

Cleaner Air for Scotland 2

Equalities Impact Assessment

October 2020

Equalities Impact Assessment

Title of proposal: Cleaner Air for Scotland 2

The Cleaner Air for Scotland 2 (CAFS 2) consultation proposes a set of actions to further reduce air pollution and improve air quality for Scotland's population and the environment.

This Equalities Impact Assessment (EQIA) is published in conjunction with the CAFS 2 consultation (<https://consult.gov.scot/environmental-quality/cleaner-air-for-scotland-2>) which runs until 22 January 2021. Responses to the consultation will help inform the development of CAFS 2 and this impact assessment.

Where required subsequent secondary legislation will be used to deliver the commitments detailed in CAFS 2. Secondary legislation will be subject to further impact assessments including a full EQIA and consultation.

The Scottish Government is mindful of the three needs of the Public Sector Equality Duty (PSED) - eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not - and recognises while the measures in CAFS 2 may positively impact on one or more of the protected characteristics, also recognises that the introduction of the measures may have a disproportionate negative impact on one or more of the protected characteristics.

Where any negative impacts have been identified, we have sought to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality. We have sought to do this through provisions contained in the Regulations, or by current support and guidance available.

Background

The Scottish Government's Programme for Scotland 2018-19¹ committed to launching a review of the Cleaner Air for Scotland – The Road to a Healthier Future' (CAFS)² building on the progress made since its introduction and as part of that, reviewing arrangements for driving delivery.

The CAFS strategy is a national cross-government strategy that sets out how the Scottish Government and its partner organisations propose to reduce air pollution further to protect human health and fulfil Scotland's legal responsibilities. It sought to bring together major policy areas relevant to air quality such as climate change, transport, planning, health and energy within one overarching framework. The strategy set out around 40 actions relating to the policy areas, including a number of new initiatives such as adopting the World Health Organisation guideline values for particulate matter in Scottish legislation.

¹ <https://www.gov.scot/publications/delivering-today-investing-tomorrow-governments-programme-scotland-2018-19/>

² <https://www.gov.scot/publications/cleaner-air-scotland-road-healthier-future/>

Good progress has been made on delivering the actions set out in the 2015 strategy³. 28 CAFS actions have been completed, 3 are under review, and 7 have been significantly progressed and are on schedule to be delivered under a revised timescale. Of these 7 actions, 3 are on schedule for delivery in 2020. The remaining 4 actions will be taken forward in the new strategy.

Reductions in emissions of air pollution have been the result of concerted action through policy measures such as CAFS, international agreements and European and domestic legislation⁴. However, despite these improvements and generally improving trends in air quality further action continues to be required to meet existing and future legal targets on air pollution, to reduce background levels of air pollution impacting the environment and to address hotspots of poor air quality in urban centres.

In November 2018, an independent chair and steering group with various key stakeholders undertook a review of the CAFS strategy⁵, looking at progress to date, and to recommend next steps, with a particular focus on the actions necessary and practical in the next three to five years.

Key themes emerging from the review include health, transport, industrial, domestic and agricultural emissions, place-making, behaviour change and governance which were summarised into ten general recommendations:

1. A Precautionary Approach.
2. Integrated Thematic and Organisational Strategies.
3. Impacts of New Developments.
4. Better Data.
5. Behavioural Research.
6. Environmental Regulation.
7. Tackling Under-regulated Areas
8. Shifting to More Sustainable Transport Modes.
9. Governance, Accountability and Delivery.
10. Further Progress Review.

The Scottish Government is now revising the CAFS strategy based on the recommendations made by the independent CAFS review steering group, along with comments on the recommendations received via an online survey held at the end of 2019. The revised strategy has a working title of Cleaner Air for Scotland 2 (CAFS 2).

Whom will it affect?

Over recent years emissions of air pollutants have reduced and air quality has improved across Scotland. However, poor air quality continues to impact on human health and the environment. Poor air quality is also a health inequalities issue, due to the disproportionate effects on some members of the population such as people who are very young, the elderly and those with pre-existing medical conditions.

