



# Equality and Human Right Impact Assessment: The Form

**Aberdeen City Council**

## EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

## 1:Equality and Human Rights Impact Assessment- Essential Information

<b>Name of Proposal:</b>	<b>Date of Assessment:</b>
Local Transport Strategy – Final Draft	06.01 .16
<b>Service:</b>	<b>Directorate:</b>
Planning and Sustainable Development	Communities, Housing and Infrastructure
<b>Committee Name or delegated power reference (Where appropriate):</b>	<b>Date of Committee (Where appropriate):</b>
Communities, Housing and Infrastructure	20.01.16
<b>Who does this proposal affect?</b>	Employees <input type="checkbox"/>
Please Tick ✓	Job Applicants <input type="checkbox"/>
	Service Users <input type="checkbox"/>
	Members of the Public <input checked="" type="checkbox"/>
	Other (List below) <input checked="" type="checkbox"/>

Transport stakeholders (First Bus, Road Freight Haulage Association, etc)  
Other Council services

## 2: Equality and Human Rights Impact Assessment- Pre-screening

Is an impact assessment required?

Yes

No

**If No, what is the evidence to support this decision?**

(Once this section is completed, please complete section 8 of the form).

### 3: Equality and Human Rights Impact Assessment

**a- What are the aims and intended effects of this proposal?**

The Aberdeen Local Transport Strategy presents the Council's vision for transport in the City and sets out a comprehensive list of actions and policies to implement and work by during the period 2014-2018 in order to improve the transport system for all users.

**b- What equality data is available in relation to this proposal?**

(Please see guidance notes)

Data shows that:

- Age (people of all ages)
  - Older people are more inclined to use buses, and feel social exclusion
  - School children would prefer to cycle than any other mode
  - Poor air quality is particularly dangerous for those in vulnerable age groups (ie children and older people, being the leading cause of heart disease) and expectant mothers.
  
- Disability (mental, physical, sensory and carers of disabled people)
  - Those with a disability are more likely to use community transport services
  - Are more likely to experience problems with conventional bus services
  - Have parking requirements (and then abuse of this system)

- Would benefit more from the health and mental wellbeing associated with active travel
- Sex (women and men)
  - Women are more likely to drive than men
  - Women are less likely to undertake active travel
  - Women are more likely to be intimidated and experience harassment using public transport
- Pregnancy and maternity
  - Expectant mothers are more likely to benefit from home and flexible working policies, reducing the requirement to travel.
- Race (includes Gypsy/ Travellers)
- Religion or belief or non-belief
- Sexual orientation (Heterosexual, Lesbian, Gay and Bisexual)
- Gender reassignment (transsexual)
- Married or in civil partnerships
- A safe and secure transport system will benefit all those who are more at risk of harassment and assault, especially when travelling alone and late at night. Improvements to street lighting and CCTV should also contribute to improving safety and perceptions of safety.

- Poverty

	<ul style="list-style-type: none"> <li>- Lower income households spend approximately a quarter of their disposable household income on transport as compared to higher income groups who spend a fifth.</li> <li>- Lower income households are less likely to have access to a car</li> <li>- Lower income households are more reliant on public transport services (most expensive in Scotland)</li> <li>- Lower income households are more likely to be excluded from access to education, employment, essential services, etc.</li> <li>- Lower income household children are more likely to be involved in road accidents</li> <li>- Lower income household children are more likely to be obese.</li> <li>- Aberdeen City Council is one of the few local authorities that do not subsidise public transport services for social inclusion purposes.</li> </ul>
<p><b>c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.</b></p>	<p>As part of the consultation rounds for the Final Draft LTS a number of groups, including a variety of equalities groups, were invited to provide comment:</p> <ul style="list-style-type: none"> <li>• Disability Advisory Group</li> <li>• Mobility and Access Committee for Scotland</li> <li>• North East Sensory Services</li> <li>• Grampian Senior Citizens Forum</li> <li>• Older People’s Consultation and Monitoring Group</li> </ul>

	<ul style="list-style-type: none"> <li>• Older People’s Advisory Group</li> <li>• Aberdeen City Youth Council</li> <li>• Aberdeen Women’s Alliance</li> <li>• Ethnic Minority Forum</li> <li>• Aberdeen Interfaith Group</li> <li>• Lesbian, Gay and Bisexual community</li> <li>• Transsexual and transgender community.</li> </ul> <p>As well as inviting comment via a survey, presentations were also offered with a number being taken up by Community Councils and business groups.</p> <p>The list of consultation responses received have been included as Appendix 2 within the LTS Report to January 2016 CHI Committee and a number of changes have been adopted as part of this process to include health within the vision, revisitation of all objectives to ensure they are more ‘SMART’ and a number of points raised in relation to actions (which have been moved to the Costed Action and Delivery Plan).</p> <p>In discussions with NHS Grampian a high level Health Impact Assessment Screening Report has also been prepared which can be viewed in Appendix 4 of the LTS Report to January 2016 CHI Committee.</p>
<b>d- Financial Assessment</b>	<b>Costs (£)</b>

