statistics as detailed in the equalities evidence base. Key evidence taken from: EHRC, <i>Is Scotland Fairer?</i>, 2018</li> </ul>	<p>There is ample data to suggest persons relating this protected characteristic face societal inequalities. However, the availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>

<sup>1</sup> Refer to Definitions of Protected Characteristics document for information on the characteristics



Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>Other potential issues faced by persons related to this protected characteristic identified in the Equalities Evidence Base include:</p> <ul style="list-style-type: none"> <li>• young people disproportionately live in the private rented sector and are more likely to be in insecure, low paid work. This suggests the cost of transport is proportionally greater</li> </ul> <p>Further evidence regarding persons related to this protected characteristic is presented in the Equalities Evidence Base. As with the EqIA, this document forms part of an iterative process and findings and related gaps will inform further research.</p>		
<b>DISABILITY</b>	<p>The preparation of the draft NTS has been informed by engagement with a wide range of stakeholders and the public. From this, the following concerns or issues were raised regarding:</p> <ul style="list-style-type: none"> <li>• insufficient wheelchair provision on public transport</li> <li>• inherent design conflicts between public transport vehicles and the needs of disabled people</li> </ul>	<ul style="list-style-type: none"> <li>• NTS2 stakeholder engagement as detailed in Equalities Evidence Base</li> <li>• key evidence taken from: <ul style="list-style-type: none"> <li>○ EHRC, <i>Is Scotland Fairer?</i>, 2018</li> <li>○ ONS, Annual Population Survey</li> </ul> </li> </ul>	<p>There is ample data to suggest persons relating this protected characteristic face societal inequalities. However, the availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is limited.</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<ul style="list-style-type: none"> <li>● ScotRail's passenger assistance service for people travelling with mobility difficulties is well regarded by most but the need to give 24 hours' notice of travel plans prevents spontaneous activities</li> <li>● the reliability of help points and other critical features at stations designed to help vulnerable passengers</li> <li>● lack of awareness and training for bus drivers to deal with people with mobility difficulties</li> <li>● poor pavement surfaces and the siting of parking impeding walking and making use of mobility scooters dangerous</li> <li>● lack of consideration for hidden disabilities in transport provision</li> </ul> <p>Other potential issues faced by persons related to this protected characteristic identified in the Equalities Evidence Base include:</p>		<p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<ul style="list-style-type: none"> <li>disproportionately low attainment rates; employment; income; and crime victimization rates</li> </ul>		
<b>Sex</b>	<p>Potential issues faced by persons related to this protected characteristic identified in the Equalities Evidence Base include:</p> <ul style="list-style-type: none"> <li>inequalities in educational attainment; earnings; and occupations</li> <li>women were more likely to suffer severe material deprivation (15.5%) than men (12.6%) in 2014/15</li> <li>an increase in the number of sexual crimes and evidence to suggest that a large number of crimes against women go unrecorded</li> </ul>	<p>Evidence is presented in detail in the Equalities Evidence Base. Key evidence is taken from:</p> <ul style="list-style-type: none"> <li><i>Annual Survey of Hours and Earnings, 2018</i></li> <li><i>EHRC, Is Scotland Fairer?, 2018</i></li> <li><i>Her Majesty's Inspectorate of Constabulary and Fire &amp; Rescue Services. Crime-recording: making the victim count, 2014</i></li> <li><i>Recorded crime in Scotland: 2016-2017</i></li> <li><i>Scottish Enterprise (2017). Scotland's gender pay gap; latest data and insights. Fraser of Allander Institute Economic Commentary</i></li> <li><i>Scottish Government Equally Safe: Scotland's strategy to prevent and</i></li> </ul>	<p>There is ample data to suggest persons relating this protected characteristic face societal inequalities. However, the availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
		<p><i>eradicate violence against women and girls, 2018</i></p> <ul style="list-style-type: none"> <li>• <i>Scottish Government, The gender pay gap in Scotland - update and analysis of time series data, 2017</i></li> </ul>	
<p><b>Pregnancy and maternity</b></p>	<p>The Equalities Evidence Base highlighted that persons related to this protected characteristic face inequalities in the labour market. Nearly three-in-four (73%) of mothers have reported a negative or possibly discriminatory during their maternity leave. Over half (59%) of surveyed employers stated that women should declare pregnancy during the recruitment phase – indicating a prevalent discriminatory approach to job interviews.</p> <p>Qualitative data suggests persons related to this protected characteristic, particularly lone parents, face further inequalities. However, insufficient data exists at a Scotland level to indicate this.</p>	<p>Evidence is presented in detail in the Equalities Evidence Base. Key evidence is taken from:</p> <ul style="list-style-type: none"> <li>• <i>EHRC, Is Scotland Fairer?</i></li> <li>• <i>EHRC, Pregnancy and Maternity-Related Discrimination and Disadvantage: Summary of key findings, 2017</i></li> </ul>	<p>There exists insufficient data to adequately comment on the relationship between persons related to this protected characteristic and perceived societal inequalities.</p> <p>The availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is further limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
