National Litter and Flytipping Strategy

Equality Impact Assessment

Scottish Government
Riaghaltas na h-Alba

National Litter and Flytipping strategy
Equality Impact Assessment
June 2023

Description of Policy

Title of policy / strategy / legislation	National Litter and Flytipping Strategy
Minister	Minister for Green Skills, Circular Economy and Biodiversity
Lead Official	Alice Caldwell, Zero Waste Unit
SG Officials involved in EQIA	Bruce Sutherland, Mainstreaming and Strategy Unit
Directorate	Directorate for Environment and Forestry
New policy and/or legislation	New strategy

Screening

Background and policy aims

Litter and flytipping are well-documented indicators of local environmental quality and have significant social, environmental and economic impacts, and health implications.

Litter and flytipping are defined as follows;

Litter is waste in the wrong place: the wider environment. The Environmental Protection Act (1990) defines littering as 'throwing down or dropping an item in any public open space'.[1]

Flytipping is illegal dumping of waste - from a bin bag of household waste to large quantities of domestic, commercial or construction waste.[2]

Research indicates that at least 15,000 tonnes of litter is disposed of into our urban and rural environment and is subsequently cleared by local authorities every year. This is composed of around 250 million easily visible items.[3]

A further 26,000 tonnes of waste are flytipped each year and dealt with by local authorities, with over 60,000 incidents occurring per year. This estimate excludes the vast majority of cases on private land.[3]

For both litter and flytipping these figures are likely to represent an underestimate due to data limitations.

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[1] Environmental Protection Act 1990 Section 87 https://www.legislation.gov.uk/ukpga/1990/43/section/87

[2] Environmental Protection Act 1990 Section 33 https://www.legislation.gov.uk/ukpga/1990/43/section/33

[3] Zero Waste Scotland (2013) - Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping https://www.zerowastescotland.org.uk/resources/scotlands-litter-problem

Litter and flytipping have both direct and indirect costs for society. In 2013, Scotland spent at least £60 million of public money on litter and flytipping each year in direct costs (for clearance, education and enforcement activities). Indirect costs are the negative impacts or consequences of litter that impact on society more widely, for example, crime, mental health and wellbeing. Further indirect costs due to environmental, economic and social impacts to the terrestrial and marine environments were estimated to exceed £196.7 million in 2019 according to recent research undertaken to update the figures referenced in the previous strategy on the scale and cost of litter and flytipping in Scotland.[4] The availability of data, which is often limited and inconsistently collected or reported, was a significant barrier to this research project and so these overall figures have to treated with some caution but, based on available evidence, are the best estimate of the scale and cost of litter and flytipping in Scotland.

Litter and flytipping are indicators of the unsustainable use of our resources, and a leak from a circular economy. 80% of the litter stream consists of potentially recyclable material and 50% of this material could have been easily recycled, had it been properly disposed of.[3]

The United Nations, in their report Making Peace with Nature[5], describe three interlinked crises of climate change, pollution and biodiversity loss. All of these crises are driven by our use of materials, with litter and flytipping being a highly visible form of pollution caused by uncontrolled material losses into the environment. As such, it has a clear link to fundamental environmental challenges including climate change[6] and plastic pollution in our seas, with items littered on land in Scotland now thought to constitute 90% of the plastic in Scottish seas.[7]

The Strategy has a lifespan of 6 years. It will be reviewed at its mid-point and at the end of its lifespan. It will be published with an associated action plan, which will be reviewed annually through the governance and delivery framework which will comprise of a high-level strategy delivery group to drive implementation, agree priorities, review progress and adapt plans. This will be supported by topic-focused delivery working groups and other mechanisms for engaging key stakeholders and sectors to ensure a wide level of input into and scrutiny of future action plans.

The launch of the new strategy and action plan is intended to present a new approach to litter and flytipping prevention – one which considers the whole life cycle of commonly littered and flytipped items in recognition of the loss of resources from the circular economy and the resulting contribution to the twin crises of climate and biodiversity loss.