³<https://www.gov.scot/publications/cleaner-air-scotland-road-healthier-future-2018-19-progress-report/pages/6/>

⁴https://uk-air.defra.gov.uk/assets/documents/reports/cat09/2010220959_DA_Air_Pollutant_Inventories_1990-2018_v1.2.pdf

⁵<https://www.gov.scot/publications/cleaner-air-scotland-strategy-independent-review/pages/15/>

The review of the CAFS strategy and publication of a revised strategy will allow us to update our policies and strategies, improving the quality of air we breathe in Scotland. This will have a positive impact on human health and will be especially beneficial to those who are disproportionately impacted by poor air quality.

What might prevent the desired outcomes being achieved?

CAFS 2 is being shaped around the 10 high level recommendations arising from the CAFS review. Its development will be informed by evidence provided, including during the statutory consultation period. Achieving the desired outcomes will be dependent on, and will involve a need for government, business and industry, employers (private and public) and the general public to play their part in helping to reduce avoidable air pollution. This will involve adopting a new public engagement and behaviour change strategy for air quality. More research is needed to provide clear evidence on levels of knowledge, attitudes, and concern related to air pollution, as well as on willingness to change behaviours which contribute toward air pollution. Many of the key drivers and incentives/disincentives will be closely related to those associated with climate change, but at the same time there will be differences in focus and approach. Development of complementary and co-ordinated public engagement strategies is therefore essential to deliver the required behavioural change outcomes and to avoid confusing or conflicting messages.

The strategy also introduces measures to tackle emissions from agriculture and domestic burning. Consideration of performance and standards for domestic fires, stoves and fuels, and local authority powers to permit and control these, together with a refreshed approach to good agricultural practice have the potential to deliver significant improvements in air quality beyond current regulatory and management approaches. The successful delivery of these actions will be dependent on the sectors adopting the regulations and responsibilities which may be placed on them.

Where required subsequent secondary legislation will be used to deliver the commitments detailed in CAFS 2. Secondary legislation will be subject to further impact assessments including a full EQIA and consultation

Stage 1: Framing

In this EQIA we look at published evidence available and gathered so far under the protected characteristics as listed within the Equality Act 2010: Age, Disability, Sex, Pregnancy and Maternity, Gender Reassignment, Marriage and Civil Partnership Sexual Orientation, Race and Religion or Belief.

The scope of this EQIA is extended beyond the list of protected characteristics to include wider socio-economic considerations and considers people living in poverty and/or in low income households, and those living in remote rural areas and island communities. As the scope of this assessment has been extended to include these impacts, partial/not required assessments and rationale for separate Fair Scotland Duty and Children's Rights and Wellbeing impact assessments have been completed. A separate Island Communities Impact Assessment may also be required.

A full list of protected characteristics, together with an analysis of the available evidence is provided in Table 2 of this EQIA.

Qualitative information has been gathered from the independent review steering group report, along with comments on the recommendations received via an online survey held at the end of 2019.

A one day Cleaner Air for Scotland workshop was held in September 2019 with air quality officers from Local Authorities. The aim of the workshop was to get their views on the review recommendations, particularly the 10 high level recommendation on which the new strategy will be shaped.

Evidence has also been gathered from a review of literature around public attitudes and behaviour relating to air quality⁶. The review was commissioned by Scottish Government and was undertaken by the University of the West of England (UWE). The report highlighted the need to engage effectively with communities, particularly those in deprived areas during the design and implementation of pro-environmental policies, to minimise negative impacts.

Consideration has been given as far as possible to potential impact based on the evidence gathered leading up to the formal consultation. Specifically, 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 nine protected characteristics? If not is the discrimination justifiable? Can it be mitigated?
- Does this policy advance equality of opportunity between people who share a protected characteristic and those who do not?
- Does this policy foster good community relations between people who share a protected characteristic and those who do not?

Initial reflections from the evidence gathering and engagement to date indicate that the strategy, may potentially have positive impacts on some people, including those with protected characteristics, due to measures to reduce air pollution and improve air quality. The initial indications of the main positive impacts are Age, Disability and Pregnancy and Maternity as summarised below:

- **Protected Characteristic: Age**

Poor air quality can have an effect on human health⁷, and evidence from international research indicates disproportionate impact on the elderly and on the young⁸. The objective of CAFS 2 is to implement measures to help achieve compliance with air quality objectives and reduce preventable air pollution. This will improve air quality for Scotland's population, including children and older people.