<b>Gender reassignment</b>	<p>The Equalities Evidence Base highlighted that persons related to this protected characteristic face disproportionately high rates of harassment and hate crime; discrimination in the workplace and instances of poor mental health.</p> <p>Qualitative data suggests persons related to this protected characteristic face further inequalities. However, insufficient data exists at a Scotland level to indicate this.</p>	<p>Evidence is presented in detail in the Equalities Evidence Base. Key evidence is taken from:</p> <ul style="list-style-type: none"> <li>• EHRC, <i>Is Scotland Fairer?</i></li> <li>• Stonewall Scotland, LGBT in Scotland – Work Report, 2018</li> <li>• Stonewall Scotland, LGBT in Scotland: Hate Crime and Discrimination, 2017</li> <li>• Stonewall Scotland, School Report Scotland: The experiences of lesbian, gay, bi and trans young people in Scotland’s schools in 2017’, 2017</li> </ul>	<p>There exists insufficient data to adequately comment on the relationship between persons related to this protected characteristic and perceived societal inequalities.</p> <p>The availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is further limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>
<b>Sexual orientation</b>	<p>The Equalities Evidence Base highlighted that persons related to this protected characteristic face disproportionately high rates of harassment and hate crime; discrimination in the workplace and instances of poor mental health.</p>	<p>Evidence is presented in detail in the Equalities Evidence Base. Key evidence is taken from:</p> <ul style="list-style-type: none"> <li>• EHRC, <i>Is Scotland Fairer?</i>, 2018</li> </ul>	<p>There exists insufficient data to adequately comment on the relationship between persons related to this protected characteristic and perceived societal inequalities.</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
	<p>Qualitative data suggests persons related to this protected characteristic face further inequalities. However, insufficient data exists at a Scotland level to indicate this.</p>	<ul style="list-style-type: none"> <li>• Equality Network, The Scottish LGBT Equality Report, 2015</li> <li>• Stonewall Scotland, <i>LGBT in Scotland – Work Report</i>, 2018</li> <li>• Stonewall Scotland, <i>LGBT in Scotland: Hate Crime and Discrimination</i>, 2017</li> <li>• Stonewall Scotland, <i>School Report Scotland: The experiences of lesbian, gay, bi and trans young people in Scotland’s schools in 2017’</i>, 2017</li> </ul>	<p>The availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is further limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>
<b>Race</b>	<p>The Equalities Evidence Base highlighted that there are differentials across varying ethnic minority backgrounds across occupational profiles; educational attainment; earnings and income; health; and crime.</p> <p>Qualitative data suggests persons related to this protected characteristic face further inequalities. However, insufficient data exists at a Scotland level to indicate this.</p>	<p>Evidence is presented in detail in the Equalities Evidence Base. Key evidence is taken from:</p> <ul style="list-style-type: none"> <li>• EHRC, <i>Is Scotland Fairer?</i>, 2018</li> <li>• Hunter J. <i>Which ethnic groups have the poorest health? An analysis of health inequality and ethnicity in Scotland</i>, 2015</li> </ul>	<p>There exists sufficient data to suggest persons relating this protected characteristic face societal inequalities. This data is often not reported in adequate detail or frequency to allow appropriate comparison and analysis.</p> <p>Further, the availability of relevant and up to date baseline data which demonstrates known</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
		<ul style="list-style-type: none"> <li data-bbox="1240 236 1666 528">• Lindley, J. (2009), <i>The Over-education of UK Immigrants and Minority Ethnic Groups: Evidence from the Labour Force Survey</i>, Economics of Education Review, vol. 28, no. 1, pp. 80-9</li> <li data-bbox="1240 571 1637 639">• Scottish Crime &amp; Justice Survey 2016/17</li> <li data-bbox="1240 683 1666 895">• Scottish Government, <i>Young People's Participation in Decision Making in Scotland: Attitudes and Perceptions</i>, 2018</li> <li data-bbox="1240 938 1666 1150">• Scottish Government, <i>Young People's Participation in Decision Making in Scotland: Attitudes and Perceptions</i>, 2018</li> <li data-bbox="1240 1193 1644 1342">• Summary Statistics for Attainment, Leaver Destinations and Healthy Living, No. 7: 2015/16</li> </ul>	<p data-bbox="1709 236 2101 336">linkages between such inequalities and transport is limited.</p> <p data-bbox="1709 379 2107 703">The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>

Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
		<ul style="list-style-type: none"> <li>Wood, M., Hales, J., Purdon, S., Sejersen, T. and Hayllar, O. (2009), 'A Test for Racial Discrimination in Recruitment Practice in British Cities'. Department for Work and Pensions</li> </ul>	
<b>Religion or belief</b>	<p>The Equalities Evidence Base highlighted that persons related to this protected characteristic face disproportionately high rates of harassment and hate crime; and discrimination in the workplace.</p> <p>Qualitative data suggests persons related to this protected characteristic face further inequalities. However, insufficient data exists at a Scotland level to indicate this.</p>	<p>Evidence is presented in detail in the Equalities Evidence Base. Key evidence is taken from:</p> <ul style="list-style-type: none"> <li>Scottish Government, <i>Experiences of Muslims living in Scotland</i></li> <li>Scottish Government, <i>Overview of Equality Results from 2011 Census Release 2, 2014</i></li> <li>Scottish Government, <i>Poverty and Income Inequality in Scotland 2014-17, 2018</i></li> <li>Scottish Government, <i>Scottish Social Attitudes 2015: Attitudes to discrimination and positive action, 2016</i></li> </ul>	<p>There exists insufficient data to adequately comment on the relationship between persons related to this protected characteristic and perceived societal inequalities.</p> <p>The availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is further limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>



Characteristic <sup>1</sup>	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
<p><b>Marriage and Civil Partnership</b>            (the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details)</p>	N/A	N/A	<p>There exists insufficient data to adequately comment on the relationship between persons related to this protected characteristic and perceived societal inequalities.</p> <p>The availability of relevant and up to date baseline data which demonstrates known linkages between such inequalities and transport is further limited.</p> <p>The draft NTS2 consultation provides an opportunity for interested stakeholders to provide further evidence of key issues to be addressed. Issues raised will be taken account of in the final NTS2 and associated EqIA reporting.</p>

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

The emerging NTS2 is a high level strategy and as such the identification of likely overall impacts on persons with individual protected characteristics is not appropriate. The Draft NTS2 vision for Scotland's transport system relates directly to creating an inclusive and accessible transport system contributing to a more equitable society, whilst 'Promotes Equality' is one of the four priorities underpinning the vision. A commitment to advancing equality of opportunities across protected characteristics is embedded in the strategic framework of the Draft NTS2, referenced directly in the Outcomes underpinning this vision. The NTS2 Outcomes have been designed to address challenges specifically including the need to eliminate discrimination on the basis of gender and disability and to foster strong community relations. The Draft NTS2 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.

The inclusion of the following policies and policy enablers within the Draft NTS2 demonstrates that the public sector equality duty has been appropriately discharged by providing 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.

#### Relevant Policy Measures

- provide a high-quality transport system that integrates Scotland and recognises our different geographic needs
- provide a transport system that is equally accessible for all
- improve access to healthcare, employment, education and training opportunities to generate inclusive sustainable economic growth

#### Relevant Policy Enablers

- minimise the connectivity and cost disadvantages faced by island communities and those in remote and rural areas
- safeguard the provision of lifeline transport services and connections
- support seamless journeys providing the necessary infrastructure, information and interchange facilities to connect all modes of transport

**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	✓			<p>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.</p> <p>However, it is noted that the NTS2 identifies the need to tackle Scotland’s aging population and the changing transport needs of young people as key challenges. This provides a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>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.</p>
Promoting good relations among and between different age groups	✓			<p>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.</p> <p>The strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

**Do you think that the policy impacts disabled people?**

<b>Disability</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination, harassment and victimisation	✓			<p>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.</p> <p>However, it is noted that the NTS2 identifies the need to tackle inequalities faced by disabled people on the transport system as a key challenge. This provides a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>The strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of disabled persons.</p>
Promoting good relations among and between disabled and non-disabled people	✓			<p>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.</p> <p>The strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