The overarching ambition of the Strategy is to prevent littering and flytipping behaviour in Scotland. This will be achieved through the application of a systems approach, to identify where the necessary incentives are not in place to ensure a product is disposed of legally and in a way which maximises the value of that product or the materials within it.

Actions are then based on the Individual, Social and Material (ISM) model, which identifies the need to address a broad range of influences on behaviour in order to achieve behaviour change. For the purposes of the strategy these are divided into the following themes:

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[4] Eunomia (2023) – Scale and Cost of Litter and Flytipping Scotland
http://www.gov.scot/ISBN/9781805251538

[5] United Nations (2021) – Making Peace with Nature
https://wedocs.unep.org/xmlui/bitstream/handle/20.500.11822/34948/MPN.pdf

[6] Keep Scotland Beautiful (2020) – Time for a new approach to tackling litter
https://www.keepscotlandbeautiful.org/media/1566897/leq-2020-report-final-041220.pdf

[7] W.R. Turrell (2019) – Estimating a regional budget of marine plastic litter in order to advise on marine management measures, Marine Pollution Bulletin, Volume 150
https://www.sciencedirect.com/science/article/pii/S0025326X19308811

- **Behaviour change**
  This theme recognises the need for improved communications and engagement, but also the need to take a holistic approach to behaviour change; understanding key audiences, issues and developing a framework to identify solutions that enable behaviours to be changed. It should also be noted that the key behaviours related to litter will differ from those for flytipping. Successful measures under this theme would improve the accessibility, consistency and nature of messaging that motivates people to change their behaviour.

- **Services and Infrastructure**
  In order for prevention of litter and flytipping to be effective there needs to be services and infrastructure in place to support people to behave responsibly. This includes services offered by local authorities, but also more widely looking to businesses and community groups. Successful measures under this theme would ensure Scotland's services and infrastructure are fit for purpose and prioritise action and innovation that proactively prevents litter and flytipping and supports a circular economy.

- **Enforcement**
  Enforcement and deterrents have been identified as an important link in the chain for achieving the prevention of litter and flytipping, identified from numerous stakeholder calls to review the enforcement process, procedures and to understand if alternative solutions are available (such as education or volunteering for those who cannot afford to pay fines) with collaborative measures seen as crucial. Success in relation to this theme would ensure there is a strong and consistent enforcement model across Scotland that acts as a proportional deterrent.

Underpinning any next steps and cross-cutting across all three themes is improved **data and evidence**. It is crucial to successfully understanding the root causes of the issue, evaluating the success of any interventions, collaborating successful and monitoring progress. This includes reporting of issues by the public and communities, national reporting and monitoring, citizen science and measurable outcomes. Success for this theme would include an improved understanding of the behaviours, attitudes and drivers behind both littering and flytipping behaviours and develop an evidence base that can facilitate the implementation and monitoring of effective interventions.

A public consultation on the draft strategy was launched on 13th December 2021 and ran until 31st March 2022. Alongside this a number of stakeholder and public engagement events were held. In total, 978 responses were received. The analysis of the responses received during the consultation were published on 28th July 2022.[8]

Who will it affect?
The National Litter and Flytipping strategy will be applied across Scotland and does not specifically target sections of society.

The Strategy sets out a vision and set of outcomes and objectives to reduce litter and flytipping in Scotland with an accompanying action plan that outlines how we will achieve this vision over the strategy's six-year lifespan. Whilst setting a clear direction of travel, both the strategy and the action plan are high level in nature and as such cannot be assessed in detail. Individual actions will be co-designed through the governance and delivery framework to ensure key stakeholders and sectors are appropriately engaged.

The wide scope of the strategy and associated actions will impact on a range of individuals and

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[8] Scottish Government (2022) - National litter and flytipping strategy: consultation analysis
https://www.gov.scot/publications/national-litter-flytipping-strategy-consultation-analysis-report/

organisations that engage in activities that contribute to littering or flytipping. At this stage it is not apparent to what extent people with protected characteristics would be impacted, but it is not anticipated to have a significantly disproportionate impact on this group of people. The results from the public consultation process have been used to inform our understanding in this area and further proportionate assessment of how people with these characteristics are impacted by the interventions set out in the high-level action plan will be undertaken during the design and implementation of individual actions, which will be taken forward through the governance and delivery framework to enable a wide range of input from key stakeholders and sectors.

