



ZetTrans Regional Transport Strategy

Case for Change
Equalities Duties Report

On behalf of **ZetTrans**



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1 Introduction

1.1 Overview

Background

- 1.1.1 This Equalities Duties Report has been prepared to accompany a Case for Change Report which will underpin the development of a new Regional Transport Strategy (RTS) for the ZetTrans Regional Transport Partnership (RTP), which covers the Shetland Islands area.
- 1.1.2 Stantec UK Ltd (Stantec) has been commissioned by ZetTrans to support the preparation of the new RTS. The RTS will set out a new long-term vision for transport across the region for the period up to 2042. It is intended the new RTS will set out a clear framework for how transport and mobility will be provided, developed and improved in the region to meet the aspirations for a sustainable and economically active area over the next 20 years and beyond.
- 1.1.3 Working collaboratively with Stantec, ZetTrans has produced a Case for Change Report (the 'Case for Change') which seeks input and views from stakeholders on the type and level of change needed to the transport system in the Shetland Islands to inform the development of the Strategy. This builds upon and takes account of comments and information received from an extensive stakeholder and public consultation exercise held in 2021 which is reported in the Case for Change document.

The Equalities Impact Assessment (EqIA) Process

Overview

- 1.1.4 Equalities issues are becoming increasingly prevalent in transport planning. Policy needs to recognise the different ways people interface with and experience the transport network and services. This trend towards a greater focus on inclusion is well articulated by the Scottish Government's National Transport Strategy 2 (NTS2) (2020), which targets 'reducing inequalities' as one of the four central priorities which now underpin national transport policy.
- 1.1.5 An Equalities Impact Assessment (EqIA) process is therefore being undertaken through the Strategy's development to apply relevant equalities duties and identify likely equalities impacts arising from RTS preparation. The EqIA is being undertaken in tandem with the development of the emerging RTS to allow assessment findings to influence the content of the RTS on an iterative basis.
- 1.1.6 Relevant equalities duties are being used as tools to inform and embed key equalities issues within the emerging RTS. Acting together with the Strategic Environmental Assessment (SEA) being carried out for the emerging RTS, this integrated approach allows the environmental, social and economic implications of all strategy components to be tested at the earliest opportunity and for any uncertainties or issues identified during impact assessment processes to be addressed during RTS preparation.

Relevant Equalities Duties

- 1.1.7 The equalities duties applicable to ZetTrans on a statutory basis are the **Public Sector Equality Duty** (PSED) and the requirement to undertake an **Island Communities Impact Assessment** (ICIA). This EqIA also addresses the **Fairer Scotland** and **Child Rights and Wellbeing** duties insofar as relevant to the RTS on a voluntary basis, as these relate to issues affecting the transport system and apply on a statutory basis to Shetland Islands Council and key agencies such as NHS Shetland.



- 1.1.8 In August 2021 an Equalities Impact Assessment Framing Document (Stantec, 2021) was prepared to identify an evidence-based suite of key equalities issues which should be considered in the emerging RTS and taken account of in the EqIA process. A framework was also set out explaining how each of the applicable equalities duties would be applied and reported against throughout the development of the RTS in a way which helps to address the identified key equalities issues.

RTS Case for Change

- 1.1.9 The Case for Change provides a consolidated evidence base to identify the main transport problems experienced within the ZetTrans area and sets out a series of Transport Planning Objectives (TPOs) and RTS Objectives to underpin the development of the new RTS. In doing so, the Case for Change seeks to ensure the RTS is founded on an evidence base which reflects the latest understanding of problems, opportunities and issues in the region, including reflecting travel behaviour changes arising from the COVID-19 pandemic.
- 1.1.10 As detailed further in **Section 3**, the Case for Change includes the identification of relevant TPOs and associated proposed RTS Objectives. With reference to applicable equalities duties (discussed in **Section 2**), this report provides a proportionate assessment of the coverage of key equalities issues within these 'substantive components' of the emerging RTS and thus their likely equalities impacts. This forms part of a multi-stage appraisal and strategy development process which will include a future consultation on the full Draft RTS and an accompanying Equalities Duties Report.
- 1.1.11 At this early stage, the Case for Change does not identify individual 'options' (e.g., policies, proposals, actions, schemes and other interventions) or spatially defined schemes but rather forms the starting point for the subsequent development and appraisal of various types of options to achieve the proposed RTS Objectives. All options will be developed, sifted and appraised through Stage 2 – Preliminary Options Appraisal of the Scottish Transport Appraisal Guidance (STAG) process. Details of options development, appraisal and how the application of relevant equalities duties has informed the selection of options (including consideration of reasonable alternatives) will then be set out in the full Draft RTS and an accompanying full version of the Equalities Duties Report later in 2022.

1.2 Purpose and Objectives

- 1.2.1 This report has been prepared by Stantec to assess the extent to which the Case for Change Report addresses relevant equalities considerations. This forms part of the process of discharging relevant statutory equalities duties in the preparation of the new RTS.
- 1.2.2 The objectives of this report are to:
- i. Assess the coverage of key equalities issues in the 'key issues' identified within the Case for Change report. The key equalities issues include those previously consulted upon through the Equalities Impact Assessment Framing Document;
 - ii. Assess the extent to which the proposed RTS Objectives address identified key equalities issues by testing their compatibility with the requirements of applicable equalities duties through applying an assessment framework and associated guide questions; and
 - iii. Recommend changes which should be incorporated into the emerging RTS to improve the coverage of equalities issues and to enhance the ability of the document to tackle such issues.

1.3 Report Structure

- 1.3.1 This report is structured as follows:



- **Section 2 – Approach to Equalities Duties:** provides an overview of how applicable equalities duties are being addressed in the development of the emerging RTS, including the outline assessment framework and evidence base which has informed the work.
- **Section 3 – Assessment of Equalities Issues:** reports the findings of the consideration of the coverage of key equalities issues within the Case for Change and an initial appraisal of the compatibility of the draft RTS Objectives against the requirements of the relevant equalities duties. This includes how the EqIA process has informed the Case for Change.
- **Section 4 – Next Steps:** explains how comments received in respect of the Case for Change and this Equalities Duties Report will be taken into account and how applicable equalities duties will continue to be applied in future stages of the RTS development process.

