

POLICY NOTE

THE NATIONAL SMART TICKETING ADVISORY BOARD (GENDER REPRESENTATION ON PUBLIC BOARDS) (SCOTLAND) REGULATIONS 2023

SSI 2023/156

The above instrument will, if approved by the Scottish Parliament, be made in exercise of the powers conferred by section 9 of the Gender Representation on Public Boards (Scotland) Act 2018. This instrument is subject to affirmative procedure.

Purpose of the instrument. The purpose of this instrument is to add the National Smart Ticketing Advisory Board (“NSTAB”, “the Board”) to the schedule 1 of the 2018 Act (the “2018 Act”), meaning the Board and the Scottish Ministers will be subject to duties contained in the 2018 Act relating to the achievement of the gender representation objective (defined by section 1 of the 2018 Act).

Policy Objectives

Section 43 of the Transport (Scotland) Act 2019 inserted section 27C into the Transport (Scotland) Act 2001 (the "2001 Act"). Section 27C(1) of the 2001 Act requires the Scottish Ministers to establish an advisory committee to be known as the National Smart Ticketing Advisory Board. The function of the Board is to advise the Scottish Ministers in relation to their functions insofar as they relate to smart ticketing arrangements, and the national technological standard for smart ticketing. The Board also has the function of issuing advice and recommendations to the Scottish Ministers in relation to the strategic development of smart ticketing in Scotland. The National Smart Ticketing Advisory Board (Scotland) Regulations 2023 establishes the Board and makes further provision about the Board.

The 2018 Act is intended to help address the historic and persistent underrepresentation of women in public life. The 2018 Act does this by setting a gender representation objective for a public board that it has 50% of non-executive members who are women. The 2018 Act imposes duties relating to the achievement of the gender representation objective on public authorities listed in schedule 1 of the Act, and the Act also imposes duties on appointing persons for public boards (defined by section 2 of the 2018 Act) relating to the achievement of the gender representation objective. By adding NSTAB to schedule 1 of the 2018 Act, the Board will become subject to those duties and the Scottish Ministers will become subject to duties as the "appointing person" for NSTAB.

As of 31 December 2021, 50.8% of Scottish public board members were women, and in 2021-2022, 37.5% of Director-General Economy public appointments were made to women¹. As such, adding NSTAB to the 2018 Act should further support public boards to achieve the gender representation objective, and empower more women to apply and be appointed to public boards.

Women in Transport, Sustrans, and United Nations Economic Commission are some bodies that have called for greater representation of women in transport planning and delivery.

¹ 2022-10-28 ESC Annual Report 2021-22 (Public Appointments standalone report) FINAL_0.pdf (ethicalstandards.org.uk)

Women in Transport state that, "Women make up 47 per cent of the UK workforce yet remain underrepresented in the transport sector accounting for only 20 per cent of workers"².

In 2018, Sustrans called for better representation of women in transport planning and delivery in Scotland: "The report also found that there is a lack of evidence to show how women participate in creating transport policy and planning in the UK. Currently, transport has the lowest percentage of women in senior posts within the public sector in Scotland, with women representing only 6.25% of heads of transport bodies. In addition, the transport sector accounts for only 22% of female workers UK-wide"³.

The United Nations Economic Commission for Europe state that, "Transport is a traditionally male-dominated sector, both from an employment point of view and for the values it embodies"⁴. It also states that for transport policy to be more responsive to the needs of women, it requires that women are represented in each step of the transport investment planning and design process.

The 2011 Scottish Census found that women accounted for 24% of all people employed in the 'Transport and Communications' industry. The sector ranked 6 out of 8 for percentage of women and scored 6th for gender balance⁵. In 2020-2021, the Annual Population Survey found that women accounted for 19.8% of people employed in the 'Transport and Storage' industry in Scotland⁶.

As a new public body, NSTAB should lead the way in improving gender balance in the transport industry, helping to make policy making more inclusive and representative of the population of Scotland, and being a role model for the industry, encouraging women to work in transport.

Consultation

The consultation held on the membership of the National Smart Ticketing Advisory Board did not raise any significant concerns around gender representation, but some did remark about equality more widely. The consultation completed for the 2018 Act found that overall, that there was general support for the proposals and of what the Act sought to achieve.

Impact Assessments

The impact of the policy of establishing the NSTAB is included in the impact assessments accompanying the National Smart Ticketing Advisory Board (Scotland) Regulations 2023. The impact of adding NSTAB to the 2018 Act is considered in the following impact assessments:

- **Equality Impact Assessment (EqIA)**

The EqIA considers the gender balance of women in the transport sector and on public boards and considers how adding NSTAB to the 2018 Act supports progress in gender representation in the transport sector.

² [Women in Transport](#)

³ [Sustrans calls for equal representation of women in transport - Sustrans.org.uk](#)

⁴ [Gender and transport | UNECE](#)

⁵ [Home | Scotland's Census \(scotlandscensus.gov.uk\)](#)

⁶ [Scotland's Labour Market: People, Places and Regions - Statistics from the Annual Population Survey 2020/21 - gov.scot \(www.gov.scot\)](#)

- **Business Regulatory Impact Assessment (BRIA)** (Combined to form single BRIA and accompanies the National Smart Ticketing Advisory Board (Scotland) Regulations 2023) Adding NSTAB to the 2018 Act does not result in new policy, however, the costs for adding NSTAB to the 2018 Act has been considered within the BRIA and uses the BRIA developed for the passing of the 2018 Act as reference. It found that public authorities could experience minimal costs in the areas of childcare expenses and awareness raising/outreach events.

Other impact assessments were considered as part of the wider policy for establishing NSTAB but did not progress past screening. These are considered in the policy note for the National Smart Ticketing Advisory Board (Scotland) Regulations 2023.

Financial Effects

A combined Business and Regulatory Impact Assessment (BRIA) has been completed for the establishment of NSTAB, including consideration of adding NSTAB to the 2018 Act. It found that public authorities could experience minimal costs in the areas of childcare expenses and awareness raising/outreach events.

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