



# Equality Information and Objectives 2023

## Work we are currently doing and our objectives for the period 2020 to 2024.

ORR is committed to advancing the aims of the Equality Act 2010, both as an employer and as a regulator.

These pages demonstrate the work we are currently doing in this area and our objectives for the period 2020-2024.

Both are required under the Public Sector Equality Duty (PSED).

### Introduction

Background to the Equality Act 2010 and our PSED obligations.

### Equality Information

A summary of how our work advances the aims of the Equality Act 2010.

### Equality Objectives

Targets we are working towards to advance the aims of the Equality Act 2010.

### Related publications

Equality Information and Objectives 2023 in table format (pdf 615.61 KB)

Published 14 September 2023

PDF 615.61 KB

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## Introduction

The Equality Act 2010 (EA2010) defines protected characteristics and prohibited conduct with regards to people that share these characteristics. EA2010 establishes duties relating to these categories for all employers, organisations and businesses, including ORR.

EA2010 defines protected characteristics as the following:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex

Prohibited conduct is defined in EA2010 as the following:

- discrimination - treating someone less favourably because of a protected characteristic
- indirect discrimination - putting in place a rule of way of doing things that has a less favourable impact on someone with a protected characteristic than someone without one
- harassment - unwanted conduct which is hostile, degrading, humiliating or offensive to someone with a protected characteristic
- victimisation - treating someone unfavourably because they have taken or might be taking action under the EA2010 or supporting someone who is doing so.

EA2010 also establishes the Public Sector Equality Duty (PSED), which places additional requirements on public authorities, including ORR. The PSED requires public authorities to have "due regard", in the exercise of their functions, to the "three aims", namely the need to:

- eliminate discrimination, harassment, and victimisation and any other conduct prohibited

under the EA2010

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not, and
- foster good relations between persons who share a relevant protected characteristic and persons who do not.

Further to this general duty, there are the following specific requirements under the PSED, which ORR must comply with:

- publication of Equality Information, setting out the effect that our policies and practices have on people with protected characteristics and how ORR demonstrates “due regard” to the PSED
- publication of Equality Objectives, which are specific and measurable targets that we will work towards to advance the aims of EA2010.

## Equality Information

ORR is required by the Public Sector Equality Duty (PSED) to publish Equality Information, setting out the effect that our policies and practices have on people with protected characteristics and how ORR demonstrates “due regard” to the PSED.

This page contains an outline of the elements of our work that may affect groups of people sharing protected characteristics, and how ORR takes the three aims of the general equality duty into account.

It focuses on the direct responsibilities of ORR with relevance to EA2010, but also indicates key interfaces with other organisations where appropriate. It sets out a non-exhaustive outline of ORR activities where EA2010 applies.

The information about how ORR exercises its duties under EA2010 is organised by function.

This Equality Information was last revised in August 2023.

## ORR's decision making

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## Relevance

Given the nature of ORR's responsibilities in the sectors that we regulate, the primary area of focus for us is on people with reduced mobility, which has relevance to the protected characteristics of disability, age, and pregnancy and maternity.

Under section 149 of EA2010, ORR must give "due regard" to the three aims of the general equality duty within our regulatory decision making:

- eliminate unlawful discrimination - removing or minimising disadvantages suffered by people with protected characteristics
- advance equality of opportunity - taking steps to meet the needs of people from protected groups
- foster good relations - encouraging people from protected groups to participate in public life

We must also consider the potential impacts of the policy on people with different protected characteristics and prohibited conduct in relation to people sharing these characteristics.

## How is the function exercised with regard to ORR's duties under EA2010?

We consider the potential impact of the decision/policy on people with different protected characteristics.

All evidence of equality assessment is recorded to demonstrate that we have discharged our PSED obligations in our decision making.