What might prevent the desired outcomes being achieved?

The strategy adopts a stakeholder-led approach to delivery, recognising the important role of organisations, across the product supply chain and influencing individuals at the point of disposal, in helping to design and implement actions to support nationwide behaviour change. This is dependent on these organisations having the knowledge, skills and capacity to support interventions when required.

The cost-of-living crisis, ongoing at the time of strategy publication, is going to have an impact on the delivery of the strategy both directly, through influencing the resources that Scottish Government and other stakeholders have available, and indirectly, through limiting the engagement with stakeholders and members of the public who are focused on addressing this acute issue.

About the Equalities Impact Assessment (EQIA)

In developing this policy change, the Scottish Government is mindful of the three elements of the Public Sector Equality Duty (PSED):

- To eliminate unlawful discrimination, harassment and victimisation.
- To advance equality of opportunity between people who share a protected characteristic and those who do not.
- To foster good relations between people who share a protected characteristic and those who do not.

A policy measure may positively impact on one or more of the protected characteristics, while having a disproportionately negative impact on others. Where any negative impacts are identified, we seek to mitigate or eliminate these. We are also mindful that the PSED is not just about addressing negative impacts, as we also have a positive duty to promote equality.

Equality legislation covers the protected characteristics of age, disability, gender reassignment, gender including pregnancy and maternity, race, religion and belief, and sexual orientation. Marriage and civil partnership are not considered here as the Scottish Government does not require assessment against this protected characteristic unless the policy relates to work.

Stage 1: Framing
Results of framing exercise

A preliminary framing workshop was conducted by Zero Waste Scotland prior to the statutory consultation. The consultation included a question specifically related to the impact assessments. It was possible to identify some high-level considerations which will evolve and develop alongside the specific actions identified in the strategy.

Summary of activities:

- **Framing workshop:** Zero Waste Scotland
- **Evidence-gathering:** quantitative and qualitative data and evidence were sourced, including

evidence from existing large surveys.

- **Consultation question:** specifically asking about impact assessment relevant considerations
- **Direct email:** to invite one to one conversation with selected representatives of relevant organisations (no responses received)

Summary of findings

This document provides an overview of relevant considerations for protected characteristics groups.

In this EQIA, we look at published evidence available and gathered in relation to the protected characteristics listed within the Equality Act 2010: Age, Disability, Sex, Pregnancy and Maternity, Gender Reassignment, Sexual Orientation, Race, and Religion or Belief.[9]

It is important to note that the protected characteristics listed, along with other socio-economic considerations, are not independent of each other and some people may have to deal with complex and interconnected issues related to disadvantage at any one time.

We have not identified any impacts from the publication of the strategy, with an overarching aim to prevent litter and flytipping, or the associated action plan, which is the subject of this impact assessment. However, the design and implementation of individual actions, which are progressed under the strategy, will require consideration of the protected characteristics.

Interaction with Other Policies (Draft or Existing)

Marine Litter Strategy for Scotland
The Scottish Government launched A Marine Litter Strategy for Scotland in 2014[10] which identified five strategic directions and 40 measures to address the impact of litter in Scotland's seas. A refreshed Marine Litter Strategy was published in September 2022[11] and outlines new priority actions to tackle marine litter in Scotland, building on the work already conducted through the original Strategy. Both strategies complement each other, with of the majority marine litter originating on land and both are principled on litter prevention.