⁶ <https://www.gov.scot/publications/cleaner-air-scotland-air-quality-public-attitudes-behaviour-review-final-report/>

⁷ <http://www.scottishairquality.scot/assets/documents/Health-Environment-Working-Group-Report.pdf>

⁸ <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>

- **Protected Characteristic: Disability**

A disability can arise from a wide range of impairments which can be organ specific, including respiratory conditions, such as asthma and cardiovascular diseases. These conditions can be exacerbated by poor air quality. Therefore measures contained within the CAFS 2 strategy, which aim to reduce emissions and improve air quality, will positively impact disabled people living with conditions exacerbated by poor air quality.

- **Protected Characteristic: Pregnancy and Maternity**

Pregnancy and early childhood are critical times for the formation and maturation of body systems, and the time during which the most rapid changes take place. Factors that adversely affect human development, including air pollution, can have both immediate and long-lasting effects on a person's health, and some health impacts may only emerge later in life⁹.

Socio-economic considerations

The scope of this EQIA is extended beyond the list of protected characteristics to include wider socio-economic considerations and considers people living in poverty and/or in low income households, and those living in remote rural areas and island communities. Initial reflections from the evidence gathering and engagement to date indicate that the strategy may impact on those living in remote/rural and island communities as well as low income families. These impacts may occur due to measures to tackle emissions from domestic combustion and policies to encourage a shift to more sustainable transport modes.

The UWE literature review showed that for those living in rural areas and in lower socioeconomic households, reducing private vehicle ownership/use is a challenge as there is a (perceived) reliance on the car to manage complex needs (e.g. work, family, caring, health concerns). In the most deprived areas, this is compounded by a fear of crime, as well as a lack of infrastructure, which restricts perceived abilities to use active travel modes. As the policies in CAFS 2 aim to encourage a shift towards more sustainable transport modes, focus on engagement with these communities will be critical to mitigate any disproportionate impacts.

There may also be an impact on remote/rural or island communities arising from measures contained within the strategy to tackle emissions from domestic combustion. Particularly controlling the supply of the most polluting fuels. This may disproportionately impact remote/rural and island communities due to the potentially higher proportion of households relying on solid fuels as a primary heat source in these areas.

Further evidence is sought via the consultation on CAFS 2 to inform this impact assessment. It should also be noted that it is not the CAFS 2 strategy itself that will cause the impact but the regulations which follow on. Any such regulations will be required to undergo further equalities assessments.

⁹ <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>

Further evidence gathering will be conducted as part of the consultation on CAFS2. This will include specific questions on to assess the impact of the measures on people with one or more of the protected characteristics. We will also seek and consider further views from relevant stakeholders as part of this EQIA in due course.

Stage 2: Data and Evidence Gathering

This section includes the results of the evidence gathering (including the framing exercise), including qualitative and quantitative data and the source of that information, with relevant equality groups.

Characteristic	Evidence gathered and strength/quality of evidence	Source (full reference details in appendix)	Data gaps identified and action taken
<p>Age</p>	<p>Based on the current body of evidence, there are no aspects of measures in CAFS 2 which will negatively impact people due to their age. However, measures within the strategy to reduce emissions and improve air quality will positively impact those disproportionately impacted by the health effects of air pollution such as older people and children.</p> <p>There is a wealth of good quality evidence linking outdoor air pollution with impacts on human health. It is now widely accepted by expert assessment groups (e.g. the World Health Organisation (WHO), the Global Burden of Disease (GBD) team, the International Agency for Research on Cancer (IARC), the (UK) Committee on Medical Effects of Air Pollutants (COMEAP), and the US Environmental Protection Agency (EPA)) that outdoor air pollution causes damage to human health across a wide range of conditions, from pre-birth to old age.</p> <p>International epidemiological studies have formed the basis for estimating the size of the</p>	<p>Health and Environment Working Group Report 2019.</p>	<p>There is some uncertainty from international studies about the scale of health effects associated with low pollutant concentrations typical of those found in Scotland today. The body of Scottish research, while relatively small, has repeatedly demonstrated impacts of pollutants on respiratory illness that are consistent with international evidence. There are two proposed actions within the revised CAFS strategy which aim to fill this evidence gap, these being:</p> <ul style="list-style-type: none"> • Assess the evidence on health impacts of low level pollution in countries with levels of ambient air pollution comparable to Scotland. • Commission population research on the long term effects of air pollution using cohort methods to aid further understanding of health impacts and explain the apparently different epidemiology in Scotland. <p>We will seek views on these actions as part of the formal consultation process. We will also seek views on any additional equalities impacts of the measures in CAFS 2 to ensure we have correctly assessed potential impacts.</p>