We have regulatory responsibilities on accessibility that relate to different duties defined in licence (e.g. Accessible Travel Policies) or legislation (e.g. technical standards). To ensure that we adopt a joined-up and, where appropriate, consistent approach to these different roles we will be establishing an 'Accessibility Hub' to coordinate cross-office input.

## How do we evidence/record the exercise of this function to show consideration?

To ensure we are considering PSED in our decision making, we have:

- a box on the cover page of our Board/committee paper template sign-posting consideration of the PSED in our decision making and to ensure decision makers can monitor our compliance where relevant
- an additional paragraph on PSED in *section B - The objective(s) and developing the options* in the body of the Board/committee paper template

To demonstrate compliance with PSED, we monitor policy papers going to ORR's executive and regulatory committees, and keep a record of the Equality Impact Assessments produced as part of our policy making.

To support ORR's policy makers we have internal guidance available, and an Equality Impact Assessment template is currently under development to improve consistency.

### Further information

- Decision making and accountability

### Accessible Travel Policies (ATPs)

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Setting and enforcing licence requirements for operators to develop, publish, maintain and comply with ATPs.

### Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility, transport and rail.

Eliminating unlawful discrimination: Making sure that ATPs comply with the requirements of ORR's ATP guidance, and ensuring the operators are fulfilling the commitments set out in those ATPs.

Advance equality of opportunity: The objective of ATPs is to advance the interests of people with disabilities that use the railways.

## **How is the function exercised with regard to ORR's duties under EA2010?**

ORR enforces the requirements of operator licences. Licence condition 5 requires train and station operators to establish and comply with an ATP. This sets out the arrangements and assistance that an operator will provide to protect the interests of older and disabled people using its services. We approve these policies and monitor compliance with them.

We published revised ATP Guidance in 2020, alongside Equality Impact Assessments of the revisions made. A further clarification was included in March 2021.

We have approved ATPs submitted by mainline licence holders. We monitor compliance with ATPs, including an annual review process to take any changes into account.

## **How do we evidence/record the exercise of this function to show consideration?**

We published revised ATP guidance in 2020, alongside Equality Impact Assessment of the revisions made.

For ATP approvals, we publish our decision letters, summarising any issues that were raised during the process.

We monitor compliance with ATPs through regular engagement and monitoring and via bespoke research. We publish the results in our annual consumer report.

Since 2017 we have published an annual survey of satisfaction with passenger assistance. We have also commissioned bespoke accessibility research, including:

- a mystery shopper exercise assessing unbooked assistance
- a review of the accuracy of station accessibility information
- a survey of passengers with disabilities, to gauge awareness
- two reviews of website accessibility for train operators

This research has established an evidence base to prioritise and target interventions.

We also collect and publish data on passenger assistance and Disabled Persons Railcards.

## Further information

- information for passengers with disabilities on the types of services they can expect to receive when travelling by train
- information for train and station operators on our role in approving and monitoring policies is set out in our ATP Guidance
- our consultations on improving assisted travel and supporting research can be found on our website

## Monitoring compliance with the Design Standards for Accessible Railway Stations (Stations Code) as required in Station Operator licences

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## Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility, transport and rail.

Eliminating unlawful discrimination: Making sure that Station Operators comply with the requirements of the Stations Code.

Advance equality of opportunity: The objective of the Stations Code is to advance the interests of people with disabilities that use the railways.

## How is the function exercised with regard to ORR's duties under EA2010?

DfT and Transport Scotland own and author the Stations Code, and grant (or reject) dispensation applications for specific projects.

ORR is responsible for monitoring compliance. Compliance with the code is a licence requirement for station operators.

We seek assurance from Network Rail that they have appropriate processes in place to ensure compliance.

We investigate reports of station operators not complying with the Stations Code of Practice and,

if necessary, take action to ensure they reach compliance.

## **How do we evidence/record the exercise of this function to show consideration?**

We will write to station operators where we have concerns.

We report on our activities in this area as part of the Annual Consumer Report.