2 Approach to Equalities Duties

- 2.1.1 This section outlines the requirements of each of the four equalities duties and details the revised set of criteria which will be used to iteratively assess all substantive components of the emerging RTS. Taken together, these criteria comprise an Equalities Assessment Framework which will be used to test, refine and assess all substantive components of the emerging RTS in relation to likely equalities impacts.
- 2.1.2 A description of the process followed in the consideration of equalities issues at the Case for Change stage is provided in Section 2.2 to guide understanding of the findings presented later in **Section 3**. Section 2.3 then sets out an overview of the principal requirements of the four equalities duties considered in this report together with a series of 'framing questions' which have been developed to support the consideration of the requirements. Finally, Section 2.4 presents a summary of the evidence base set out in the Equalities Impact Framing Document which has also informed the consideration of key equalities issues in the development of the RTS Case for Change.

2.2 Overall Approach

- 2.2.1 The approach to the consideration of equalities issues, and the key requirements of the four relevant duties, has involved:
- liaison between the transport planning, environmental assessment and equalities assessment teams through the **preparation and appraisal of the Case for Change**;
 - **initial review of the draft Case for Change** document to identify the extent of coverage of equalities issues and to **feed back findings and recommendations** to the transport planning team for incorporation in the updated Case for Change. This review included the baseline documentation and analysis of transport issues and problems as well as the draft transport planning objectives (TPOs) and draft RTS Strategic Objectives;
 - **initial assessment of the substantial elements of the updated Case for Change document** through consideration of the compatibility of the proposed RTS Strategic Objectives with the equalities assessment framework; and
 - **reporting of further recommendations in relation to equalities issues** as the RTS process continues through the options development and assessment at the next key stage in RTS development.

2.3 Equalities Assessment Framework

Public Sector Equality Duty

- 2.3.1 Section 149 of the Equality Act 2010 sets out a 'public sector equality duty' (PSED). This requires public authorities to have due regard to the need to eliminate discrimination, harassment, victimisation, advance equality of opportunity, and foster good relations between those with a protected characteristic and those without. The duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The public sector equality duty also covers marriage and civil partnerships, with regard to eliminating unlawful discrimination in employment.
- 2.3.2 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 require listed authorities to undertake an impact assessment in relation to the needs outlined in section 149(1) of the Act and take account of the results of the assessment in development of the policy. The approach to the assessment has been informed by reference to the Scottish Government's general guidance on the PSED (Scottish Government, 2016) and guidance on application of the duty in Scotland (Equality and Human Rights Commission, 2016).



2.3.3 The following guide questions have been designed to allow for testing the implementation of the PSED. They provide a transparent framework to assess the extent to which emerging RTS components promote equality of opportunity, including the removal of physical and cultural barriers to accessing and benefiting from the transport system. The framing questions have been updated and refined from those presented in the Equalities Impact Assessment Framing Document.

Assessment Framework: Public Sector Equality Duty

Will the emerging RTS and its associated delivery mechanisms...

- *Result in any likely different or disproportionate direct or indirect effects on persons with protected characteristics as specified in the Equality Act 2010?*
- *Result in any unintended consequences for protected characteristic groups?*
- *Promote social cohesion and integration between people with different protected characteristics?*
- *Advance the Shetland Islands Council equalities outcomes¹?*
- *Provide equal access to employment opportunities, social and cultural activities, and public services and amenities for all?*
- *Promote public realm and design choices that provide a safe, secure, and accessible environment for all?*
- *Promote better health outcomes by facilitating active travel?*
- *Support the removal of barriers to travel and the improvement of equal access to travel?*
- *Contribute to the achievement of the Duty's aims and desired outcomes?*

The framing questions will be applied in relation to the three key parts of the Duty:

- *Eliminating discrimination, harassment and victimisation;*
- *Advancing equality of opportunity; and*
- *Fostering good relations.*

The second of these aims involves:

- *Removing or minimising disadvantages affecting people due to their protected characteristics;*
- *Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and*
- *Encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.*

Fairer Scotland Duty

2.3.4 The Fairer Scotland Duty (FSD) places a legal responsibility on certain public bodies in Scotland to actively consider how they can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. This differs from the Public Sector Equality Duty which considers only reducing inequalities of opportunity. The Duty seeks to tackle socio-economic disadvantage and reduce the inequalities associated with being disadvantaged. It is closely related to issues of poverty which may affect outcomes across health, housing, education and training and employment prospects.

2.3.5 The FSD identifies a need to consider both 'communities of place' and 'communities of interest' in terms of people who share an experience and are particularly impacted by socio-economic disadvantage (Scottish Government, 2021a). Demographic groups who share one or more of the protected characteristics listed in Section 4 of the Equality Act 2010 can be considered

¹ See Section 2.4



'communities of interest', meaning there is a direct link between the Fairer Scotland Duty and the Public Sector Equality Duty.

- 2.3.6 The following criteria will be applied to testing the performance of the emerging RTS in relation to implementing the FSD. This provides a transparent framework to assess the extent to which emerging RTS components reduce inequalities of outcome resulting from low income, low wealth and multiple deprivation. The framing questions have been updated and refined from those presented in the Framing Document.

Assessment Framework: Fairer Scotland Duty

Will the emerging RTS and its associated delivery mechanisms...