	<p>impacts on populations and for quantifying the likely health benefits of reducing pollutant levels.</p> <p>Older People: There is consistent evidence that older people are particularly vulnerable to the adverse effects of air pollution. A systematic review of studies that examined deaths in association with exposure to PM for example, indicated a risk in older people of about twice that observed in younger persons. Similar findings are reported for hospitalisations. These comparisons are relatively crude ('older', variously categorised, versus 'not older') and probably obscure a stronger effect. The explanation(s) are likely to be several and have not been examined fully, but they will include the higher frequency of pollution-sensitive pulmonary, cardiovascular and metabolic diseases in older populations.</p> <p>Sustainable transport options may be restricted, especially in rural areas, for older people so measures to reduce road transport emissions need to take this into account.</p> <p>Young people: Few studies have explicitly compared risks in children with those in adults, but there is evidence of an adverse effect of air pollution on the health of children who spend a higher proportion of their time outdoors and are therefore at greater risk of exposure to ambient air pollution. There is little doubt that acute exposure to high levels of air</p>	<p>Health and Environment Working Group Report 2019.</p> <p>Royal College of Physicians: Every breath we take: the lifelong impact of air pollution 2016.</p>	
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	<p>pollution results in increased respiratory symptoms in children, including parent- and self-reported cough and wheeze, and increased visits to emergency departments with respiratory illnesses. Whether air pollution causes asthma in previously healthy children is a more contentious issue. Exposure of the young child to air pollution can produce definite harm and even increase the risk of death from lung infections. There is evidence that it may produce deleterious effects on growth, intelligence and neurological development. In studies that have examined 'dose' effects of air pollution, harmful effects have been detected at current regulatory levels and there appears to be no lower limit below which harmful effects do not occur.</p> <p>Scotland specific evidence: There is a relatively small published literature on the effects of air pollution based on studies carried out specifically in Scotland. This evidence is important however, in developing an understanding of the local epidemiology of air pollution impacts and how this compares with the corresponding international findings. Differences in the types of study carried out in Scotland make cross comparison of their findings difficult. It is not therefore possible to provide pooled estimates of health effects in Scotland equivalent to those calculated in international studies. Nonetheless, valid conclusions can be drawn by assessing the balance of evidence provided by these studies of impacts on the Scottish population</p>	<p>Health and Environment Working Group Report, 2019.</p>	
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<p>Disability</p>	<p>Based on the current body of evidence, we have not identified any aspects of measures in CAFS 2 which will negatively impact disabled people.</p> <p>Achieving compliance with air quality objectives and reducing preventable air pollution will improve air quality for Scotland's population, protecting those more vulnerable to its health impacts, including disabled people.</p> <p>A disability can arise from a wide range of impairments which can be organ specific, including respiratory conditions, such as asthma and cardiovascular diseases.</p> <p>There is scientific consensus that exposure to air pollution is harmful to people's health, in relation particularly to premature mortality and morbidity, Mainly related to respiratory and cardiovascular disease.</p> <p>Improvements in air quality arising from the implementation of measures in CAFS 2, will therefore have a positive impact on disabled people living with respiratory conditions which are exacerbated by poor air quality.</p> <p>The EQIA undertaken for the National Transport Strategy 2 highlighted a number of issues that are relevant to measures to reduce emissions from road transport and shift travel to more sustainable options:</p>	<p>Equality Act, 2010 Guidance.</p> <p>Health and Environment Working Group Report, 2019.</p> <p>National Transport Strategy 2 Equality Impact Assessment.</p>	<p>As part of the consultation, we will seek views on whether the measures in the strategy are likely to have any disproportionate effects on this protected characteristic</p>
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	<ul style="list-style-type: none"> • insufficient wheelchair provision on public transport • inherent design conflicts between public transport vehicles and the needs of disabled people • ScotRail's passenger assistance service for people travelling with mobility difficulties is well regarded by most but the need to give 24 hours' notice of travel plans prevents spontaneous activities • the reliability of help points and other critical features at stations designed to help vulnerable passengers • lack of awareness and training for bus drivers to deal with people with mobility difficulties • poor pavement surfaces and the siting of parking impeding walking and making use of mobility scooters dangerous • lack of consideration for hidden disabilities in transport provision. 	<p>National Transport Strategy 2.</p>	
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<p>Sex</p>	<p>Based on the current body of evidence, we have not identified any aspects of measures in CAFS 2 which will negatively impact due to their gender.</p> <p>The issue of sex differences in vulnerability to air pollution is complex. The evidence is inconsistent in studies of adults, although research in older adults and studies that have used estimates of exposure based on place of residence suggest that the effects of air pollution are more pronounced in women. Any differences are likely to have several explanations that include biological differences between men and women (such as in the absorption of gases through the lung or hormonal differences in chemical regulation), the higher proportion of older and vulnerable women than men, sex-related behavioural differences in factors such as smoking and occupational exposures (that may mask, in men, the effects of air pollution), or simply that estimates of exposure may be more accurate in adult women</p>	<p>Royal College of Physicians: Every breath we take: the lifelong impact of air pollution 2016.</p>	<p>As part of the consultation, we will seek views on whether the strategy is likely to have any disproportionate effects on this protected characteristic, which we have not identified.</p>
<p>Pregnancy and Maternity</p>	<p>Based on the current body of evidence, we have not identified any aspects of measures in CAFS 2 which will negatively impact those covered under this protected characteristic.</p> <p>However, the measures in the strategy could benefit pregnant women by reducing emissions and improving air quality.</p>		<p>The body of Scottish evidence regarding air pollution in Scotland and pregnancy outcomes is mixed, and there are only a small number of studies. The actions proposed in the revised CAFS strategy (outlined below) aim to provide a better understanding of the impact of relatively low levels of pollution, such as those found across much of Scotland, on human health. We will seek views on these actions during the formal consultation.</p>