We will gather information at the appropriate stage of project planning, as part of our routine monitoring of Network Rail renewal projects.

## **Further information**

- DFT webpage on the Station Code

## **Complaints Code of Practice (CCoP)**

# **Collapse accordion Open accordion**

Setting and enforcing the licence requirements for train and station operators to establish and comply with a procedure for handling complaints, which must comply with our CCoP.

## **Relevance**

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility, transport and rail.

Passengers with other protected characteristics may have a complaint regarding their treatment.

Eliminating unlawful discrimination: Passengers may make complaints with regard to how they have been treated as someone with a protected characteristic.

## **How is the function exercised with regard to ORR's duties under EA2010?**

We collect and monitor data on passenger satisfaction with operators' complaints handling processes. This includes an option for the passenger to disclose whether they have a disability and whether this had an impact on their experience. The collection of this data enables us to understand whether disabled passengers are experiencing different outcomes to non-disabled



passengers.

We collect and monitor data on several complaint metrics, including the number of complaints made to operators on accessibility, which is broken down into 18 sub-categories.

We require operators to make appropriate and proportionate provision for passengers who need assistance in accessing and using the complaints process.

### **How do we evidence/record the exercise of this function to show consideration?**

We publish information on complaint rates, volumes, categories and response time every quarter on the ORR data portal. We also publish percentage of complaints across the categories per operator.

We publish our regulatory impact assessment which summarises the key considerations and their potential impact on passengers as part of the new CCoP, which came into force in April 2023

We require operators to publish information annually on their continuous improvement activities, which includes assessing the passenger experience of accessing and using the complaints process – noting their duty under EA2010. We review these reports and issue actions or recommendations where appropriate.

### **Further information**

- Complaints Code of Practice
- ORR annual consumer report

### **Ombudsman sponsorship**

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Train and station operators are required under their operating licence to become and remain a member of the relevant Alternative Dispute Resolution (ADR) scheme. This will be the ORR-sponsored Rail Ombudsman scheme from 26 November 2023.

### **Relevance**

The Rail Ombudsman scheme can consider, and make binding decisions on, unresolved complaints

between passengers and train and station operators who are members of the Rail Ombudsman scheme.

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility, transport and rail.

Passengers with other protected characteristics may have a complaint regarding their treatment.

Eliminating unlawful discrimination: Passengers may make complaints about how they have been treated as someone with a protected characteristic.

Passengers may also make a complaint to the Rail Ombudsman about discrimination under EA2010 where the financial final settlement for an In Scope Dispute may be less than or equal to the Ombudsman's Maximum Award Limit.

### **How is the function exercised with regard to ORR's duties under EA2010?**

The Rail Ombudsman must make the Rail ADR Service fully accessible and seek to continuously improve upon the current standards for accessible communication, taking into account its obligations under EA2010.

The Rail Ombudsman must also make best endeavours to ensure that its Board shall include at least one individual with lived experience of disability. In any event the Board shall include at least one individual with expertise of disabled people's issues.

This, along with other requirements pertaining to accessibility, are contractualised in the contract between ORR and Dispute Resolution Ombudsman, the provider of the Rail Ombudsman Service.

### **How do we evidence/record the exercise of this function to show consideration?**

Evidence of the Rail Ombudsman meeting accessibility requirements will be documented within our contract management plan. ORR will also seek assurance that the Rail Ombudsman has met our requirements ahead of the ORR-sponsored Ombudsman scheme going live in November 2023.

Ongoing contract management of the ORR-sponsored Ombudsman scheme will commence after the contract effective date, of which a number of contract clauses pertaining to accessibility of the services will be regularly reviewed.

## Further information

- ORR decision on an Ombudsman Operating Model, which includes our Equality Impact Assessment

## Delay compensation licence condition

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Setting and enforcing the licence requirements for train and station operators to establish and comply with a procedure for handling complaints, and to comply with the licence condition and Code of Practice on delay compensation.

