

Equality Impact Assessment – Results

Title of Policy	Implementation of part 3 of the Transport (Scotland) Act 2019 – Consultation on Bus services
Summary of aims and desired outcomes of policy	<p>The Scottish Government is working to implement the provisions contained in part 3 (bus services) of the Transport (Scotland) Act 2019 (“the 2019 Act”) which received Royal Assent on 15 November 2019.</p> <p>The Act is multi-faceted and contains provisions covering the National Transport Strategy, low emission zones, bus services, ticketing arrangements and schemes, travel concession schemes and parking (amongst others).</p> <p>The Act contains a number of provisions which aim to improve the regulatory framework surrounding the provision of bus services by creating a toolkit of options that empower local transport authorities to influence/improve the provision of bus services in their local communities covering:</p> <ul style="list-style-type: none"> • Local Authority run bus services • Bus Service Improvement Partnerships (BSIPs) • Local Services Franchises • Information in relation to services <p>Bus patronage in Scotland (and the UK) has been declining since the 1960s with the trend continuing after deregulation and associated privatisation under the Transport Act 1985.</p> <p>By implementing part 3 of the 2019 Act we will deliver on established policy to improve bus services and help arrest the decline in patronage and enhance social cohesion.</p>
Directorate: Division: team	Transport Scotland, Bus, Accessible and Active Travel Division, Bus Regulatory and Funding Policy Unit

Executive summary

This results report provides an overview from the full EQIA and analysis and evaluation of the Implementation of part 3 of the Transport (Scotland) Act 2019 – Consultation on Bus services.

The report shows that the impact of the guidance and regulations is expected to be largely positive.

Background

The intention of the Act and regulations is to give local transport authorities the toolkit to enable them to improve bus services and infrastructure throughout Scotland. If these aims are achieved then there is the potential to impact positively on most groups, including lower socio-economic and other societal groups who rely more on public transport.

The scope of the EQIA

Section 149 of the Equality Act 2010 (the public sector equality duty) and the Equality Act 2010 (Specific Duties)(Scotland) Regulations 2012 require equality to be considered in all functions of public authorities. This includes decision-making, the design of internal and external policies and the delivery of services.

In relation to bus services, the objective of the 2019 Act is to give local authorities the flexibility to pursue partnership working, local franchising, or running their own buses – allowing local authorities to better respond to local needs. It is anticipated that the effects of the Act will be positive but impacts may not be specific to any one protected characteristic but to bus users more broadly. As such it is considered that the EQIA required is ‘lighter touch’.

In relation to the provisions on partnerships, franchising and transport authority run bus services, the 2019 Act provides local authorities with a range of options but is not prescriptive which option should be used. Instead the implementation of the provisions will vary according to each authority which will take decisions in accordance with their individual policies. While we anticipate that the provisions of the Act and regulations will have a positive impact it will ultimately depend on the actions and proposals of each local transport authority.

The proposals to make more information on services available for local transport authorities may also have the potential to impact on some of the

protected characteristics. In general we anticipate that the provisions will have a positive impact, but as much of the detail of the proposals will be implemented through secondary legislation it is difficult to determine the full nature of these impacts at the level of this assessment. Further assessment of the potential impacts of these provisions on the protected characteristics will be carried out as part of the process of developing the regulations.

Key findings

The assessment did acknowledge that in some areas there is limited formal evidence around the effect that the bus proposals contained within the Transport (Scotland) Act 2019 is likely to have on specific groups with certain characteristics. In particular, the research and public consultation identified gaps around pregnancy and maternity, gender reassignment, sexual orientation, race, religion or belief and marriage and civil partnership. However, no detrimental effect to such groups was identified either.

Therefore the EQIA has not identified any group that would be adversely affected by the guidance and regulations. It is not considered that any changes to the policy should be made as a result of the assessment, as the evidence and data gathered indicate that, overall the 2019 Act and supporting regulations will have a positive impact on all groups.

Recommendations and conclusion

If, as a result of the proposals, the bus network is maintained or improved this would contribute to making bus services more available, accessible and potentially affordable, which would be of particular benefit to older people, disabled people, young people, people experiencing transport poverty and others who do not have access to other means of private transport for access to work, education, training, health and other essential facilities.