	<p>Epidemiological studies suggest a link between air pollution exposure and premature birth, with the strongest evidence for gaseous pollutants (O3 and SO2) and weaker evidence for particulates (PM2.5 and PM10). The strongest evidence from epidemiological studies of pregnancy outcomes is that air pollution affects fetal growth and birth weight. There is consistent evidence that exposure to particulates during pregnancy increases the risk of low birth weight. It is important to note that high exposure to specific air pollutants is socially patterned and linked with other lifestyle factors, including smoking and diet. The effects described appear to be independent of these confounding influences, but there is some suggestion that socio-economic deprivation increases the adverse effects of air pollution on low birth weight.</p> <p>Scotland Specific Evidence: Evidence regarding air pollution in Scotland and pregnancy outcomes is mixed. Significant associations of NO2 and PM10 with low birth weight were found using cohort data (1994 to 2008). Risks for very preterm birth (birth between 28-32 weeks) were raised but were non-significant. A separate individual level study in north-east Scotland reported mixed evidence linking maternal exposure to particles (PM10, PM2.5) and NO2 with measures of foetal growth.</p>	<p>Royal College of Physicians: Every breath we take: the lifelong impact of air pollution 2016.</p> <p>Health and Environment Working Group Report 2019.</p>	<ul style="list-style-type: none"> • Assess the evidence on health impacts of low level pollution in countries with levels of ambient air pollution comparable to Scotland. • Commission population research on the long term effects of air pollution using cohort methods to aid further understanding of health impacts and explain the apparently different epidemiology in Scotland. <p>We will also seek views on any additional equalities impacts of the measures in CAFS 2 to ensure we have correctly assessing potential impacts.</p>
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Gender Reassignment	We are not aware of any relevant existing evidence at this time on gender reassignment in relation to the strategy.	N/A	As part of the consultation, we will seek views on whether the strategy is likely to have any disproportionate effects on this protected characteristic
Marriage and Civil Partnership	We are not aware of any relevant existing evidence at this time on marriage and civil partnership in relation to the strategy.	N/A	As part of the consultation, we will seek views on whether the strategy is likely to have any disproportionate effects on this protected characteristic.
Sexual Orientation	We are not aware of any relevant existing evidence at this time on sexual orientation in relation to the strategy.	N/A	As part of the consultation, we will seek views on whether the strategy proposals are likely to have any disproportionate effects on this protected characteristic
Race	We are not aware of any relevant existing evidence at this time on race in relation to the strategy.	N/A	As part of the consultation, we will seek views on whether the strategy is likely to have any disproportionate effects on this protected characteristic
Religion or Belief	We are not aware of any relevant existing evidence at this time on religion or belief in relation to the strategy.	N/A	As part of the consultation, we will seek views on whether the strategy is likely to have any disproportionate effects on this protected characteristic
Geographical location (In particular remote/rural and island communities)	<p>There may be an impact on remote/rural and island communities arising from measures contained within the strategy to tackle emissions from domestic combustion. Particularly controlling the supply of the most polluting fuels. This may disproportionately impact remote/rural and island communities due to the potentially higher proportion of households relying on solid fuels as a primary heat source in these areas.</p> <p>In 2018 Defra sought information on the use of solid fuels such as house coal, manufactured</p>	<p>N/A</p> <p>Defra consultation responses, Air quality: using cleaner fuels for</p>	As the measures in Defra's Clean Air Strategy for England to reduce emissions from domestic combustion will form the basis for action in Scotland, impacts have been assessed at a UK level. However, there may be Scotland specific impacts which have not been fully addressed. The consultation on CAFS 2 will seek views on the actions to tackle emissions from domestic combustion Scotland. Response to the consultation will be analysed to further inform this impact assessment and any disproportionate impacts on remote/rural and island communities. Further equalities assessments will/may be needed as more detailed regulations follow on from the strategy.