**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	✓			<p>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.</p> <p>However, it is noted that the NTS2 identifies the need to tackle gender inequalities as a key challenge. This provides a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>The strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of women.</p>
Promoting good relations between men and women	✓			<p>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.</p> <p>The strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

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

<b>Pregnancy and Maternity</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around eliminating such unlawful discrimination, harassment and victimisation.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>However, it is noted that the NTS2 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.</p>
Promoting good relations	✓			<p>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 .</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

**Do you think your policy impacts on transsexual people?**

<b>Gender reassignment</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination	✓			<p>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.</p> <p>However, it is noted that the NTS2 identifies the need to ensure fair access of persons related to the gender reassignment 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.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of transsexual persons.</p>
Promoting good relations	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

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

<b>Sexual orientation</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination	✓			<p>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.</p> <p>However, it is noted that the NTS2 identifies the need to ensure fair access of persons related to the sexual orientation 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.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>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.</p>
Promoting good relations	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>



**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	✓			<p>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.</p> <p>However, it is noted that the NTS2 identifies the need to ensure fair access of those from an ethnic minority background 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.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>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.</p>
Promoting good race relations	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

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

<b>Religion or belief</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination	✓			<p>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.</p> <p>However, it is noted that the NTS2 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.</p>
Advancing equality of opportunity	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around advancing the equality of opportunity of such persons.</p>
Promoting good relations	✓			<p>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.</p> <p>Nevertheless, the strategy will establish a positive framework which will allow interventions to be designed around promoting such positive relations.</p>

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

<b>Marriage and Civil Partnership<sup>2</sup></b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your decision</b>
Eliminating unlawful discrimination			N/A	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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<sup>2</sup> 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***

If, following the impact analysis, you think you have identified any unlawful discrimination – direct or indirect - you must consider and set out what action will be undertaken to mitigate the negative impact. You will need to consult your legal team in SGLD at this point if you have not already done so.

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 <sup>3</sup> ?	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 public sector equality duty is being undertaken on an iterative basis as the NTS2 emerges to allow the consideration of likely equalities impacts to itself inform the content of the NTS2. In relation to the Draft NTS2, this has been achieved in two ways:

- i. Recognising and taking steps to address key equalities issues through the Draft NTS2 itself, in particular through orientating the strategic framework of the document around tackling key challenges; and,
- ii. Testing the relationship of proposed NTS2 policies and policy enablers with key equalities issues and proposing changes to clarify or improve the substantive components of the Draft NTS2.

Key inequalities of relevance to transport, as identified through the implementation of the public sector equalities duty, have been addressed in the development of the Draft NTS2 by framing the document around relevant priorities and outcomes and identifying a set of related 'Key Challenges'.

#### *Priorities and Outcomes*

'Promotes Equality' is defined within the Draft NTS2 as one of four priorities which the whole document is framed around, and within this priority three constituent outcomes are identified. The first of these now explicitly addresses all of the

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<sup>3</sup> See EQIA – Setting the Scene for further information on the legislation.

protected characteristics covered by the public sector equality duty under the Equality Act 2010:

### Promotes Equality

*Everyone in Scotland will share in the benefits of a modern and accessible transport system. Transport plays an important part in delivering the fully inclusive society we want – outcomes are as important as opportunities. While we promote equality, our actions will simultaneously tackle inequalities and help reduce poverty, in particular child poverty. Our transport system:*

- 1. Will provide fair access to services we need: we have a duty to advance equality of opportunity and outcome, including the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We will ensure that our poorest communities and individuals have fair access to the transport services they need. The transport system will enable everyone to access a wide range of facilities and services.*
- 2. Will be easy to use for all: people have different needs and capabilities. Our transport system will recognise these and work to ensure that everyone can use the system with as little effort as possible.*
- 3. Will be affordable for all: people have different incomes and our transport system will not exclude people from mobility by making it unaffordable. We will target action to deliver the Strategy towards those needing most help.*

The inclusion of this Promotes Equality priority and the identification of each protected characteristic in outcome one means that the need to tackle inequalities affecting people with one or more protected characteristic is afforded very high importance in both the Draft NTS2 strategic framework and in subsequent proposed policies and policy enablers. The implementation of the public sector equality duty from the outset of the preparation of the Draft NTS2 has therefore allowed the need to promote equality to play a central role in the document.