- *Help to reduce levels of absolute and relative income poverty, inequality in the distribution of household wealth, and levels of multiple deprivation affecting communities?*
- *Reduce physical and informational barriers to accessing and using all transport modes?*
- *Reduce cost related barriers to accessing and use of all transport modes?*
- *Reduce unequal access to employment opportunities, social and cultural activities, and public services and amenities for all?*
- *Improve accessibility to open spaces, and sports facilities for physical recreation, in particular for those facing socio-economic disadvantage?*
- *Promote good local access to existing facilities, services, and employment, in particular for those facing socio-economic disadvantage?*
- *Contribute to the achievement of the Duty's aims and desired outcomes?*

The framing questions will be applied in relation to the two key parts of the Duty:

- *socio-economic disadvantage (influenced by income, wealth, material and area deprivation and socio-economic background); and*
- *inequality of outcome (including education, skills, employment, health and wellbeing, living standards and poverty).*

Child Rights and Wellbeing Duty

- 2.3.7 The Children and Young People (Scotland) Act 2014 requires public bodies to consider whether existing and emerging legislation, policy and guidance have an impact on children and young people and to assess what further action is required to ensure compliance with the United Nations Convention on the Rights of the Child (UNCRC). There are four general principles of the UNCRC: apply rights without discrimination (Art 2); best interests of the child to be a principal consideration (Art 3); right to life, survival and development (Art 6); right to express and view and have that view taken into account (Art 12).
- 2.3.8 The following criteria will be applied to test and confirm the implementation of relevant Scottish Ministers' duties under the Children and Young People (Scotland) Act 2014 and the UNCRC in the emerging RTS. They have been formulated with reference to the approach recommended within the Scottish Government's Child Rights and Wellbeing (CRW) Impact Assessment Guidance (Scottish Government, 2021b).
- 2.3.9 Reflecting the early stage of RTS development, assessment of the Case for Change relates primarily to the coverage of the interests of children and young people in the identification of transport problems and proposed RTS strategic components. More detailed consideration of the relevance and implications for individual UNCRC Articles will follow in the appraisal of individual transport options and the preparation of the full Draft RTS. The framing questions have been updated and refined from those presented in the Framing Document.

Assessment Framework: Child Rights and Wellbeing Duties

- *Which UNCRC Articles are relevant to the assessment?*
- *How does the intervention relate to, promote, or inhibit the provisions of the UNCRC, other relevant international treaties and standards, or domestic law?*
- *Have children and young people been consulted on the intervention?*
- *What impact might the intervention have on the rights of children and young people?*
- *Will the rights of one group of children in particular be affected, and to what extent?*
- *Are there competing interests between the groups of children, or between children and other groups, who would be affected by the intervention?*
- *Will the intervention protect and enhance access to high quality community facilities, public services and key amenities for children and young people?*
- *Will the intervention improve access using active travel and public transport to educational, social, and economic opportunities for children and young people?*
- *How will the RTS support or otherwise affect the implementation of relevant UNCRC Articles?*
- *The overall question to be answered in relation to the UNCRC is: to what extent does the policy help progress the realisation of children's rights, and safeguard support and promote the wellbeing of children and young people?*

The framing questions will be applied in relation to the UNCRC articles and taking account of the Scottish Government's wellbeing indicators developed for the Getting it Right for Every Child (GIRFEC) approach to children's services provision in Scotland. These are: safe, healthy, achieving nurtured, active, respected, responsible & included.

Island Communities Impact Assessment Duty

- 2.3.10 The Islands (Scotland) Act 2018 provides a legal basis for greater decision making at a local level within Scottish Islands and seeks to increase economic prosperity for island communities. This is to be achieved through 'island proofing' legislation, policy, and strategic decisions by taking account of the special circumstances of island communities and ensuring no disadvantage to people living and working on islands (as defined by Section 1 of the Act).
- 2.3.11 Section 7 of the Act sets out a specific duty for relevant public bodies (including Regional Transport Partnerships) to "have regard to island communities" in carrying out their functions. A related duty in Section 8 of the Act requires relevant public bodies to undertake an island communities impact assessment (ICIA) "in relation to a policy, strategy, or service which, in the authority's opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the authority exercises its functions".
- 2.3.12 The approach to undertaking the assessment will be undertaken with regard to the Scottish Government's guidance and toolkit prepared on ICIA's (Scottish Government, 2020). The framing questions have been updated and refined from those presented in the Framing Document.

Assessment Framework: Island Communities Impact Assessment Duty

Will the emerging RTS and its associated delivery mechanisms...

- *Protect and increase the economic prosperity of the Shetland Islands' communities?*
- *Effectively address the unique transport challenges faced by the islands' communities?*
- *Effectively address the unique economic challenges faced by the islands' communities?*
- *Effectively address the unique social challenges faced by the islands' communities?*
- *Impact on the islands' infrastructure or natural environment and biodiversity?*
- *Effectively address the unique health challenges faced by the islands' communities?*
- *Protect and enhance quality of life for island residents?*

Consideration to be given to the thematic questions in the ICIA guidance around:

- *Demographics – including current demographic structure, challenges faced in areas with greater proportion of older people and impacts on these challenges including encouraging young people to leave;*
- *Economy – potential for impacts on key industries, on island infrastructure and natural environment, on communications networks, on small businesses and their supply chains and taking account of the costs of travel particularly for people on low incomes; and*
- *Social – the often dispersed nature of island deprivation, impacts on the cost of living, changes affecting people in fuel poverty, consideration of part time and self-employed nature of much of the islands' workforce and issues with availability of childcare provision.*

The framing questions will be applied to reflect the key questions for ICIA's (set out in Section 8 of the Act) as follows:

- *differential impacts (on the islands' communities and outwith Shetland)*
- *the extent to which development/delivery improves outcomes*
- *the extent to which development/delivery mitigates outcomes*

2.4 Summary of the Equalities Evidence Base

2.4.1 This section sets out a summary of the updated evidence base on equalities issues relevant to the development of transport strategies which was originally presented in the Equalities Assessment Framing Document. The evidence is set out here to align specifically with the process of reviewing and assessing the Case for Change. Relevant literature and information identified as RTS development progresses will be added to the evidence base as appropriate and captured in the reporting of the detailed equalities assessment of the RTS at a later stage.