	<p>solid fuel and wood for domestic heating, and the impact that changes to the availability of these fuels would have on consumers and businesses. The call for evidence was UK wide and included Scotland. The results were used to inform Defra's Clean Air Strategy for England proposals for addressing domestic combustion emissions. The intention is that these will form the basis for action in Scotland also.</p> <p>An impact assessment for proposed legislation to deliver the commitments in Defra's Clean Air Strategy to phase out the most polluting fuels from domestic burning has been completed. One of the policy options considered in the impact assessment was "Regulating the sale of fuels in urban areas only". However as approximately 50% of PM pollution comes from outside a local area; restricting legislation to urban areas would deliver less air quality benefit across the country.</p> <p>The proposals in CAFS 2 cover both appliances and fuels, and focus on three key areas: the right appliance burning the right fuel, consumer education and proper installation/maintenance.</p> <p>Due to the transboundary nature of air pollutants, a consistent national, as opposed to local, approach will have a large impact on reducing domestic combustion emissions. It should also be noted that it is not the CAFS 2</p>	<p>domestic burning, August 2018.</p> <p>Defra Impact Assessment for proposed regulation to phase out the most polluting fuels from domestic burning, October 2019.</p> <p>Air Pollutant Inventories for England, Scotland, Wales, and Northern Ireland: 1990-2017.</p>	
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	strategy itself that will cause the impact but the regulations which follow on. Any such regulations will be required to undergo further equalities assessments.		
Low income	<p>To inform our proposals on behaviour change, we commissioned a review of evidence around public attitudes and behaviour relating to air quality. The review was undertaken by the University of the West of England (UWE). The report highlighted the need to engage effectively with communities, particularly those in deprived areas during the design and implementation of pro-environmental policies, to minimise negative impacts.</p> <p>The literature review showed that for those living in rural areas and in lower socioeconomic households, reducing private vehicle ownership/use is a challenge as there is a (perceived) reliance on the car to manage complex needs (e.g. work, family, caring, health concerns). In the most deprived areas, this is compounded by a fear of crime, as well as a lack of infrastructure, which restricts perceived abilities to use active travel modes. As the policies in CAFS 2 aim to encourage a shift towards more sustainable transport modes, focus on engagement with these communities will be critical to mitigate any disproportionate impacts.</p> <p>On the domestic energy side, solid fuel burning wasn't covered in the literature reviewed, however two key studies revealed</p>	University of the West of England (UWE), Cleaner Air for Scotland Air Quality Public Attitudes & Behaviour Review, August 2020.	<p>As part of the consultation, we will seek views on whether the strategy proposals are likely to have any disproportionate effects on low income households. Particularly in relation to the action to legislate to restrict the sale of the most polluting fuels, as this may impact those living in fuel poverty.</p> <p>In regards to sustainable transport policies, the UWE literature review highlighted that even where urban regeneration has improved infrastructure, active travel remains low, signalling a need to better understand the complex needs of these societies and the barriers that prevent them from shifting to more pro-environmental behaviours.</p> <p>Developing a public engagement strategy on air quality in Scotland, taking into account the recommendations from the evidence review, is an action in CAFS 2.</p>