ORR sets requirements in these this areas and monitors compliance.

## Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility, transport and rail.

Procedures for passengers to claim delay compensation must be accessible to passengers with protected characteristics (e.g. visual impairment).

## How is the function exercised with regard to ORR's duties under EA2010?

ORR has worked closely with stakeholders to establish a consistent reporting procedure for operators to provide an annual update on the steps that they have taken to improve the provision of delay compensation (including any steps taken to improve the accessibility of the process).

ORR requires operators to have claim procedures in place that are accessible to passengers with protected characteristics.

## How do we evidence/record the exercise of this function to show consideration?

ORR conducted an Equality Impact Assessment as part of our policy development and consultation process.

ORR has put in place a monitoring framework for the delay compensation licence condition. This

includes a self-assessment by operators of their compliance with key qualitative requirements (including accessibility of the claim process) and an annual report from operators on the steps they have taken to ensure continual improvement.

## Further information

- Delay compensation webpage including information for passengers and operators

## Enforcement

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Duties under the Health and Safety at Work etc. Act (HSW 1974).

## Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to safety risk levels.

Eliminating discrimination: Safety considerations and practices should give due regard to groups with protected characteristics.

Promoting equality: The railway should be safe for groups with protected characteristics to use.

## How is the function exercised with regard to ORR's duties under EA2010?

The specific circumstances of workers and rail users with protected characteristics are reflected where appropriate.

Enforcement principles, and the Enforcement Management Model, will be revised to reflect the effect of protected characteristics on safety risk, where appropriate.

Investigation decisions give due regard to the effect upon groups sharing protected characteristics.

We respond to all complaints that relate to matters covered by the accessibility legislation that we enforce using Health and Safety at Work etc Act 1974 powers, and follow up breaches of legal requirements. For main line vehicles this is predominantly through regulation 45 of The Railways

(Interoperability) Regulations 2011 as amended that imposes compliance with the standards defined in The Rail Vehicle Accessibility Regulations 1998 and PRM TSI/NTSN.

The Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 apply to non-main line rail vehicles. Accessibility requirements for stations are defined by the PRM TSI/NTSN.

We advise complainants and duty holders that compliance by the duty holder with the standards that we enforce may not be sufficient to meet EA2010 duties.

### **How do we evidence/record the exercise of this function to show consideration?**

We show consideration for groups with protected characteristics when selecting stakeholder consultees and take their responses into account, on new and existing policies and procedures.

We record how we take equality into account when developing policies and apply guidance in individual cases.

Improvement notices, prohibition notices and prosecutions will refer to equality issues, where relevant.

Our annual health and safety report provides information on accessibility-related work.

### **Further information**

- ORR's enforcement of rail vehicle accessibility legislation
- Annual health and safety report

### **Accident and investigation**

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### **Relevance**

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to safety risk levels.

Eliminating discrimination: Inspections and audits give due regard to the needs of groups that share protected characteristics.

## How is the function exercised with regard to ORR's duties under EA2010?

We follow up recommendations from Railway Accident Investigation Branch.

We take into account protected characteristics when investigating accidents and complaints.

## How do we evidence/record the exercise of this function to show consideration?

Equality analysis included when following up recommendations and as action is taken, if appropriate.

If relevant we will record our findings in the investigation report and take action as necessary.

### Further information

- Accident and investigation

### Guidance and research

## Collapse accordion Open accordion

Duties under the Health and Safety at Work Act (HSW 1974).

### Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to safety risk levels.

Eliminating discrimination: ORR guidance and research should give due regard to the needs and views of groups that share protected characteristics.

Promoting equality: Groups sharing protected characteristics should have the opportunity to provide input and feed back on guidance and research.

Fostering good relations: Guidance should explicitly justify any recommendations and disproportionate practices to counter any 'special treatment' argument. Similarly, representative groups should be assured that their views have been taken into account, particularly if representations have been outweighed by other concerns in final policy decisions.