2.4.2 Shetland Islands Council has established a set of Equality Outcomes for 2021-2025 (Shetland Islands Council, 2021) which provide an important context for consideration of equalities issues in the RTS. In summary these are:

- people will be **accessing employment in all sectors in innovative ways** designed to **minimise the barriers to involvement** for all;
- people will be **able to access the information they need**, when they need it, in a wide range of different ways;
- outcomes will be improved by developing **better methods to assess the impact of what we do**; and

- the number of children, young people and adults affected by gender based violence, particularly domestic abuse and sexual violence will be reduced, and the consequences will be minimised.

2.4.3 Table 2.1 sets out a summary of key evidence base issues and findings which have been distilled to inform the consideration of equalities issues and potential impacts in the coverage of the Case for Change and its preliminary equalities assessment. The table structures the summary for each of the four separate equalities duties, but it is recognised there are considerable overlaps in the evidence between them.

Table 2.1 Summary of Equalities Evidence Base

Duty	Key Evidence
Public Sector Equality Duty (PSED)	<p>People in protected characteristics groups typically face a range of issues in accessing and using transport which may affect the extent to which they experience discrimination and disadvantage. Key points from the evidence base are summarised here.</p> <ul style="list-style-type: none"> ▪ Age: access to transport can act as a significant barrier to some groups, particularly for elderly people, which acts to disadvantage them in terms of reaching essential facilities such as social services and healthcare. ▪ Disability: disabled people are less likely to live in households with access to a car. They experience a range of difficulties in accessing and using public transport which vary significantly by the groups affected and include difficulties with journey planning. In Shetland physical access to some ferries and to inter-island aircraft can be a particular issue. ▪ Gender reassignment: Transgender people are likely to have lower incomes and therefore, are at a higher risk of transport poverty. They may have concerns about using public transport or public transport facilities due to fear of harassment or discrimination. ▪ Pregnancy and maternity: pregnant women and people travelling on public transport with pushchairs and children may experience difficulties in accessing and using services. ▪ Race: people in minority ethnic groups typically take fewer walking and cycling trips than other groups and are often more reliant on public transport, but potentially at greater risk of disadvantage where services are reduced or become more expensive. ▪ Religion or belief: Discrimination, assault or harassment of the basis of religious identity may affect people of certain religious groups more than others, and this may affect their choice to use public transport and public transport facilities. ▪ Sex: women are less likely to drive, are typically more dependent on public transport than men (for a diversity of journey purposes) and are more likely to be subject to harassment or assault, or the fear of these occurring. ▪ Sexual orientation: People in this group may be concerned about being able to access public transport and public transport facilities, especially at night when these may be poorly lit, for fear of harassment or discrimination.
Fairer Scotland Duty (FSD)	<p>The requirements of this duty link with those of the PSED since communities of interest considered under the FSD cover those groups with protected characteristics considered under the Equalities Act. Key issues from the evidence include:</p> <ul style="list-style-type: none"> ▪ The evidence indicates clear links between access to, and affordability of, public transport and household income with poorer areas more dependent on bus services but typically less well served. ▪ Transport poverty occurs where a lack of affordable travel options restricts access to employment and services with relatively higher transport costs for people living in areas of high multiple deprivation compounding socio-economic disadvantage and outcomes. ▪ Public transport costs can be significant for those on low incomes and particularly for people in rural areas who travel longer distances and face higher costs. People in low income households are often excluded from

Duty	Key Evidence
	<p>maintaining social connections or accessing employment and training opportunities due to the affordability and availability of transport options.</p> <ul style="list-style-type: none"> ▪ In Shetland the low density of bus services and rural transport accessibility means many people living outwith Lerwick are 'forced' to own a car for key journeys to work and to access services imposing a cost which disproportionately affects lower income households (particularly if inter-island ferry transport is also needed). ▪ People in groups with protected characteristics (communities of interest) such as elderly or disabled people are also likely to experience inequalities of outcome through the relatively high costs of transport in relation to socio-economic disadvantage. ▪ Feedback from communities consulted in the preparation of Shetland's Partnership Plan identified the top two priorities for improvement in Shetland as public transport, and work and the local economy.
<p>Child Rights and Wellbeing (CRW) Equality Duty</p>	<p>There are clear overlaps between the requirements of this duty and the issues considered under part of the protected characteristic for 'age' under the PSED. Other points from the evidence base which have been used to inform the Duty assessment are summarised here.</p> <ul style="list-style-type: none"> ▪ The ability to access safe, convenient and cost-effective transport has an impact on the ability of children and young people to access education, public services and economic opportunities, particularly for low income households. ▪ Children and young people in rural areas and island communities are typically more dependent on public transport, particularly for accessing education and training, than other age groups. The availability of public transport in rural areas and island communities is a significant challenge for young people. ▪ The cost of transport can act as a barrier to accessing employment and education. Young people can be particularly affected by the cost of travelling to college or work, especially if they have to travel some distance or are only earning the lower minimum wage for young people. ▪ Younger people may have a more local focus than the population as a whole suggesting young people from deprived areas may only look for jobs and training in their local area or where easily accessible by public transport. ▪ In Shetland, due to the dispersed population but centralised nature of secondary school locations, children and young people have very specific public transport needs to access post-primary school education. ▪ Children and young people are more vulnerable than other age groups to the adverse effects on health of traffic related noise and air pollution. Safety is also a key issue for children with child pedestrian casualties in Scotland in 2019 accounting for 44% of all pedestrian casualties.
<p>Islands Communities Impact Assessment (ICIA) Duty</p>	<p>There are clear overlaps between the requirements of this duty and the issues considered under the other three Duties in relation to characteristics and issues considered for the island community (including demographics, social and economic). Other points from the evidence base which have been used to inform the assessment are summarised here.</p> <ul style="list-style-type: none"> ▪ Island rurality can exacerbate inequality already experienced by groups with the protected characteristics defined under the Equalities Act 2010. Issues which impact on all islanders such as access to transport may be acutely felt by people in these groups more than others. ▪ Poor transport links to, from, and between islands, can disadvantage island communities relative to one another and to similar mainland communities. ▪ Island communities face many different transport challenges in their day-to-day lives compared to those living in less rural areas on the mainland. These include a lack of transport services, long journey times, the need for interchange / overnight stays, and the high cost of transport to and from the islands. ▪ The cost of transport within island communities, particularly associated with ferries and air service fares, is a significant factor. The cost of transport on islands is much higher relative to income than in the rest of Scotland and it contributes to an overall higher cost of living relative to other locations.