<p>If applicable, state any relevant cost implications or savings expected from the proposal.</p>	<p>Implementation cost <input data-bbox="1193 233 1413 301" type="text" value="£0"/></p> <p>Projected Savings <input data-bbox="1193 352 1413 421" type="text" value="£ 0"/></p> <p>The LTS is intended to benefit all members of the public and community. Although there are specific actions for disabled and older people, it is not possible to differentiate these costs between vulnerable groups and the wider public. However a Costed Action and Delivery Plan is being prepared for March 2016 CHI Committee and this will demonstrate what expenditure has been committed to actions which help target groups.</p>
<p><b>e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?</b></p>	
<p>Implementing the LTS will help contribute towards eliminating social exclusion and advancing equality of opportunity by improving accessibility for all, including access to employment, education, healthcare and opportunities for sport, social and cultural participation. This will be particularly beneficial for groups who regularly or occasionally suffer social exclusion resulting from a lack of suitable transport, such as disabled and/or elderly members of the community and those living in poverty. Having a safe and secure transport system, which is one of the aspirations of the Strategy, should contribute to reducing incidences of harassment and victimisation suffered by the travelling public, of especial benefit to those particularly vulnerable to this such as lone females and members of certain racial</p>	



and/or religious groups.

**f- How does this proposal link to the Council's Equality Outcomes?**

The proposal relates to the following Equality Outcomes: 5, 7, 8, 9, 10, 11, 12, 13, 14 and 17.

5. Effective customer service that is aware of the differences and requirements of different groups.  
The LTS recognises the needs to different groups in delivering transport priorities for the City.

7. Improved opportunities for people with protected characteristics to participate in public life.  
By improving access to education, healthcare, employment, sport, social and cultural participation the LTS is helping people with protected characteristics.

8. Strong and effective leadership that has and demonstrates an ethos of public service and treating everyone with respect.  
Although working in partnership with a number of other organisations the City Council is the primary delivery body for transport in the City.

9. Tangible results from an improved Community Planning Partnership working for more effective delivery.  
The LTS has engaged with the Community Planning Partnership from an early stage in its formulation.

10. Increased involvement by the private sector in community planning and equalities work.  
The LTS involves a number of partnership organisations, including those within the private sector to deliver transport schemes.

11. Pavements and footpaths that are safer and easier to use for pedestrians.  
The LTS has specific actions covering road safety, maintenance, walking and cycling.

12. People who feel safe in their homes and in a city that is family friendly by night.  
The LTS has specific actions for transport at night.

13. People with protected characteristics have their social care needs met.  
The LTS has specific actions covering social transport.

14. People with protected characteristics who make better use of cultural and sporting facilities.  
By improving access to sport and cultural facilities the LTS is helping people with protected characteristics.

17. The city environment and green spaces are cleaner, better maintained and more family friendly, taking account of physical accessibility and the needs of older people.  
The LTS has specific actions covering maintenance and DDA compliance in maintaining and building new path works.

#### 4: Equality Impact Assessment - Test

**What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?**

Protected Characteristic:	Neutral Impact: Please <input type="radio"/>	Positive Impact: Please <input type="radio"/>	Negative Impact: Please <input type="radio"/>	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *( see completion terminology)
<b>Age</b> (People of all ages)		✓		<p>The LTS aims for a transport system that is 'accessible to all' and it is recognised that elderly members of society are one of the groups most vulnerable to poor mobility and its associated consequences. It is therefore anticipated that the elderly in particular will benefit from the policies and actions outlined in the LTS.</p> <p>Improving opportunities for elderly citizens to travel around the City should lead to a better quality of life for this group by improving access to healthcare, leisure and cultural facilities, thus enabling elderly residents to take a more active role in community life and resist isolation.</p> <p>Proposals to improve public transport provision will be of particular benefit to older citizens who currently receive free bus travel across Scotland and therefore</p>

