



Equalities Mainstreaming Report

April 2017

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1. Introduction

The Public Sector Equalities Duty is established by Section 149 of the Equality Act 2010. This is referred to as the General Equality Duty. Specific duties were created by secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

The Equality Act identifies nine protected characteristics:

- Age
- Disability
- Sex (Gender)
- Gender reassignment (Transgender identity)
- Pregnancy and maternity
- Race
- Religion and belief
- Sexual orientation
- Marriage and civil partnership

In addition to these SWestrans has adopted the Impact Assessment Toolkit developed by Dumfries and Galloway Council which recognises additional factors which may potentially disadvantage people, particularly within remote communities in Dumfries and Galloway.

These are:

- human rights
- health and wellbeing
- economic and social sustainability
- environmental sustainability, climate change, and energy management

The Impact Assessment Toolkit is available on our website www.swestrans.org.uk

The general equality duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

These are referred to as the 'three aims'. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from other people
- Encouraging people from protected groups to participate on public life or in other activities where their participation is disproportionately low

As a statutory Regional Transport Partnership SWestrans is a listed public body in The Equality Act 2010 and is also subject to The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

The purpose of the specific duties in Scotland is to help those authorities listed in the Regulations in their performance of the general equality duty.

The specific duties require a listed public authority to:

- Report on mainstreaming the general equality duty
- Publish equality outcomes and report progress
- Assess new or revised policies and practices
- Review existing policies and practices
- Gather, use and publish employee information
- Publish gender pay gap information
- Publish an equal pay statement
- Consider award criteria and conditions in relation to public procurement

As a listed authority SWestrans is required to publish a report on the progress it has made to make the general equality duty integral to the exercise of its functions, so as to better perform that duty. The report must be published no later than 30 April 2017 and subsequently at intervals of not more than two years.

SWestrans does not directly employ staff. All officers are employed by Dumfries and Galloway Council and are therefore bound by DGC policy and procedures. As such Swestrans is exempt from the specific duties outlined in relation to employee information and pay.

As a listed authority SWestrans is also required to publish a set of equality outcomes which it considers will enable it to better perform the general equality duty, by no later than 30 April 2017.

The current equality outcomes that SWestrans works to for the period 2015-2017 are:

EO1: People who are elderly, disabled or living remotely, are better able to access our services.

EO2: Transport is affordable for all residents of Dumfries & Galloway including those who are elderly or disabled.

2. Functions, Policies, Strategies, Projects and Operations

The Transport (Scotland) Act 2005 placed a duty on the Scottish Ministers to create Regional Transport Partnerships covering the whole of Scotland. A statutory requirement of the Transport (Scotland) Act 2005 is that each Partnership produces a Regional Transport Strategy (RTS).

The SWestrans is one of seven Partnerships and covers an area contiguous within the boundaries of Dumfries and Galloway Council. The Partnership Board consists of five Councillor members and two external members, one from Scottish Enterprise and one from NHS Dumfries and Galloway. In line with Scottish Government guidance we have issued a pledge that we aim to achieve 50:50 gender balance on our Board by 2020.

A number of individuals and representatives from a variety of interests have been appointed as Observers to the Board, including diversity groups as well as the transport sector.

The Board is supported by SWestrans Officers. SWestrans does not employ any staff directly itself. Staff are employed on its behalf by Dumfries and Galloway Council, and as such are subject to Dumfries and Galloway Council policies. SWestrans has a responsibility to satisfy itself that Dumfries and Galloway Council is meeting the public sector equality duties on its behalf. In this regard SWestrans has determined that Dumfries and Galloway Council has a published Equalities Scheme in place.

Functions

The functions of SWestrans are defined by statute, and as such are beyond the competence of SWestrans itself to vary. They therefore lie out with the scope of this Scheme.

Policies

SWestrans policies and procedures are contained within two key documents:

- The Standing Orders and Financial Regulations of the South West of Scotland Transport Partnership, and
- The Regional Transport Strategy

It should be noted that SWestrans consulted widely with diversity groups in the development of its Regional Transport Strategy 2008. The Regional Transport Strategy is due to undergo a re-fresh in 2017 and as such further consultation will be carried out on this in due course.

Strategies and projects

The Regional Transport Strategy of SWestrans sets out a series of priorities for transport investment in the region designed to support broader economic, social and environmental objectives.

The RTS is founded on the concept of the Sustainability Triangle, recognising that economic, environmental and social development are mutually

dependent, and that progress towards sustainability in each policy element is required if sustainable development overall is to be made real.

Our vision is a transport system for the South West of Scotland that delivers the internal and external connectivity required to sustain and enhance the region's economy and communities whilst minimising the impact of transport on the environment. The set of projects proposed in the Strategy is closely aligned to objectives and strategic outcomes set out in the Scottish Executive's National Transport Strategy. The five high level objectives for transport identified in the Strategy are:

- Promoting economic growth
- Promoting social inclusion
- Protecting the environment and improving health
- Improving safety of journeys
- Improving integration

These will be reviewed as part of the RTS re-fresh but we will continue to ensure that all protected characteristics are taken into account to allow for non-discriminatory but inclusive objectives for public transport in the region.

Operations

SWeststrans is responsible for commissioning of socially necessary local bus services across the region. These services are delivered by a number of bus operators. SWeststrans has a responsibility to satisfy itself that operators who deliver services on behalf of SWeststrans meet the requirements of the public sector equalities duties.

Operators are themselves subject to the general requirements of the Equality Acts, both as service delivery organisations and as employers.

When tendering for services SWeststrans has access to support provided by Dumfries and Galloway Council's Procurement Team. SWeststrans will include terms in contract specification documents requiring conformance with equalities legislation and the equalities aspirations of SWeststrans.

3. Summary of Mainstreaming Activities

Functions

- Board meetings are held at venues across the region
- All meeting venues are accessible and access issues are considered on an individual basis
- Engagement with diversity groups is facilitated through observers to the board
- We aim to have a 50:50 gender balance on our board by 2020

Policy and strategy

- Strategy and Policies have been subject to Impact Assessment and the RTS re-fresh will also be impact assessed.
- Dumfries and Galloway Councils Impact Assessment Toolkit has been adopted

Projects

- All SWestrans projects must comply with the general duty in the Equality Act 2010

Operations

- All local bus assets are fully accessible for people with a physical impairment
- Accessible buses are specified on all contracted services
- When tendering for services SWestrans is responsible for meeting the duty and in doing so includes terms in contract requiring conformance with equalities legislation
- Support Ring & Ride and Community Transport
- Developing a Public Social Partnership to support those who cannot readily access transport in the region