Duty	Key Evidence
	<ul style="list-style-type: none"><li data-bbox="507 271 1391 353">▪ In the Shetland context, this higher cost of living gives rise to income inequality both between the Shetland Islands and the mainland and within the islands themselves.

2.4.4 The complete evidence base, structured by the four duties, will be set out with all relevant data sources and citations in the report of the equalities assessment of the draft RTS in 2022.

3 Assessment of Equalities Issues

3.1 Introduction

3.1.1 This section sets out the findings of the initial assessment of the equalities implications of the RTS Case for Change. The results of the consideration of the coverage of equalities issues in the draft Case for Change, and how these were addressed are set out in Section 3.2. The key issues from the initial compatibility assessments of the Case for Change strategic objectives are presented in Section 3.3. A summary of the main findings of the equalities duties assessment and how they have informed the development of the Case for Change is then presented in Section 3.4.

3.2 Equalities Issues Coverage in the Case for Change

Structure of the Case for Change

3.2.1 The draft Case for Change document sets out a comprehensive collation and review of transport-related problems, issues, constraints and opportunities in Shetland and its external connections to the Orkney Islands and the Scottish mainland. It provides an initial appraisal and is the first in a three stage process for RTS development.

3.2.2 Part 1 of the Case for Change document (chapters 2 to 5) provides a factual baseline and background to the transport network, services and their use. Part 2 (chapters 6 to 9) sets out the substantial elements of the initial appraisal which comprise policy and consultation reviews, problems analysis from the evidence reviewed and derivation of TPOs and RTS Strategy Objectives.

3.2.3 The Case for Change is centred around an extensive set of 'problems' which the new RTS should respond to, grouped and analysed (in chapter 8) by transport mode. These specific transport problems were identified through extensive engagement, desk-based research and project team analysis in the development of the RTS. The TPOs were then derived through consideration of the transport and social consequences of the problems which in turn informed the definition of six proposed RTS strategy objectives.

3.2.4 Adequate recognition and coverage of identified key equalities issues in the suite of problems which are defined in the Case for Change to underpin RTS development is therefore essential to ensure that all equalities issues and potential impacts are appropriately considered at each stage of RTS development. It also ensures that the problems and associated TPOs respond to a broad range of equalities issues.

Review of Equalities in the Case for Change

3.2.5 The review of the Draft Case for Change Report was undertaken to help ensure appropriate coverage of equalities issues in the developing evidence base for the RTS. Whilst this was an iterative process (and will continue to evolve), a summary of the key issues identified from the review and how these have been accommodated in the updated Case for Change is set out in Table 3.1 to provide a context for discussion of the coverage of equalities issues in the document.

3.2.6 The review process identified the strongly integrated nature of socio-economic and equalities issues in the evidence base and the analysis of problems for transport in Shetland. The dependency and strength of the economy and quality of life on the islands draws closely on an efficient, reliable and affordable transport system. Equalities issues are well integrated into the Draft Case for Change and the review process has sought to identify opportunities in some parts of the document to make these more explicit and strengthen connections between equalities outcomes and consideration of transport issues.



Table 3.1: Review of Equalities Issues identified in the Case for Change

Section of Draft Case for Change	Equalities Recommendation / Comment	How the EqIA Influenced the Case for Change
Part 1: Baseline Background and Context		
Chapter 2 (The Story of Shetland)	<ul style="list-style-type: none"> ▪ The draft text on health focuses on health provision rather than any wider issues of health status/outcomes or issues for people accessing services which would include equalities issues. 	<ul style="list-style-type: none"> ▪ An additional section has been added to provide commentary on existing health-related issues, particularly in relation to active travel and obesity which intersect with transport and equalities issues.
Chapter 3 (Transport Supply-Side)	<ul style="list-style-type: none"> ▪ Minor comments made on equalities related issues around affordability or other constraints associated with current services and levels of bus service and active travel provision. 	<ul style="list-style-type: none"> ▪ The chapter is primarily focused on factual context, setting out how transport services are funded and delivered. However suggested equalities team edits have been incorporated. The themes for equalities are addressed in Chapter 8 as part of the problems analysis.
Chapter 5 (Future Planning Horizon)	<ul style="list-style-type: none"> ▪ Minor comments suggested to develop the text in a few places in relation to equalities issues for future land-use and transport developments and innovation. ▪ The development of 20-minute neighbourhoods and active travel networks has potential for benefits for those with socio-economic disadvantage and for young people ▪ Electric vehicle (EV) implementation may exacerbate the 'forced car ownership' issue for some groups, disproportionately affecting lower income households ▪ Shared mobility schemes have potential for beneficial equalities impacts where they offer affordable and enhanced accessibility for groups such as non-car owners and communities with poor access to public transport 	<ul style="list-style-type: none"> ▪ Commentary added to relevant sections of the text to reflect identified equalities issues.
Part 2: Case for Change		
Section 8.3 (Establish transport problem framework)	<ul style="list-style-type: none"> ▪ Some elaboration of the problem checklist criteria could be made to increase reference to equalities issues for protected groups and those with socio-economic disadvantage. 	<ul style="list-style-type: none"> ▪ Proposed amendments incorporated – to help ensure the issues are comprehensively examined in the problem frameworks.
Section 8.5 (Travel and Societal Consequences of Transport Problems)	<ul style="list-style-type: none"> ▪ A range of equalities issues are mapped from the transport problems, ordered by mode. Some additional equalities issues and considerations have been highlighted to strengthen links from the problem framework to potential equalities impacts. 	<ul style="list-style-type: none"> ▪ Text added relating to specific issues for protected characteristic groups, communities with socio-economic disadvantage and issues for island disadvantage.



