

EQUALITY IMPACT ASSESSMENT - RESULTS

Title of Policy	The National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021
Summary of aims and desired outcomes of Policy	<p>This policy will extend the existing Young Person’s Concessionary Travel Scheme from young people aged 5-18 to also include people aged 19-21.</p> <p>The extension of the scheme will help strengthen our response to the climate emergency, supporting our green recovery by embedding sustainable travel habits in young people.</p> <p>Young people have been disproportionately impacted as a result of the COVID-19 pandemic and free bus travel will open up opportunities for them and improve their access to education, training and employment.</p>
Directorate: Division: team	Transport Scotland; Bus, Accessibility and Active Travel; Bus Strategy & Concessions Policy

Executive summary

The Scottish Government intends to extend the eligibility criteria under the National Bus Travel Concession Scheme for Young Persons Order (the Order) to provide free bus travel to residents of Scotland aged 19-21. The Order currently allows for free bus travel to all residents in Scotland aged between 5 and 18 inclusive. Children under five are already eligible for free bus travel as a widespread practice across the bus industry. There are approximately 770,000 people under 19 resident in Scotland who would be eligible for free bus travel under the current

terms of the Order.

The National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021 (“the Amendment Order”) will extend the Young Persons Scheme to include all young people aged between 19 and 21. This will mean that all young people aged under 22 will be eligible for free bus travel when the Young Persons Scheme comes into operation with approximately 160,000 additional people benefiting from access to the scheme.

Background

Section 40 of the Transport (Scotland) Act 2005 enables the Scottish Ministers, by order, to make national concessionary travel schemes. A national travel concession scheme provides travel concessions to ‘eligible persons’ travelling on ‘eligible services’ on ‘eligible journeys’. The schemes may be new or they may modify or revoke existing local authority concessionary schemes established under section 93 of the Transport Act 1985.

The [National Bus Travel Concession Scheme for Young Persons \(Scotland\) Order 2021](#) (“the 2021 Order”) was laid before Parliament in January 2021 and passed in March 2021. It provides for a National Bus Travel Concession Scheme for Young Persons (“the Young Persons Scheme”).

The National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021 will provide for the extension of eligibility under the Young Persons Scheme to include all young people aged between 19 and 21 (inclusive).

The Scope of the EQIA

This EQIA considers impacts on equalities groups based on the three tests it is required to address:

- Does this policy eliminate discrimination for each of the 9 protected characteristics (PCs)? If not, is the discrimination justifiable? Can it be mitigated?
- Does this policy advance equality of opportunity for PC groups?
- Does this policy foster good community relations between people of PC groups?

Transport Scotland publicly consulted on proposals to provide concessionary bus travel to people under age 19. This opened on 26 October 2020 and closed on 7 December 2020. Many of the 3,074 consultation responses received indicated that they anticipated only positive impacts on groups of people with protected characteristics, by supporting families and children on low incomes, making it easier for children and young people to get to school, access support groups, meet peers, engage in activities, and access services.

Over 90% of respondents to the public consultation felt that extending free bus travel to people aged 18 and under would contribute towards improving opportunities and reducing inequalities for children and young people. There were also a number of calls to extend the Young Persons Scheme by increasing the upper age limit.

Given the overwhelming public support the original consultation generated it would not have been proportionate to run another public consultation on the extension. However, a targeted public consultation exercise was carried out with island communities as a follow up to the original consultation and an Island Communities Impact Assessment will be published shortly.

This EQIA is based on the analysis carried out for the EQIA that was undertaken for the Order that established the Young Persons Scheme. It identified issues that were incorporated into decision-making on the policy and implementation of the scheme. Consideration of the extension to include 19-21 year olds did not identify any further issues.

For further details please refer to the [under 19 assessment results](#).

Key Findings

Transport Scotland identified the following impacts on groups with protected characteristics:

AGE - This policy has both positive and negative impacts on equality because of age. While the age criteria for eligibility could potentially generate inequality with young people over the age of 21, evidence suggests that people under 22 are generally more reliant on public transport, more likely to be in education, and more likely to be in low-paid or insecure work than persons aged 22 and over. The current rates for the graduated national minimum wage set by the UK Government are £6.56 for those aged 18-20 year old and £8.36 for 21-22 year olds, compared to £8.91 for those over age 23. A Poverty Alliance and Oxfam

report concluded that the graduated minimum wage would justify a concessionary travel scheme for young people.

Young people will be able to travel free by bus in the same way older people can at present. This greatly improves young people's access to public transport.

DISABILITY - This policy is considered to have overall positive impacts for disabled people. Young disabled people aged 19-21 will be able to choose between the under 22 NEC or the disabled NEC scheme.

SEX - Taking the bus to work, to access education and social opportunities may allow access to additional locations and reduce the additional cost young women who make multi-stop journeys may incur. It will also expand opportunities for young women who seek to travel but may not feel safe walking.

PREGNANCY AND MATERNITY - This scheme is considered to have a positive impact on people because of pregnancy and maternity. Young mothers (under 25) are much more likely to be in both relative and absolute poverty. Mothers aged under 22 may therefore be positively impacted by the scheme, increasing access to healthcare, employment, and education for them and their children. While some consultation responses suggested that pregnant people or people with prams would be negatively impacted by increased numbers of young people on the bus, there is no evidence suggesting that young people are less likely to give up their seat or make space for a pram than other bus users.

GENDER REASSIGNMENT - Free bus travel will have a positive impact for people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex. The scheme may allow young transgender people to access support services and peer groups, and consideration has been given to ensuring that the identifying travel card will be easy to update with photo and name changes. Gender does not appear on the card.

SEXUAL ORIENTATION - This policy will have a positive impact on advancing equality of opportunity as young people will be able access services and support further from home.

RACE - People from ethnic minority backgrounds are more likely to live in poverty, to be in unemployment, and in precarious work. This extension could expand opportunities for families experiencing poverty and lack of opportunity. Young people from ethnic minority backgrounds face racially motivated abuse and harassment on public transport and fear of this abuse may shape how they travel. The monitoring and evaluation of the Young Persons Scheme will be looking at the

differential impacts on and behaviours of groups with protected characteristics, including race.

RELIGION OR BELIEF - We do not anticipate this policy having an impact on people because of their religion or belief.

MARRIAGE OR CIVIL PARTNERSHIP - We do not anticipate this policy having an impact on people because of their marriage or civil partnership.

Recommendations and Conclusion

Overall, extending free bus travel to include people aged 19-21 will advance equality of opportunities for young people with protected characteristics.

The under 19 EQIA exercise identified certain risks, such as the application process acting as a barrier for certain groups, increased risk to safety for certain groups, and the travel card negatively impacting transgender people. Consideration has been given to how to mitigate these risks, such as ensuring the application process is provided in accessible formats, allowing cardholder details to be easily updated, and taking steps to protect children's safety through driver awareness training.

Some age groups over 21 years may also benefit from free bus travel, but are outside the scope of this policy and do not qualify by age or disability for the Older and Disabled Persons Scheme. While the age limit for eligibility could potentially generate inequality with young people over the age of 21, evidence suggests that people under 22 are generally more reliant on public transport, more likely to be in education, and more likely to be in low-paid or insecure work than people aged 22 and over.