### *Key Challenges*

The Draft NTS2 presents 22 ‘Key Challenges’ of relevance to the transport system and identifies the need for each to be tackled in order to deliver the holistic NTS2 Vision and Outcomes. Identified challenges which directly seek to tackle issues impacting on people with one or more protected characteristics, as identified through the implementation of the public sector equality duty, are:

- Poverty and Child Poverty
- Social Isolation
- Gender Inequalities (including Complex travel behaviour, Poverty and gender and Feelings of safety and fear of sexual violence)

- Ageing Population
- Changing Transport Needs of Young People
- Disabled people

As with the Promotes Equality NTS2 priority, the inclusion of these Key Challenges within the Draft NTS2 demonstrates the high level of importance afforded to tackling inequalities and has also allowed appropriate high-level policies and policy enablers to be developed to address these challenges.

#### *Proposed NTS2 Policies and Enablers*

The assessment of proposed NTS2 policies and policy enablers was undertaken on a pre-mitigation basis as part of the implementation of the statutory equalities duties. This allowed any ambiguities and other weaknesses to be identified and appropriate mitigation and enhancement recommendations to be devised while still at draft stage. 47 recommendations were identified. The recommendations were implemented by:

- i. Amending the relevant component of the draft NTS2, e.g. a proposed policy, policy enabler or text, to directly clarify the wording or scope of the component;
- ii. Providing further explanatory detail within the NTS2 Policy Assessment Report, e.g. to define key terms and explain how the NTS2 is proposed to be implemented. In some instances, clarifications have been provided through the accompanying Policy Assessment Report rather than within the Draft NTS2 itself to maintain the succinctness of the document; and,
- iii. For recommendations relating to policy implementation rather than the high-level content of the NTS2 itself, identifying key considerations which should be taken account of in the future development of related transport interventions (i.e. through the ongoing STPR2 and or through developing the NTS2 Delivery Plan) in order to continue the implementation of all relevant statutory duties.

The table below lists all policy recommendations made through the implementation of the public sector equality duty and provides a summary of how each recommendation has been or will be addressed.

Recommendation	Draft NTS2 Response
<p>1. As each policy (and supporting NTS text) is further developed and delivered it should consider the policy’s coverage and links to key equalities issues, as this would influence potential equalities impacts.</p>	<p>To be addressed through the addition of further policy definition in a future NTS Delivery Plan.</p>
<p>2. The NTS2 should be supported by a Delivery Plan to identify proposed or potential implementation mechanisms or transport interventions for each NTS policy and policy enabler. To maximise the performance of the NTS2 Delivery Plan in tackling inequalities affecting people with one or more protected characteristics, proposed transport interventions for inclusion within the NTS2 Delivery Plan should be developed and assessed with regard to the Equalities Objectives and associated Guide Questions prepared through the implementation of the public sector equality duty.</p>	<p>A NTS2 Delivery Plan will be developed as per this recommendation</p>
<p>3. To avoid unintended inferences, policy references to “our” transport system should be amended to refer to “Scotland’s transport system” for clarity.</p>	<p>The term “our” is defined in Chapter 2 of the Draft NTS2.</p>
<p>4. Policy Enabler 12: The NTS2 should include a clear definition of “accessible” and apply this to all relevant policies and policy enablers. The chosen definition should include a focusing on ensuring the transport system can be accessed by people with disabilities (and thus that the transport system does not present a barrier to disabled people undertaking socio-economic activities).</p>	<p>Addressed through supporting text in Chapter 3 – Current and Emerging Challenges and further explained within the Policy Assessment Report which accompanies the Draft NTS2. The term “accessible” relates to ensuring both physical and affordable access for all.</p>

Recommendation	Draft NTS2 Response
5. Policy Enabler 6: the implications of the Place Principle for the transport system should be clearly addressed in this enabler.	Addressed within the Policy Assessment Report which accompanies the Draft NTS2.
6. Policy Enabler 22: consideration should be given to mapping out the range of barriers which different demographic groups (including people with different protected characteristics) face) when accessing public transport on a single or multi-journey basis.	Addressed explicitly within Chapter 3 – Current and Emerging Challenges for age, gender and disabilities. Footnote also provided with reference to all protected characteristics in the policy section of Draft NTS2.
7. Policy Enabler 23: the range of negative impacts of transport on safety, health and wellbeing should be mapped out and measurable approaches developed to reduce these.	Addressed through supporting text in Chapter 3 – Current and Emerging Challenges.
8. Policy Enabler 24: the scope and context of Scotland’s Accessible Travel Framework should be clearly explained within the NTS2.	Addressed through supporting text in Chapter 3 – Current and Emerging Challenges.