			<p>are already heavy users of bus services. Efforts to improve the safety and security of public transport in particular will benefit the elderly who may be fearful of using public transport because of perceptions that it is unsafe. Improvements to Community and/or Social Transport will also be of particular benefit to the elderly and infirm who are the targeted users of such services.</p> <p>Younger members of society can also be disadvantaged by limited mobility resulting from the high cost of some transport options and limited opportunities for travelling independently. By seeking to improve accessibility by sustainable modes of transport, therefore, the LTS can be demonstrated to have a particular benefit to the young too. Increased opportunities and an improved environment for walking and cycling should benefit younger members of society, who rely on such transport modes. Improvements to public transport will also benefit the young who are more dependant on such services for getting around.</p> <p>A continued commitment to the school travel planning process and safe routes to school will be of benefit to</p>
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			<p>children. Initiatives to promote and facilitate walking, cycling and scooting to school have the potential to positively impact upon children’s health and fitness levels and promote independence.</p> <p>A commitment to road safety improvements, especially around schools, will also benefit children. A commitment to road safety training and education (including Bikeability, Give Me Cycle Space and Safe Drive, Stay Alive) will ensure that more youngsters gain the skills and knowledge needed to travel safely on today’s roads. School-age children will also benefit from the Council’s continued commitment to providing school bus services.</p> <p>The roll out of demonstration projects such as the Greenbrae Cycle Project involves children in community affairs and decision-making, allowing them to experience the benefits of active citizenship and pride in their community.</p> <p>Finally, continued commitments to high-quality street lighting and CCTV will benefit younger members of society who are more likely to be outdoors and travelling during the hours of darkness.</p>
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<b>Disability</b> (Mental, Physical, Sensory and Carers of Disabled people)		✓		Disabled travellers will benefit from the following commitments outlined in the LTS: <ul style="list-style-type: none"> <li>• Improvements to the accessibility of all transport modes, particularly public transport and the Car Club;</li> <li>• Improvements to and promotion of Community/Social Transport which is targeted primarily at the elderly and disabled who suffer difficulty using mainstream public transport services;</li> <li>• Continued supply and promotion of the Blue Badge parking scheme;</li> <li>• Better enforcement of abuse of blue badge scheme to ensure that those who require parking are prioritised; and</li> <li>• Continued traffic calming and speed minimisation schemes as it is possible that disabled travellers may find everyday tasks such as crossing the road harder to negotiate.</li> </ul>
<b>Gender Reassignment</b>		✓		A safe and secure transport system will benefit those who are more at risk of harassment and assault, especially when travelling alone and late at night. Improvements to street lighting and CCTV should also contribute to improving safety and perceptions of safety.

<b>Marital Status</b> (Marriage and Civil Partnerships)	✓			
<b>Pregnancy and Maternity</b>		✓		It is possible that parents and expectant mothers will benefit from the Council's commitment to, and promotion of, smarter working practices, such as home working and compressed working which are likely to be attractive to those with significant family commitments.

## Equality Impact Assessment Test:

**What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?**

Protected Characteristic:	Neutral Impact: Please <input type="radio"/>	Positive Impact: Please <input type="radio"/>	Negative Impact: Please <input type="radio"/>	Evidence of impact and if applicable, justification where a ' <i>Genuine Determining Reason</i> '* exists *( see completion terminology)
<b>Race</b> (All Racial Groups including Gypsy/Travellers)		✓		The LTS commits the Council and its partners to providing transport information in a range of languages, which will benefit those whose first language is not English.  A safe and secure transport system should help reduce the incidence of racially-aggravated assaults and fear of such assaults.
<b>Religion or Belief or Non-belief</b>		✓		A safe and secure transport system should help reduce the incidence of, and fear of, assaults and harassment experienced by certain groups on account of their religion or beliefs.
<b>Sex</b> (Women and men)		✓		A safe and secure transport system will benefit women who are more at risk of harassment and assault, especially when travelling alone and late at night. Improvements to street lighting and CCTV should also contribute to improving safety and



			<p>perceptions of safety.</p> <p>Improvements to public transport will be of particular benefit to women who are known to use such services in greater numbers than men.</p> <p>And measures to promote and encourage cycling may also benefit women as they traditionally cycle less than men and so could be encouraged to adopt a healthier mode of transport.</p>
<b>Sexual Orientation</b> (Heterosexual, Lesbian, Gay And Bisexual)		✓	<p>A safe and secure transport system will benefit women who are more at risk of harassment and assault, especially when travelling alone and late at night. Improvements to street lighting and CCTV should also contribute to improving safety and perceptions of safety.</p>
<b>Other</b> (e.g: Poverty)		✓	<p><b>Poverty</b></p> <p>It is hoped that those living in or near poverty will benefit from the policies and actions outlined in the LTS. Policies to promote and encourage walking, cycling, public transport use and membership of the Car Club will benefit those who suffer from social exclusion and poor accessibility. The Car Club in particular has a social benefit, allowing the advantage of access to a car when required without the financial</p>