Section of Draft Case for Change	Equalities Recommendation / Comment	How the EqlA Influenced the Case for Change
Section 8.6 (Transport Planning Objectives)	<ul style="list-style-type: none"> ▪ Proposed transport planning objectives (TPOs) are derived from the preceding analysis of problems and their consequences. There is good recognition and inclusion of references to equalities issues in the TPOs with some further wording suggestions provided by the equalities assessment team to ensure a comprehensive framework. 	<ul style="list-style-type: none"> ▪ Updates to the wording of TPOs have been made to incorporate appropriate references to protected characteristics groups.
Section 8.7 (RTS Objectives)	<ul style="list-style-type: none"> ▪ Six strategic objectives are set out for the RTS which encompass the range of desired outcomes provided by the set of TPOs. The objectives integrate well with the range of equalities issues expressed through the four relevant duties. The review of the Case for Change has identified some additional wording for the narratives underpinning each objective. 	<ul style="list-style-type: none"> ▪ Amendments have been made to the objective wording to capture equalities issues and the text supporting (and elaborating) on each objective has been enhanced where appropriate to include further commentary on equalities aspects.



3.2.7 The findings of the equalities-based review of the Draft Case for Change were incorporated within the document and commentary on the equalities content of the settled version is set out in the following paragraphs.

3.2.8 Part 1 of the Case for Change sets out an extensive transport baseline. The focus of this information review is to identify key themes, problems, opportunities and issues to underpin the development of objectives to guide and frame the RTS. As a transport baseline therefore, the focus is not specifically on equalities issues – however a number of themes are evident from the document which have clear implications for equalities. These include:

- Reductions in levels of public transport provision (including inter-island ferries in 2013 and bus services in particular) and ongoing budgetary challenges for maintenance of services, with implications for socio-economic and relative islands disadvantage. Equalities impacts may also arise for groups with protected characteristics which have greater dependency on public transport to access employment and services and in more dispersed rural locations including the islands served by the inter-tidal air and ferry services.
- Forecast demographic change with fewer people of working age in future which might disadvantage Shetland through constraints in its productivity.
- The ongoing high costs of living on the island including impacts of increased transport costs to households and potential for differential effects of this on groups sharing protected characteristics (e.g., elderly and disabled people) and those communities of lower income and wealth who are less able to absorb increased costs.
- Active travel links and facilities are currently quite limited in Shetland which may be acting as a constraint to access for people without access to private motorised transport, and (together with reductions in public transport services) which may promote ‘forced’ car ownership with attendant socio-economic pressures and equalities impacts.
- Future transport, land-use planning and economic development including the rapidly changing role of technology offer some potential opportunities for beneficial equalities impacts in the longer term (e.g., improved access to services through increased use of active travel or shared mobility services) and some affordability challenges such as the relatively high costs of electric vehicle ownership.

3.2.9 These themes are developed in the second part of the Case for Change which sets out a framework of transport problems, characterising them by mode and travel aspects, and supported by data from relevant parts of the evidence base including consultation findings. The transport and societal consequences of the travel behaviours associated with each problem are then interrogated with reference to transport supply side causes. The analysis has taken into account a range of impacts on socio-economic and equalities issues. The key strands include:

- A review of relevant national and regional policies with a focus on prioritisation of sustainable transport to align with legislative commitments and the policy framework established by Scotland’s National Transport Strategy (NTS2). This places tackling of inequalities alongside achieving net zero, delivering economic growth and improving health and wellbeing indicating that equalities issues are being progressed in the RTS as an integrated principle.
- Consultation and engagement meetings held with key stakeholders including those from equalities representative groups and relevant Shetland Islands Council services (including for children, health and social care and economic development). Issues raised in consultation covered a range of aspects relevant to equalities, including those on public transport coverage, accessibility for disabled people to transport infrastructure and vehicles, affordability of ferry services and the high cost of internal air travel constraining access by various groups to services and events in Shetland and on the Scottish mainland.

- Development and analysis of the problem framework with reference to societal impacts of the travel behaviours being affected by transport problems. These have considered impacts on groups with protected characteristics (including age and disability), cost and affordability issues which impact on socio-economic disadvantage and various demographic and economic issues relevant to the relative disadvantage of Shetland as an island group in comparison to other locations. These issues underpin the principles in each of the four duties assessments considered for this equalities impact assessment.
- Integration of equalities issues within the problem analysis informed the development of a set of transport planning objectives (TPOs) which articulate the desired outcomes for future transport in Shetland. These objectives and the subsequent set of six RTS strategy objectives reflect key socio-economic and equalities themes, with four of the six objectives clearly mapping with the NTS2 priority of 'reduces inequalities'.

3.2.10 Equalities issues have been shown to be integral to many of the problems and issues considered in the Case for Change and in the derivation of TPOs and RTS objectives. The closely integrated nature of transport with social and economic wellbeing in Shetland is evident from the baseline data and analysis prepared and equalities issues have been addressed consistently across the transport problems and modes considered. It will be important that the development and testing of options and policies in the next stage of RTS development continues to adopt this integrated and broad-based approach to equalities assessment.