	<p>very different issues on energy management from either end of the economic spectrum. In both, solutions were focused on energy saving measures rather than the much more effective reduction of energy demand. For the most affluent, although householders were keen to install insulation, new windows and efficient heating systems, the demand for space and desire for bigger houses created an increase in per person energy demand. For those in social housing, a lack of consideration of users' needs and limitations in renovating the heating system led to a greater economic burden for many, and a lack of (perceived) control over their energy usage. Both cases illustrate the need to consider the lived experiences of individuals when seeking to influence their energy usage to reduce emissions.</p>		
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Stage 3: Assessing the Impacts

At this stage of the interim equality impact assessment, the qualitative scoring of the potential impacts (negative, positive and neutral) have been considered for each of the protected characteristics. This qualitative scoring has been undertaken using the data and evidence available and gathered to date. This is a preliminary and indicative assessment of the potential impacts at this interim stage of the EQIA and will be subject to further review and revision after the consultation has taken place.

Characteristic	Positive	Negative	None	Reason for your decision
Age	X			<p>There is scientific consensus that exposure to air pollution is harmful to people's health in terms of premature mortality and morbidity, mainly related to respiratory and cardiovascular disease. It is widely accepted that outdoor air pollution causes damage to human health across a wide range of conditions, from pre-birth to old age. Indeed, the evidence of effects of both short-term and long-term exposure continues to grow.</p> <p>Although many of the most important pollutants are now mostly below accepted existing health based limits, areas of concern remain. More action is required, both in order to achieve legal compliance with domestic and international standards and to further improve the overall health of the population of Scotland.</p> <p>The revised CAFS strategy promotes coherent and effective working across central and local government, to develop and implement integrated health focused policies which deliver lower air pollution and better health outcomes. This will have overall benefits for the population of Scotland and in particular those members of society upon whom air pollution can have the most acute impacts, including older people and children.</p>

Disability	X			Achieving compliance with air quality objectives and reducing preventable air pollution will improve air quality for Scotland's population, protecting those more vulnerable to its health impacts, including those who are living with conditions exacerbated by poor air quality such as asthma.
Sex			X	The issue of sex differences in vulnerability to air pollution is complex. The evidence is inconsistent in studies of adults, although research in older adults and studies that have used estimates of exposure based on place of residence suggest that the effects of air pollution are more pronounced in women. Cleaner air in Scotland will have an overall benefit for the health of Scotland's population, but it is unlikely that there will be differing benefits, in terms of improved health, between men and women.
Pregnancy and Maternity	X			The strongest evidence from epidemiological studies of pregnancy outcomes is that air pollution affects foetal growth and birth weight. There is consistent international evidence that exposure to particulates during pregnancy increases the risk of low birth weight. Although evidence regarding air pollution in Scotland and pregnancy outcomes is mixed, significant associations of NO ₂ and PM ₁₀ with low birth weight were found using cohort data (1994 to 2008). An improvement in Scotland's air quality, arising from the actions taken forward in the revised CAFS strategy, should therefore have a positive impact on pregnancy outcomes, particularly in regards to birth weights.
Gender Reassignment			X	We are unaware of any relevant and existing evidence, at this time on the gender reassignment protected characteristic, in relation to this strategy. The consultation will seek views on whether the strategy is likely to have any disproportionate effects on transgender people.

Marriage and Civil Partnership			x	We are unaware of any relevant and existing evidence, at this time on the marriage and civil partnership protected characteristic, in relation to this strategy. The consultation will seek views on whether the strategy is likely to have any disproportionate effects on married people and those in civil partnerships.
Sexual Orientation			X	We are unaware of any relevant and existing evidence, at this time, on the sexual orientation protected characteristic in relation to this strategy. The consultation will seek views on whether the strategy is likely to have any disproportionate effects on people due to their sexual orientation.
Race			X	We are unaware of any relevant and existing evidence, at this time, on race in relation to the strategy. The consultation, will seek views on whether the strategy is likely to have any disproportionate effects on people due to their race.
Religion or Belief			X	We are unaware of any relevant and existing evidence, at this time, on religion or belief protected characteristic in relation to this strategy. The consultation should help to identify any areas where the strategy may have disproportionate effects on people due to their religion or beliefs.
Geographical location (In particular remote/rural and island communities)			X	The response to the formal consultation will be required to inform this decision further. However, it is considered that CAFS 2 will not have a direct impact on this group. Further equalities impact assessments will be required to inform the development of legislation to deliver the commitments in CAFS 2 to phase out the most polluting fuels from domestic burning. It is at this stage when the impacts on remote/rural and island communities can be considered further and mitigation proposed to offset any disproportionate impacts