### **Summary and Next Steps**

The evidence provided above demonstrates that the implementation of the public sector equality duty to date has directly informed and improved the Draft NTS2. To ensure the public sector equality duty is appropriately applied in the development of specific transport interventions (funding streams, policy programmes, physical infrastructure development, etc.) within a future NTS Delivery Plan, proposed transport interventions for inclusion within the NTS2 Delivery Plan should be developed and assessed with regard to an Equalities Assessment Framework developed through the implementation of applicable statutory equalities duties. This includes the following Guide Questions developed specifically to implement the public sector equality duty:

*Will the delivery mechanisms following from NTS2...*

- *Result in any likely different or disproportionate effects on persons with protected characteristics as specified in the Equality Act 2010?*
- *Promote public realm and design choices that provide a safe, secure, and accessible environment for all?*
- *Promote social cohesion and integration between people with different protected characteristics and different demographic groups?*



- *Support all individuals and households in accessing basic goods and services?*
- *Improve access to employment and economic opportunities for all?*
- *Provide affordable access to social and cultural activities for all?*
- *Improve access to public services and key amenities for all?*
- *Support changing demographics by providing appropriate transport facilities to meet the diverse needs of different communities?*
- *Support the removal of barriers to travel and the improvement of access to travel for disabled people?*
- *Improve disabled people's ability to make seamless door to door journeys?*
- *Reduce the likelihood of transport-related road accidents and casualties?*
- *Reduce exposure to air pollution, particularly for the most vulnerable?*
- *Reduce the impacts of climate change on the most vulnerable groups?*
- *Improve access to healthcare, in particular for those with protected characteristics and demographic groups facing structural inequalities?*
- *Reduce car dependencies and encourage a shift to more sustainable forms of travel, including for people and freight?*

### **Monitoring and Review**

In this section, explain how you will monitor and evaluate this policy to measure progress on equality issues identified in the EQIA. Include information on when the monitoring and evaluation will take place, and who is responsible for undertaking it. This should be part of the regular monitoring and evaluation mechanisms you devise for your policy.

Transport plays an important part in delivering the fully inclusive society we want. While we promote equality, our actions will simultaneously tackle inequalities and help reduce poverty, in particular child poverty. To evidence this, we will design a robust monitoring and evaluation framework to measure and annually report on performance in tackling the challenges and achieving the NTS Outcomes at a national, regional and local level. Proposed headline indicators are currently being developed, drawing on existing and new sources of data and research. Where possible, analysis of the indicators will be broken down to look at demographic, socioeconomic and geographic factors. There will be a focus on equalities issues, including the following, relating to the three proposed NTS2 Outcomes under the 'Promotes Equality' priority:

Priority	Outcome	Indicators
Promotes equality	Will be affordable for all	1. Spend on transport and vehicles relative to income 2. Measure of Transport Poverty - TBC
	Will be easy to use for all	3. Modal share of transport – focus on gender, income, geographic, age, and disability status segmentation
	Will provide fair access to the services we need	4. Accessibility of key services

The Draft NTS2 also confirms that the Scottish Government will continue to ensure equality of opportunity and outcome and minimising environment effects are at the forefront of decision making for Scotland’s transport system, with all decisions taken in accordance with statutory equalities requirements and strategic environmental assessment duties.

### 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.

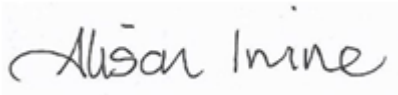
Yes  No

- 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

## **Declaration**

**I am satisfied with the equality impact assessment that has been undertaken for National Transport Strategy 2 (NTS2) – Draft for Consultation and give my authorisation for the results of this assessment to be published on the Scottish Government’s website.**

A handwritten signature in black ink that reads "Alison Irvine". The signature is written in a cursive style with a small dot above the 'i' in "Irvine".

**Name: Alison Irvine**

**Position: Director, Transport Strategy and Analysis**

**Authorisation date: Wednesday 17 July 2019**



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