				<p>burden of ownership.</p> <p>Increased opportunities for walking and cycling should be of particular benefit to poorer members of society as these are relatively inexpensive transport modes.</p> <p>Improvements to road safety will benefit those living in socially deprived areas, where studies have shown the highest proportion of road traffic incidents to occur.</p>
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### 5: Human Rights Impact Assessment Test

**Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable, justification where the impact is proportionate**

**Article 2 of protocol 1: Right to education**

Yes  No

**Evidence:**

Implementing the LTS will help contribute towards

	physical access to education.
<b>Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment</b>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<b>Article 6: Right to a fair and public hearing</b>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<b>Article 8: Right to respect for private and family life, home and correspondence</b>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
<b>Article 10: Freedom of expression</b>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>

<b>Article 14: Right not to be subject to discrimination</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Evidence:</b>
<b>Other article not listed above, please state:</b>	Yes <input type="checkbox"/> No <input type="checkbox"/> <b>Evidence:</b>
<b>6: Assessment Rating:</b>	
<b>Please rate the overall equality and human right assessment</b> (Please see Completion terminology)	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"><input type="checkbox"/> <b>Red</b></div> <div style="text-align: center;"><input type="checkbox"/> <b>Red Amber</b></div> <div style="text-align: center;"><input type="checkbox"/> <b>Amber</b></div> <div style="text-align: center;"><input checked="" type="checkbox"/> <b>Green</b></div> </div>
<b>Reason for that rating:</b>	This EHRIA is being completed for the Final Draft LTS which has been through several rounds of consultation with individual members of the public as well as a number of equalities groups, Community Councils, business

representatives and partners such as Nestrans and NHS Grampian with the intention of positively informing the vision, aims, objectives, outcomes and actions contained within the LTS and its daughter documents. A more intensive Health Impact Assessment Screening Report has also been completed and has indicated areas where improvements will be required as part of the Costed Action and Delivery Plan.

## 7: Action Planning

**As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?**

Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Non-engagement with at risk groups	Ensure a variety of formats (paper, electronic) available and as requested (languages, font sizes) to enable full access	LN	06.01.16	March 2017
Health implications more apparent with regard to obesity and air quality particularly in relation to low socio economic	Prepare Health Impact Assessment	LN	06.01.16	March 2016

groups				
<b>8: Sign off</b>				
<b>Completed by (Names and Services) :</b>	Louise Napier, Planning and Sustainable Development			
<b>Signed off by (Head of Service) :</b>	John Lynch, Interim Head of Service, Planning & Sustainable Development			
<p>Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to:</p> <p>Equalities Team  Customer Service and Performance  Corporate Governance  Aberdeen City Council  <b>Business Hub 13</b>  Second Floor North  Marischal College  Broad Street  Aberdeen  AB10 1AB</p> <p>Telephone 01224 523039 Email <a href="mailto:sandrab@aberdeencity.gov.uk">sandrab@aberdeencity.gov.uk</a></p>				

## 9: Completion Terminology:

<b>Assessment Pre-screening Rating:</b>	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision. It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p>
<b>Assessment Rating:</b>	<p>After completing this document, rate the overall assessment as follows:</p> <p><b>Red:</b> As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.</p> <p><b>Red Amber:</b> As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p><b>Amber:</b> As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><b>Green:</b> As a result of performing this proposal does not appear to have any adverse</p>

	impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.
<b>Equality Data:</b>	<p>Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> <li>1: Application success rates by <i>Equality Groups</i></li> <li>2: Complaints by <i>Equality Groups</i></li> <li>3: Service usage and withdrawal of services by <i>Equality Groups</i></li> <li>4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></li> </ol>
<b>Genuine Determining Reason</b>	<p>Certain discrimination may be capable of being justified on the grounds that:</p> <ol style="list-style-type: none"> <li>(i) <i>A genuine determining reason exists</i></li> <li>(ii) <i>The action is proportionate to the legitimate aims of the organisation</i></li> </ol> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p>
<b>Human Rights</b>	The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.
<b>Legal Status:</b>	This document is designed to assist us in “ <i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i> ” as required by <i>The Equality Act Public Sector Duty 2011</i> . An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.