Code of Practice on Litter and Refuse (CoPLAR)
This Code of Practice on Litter and Refuse (CoPLAR) provides practical guidance on fulfilling the duties under the Environmental Protection Act 1990 Section 89.[12] A review of CoPLAR was completed and replaced with the Code of Practice on Litter and Refuse (Scotland) 2018[13] as part of the commitments set out in the 2014 National Litter Strategy. CoPLAR 2018 provides guidance to relevant bodies on how to meet their statutory responsibilities. It promotes a preventative approach towards litter and flytipping, freeing up money for other public services. The revised National Litter and Flytipping Strategy is being developed around four key themes: behaviour change, services and infrastructure, enforcement and data and research with litter and flytipping prevention being the central aim of each theme. CoPLAR 2018 has a clear focus on prevention and endorses preventative actions under themes paralleled with the revision to the National Litter

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[9] Scottish Government - Equality Act 2010 https://www.legislation.gov.uk/ukpga/2010/15/contents

[10] Scottish Government (2014) - A Marine Litter Strategy for Scotland https://www.gov.scot/publications/marine-litter-strategy-scotland/

[11] Scottish Government (2022) - A Marine Litter Strategy for Scotland https://www.gov.scot/publications/marine-litter-strategy-scotland-2/

[12] Environmental Protection Act 1990 https://www.legislation.gov.uk/ukpga/1990/43/contents

[13] Scottish Government (2018) Code of Practice on Litter and Refuse (Scotland) https://www.gov.scot/publications/code-practice-litter-refuse-scotland-2018/

and Flytipping Strategy, including: communications and engagement, behaviour change, infrastructure and service optimisation and enforcement.[14]

EU Single-Use Plastics Directive

In the 2021-22 Programme for Government[15], the Scottish Government confirmed plans to introduce a ban on the single-use plastic items most commonly found littered on European beaches. Regulations were introduced on June 1st, 2022[16], to end the supply and manufacture in Scotland of certain single use items, with limited exceptions where absolutely necessary, for example to ensure the new rules do not disadvantage disabled people. In Scotland, plastic represents 20% of all terrestrial litter[17], it is the most commonly found littered material on Scottish beaches (the top five most commonly found items contain plastic)[18] and items littered on land in Scotland are now thought to constitute 90% of plastic in Scottish seas.[19] The Scottish Government is fully supportive of the EU vision of phasing-out single-use plastics wherever possible and the proposed introduction of market restrictions on certain single-use plastic items forms part of a package of wider measures being taken forward by Scottish Ministers to address marine litter and support a shift away from Scotland's throwaway culture. By introducing a market restriction on certain single-use plastics, this will contribute to the achievement of Scotland's existing waste policies and targets and will also help to reduce single-use plastic litter in Scotland's terrestrial and marine environments, complementing the revised National Litter and Flytipping and Marine Litter strategies.

Deposit Return Scheme (DRS)

The Scottish Government remains committed to introducing a Deposit Return Scheme to increase recycling rates of single-use drinks containers and reduce littering

The Circular Economy Bill

The Circular Economy Bill Consultation [20] was published in May 2022 and closed in August 2022, setting out proposals for legislation that aim to drive a circular economy. The proposals included:

- Strengthening the powers and levels of enforcement for littering and flytipping offences
- a new enabling power that will allow a fixed penalty notice to be issued to the registered keeper of a vehicle when a littering offence has been committed from that vehicle
- Granting enforcement authorities powers to seize vehicles linked to waste crime.

The Circular Economy Bill was introduced in June 2023 and included provisions reflecting the proposals above.

Waste Route Map

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[14] Zero Waste Scotland - Preventative Action: the principle behind CoPLAR 2018 (2018) https://www.zerowastescotland.org.uk/resources/coplar

[15] Scottish Government (2021) - A Fairer, Greener Scotland: Programme for Government 2021-22 https://www.gov.scot/publications/fairer-greener-scotland-programme-government-2021-22/

[16] The Environmental Protection (Single-use Plastic Products) (Scotland) Regulations 2021 https://www.legislation.gov.uk/ssi/2021/410/contents/made

[17] Zero Waste Scotland (2013) - Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping https://www.zerowastescotland.org.uk/resources/scotlands-litter-problem

[18] Marine Conversation Society (2022) – Great British Beach Clean 2022 Results https://www.mcsuk.org/what-you-can-do/join-a-beach-clean/great-british-beach-clean/gbbc-2022-results/