## How is the function exercised with regard to ORR's duties under EA2010?

We publish guidance, consultations and research.

ORR seeks input on policy consultations from groups representing people with protected characteristics, and liaises where appropriate with the Disabled Passenger Transport Advisory Committee.

## How do we evidence/record the exercise of this function to show consideration?

We make explicit early references when developing policies and procedures.

Equality analysis and impact assessments are used to identify any areas of concern where appropriate.

Examples include guidance on level crossings and Driver Controlled Operation.

### Further information

- Health and safety strategy and guidance
- Disabled Persons Transport Advisory Committee website

### Inspections

## Collapse accordion Open accordion

Duties under the Health and Safety at Work Act (HSW 1974).

### Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to safety risk levels.

Eliminating discrimination: Inspections give due regard to the needs of groups that share protected characteristics.

## How is the function exercised with regard to ORR's duties under EA2010?

Inspection procedure and practice pays explicit attention to the safety of groups sharing protected characteristics.

Inspections of duty-holder safety procedures gives due regard to impact on groups that share protected characteristics.

The assurance of risk assessment procedures to ensure that groups with protected characteristics are included.

## How do we evidence/record the exercise of this function to show consideration?

Concerns are recorded within a case-management system where relevant, and acted upon where appropriate.

Any systemic concerns are reported in an Annual Health and Safety report, and raised with industry via the Railway Industry Health and Safety Advisory Committee.

## Further information

- Railway Industry Health and Safety Advisory Committee
- Health and safety strategy and guidance

## Safety certification

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## Relevance

People with all protected characteristics may seek safety certificates / authorisations.

Eliminating discrimination and promoting equality: It is important to ensure that regulation and certification do not unduly discriminate against groups sharing protected characteristics.

Fostering good relations: It is important to explain lawful discrimination.



## How is the function exercised with regard to ORR's duties under EA2010?

Certificates and authorisations are issued in accordance with ROGS guidance.

## How do we evidence/record the exercise of this function to show consideration?

Specific references are included in the guidance.

Equality analysis guidance is included in regulatory impact assessments.

### Further information

- Safety certification

### Train driving licences

## Collapse accordion Open accordion

### Relevance

Relevant to people with all protected characteristics that want to become train drivers. Race, age, and sex may be of particular relevance.

Eliminate discrimination: It is important to ensure that people with protected characteristics are not subject to unlawful discrimination.

Fostering good relations: Ensure that lawful discrimination is justified, where appropriate.

## How is the function exercised with regard to ORR's duties under EA2010?

ORR is responsible for issuing licences to drivers and keeping the national register of licences. We inspect and monitor train operators' arrangements for training, competence management and fitness of drivers, and ensure that these do not discriminate unlawfully.

Conditions for the issue of a train driving licence are set out in legislation. They include specific medical standards, e.g. vision requirements which drivers are examined against by doctors who are registered by ORR.

## How do we evidence/record the exercise of this function to show consideration?

Guidance is issued and records of decisions and appeals are kept, although not published.

We have clarified our guidance on how absence from driving due to maternity leave should be treated when applying the medical requirements of the regulations.

### Further information

- Train driver licences

## National Technical Specification Notice (NTSN) and Rail Vehicle Accessibility Regulations (RVAR)

# Collapse accordion Open accordion

### Relevance

Disability, age, and pregnancy and maternity are characteristics with particular relevance to requirements under the Persons with Reduced Mobility (PRM) NTSN.

Eliminating discrimination, promoting equality: We work to remove or minimise disadvantages and meet needs of people sharing protected characteristics where these are different (e.g. train design).

### How is the function exercised with regard to ORR's duties under EA2010?

ORR has enforcement powers in respect of the technical standards for rail vehicle accessibility defined in the PRM NTSN and RVAR.