3.3 Assessment of RTS Objectives

Strategy Objectives

3.3.1 Section 8 of the Case for Change brings together the transport problems and their associated TPOs to derive six proposed strategy objectives for the RTS. Following input from the equalities review of the draft document, the proposed objectives are:

- i. To address the barriers which constrain access and/or impose unreasonable costs on travel and transport for all groups to / from the rest of Scotland.
- ii. To address the barriers which constrain access and / or impose unreasonable costs on travel and transport for all groups within Shetland.
- iii. To facilitate and encourage safe walking and cycling and wheeling for everyone, including for leisure and tourism.
- iv. To improve alternative, more sustainable travel options in Shetland for all including those without access to, or who would prefer not to use a car.
- v. To transition towards an environmentally and financially sustainable, post-carbon transport system.
- vi. To support safe, resilient, and efficient movement of all people and freight across Shetland.

3.3.2 Subject to feedback from consultation on the Case for Change (and accompanying SEA and Equalities Assessments) these Strategy Objectives would be taken forward to underpin the generation of a long list of options and a subsequent appraisal of these options.

Compatibility Assessment Findings

3.3.3 A summary of the appraisal of the compatibility of the proposed RTS Objectives with the equalities assessment framework has been undertaken as part of this Case for Change equalities assessment. This was completed through application at a strategic level of the question set and criteria in the equalities framework presented in **Section 2** of this report to the



emerging RTS strategy objectives to ensure the proposed objectives fully incorporate equalities considerations and to identify any potential gaps or issues for further consideration in the next stage of the RTS.

- 3.3.4 The findings of the compatibility assessment are presented in Table 3.2 overleaf. Generally, the objectives perform well against the equalities assessment frameworks as they encompass a range of cost, affordability, environmental, health and socio-economic issues which are likely to have beneficial equalities impacts. Each objective has some level of compatibility with one or more of the sets of equalities requirements under the four main duties being considered. None of the objectives has been appraised as being incompatible or inconsistent with any of the duties. The first four strategy objectives in particular link clearly with the PSED, FSD and CRW duty frameworks given their clear reference to issues of accessibility and disadvantage. There is also a good level of compatibility of the objective set with the island communities impact framework.
- 3.3.5 Each objective (including the updated accompanying narratives provided in Section 8.7 of the Case for Change) includes specific reference to social groups, protected characteristics and young people. This will help to ensure that the different needs of these groups would be considered through the future options generation and appraisal process of the Strategy's development. It is recommended that, at the next stage of RTS development, a set of clear outcomes is developed to support and underpin the achievement of each objective. These would be drawn from analysis of the themes from each relevant group of TPOs (as collated in Table 8.5 of the Case for Change) and would help to articulate the key intentions of each objective, including incorporation of relevant equalities considerations.
- 3.3.6 The emerging RTS would also benefit from the development of an over-arching holistic Vision to bring together the objectives and clarify the outcomes that the RTS seeks to achieve. This would help to ensure that any subsequent options developed mainly to address one RTS Strategy Objective either contribute to or at least avoid adverse effects on the other Strategic Objectives.
- 3.3.7 The high-level assessment provided in Table 3.2 demonstrates that in general the proposed RTS Strategy Objectives provide an appropriate high-level platform from which to develop later stages of the RTS including generation and appraisal of transport options which will take full account of relevant equalities issues. This indicates that the RTS Strategy Objectives are generally compatible with the requirements of applicable equalities duties.
- 3.3.8 Going forward the equalities duties (and the SEA process) will be applied to test the relationship between the proposed RTS Strategy Objectives and individual options in order to maximise likely significant beneficial effects and avoid or minimise adverse effects from the RTS when read and implemented as a whole. Similarly, monitoring and evaluation frameworks should be designed so that differential impacts can be measured. Data for these characteristics should be collected wherever possible to allow an evaluation of the equalities impacts of the Strategy and its associated delivery mechanisms.

Table 3.2: Compatibility of Proposed RTS Objectives with Equalities Assessment Framework

Objective	Public Sector Equality	Fairer Scotland	Child Rights & Wellbeing	Island Community Impact	Commentary
Strategy Objective 1: To address the barriers which constrain access and / or impose unreasonable costs on travel and transport for all groups to / from the rest of Scotland	✓✓	✓✓	~	✓✓	This objective performs strongly against the PSED and the FSD assessment frameworks as there are explicit references to removing barriers to access and to addressing costs and affordability issues which can reduce inequalities of opportunity and socio-economic disadvantage (for all groups). It is considered to be broadly neutral in relation to the CRW framework albeit there is potential for beneficial outcomes for children and young people from realisation of the objective. The objective is directly compatible with, and supports the aims of, the islands community impact assessment framework as it seeks to directly address differential demographic and socio-economic impacts and mitigate outcomes for the islands' communities.
Strategy Objective 2: To address the barriers which constrain access and/or or impose unreasonable costs on travel and transport for all groups within Shetland	✓✓	✓✓	✓	✓✓	This objective performs strongly against the PSED and the FSD assessment frameworks as there are explicit references to removing barriers to access and to addressing costs and affordability issues which can reduce inequalities of opportunity and socio-economic disadvantage. It is assessed as having implicit compatibility the CRW framework as it relates to relevant inequalities experienced by children and young people, including in access to education and employment. The objective is also considered to be directly compatible with the aims of the islands community impact assessment framework as it partly addresses differential impacts between different parts of the Shetland Islands groups including remote and peripheral islands.
Strategy Objective 3: To facilitate and encourage safe walking and cycling and wheeling for everyone, including for leisure and tourism	✓✓	✓✓	✓	~	This objective performs strongly against the PSED and the FSD assessment frameworks as there is clear compatibility with the purpose of addressing socio-economic disadvantage and advancing equality of opportunity for protected groups (including potential health benefits). It is implicitly compatible with the CRW framework as it relates to some inequalities experienced by young people in terms of their ability to safely and independently access education and other services. The objective is considered to be broadly neutral in relation to the islands community impact framework.
Strategy Objective 4: To improve alternative, more sustainable travel options in Shetland for all including	✓✓	✓✓	✓	~	This objective performs strongly against the PSED and the FSD assessment frameworks as there is clear compatibility with the purpose of addressing disadvantage (for all groups with protected characteristics) and advancing equality of opportunity and equality of outcome for those experiencing socio-