[19] W.R. Turrell (2019) – Estimating a regional budget of marine plastic litter in order to advise on marine management measures, Marine Pollution Bulletin, Volume 150 https://www.sciencedirect.com/science/article/pii/S0025326X19308811

[20] Scottish Government (2022) - Circular Economy Bill Consultation https://consult.gov.scot/environment-forestry/scotlands-circular-economy-legislation/

An associated consultation[21] on a Route Map for delivering Scotland's circular economy was also published in May 2022 and closed in August 2022. It makes a number of proposals that could affect the amount of materials available to be littered or flytipped, including charges and bans on certain environmentally damaging products and setting targets for reducing consumption and increasing reuse. The route map is expected to be published in 2023.

Extended Producer Responsibility (EPR)

At a UK level, Scottish Government is working with the UK Government and other devolved nations in reviewing the existing Extended Producer Responsibility (EPR) schemes, covering Packaging, Waste Electrical and Electronic Equipment (WEEE), Batteries and End of Life Vehicles (ELV). The review of Packaging EPR was the first to start and the furthest advanced, with a public consultation opening in March 2021 and closing in June 2021. Defra published a response to this consultation in March 2022, outlining a timetable including laying regulations in 2023. These reviews will require producers to contribute to the full net costs of running efficient and effective kerbside collection services for household packaging waste.

Scottish climate change policy

Litter and flytipping contributes to climate change in two main ways. Litter and flytipping are wasted resources that have been lost from the circular economy. As well as the embodied energy of the resource itself being wasted, further energy is required to collect and process the litter or flytipping, most of which can then only be sent to energy from waste or landfill, due to the poor quality of the material.[22] The update to the National Litter and Flytipping strategy will contribute to the objectives of the Climate Change (Scotland) Act 2009[23] and the Climate change plan: Third report on proposals and policies (RPP 3) 2018-2032.[24] Work is also underway to develop a new Climate Change Plan, to keep Scotland on track to meet the target of net zero by 2045. The recent five-year review of the national litter strategy "Towards a litter free Scotland: a strategic approach to higher quality local environments" also highlighted the future need to "link littering to the climate change conversation" and set out a recommendation to prioritise mapping the interaction of litter and flytipping with climate change policy.[25]

Scottish biodiversity policy

The 2022-23 Programme for Government includes a commitment to the launch of a new Biodiversity strategy in the 2022-23 parliamentary period. This document will replace the Scottish Biodiversity Strategy that was published in 2004.[26] We published the new Biodiversity Strategy to 2045[27] in draft in December 2022, and will be consulting on the full framework of strategy and delivery plan in Summer 2023, before final publication later in the year. The new National Litter & Flytipping Strategy will contribute to the ambitions set out in Scottish biodiversity policy through targeted litter and flytipping prevention measures. The recent five-year review of the national litter strategy "Towards a litter free Scotland: a strategic approach to higher quality local environments"

[21] Scottish Government (2022) - Delivering Scotland's circular economy: A Route Map to 2025 and beyond https://consult.gov.scot/environment-forestry/scotlands-circular-economy-routemap/

[22] Scottish Government (2021) - Five years on: A review of Scotland's national litter strategy https://www.gov.scot/publications/five-years-review-scotlands-national-litter-strategy/pages/1/

[23] Climate Change (Scotland) Act 2009 https://www.legislation.gov.uk/asp/2009/12/contents

[24] Scottish Government (2018) - Climate Change Plan: third report on proposals and policies 2018-2032 (RPP3) https://www.gov.scot/publications/scottish-governments-climate-change-plan-third-report-proposals-policies-2018/

[25] Scottish Government (2021) - Five years on: A review of Scotland's national litter strategy https://www.gov.scot/publications/five-years-review-scotlands-national-litter-strategy/pages/1/

[26] Scottish Government (2004) - Scottish Biodiversity Strategy https://www.gov.scot/publications/scotlands-biodiversity---its-in-your-hands/