We only grant authorisation where the applicable accessibility standards have been complied with. During engagement with applicants, we promote equality of treatment and draw attention to the potential applicability of EA2010 to the future use of the subsystem in question.

We undertake reactive monitoring and assurance of compliance with the NTSN and RVAR, making sure vehicles are accessible in compliance with the law.

Accurate and timely advice is given on exemption, deviation, dispensation and derogation

processes (the processes for these modifications to standards fall to other bodies).

We are a consultee for DFT's exemption, deviation and derogation processes, although ORR input is in respect of health and safety implications and the effect on ORR's ability to exercise enforcement powers.

### **How do we evidence/record the exercise of this function to show consideration?**

We retain evidence of compliance for decisions on authorisations. DFT keeps information on exemption, dispensation and derogation decisions. RSSB keeps information on deviation decisions.

ORR has no formal legal competence in respect of accessibility requirements. Where we need to take a decision relating to compliance with accessibility standards we consult DFT, which in turn may seek the view of the statutory Disabled Persons Transport Advisory Committee. We record this interaction in the authorisation file.

As described above, we respond to all complaints that relate to matters covered by the accessibility legislation that we enforce using Health and Safety at Work etc Act 1974 powers, and follow up any that indicate a breach of legal requirements.

### **Further information**

- ORR's enforcement of rail vehicle accessibility legislation
- NTSN authorisation process
- ORR's supplement to the HSE enforcement management model
- DFT webpage on NTSN requirements
- DFT webpage on rail vehicle accessibility

### **Network Rail economic regulation (general)**

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### **Relevance**

Depends on what priorities funders set, but potential to impact all areas.

## How is the function exercised with regard to ORR's duties under EA2010?

Funders (DfT and Transport Scotland) decide funding and priorities for the Network Rail infrastructure. These priorities may include areas affecting people with protected characteristics. ORR periodic reviews consider whether Network Rail's proposed business plans will deliver on those priorities in an efficient way, and confirm expectations for the five year funding period. It is not ORR's role to determine whether funders have set the 'right' priorities.

ORR scrutinises and challenges Network Rail draft business plans, and then monitors delivery. We seek assurance that budgets and workplans are compliant with relevant accessibility standards in legislation or licence.

## How do we evidence/record the exercise of this function to show consideration?

Evaluation of Network Rail's performance and expenditure is included within our routine reporting on Network Rail.

We review Network Rail's Strategic Business Plan (including at the regional level) for commitments on accessibility-related outputs. This must include confirmation that the design and budget for enhancements and renewals includes adherence to relevant accessibility standards.

### Further information

- ORR annual reports on Network Rail performance
- ORR Periodic Review documents, including Draft Determination and Final Determination

### Network Rail regulation (land disposal)

## Collapse accordion Open accordion

### Relevance

Disability and age may be of particular relevance, from time to time.

Promoting equality of opportunity: Land disposals may have an effect upon pre-existing facilities (e.g. disabled parking).

## How is the function exercised with regard to ORR's duties under EA2010?

When Network Rail refers a disposal to us for consent, it must provide a description of the proposals plus evidence of stakeholders' views and final positions together with any commentary on them.

For every submission we expect Network Rail to consult the relevant stakeholders depending on the geographical location of the proposed disposal. It is expected that passenger representative organisations will represent the overall comments or views of individuals using the railways when giving their views to Network Rail.

## How do we evidence/record the exercise of this function to show consideration?

Our published land disposal guidance refers to EA2010 duties.

We scan for EA2010 issues arising in casework. Where found, we record them in our casework notes, consider the associated views, issues and impacts and have regard to them in reaching a decision.

All land disposal casework is filed electronically on our corporate file storage and retrieval system).

## Further information

- Land disposal

## Network Rail regulation (Access for All funding)

# Collapse accordion Open accordion

## Relevance

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility, transport and rail.