Low income			X	The response to the formal consultation will be required to inform this decision further. As part of the consultation, we will seek views on whether the strategy proposals are likely to have any disproportionate effects on low income households. Particularly in relation to the action to legislate to restrict the sale of the most polluting fuels, as this may impact those living in fuel poverty.
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Stage 4: Decision Making and Recommendations

<p>Have positive or negative impacts been identified for any of the equality groups?</p>	<p>This interim review has identified at this stage potentially positive impacts of CAFS 2 for three of the protected characteristics, these being Age, Disability and Pregnancy and Maternity. No negative impacts have been identified for any of the protected characteristics. This qualitative scoring has been undertaken using the data and evidence available and gathered to date. However, this is a preliminary and indicative assessment of all the potential impacts at this interim stage of the EQIA and will be subject to further review and revision after the consultation has taken place.</p>
<p>Is the policy directly or indirectly discriminatory under the Equality Act 2010?</p>	<p>There is no evidence, so far within this interim EQIA that the policy is directly or indirectly discriminatory under the Equality Act 2010.</p>
<p>If the policy is indirectly discriminatory, how is it justified under the relevant legislation?</p>	<p>N/A</p>
<p>If not justified, what mitigating action will be undertaken?</p>	<p>N/A</p>

Monitoring and Review

The equality impact monitoring and evaluation will inform the development of CAFS 2 from the outset. This interim assessment did not identify any negative impacts on protected characteristics. The positive impacts identified for the Age and Pregnancy and Maternity protected characteristics will be brought about through improvements in air quality as a result of progressing the actions outlined in the new strategy. Impacts on the remote/rural or island communities requires further evidence gathering which will be undertaken via the consultation on CAFS 2.

Air pollution is a complex multi dimensional issue. Whilst good progress has been made a lot remains to be done with, in some cases, potentially significant financial and societal implications. The costs of not taking further action will continue to impact us all, however, in terms of negative health impacts, congestion, public safety, loss of amenity and a failure to maximise the potential for better quality of life and ultimately improved economic performance. Such failure will only serve to further exacerbate health inequalities and overall risks to public health for much of the population, besides having wider implications for efforts to tackle the climate emergency.

For these reasons it is important that, whilst focusing on delivery of CAFS 2 over the short to medium term, we must also have an eye to the bigger picture and identification of additional priorities in the coming decades. There are two elements to this; refinement and retargeting of actions and policies as new evidence on the health and environmental impacts of poor air quality comes to light, and continued alignment with other long term policies, notably the requirement to make Scotland a net zero society by 2045. To ensure the strategy continues to have no negative impact on protected characteristics, as additional priorities and evidence emerges, the equality impact assessment will be updated and mitigation identified where appropriate.

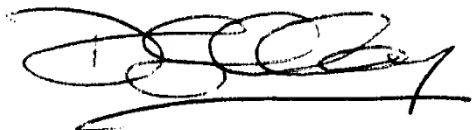
In order to objectively judge the effectiveness of the CAFS 2 delivery structure, a complementary reporting mechanism will be developed. This will build on the model of the annual progress reports produced for the original CAFS, there will be a simple line of sight from strategy to planning, through delivery and ownership of actions to ultimate accountability. This reporting mechanism should also provide on-going information on how the strategy is performing in terms of being as inclusive as possible for those protected characteristic groups and others affected.

Stage 5: Authorisation of EQIA

This partial EQIA covers the CAFS 2, however we understand that further equalities assessments will/may be needed as more detailed regulations follow on from the strategy.

Declaration

I am satisfied with the equality impact assessment that has been undertaken at this stage for the Cleaner Air for Scotland strategy and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

A handwritten signature in black ink, appearing to read 'D McGillivray', written over a horizontal line.

Name: D McGillivray

Position: Deputy Director, Environmental Quality and Circular Economy

Authorisation date: 30.9.20

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