[27] Scottish Government (2022) - Biodiversity strategy to 2045: tackling the nature emergency https://www.gov.scot/publications/scottish-biodiversity-strategy-2045-tackling-nature-emergency-scotland/

also recommended prioritising the mapping of litter and flytipping policy with biodiversity policy.[28]

National Performance Framework & UN Sustainable Development Goals
In 2015, the Scottish Government signed up to support and give national context to the United Nations Sustainable Development Goals[29] via the Scottish National Performance Framework (FPN).[30] The National Performance Framework has a focus on tackling inequalities so that no one in Scotland is left behind as we work together to achieve the Goals.. An updated National Litter and Flytipping Strategy could have a positive impact on the NPF Outcome that we value, enjoy, protect and enhance our environment, which will contribute most significantly to SDG Goal 12: Responsible Consumption and Production and Goal 14: Life Below Water.

Extent/Level of EQIA required
This EQIA relates to the publication of the Strategy document and associated Action Plan which, as identified earlier, does not impact directly on any of the protected characteristics, due to the high level nature of proposed actions. The strategy sets out a systems approach to tackling litter and flytipping. A key objective of the Strategy will be to develop and adopt a shared approach to litter and flytipping prevention and behaviour change across Scotland, ensuring individuals and organisations have greater awareness of the problems caused by litter and flytipping, understand the harm (environmental, social, economic, wellbeing) these problems cause, understand their responsibilities in preventing this harm and are motivated to behave responsibly. Through development of the strategy, we have considered how best to achieve this awareness and understanding across society as a whole, recognising the substantially broad spectrum of people that need to be engaged. On the individual level where protected characteristics may play a role in how messaging or interventions are designed, such as the need for householders to understand their duty of care or how we identify and address barriers to waste disposal, these characteristics will be considered and assessed at the development stage for each intervention.

Any policy interventions within the action plan would be subject to further impact assessment to ensure that all of the protected characteristics are considered in the design and implementation of detailed actions.

To support this integration into all future actions, the next two sections outline considerations required for each of the protected characteristics in designing the action details and where there are likely to be opportunities to eliminate discrimination, advance equality of opportunity and to foster good relations. The strategy document has identified the following impacts to consider for the individual actions, which will be assessed in more detail at the delivery stage.

Stage 2: Data and evidence gathering, involvement and consultation (for consideration in the next stage of detailed design and implementation of actions)

This section includes the results of the evidence identified.

Evidence suggests that no single demographic group are more prone to littering.[31] There is wide variation in the frequency and extent to which individuals' litter, which depends on the circumstances they find themselves in. This point is relevant to all the protected characteristic groups listed here.

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[28] Scottish Government (2021) - Five years on: A review of Scotland's national litter strategy
https://www.gov.scot/publications/five-years-review-scotlands-national-litter-strategy/pages/1/

[29] United Nations Sustainable Development Goals https://sdgs.un.org/goals

[30] National Performance Framework https://nationalperformance.gov.scot/

The evidence is limited in relation to who flytips.[31] There is an element of premeditation which suggests the behaviours involved are quite different to littering and may relate more to specific groups.

Age:

Although there is no single demographic that litters significantly more than others, some evidence [32] suggests that that younger people:

- May litter slightly more than older people.
- Are more willing to admit to littering
- Are often perceived as responsible for elevated litter volumes surrounding schools, and particularly at lunchtimes[33]

However, it is also likely that younger people are more concerned about litter and flytipping and therefore could experience a greater benefit from a reduction in litter and flytipping. The Scottish Household Survey 2019 reported that the proportion of individuals who felt that rubbish or litter lying around in the community was very/fairly common was slightly higher for the 16 – 39 age group (at 36%, compared with 31% for 40 – 59 and 26% for over 60s).[34] The Scottish Litter Survey produced in 2022 by Keep Scotland Beautiful in association with the Diffley Partnership provides further evidence. Younger people were especially concerned by environmental impacts, with 53% of those aged 18-34 describing themselves as 'extremely concerned' by this. [35]