Promoting equality of opportunity: The price control includes funding specifically intended for use in access initiatives.

## How is the function exercised with regard to ORR's duties under EA2010?

ORR sits on the board of the Access for All (AFA) programme. We help scrutinise whether Network Rail is using the funds appropriately, achieving AFA's stated objectives.

## How do we evidence/record the exercise of this function to show consideration?

ORR attends periodic Programme Boards with Network Rail, DfT and Transport Scotland to monitor governance of the AFA ring-fenced fund. Any issues would be reported in the Network Rail monitor.

AFA funding and the list of stations which will receive improvements has been set for CP6. Details can be found on the government website.

## Further information

- Access for All, DfT
- Access for All, with map of schemes, Network Rail

## Consumer law functions

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Enforcement of certain consumer protection legislation under Part 8 of the Enterprise Act 2002.

## Relevance

Promoting the three aims of the general equality duty:

- eliminate unlawful discrimination – Removing or minimising disadvantages suffered by people with protected characteristics
- advance equality of opportunity – Taking steps to meet the needs of people from protected groups
- foster good relations – Encouraging people from protected groups to participate in public life

It is important that consumer law enforcement gives due regard to EA2010.

## **How is the function exercised with regard to ORR's duties under EA2010?**

Part 8 of the Enterprise Act 2002 can be used only where an infringement harms the collective interests of consumers. The breach can affect consumers generally or a group of consumers. This can include a group with certain shared characteristics, such as age or disability.

## **How do we evidence/record the exercise of this function to show consideration?**

In exercising our consumer enforcement functions, we will give regard to those impacted by the offending act or behaviour.

Relevant evidence that has been taken into consideration will be recorded within our corporate decision making documents.

## **Further information**

- ORR's consumer law functions

## **Highways Monitor**

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## **Relevance**

Mainly indirectly through how our monitoring affects National Highways' delivery.

Disability, age, and pregnancy and maternity are protected characteristics with particular relevance to mobility and transport.

## **How is the function exercised with regard to ORR's duties under EA2010?**

DfT sets the requirements in the Road Investment Strategy, including the performance specification and the scope and size of ring-fenced funds. ORR is responsible for monitoring National Highways' delivery of those requirements.

## **How do we evidence/record the exercise of this function to show consideration?**

We record how equality is taken into account when developing policies.

## Further information

- Holding National Highways to Account Policy

## External communications (accessibility of website and published documents)

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## Relevance

Eliminating indirect discrimination. Disability and age are characteristics with a particular relevance to website and document accessibility.

This is required under the Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018.

## How is the function exercised with regard to ORR's duties under EA2010?

ORR's external website ([orr.gov.uk](http://orr.gov.uk)) is managed in line with its published accessibility statement. The intention of this is to ensure that the website can be used by as many people as possible and therefore does not indirectly discriminate against any groups, including those with protected characteristics.

External documents must be produced in a manner which allows them to be read and understood by as many people as possible. Staff can refer to internal guidance on producing accessible reports, and Word templates are provided to facilitate this as well. Guidance is also available for external suppliers – this is embedded in ORR procurement contracts so that consultants' reports also comply with our accessibility standards.

## How do we evidence/record the exercise of this function to show consideration?

The accessibility statement, originally prepared in September 2019, is regularly reviewed, most recently in March 2022. The website is periodically tested to ensure it meets the required standards – this was last done in July 2021.

The website is currently partially compliant with the Web Content Accessibility Guidelines version 2.1, with a rating of AA, which is legally sufficient (A is lowest and AAA is highest).



ORR's digital team undertake accessibility checks on documents before they are published.

## Further information

- Website accessibility statement
- Accessible report guidance for external suppliers

## External statutory reporting on protected characteristics

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This includes on the gender pay gap, recruitment and the Civil Service People Survey.

## Relevance

As required to meet statutory obligations to report on protected characteristic information to be published on the public domain.

