



Equalities Mainstreaming Report

March 2021

1. Introduction

The Public Sector Equalities Duty was 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 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.

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.

The protected characteristics The Equality Act 2010 refers to are:

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

As a statutory Regional Transport Partnership SWestrans is a listed public body in The Equality Act 2010 and is 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.

SWestrans is committed to fulfilling the duties set out by The Equality Act 2010 and reporting on the areas which are relevant to the organisation as required by the Specific Duties 2012. To advance our ability to meet the requirements of the Act in December 2020, SWestrans officers took part in a virtual workshop with the other Regional Transport Partnerships and the Equalities and Human Rights Commission. This session was useful for the RTPs to share information on equalities issues in their areas and discuss ways in which equality outcomes can be adopted to tackle discrimination and promote mainstreaming equalities in our day to day business.

2. RTP Equalities Duty

The Transport (Scotland) Act 2005 placed a duty on Scottish Ministers to create Regional Transport Partnerships covering the whole of Scotland. 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 South of Scotland Enterprise and one from NHS Dumfries and Galloway.

A number of individuals and representatives with 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, namely, Lead Officer, Governance Officer, Finance Officer and 2 Policy and Projects Officers. SWestrans does not directly employ any staff instead staff are employed on its behalf by Dumfries and Galloway Council, and they are therefore subject to Dumfries and Galloway Council policies and procedures. SWestrans is therefore exempt from the specific duties detailed in The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 in relation to employee information and pay. SWestrans has a responsibility to satisfy itself that Dumfries and Galloway Council is meeting the public sector equality duties in relation to employment on its behalf. SWestrans has determined that Dumfries and Galloway Council has a published Equalities Scheme in place.

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, in order to better perform that duty. For this reporting cycle the mainstreaming report must be published no later than 30 April 2021 and subsequently at intervals of not more than two years.

SWestrans is also required to publish a set of equality outcomes which will enable the organisation to better perform the general equality duty, by no later

than 30 April 2021. Subsequent progress reports on the equality outcomes set should be published at two year intervals.

We have set new equality outcomes for the period 2021-2025. These are-

EO1: Everyone will be able to easily access and understand the local bus service information they need.

EO2: Public transport services are more flexible to meet the identified travel needs of those who need them most.

EO3: Access and affordability issues are reduced through new transport solutions developed with partners.

EO4: Our work is informed by a greater understanding of the transport and travel needs, barriers faced and experiences of people with protected characteristics.

We have developed these equality outcomes based on transport policy and evidence of national and local transport inequality and believe that fulfilling these outcomes can better help us to meet the requirements of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and mainstream equalities into the work that we do.

3. Mainstreaming the Equality Duty

3.1 Regional Transport Strategy

One of the main functions of RTPs is to develop a Regional Transport Strategy (RTS). In developing and delivering the RTS, working with statutory and other key stakeholders, SWestrans seeks to ensure that the connectivity and accessibility needs of all sectors of society and communities are recognised and addressed. SWestrans RTS is due to be renewed in 2021. During the development of the RTS particular focus will be given to consultation with a variety of stakeholders prior to the new strategy being finalised and published.

The current RTS which was published in 2008 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 that were set out by the Scottish Government at the time of writing the 2008 RTS. The five high level objectives for transport identified 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 2021 RTS renewal but we will continue to ensure that all protected characteristics are taken into account to allow for non-discriminatory and inclusive objectives for public transport in the region.

We are committed to contributing to the National Transport Strategy (NTS2) priority to reduce inequality and the associated outcomes to ensure everyone in Scotland will share in the benefits of a modern and accessible transport system that:

- Will provide fair access to services we need;
- Will be easy to use for all;
- Will be affordable for all.

3.2 Impact Assessments

SWestrans has adopted the Impact Assessment Toolkit developed by Dumfries and Galloway Council. The impact assessment tool helps us to check whether our policies and practices are fair and inclusive.

An impact assessment must be completed when designing policies and strategies, establishing practices, making major decisions (including financial decisions). It gives community representatives, diversity groups and other interested parties the opportunity to participate in decision making that affects them.

The Impact Assessment Toolkit is available on our website

www.swestrans.org.uk

3.3 Operations

SWestrans is responsible for procuring socially necessary local bus services across the region, these services are delivered by a number of bus operators. SWestrans has a responsibility to satisfy itself that operators who deliver services on behalf of SWestrans 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 SWestrans has access to support provided by Dumfries and Galloway Council's Procurement Team. SWestrans will include terms in contract specification documents requiring conformance with equalities legislation and the equalities aspirations of SWestrans.

3.4 Examples of mainstreaming activities

Functions

- All Board meeting venues are accessible and access issues are considered. Currently Board meetings are being held virtually via MS Teams due to the Covid 19 pandemic.
- Engagement with diversity groups is facilitated through observers to the Board.
- All Board reports are published on our website.

Policy and strategy

- Strategy and Policies have been subject to Impact Assessment.
- The new Regional Transport Strategy will undergo an Impact Assessment.
- Dumfries and Galloway Councils Impact Assessment Toolkit has been adopted.

Projects

- All SWestrans projects comply with the General Equality Duty.

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 contracts requiring conformance with equalities legislation.
- Developing a Community Transport Public Social Partnership to enable a move towards more demand responsive transport across the region to ensure everyone has suitable access to public transport.

4. Conclusion

SWestrans acknowledges the importance of mainstreaming the Equalities Act 2010 and the Equalities Act 2010 (Specific Duties) (Scotland) Regulations 2012 in our day to day business. We will do this by continuing the mainstreaming activities outlined in this report and working to achieve the equality outcomes set for 2021-2025.