Any communications interventions associated with the strategy would ensure an inclusive approach and consider those who are less likely to have internet access or be regular users. A growing proportion of older people are internet users but it is still significantly lower than for the wider population at 66% for over 60s, compared to 88% for the wider adult population.[36]

Disability:

There is limited evidence specifically relating to disabled people and litter and flytipping within Scotland. Whilst we have not identified published evidence, it is possible that the cumulative effect associated with socioeconomics and the link between poverty and disability, could mean disabled people are more likely to live in deprived areas where litter is more prevalent and the local environmental quality lower. Local Environment Audit and Management System (LEAMS) and Litter Monitoring System (LMS) data from 2021 – 2022 indicated that an average of 23 items per $100m^2$ was recorded in the most deprived areas of Scotland (20% most deprived areas according to the Scottish Index of Multiple Deprivation), considerably higher than the 7.7 per $100m^2$ recorded in the 20% least deprived [37].

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[31] Zero Waste Scotland (2017) - Evidence Review of Flytipping Behaviour
https://www.zerowastescotland.org.uk/resources/flytipping-costs-impacts-and-behaviours

[32] Zero Waste Scotland - Rapid Evidence Review of Littering Behaviour and Anti-Litter Policies
https://www.zerowastescotland.org.uk/resources/rapid-evidence-review-littering-behaviour-and-anti-litter-policies

[33] Identified in community focused workshops during the consultation period

[34] Scottish Household Survey 2019 - https://www.gov.scot/publications/scottish-household-survey-2019-annual-report/

[35] Keep Scotland Beautiful (2022) - Scottish Litter Survey 2022
https://www.keepscotlandbeautiful.org/media/1570921/littering-in-scotland-survey-2022-final-301122.pdf

[36] Scottish Government (2021) - A changing nation: how Scotland will thrive in a digital world
https://www.gov.scot/publications/a-changing-nation-how-scotland-will-thrive-in-a-digital-world/

[37] Extract from LEAMS/LMS 2021/22, provided by Keep Scotland Beautiful.
https://www.keepscotlandbeautiful.org/environmental-services/leams/

Some disabilities also incur additional living costs, which are not generally taken into account by measures of poverty. Using an adjusted poverty rate that partly accounts for additional living costs, data from 2017-2020 showed that the poverty rate was higher for individuals in households with a disabled person. After housing costs, the poverty rate was 29% (640,000 people each year) for people living with a disabled household member, and 16% (500,000 people) for those without.[38]

Any interventions developed as part of the strategy should take an inclusive approach and consider usability for those with disabilities. Consultation responses for the 2014 marine litter strategy highlighted that people with certain disabilities, such as visual impairments and learning difficulties may be at a disadvantage when it comes to information provision and awareness raising, unless messages are accessible.[39] Digital inclusivity is also relevant as the proportion of the population with disabilities has lower rates of internet usage. 29% of adults who have some form of limiting long-term physical or mental health condition or illness do not use the internet, a significantly higher share than for those who have some form of non-limiting condition or illness (10%) and those who have none (6%).[40]

Race:
We did not find any research specifically on race/ethnicity and littering or flytipping that indicated there will be any specific impacts on people on the grounds of their race.

There are currently underlying waste management issues with gypsy/traveller communities including difficulties for the communities to access legitimate waste disposal methods. Concerns have been raised by the communities that physical prevention measures aimed at reducing access for flytippers to land may also prevent access to ancestral sites identified by them. This potential issue will be considered against individual actions on prevention.

Language may be a barrier to understanding communications for some people, including those whose first language is not English. Any communications, products and services designed should be inclusive and accessible.

Sex:
Evidence suggests that women have stronger anti-littering attitudes than men, and that men may drop slightly more litter than women do.[41] The strategy is not considered likely to have a disproportionate impact for this protected characteristic and it is therefore not further considered in this assessment.

For the following protected characteristics, no evidence was identified in relation to the impacts of litter and flytipping: Pregnancy and Maternity, Gender reassignment, Sexual orientation**,** Religion or belief.