## How is the function exercised with regard to ORR's duties under EA2010?

Employee data are accurately maintained, created and updated in the HR System to ensure data credibility when submitting data returns and producing data analysis for internal and external stakeholders.

## How do we evidence/record the exercise of this function to show consideration?

We collect data on the new starter form for new starters.

We have enabled employees to update and declare their information on the Oracle HR self-service system.

External reports are published on gov.uk.

## Review of People policies

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### Relevance

Ensures our policies are fair, transparent and eliminate unlawful discrimination.

### How is the function exercised with regard to ORR's duties under EA2010?

Policies are reviewed and updated in line with changes in legislation, case law or good practice. We may identify procedures that requires either a separate equality impact assessment or specialist support.

### How do we evidence/record the exercise of this function to show consideration?

Changes to policies and procedures are updated and shared on the Intranet and communicated to staff, where relevant.

## Recruitment and onboarding

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### Relevance

Ensure our recruitment process are fair, transparent and fully compliant with the three aims of the general equality duty:

- eliminate unlawful discrimination – Removing or minimising disadvantages suffered by people with protected characteristics
- advance equality of opportunity – Taking steps to meet the needs of people from protected groups
- foster good relations – Encouraging people from protected groups to participate in public life

## How is the function exercised with regard to ORR's duties under EA2010?

Reasonable adjustment, selection, workforce adjustment passport, data from pre-employment questionnaire and Occupational Health.

## How do we evidence/record the exercise of this function to show consideration?

We take action on requests for reasonable adjustment and follow through with internal processes. We report on diversity data on recruitment quarterly.

## Organisational benchmarking

# Collapse accordion Open accordion

Disability Confident Employer charter mark and Bronze Award from Employers Network for Equality & Inclusion for embedding diversity and inclusion.

## Relevance

Demonstrate to the members of the public, stakeholders and potential job applicants that we go above and beyond our corporate obligations, in achieving compliance with the three aims of the general equality duty:

- eliminate unlawful discrimination – Removing or minimising disadvantages suffered by people with protected characteristics
- advance equality of opportunity – Taking steps to meet the needs of people from protected groups
- foster good relations – Encouraging people from protected groups to participate in public life

## How is the function exercised with regard to ORR's duties under EA2010?

To demonstrate and improve awareness, both internally and externally, that in our recruitment, employment and support for employees we surpass best practice. The criteria and the action plans for the charter marks help shape and influence the Diversity & Inclusion Strategy implementation and other HR practices.

## How do we evidence/record the exercise of this function to show consideration?

Reports and feedback received from external stakeholders confirms we are meeting the standard expected. Implementing the Diversity & Inclusion Strategy and adhering to it to ensure policies and procedures are followed. We also participate on the social mobility index.

Confirmation received to confirm we meet all the criteria for a Disability Confident Employer, enabling us to use the logo in all our internal and external branding.

## Equality Objectives

ORR is required by the Public Sector Equality Duty (PSED) to publish Equality Objectives, which are specific and measurable targets that we will work towards to advance the aims of the Equality Act 2010.

ORR will promote improvements to accessibility for disabled passengers and passengers with reduced mobility. To facilitate this ORR will undertake the following activities, and report on progress. These objectives reflect just some of the work that ORR does in this area.

1. ORR will work to improve the reliability of booked assistance by:
  - working with a pilot group of operators to continue trial testing of reliability safeguards in booked assistance
  - publishing data showing the rate of change over time for booked assistance delivery
2. As part of ORR's monitoring of Accessible Travel Policies, ORR will keep train operators' plans for staff disability awareness training under review, to ensure ORR's required outcomes and deadlines are met.
3. ORR will publish revised ATP Guidance including new requirements relating to the accessibility of rail replacement services. ORR will work with DVSA to provide clarity about how the accessibility rules for these services will be monitored and enforced.

ORR's Equality Objectives were last revised in August 2020.