those without access to, or who would prefer not to use a car					economic disadvantage. It is implicitly compatible with the CRW framework as it relates to some inequalities experienced by young people in terms of their ability to safely and independently access education and other services. The objective is considered to be broadly neutral in relation to the islands community impact framework.
Strategy Objective 5: To transition towards an environmentally and financially sustainable, post-carbon system	✓	✓	✓	~	This objective has implicit compatibility with the PSED, FSD and CRW assessment frameworks as it has the potential to alleviate some health-related inequalities which can be affected by poor environmental conditions such as air quality and anxiety relating to climate change. The objective is considered to be broadly neutral in relation to the islands community impact framework although securing a more sustainable financial system in Shetland would benefit the islands by mitigating adverse outcomes associated with differential economic impacts compared with other locations.
Strategy Objective 6: To support safe, resilient and efficient movement of all people and freight across Shetland	✓	✓	✓	✓	This objective has implicit compatibility with the PSED, FSD and CRW assessment frameworks as there is clear compatibility with the purpose of addressing disadvantage (for all groups with protected characteristics) and advancing equality of opportunity and equality of outcome for those experiencing socio-economic disadvantage (through efficiency and safety and therefore enhanced and reliable access). The objective is considered to be implicitly compatible with the islands community impact framework as more resilient and efficient transport would benefit the islands by mitigating adverse outcomes associated with differential economic and reliability impacts compared with other locations (and between islands).

Key

Clear reference / compatibility	✓✓	Incompatible	X
Implicit compatibility	✓	No clear relationship	~



3.4 How has this EqIA informed the Case for Change?

- 3.4.1 A proportionate EqIA has been carried out in respect of the Case for Change to apply relevant equalities duties. This assessment focused on assessing the coverage of the identified key equalities issues within all substantive elements of the Case for Change and the extent to which proposed RTS Objectives address these issues and are compatible with applicable equalities duties. The findings of the assessment are documented in this report.
- 3.4.2 Preparing this report and the Case for Change concurrently allowed emerging EqIA findings to inform the final Case for Change Report as published for consultation. In summary, the following updates and recommendations were identified:
- **Equalities framework update.** The question set to be used for equalities assessment has been updated to include additional framing questions/criteria following a review of relevant statutory and non-statutory guidance on the four equalities duties and with reference to Shetland's own stated equalities outcomes.
 - **Equalities evidence base alignment with the four duties.** This report presents a summary of key findings from the equalities evidence base which were originally presented in the RTS EqIA Assessment Framing Note. The summary has aligned the main points from the evidence with the four equalities duties to support the ongoing application of the equalities assessment framework to the RTS.
 - **More explicit reference to inequalities in transport problems:** The review of coverage of equalities issues in the draft Case for Change identified a number of areas of the baseline and problems analysis where clearer reference to equalities issues such as demographic groups and protected characteristics would benefit the document. These amendments, particularly in the analysis of transport problems and definition of TPOs, underpins the generation of Strategy Objectives.
 - **Equalities issues identified in RTS Strategic Objectives:** Following EqIA recommendations from the compatibility assessment presented in this report, the six proposed RTS Strategic Objectives defined within the Case for Change now include specific reference to social groups and protected characteristics. This will help to ensure the differential needs of these groups is appropriately considered through future options generation and appraisal and RTS development processes.
- 3.4.3 This demonstrates that through identifying gaps in the draft document and recommending associated changes, the EqIA process has influenced the preparation of the Case for Change.
- 3.4.4 Following incorporation of the EqIA recommendations summarised above, a formal assessment of the Strategic Objectives in the settled version of the Case for Change was undertaken. The objectives perform well against the equalities assessment frameworks as they encompass a range of cost, affordability, environmental, health and socio-economic issues which are likely to have beneficial equalities impacts. The Case for Change and RTS Strategic Objectives are considered to be compatible with the equalities duties and provide an appropriate high-level platform from which to develop later stages of the RTS including generation and appraisal of transport options which will take full account of relevant equalities issues.
- 3.4.5 The review of the settled version of the Case for Change has recommended that the specific outcomes of each Strategy Objective are articulated (including with reference to equalities issues) and that an over-arching Vision is established for the RTS. These should be considered post-consultation alongside reviewing all comments received in respect of the Case for Change, with the recommendations used to inform the preparation of the Draft RTS in due course.

4 Next Steps

- 4.1.1 This Equalities Duties Report is being published for consultation alongside the Case for Change which has been prepared by ZetTrans (with support from Stantec) to underpin the preparation of the new RTS for the Shetland Islands area. This forms part of a multi-stage process which will include a detailed options appraisal and future consultation on a full Draft RTS.
- 4.1.2 In accordance with best practice, relevant equalities duties have been applied from the outset and in tandem with the development of the emerging RTS to allow key equalities issues to inform the content of the new RTS. All consultation received in respect of the Case for Change Report and this Equalities Duties Assessment Report will be reviewed and used to inform and (if required) refine the proposed Strategy Objectives.
- 4.1.3 The next stage will involve the development, sifting and appraisal of individual options to implement the proposed RTS Strategic Objectives (and thereby address all identified TPOs) through Stage 2 – Preliminary Options Appraisal of the STAG process. This will be undertaken in tandem with the application of the Equalities Assessment Framework (as well as the SEA Framework) to test and refine all emerging options for potential inclusion within the Draft RTS. Relevant equalities duties (detailed in **Section 2**) will therefore be applied as part of the iterative options development and appraisal process.
- 4.1.4 Outcomes of the appraisal process will inform the preparation of a full Draft RTS, which will be accompanied by a detailed Equalities Duties Report for consultation.

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