Stage 3: Assessing the quality of the impacts and identifying opportunities to promote equality (for consideration in the next stage of detailed design and implementation of actions)

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[38] Scottish Government - Poverty and Income Inequality in Scotland 2017-20
https://data.gov.scot/poverty/2021/
[39] Scottish Government (2014) - Marine Litter Strategy Consultation Responses
https://www.gov.scot/publications/draft-scottish-marine-litter-strategy-analysis-consultation-responses/pages/8/
[40] Scottish Government - Scottish Household Survey (2020)
https://www.gov.scot/publications/scottish-household-survey-2020-telephone-survey-key-findings/documents/
[41] Zero Waste Scotland - Rapid Evidence Review of Littering Behaviour and Anti-Litter Policies
https://www.zerowastescotland.org.uk/resources/rapid-evidence-review-littering-behaviour-and-anti-litter-policies

Qualitative scoring of the potential impacts (negative, positive and neutral) has been considered for each of the protected characteristics. This is for actions to be developed under the strategy and so are out with the scope of this EQIA. It is beneficial to gather this information now and publish it, to support the inclusion of these in action design and implementation. This qualitative scoring has been undertaken using the data and evidence available and gathered to date.

Do you think that the development of actions are likely to impact on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified
Advancing equality of opportunity	x			Potential positive impact for younger people due to disproportionate impact of litter in the local environment
Promoting good relations	x			Young people are often considered responsible for littering around schools, the strategy actions have the potential to improve this and therefore improve relations between age groups

Do you think that development of actions are likely to impact people with disabilities?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified
Advancing equality of opportunity	x			The link between disability, socioeconomics and local environmental quality means disabled people affected by these cumulative impacts may experience a disproportionate positive impact from any litter reduction associated with the strategy.
Promoting good relations			x	No evidence identified

Do you think that development of actions are likely to impact on men and women in different ways?

Sex/gender	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified
Advancing equality of opportunity			x	No evidence identified
Promoting good relations			x	No evidence identified

Do you think that development of actions are likely to impact on women because of pregnancy and maternity?

Pregnancy and maternity	Positive	Negative	None	Reasons for your decision

Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified
Advancing equality of opportunity			x	No evidence identified.
Promoting good relations			x	No evidence identified.

Do you think that the policy impacts on transgender people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified.
Advancing equality of opportunity			x	No evidence identified.
Promoting good relations			x	No evidence identified.

Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified.
Advancing equality of opportunity			x	No evidence identified.
Promoting good relations			x	No evidence identified.

Do you think that the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified.
Advancing equality of opportunity			x	No evidence identified.
Promoting good relations			x	No evidence identified.

Do you think that the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			x	No evidence identified.
Advancing equality of opportunity			x	No evidence identified.
Promoting good relations			x	No evidence identified.

Stage 4: Decision making and monitoring (Identifying and establishing any required mitigation action)

Have positive or negative impacts been identified for any of the equality groups?	No positive or negative impacts have been identified to arise as a result of the publication of the strategy document and associated action plan, which is the scope of this EQIA. Potential positive and negatives impacts have been identified as having the potential to arise in the design of implementation of actions to support delivery of the strategy aims. Any policy interventions within the action plan would be subject to further impact assessment to ensure these consider all of the protected characteristics..
Is the policy directly or indirectly discriminatory under the Equality Act 2010?	There is no evidence within this EQIA that the policy is directly or indirectly discriminatory under the Equality Act 2010.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	N/A
If not justified, what mitigating action will be undertaken?	N/A

Monitoring and Review

No impacts have been identified on any of the protected characteristics and therefore no further monitoring or review is required. In the implementation of actions to support the aim of the strategy, these will either be subject to their own EQIA or consideration of protected characteristics will be integrated into the governance structure, who will be responsible for the delivery of the strategy actions.

Stage 5: Authorisation of EQIA

Declaration;

I am satisfied with the EQIA that has been undertaken for the national litter and flytipping strategy and give my authorisation for the results of this assessment to be shared as appropriate.

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Scottish Government
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