



Government Equalities Office

PSED Assessment for Special Compensation Package for GTR Passengers

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Introduction

This document records the analysis undertaken by the Department to enable Ministers to fulfil the requirements placed on them by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010. The PSED requires the Minister to pay due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- 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.

Brief outline of policy or service

GTR special compensation scheme for season ticket holders

In light of the disruption caused to GTR passengers as a consequence of the May timetable changes, passengers who have faced the worst disruption will be eligible to claim special compensation. The compensation package for GTR season-ticket holders has been announced. Passengers who have held a season ticket (weekly, monthly or annual) for travel between 20 May and 28 July (the qualifying period) will receive money back based on the equivalent cost of one to four weeks' rail travel.

GTR will start to contact qualifying passengers they have identified by the end of August. The scheme will then be opened later for passengers to submit their own claims. This is similar to the way the Southern special scheme worked in 2016/17.

Proposed GTR Special Compensation scheme for regular non-season ticket holders

It is proposed to extend this special compensation package to include regular non-season-ticket holders who travel 3+ days each week. Eligible tickets under this proposed extension scheme include the following: peak and off-peak carnet; anytime/off-peak/super off peak single/return; Advance; Daysave; All tickets with a railcard discount and Oyster PAYG/CPAY. The compensation provision under this proposed scheme for non-season ticket holders is on a basis which parallels that which is offered to season ticket-holders: passengers who provide evidence that they travelled with any of the relevant types of ticket for at least 3 days in a 7-day period and up to 12 or more days in a 4-week period will be eligible for a refund of the amount paid for those tickets.

As is the case for season ticket holders who wish to claim under the Special Compensation scheme, non-season ticket holders will need to apply on-line, providing one of the following types of evidence that they travelled regularly during the qualifying period - ticket numbers; ticket receipts (scan/photo); redacted bank statement (scan/photo), Oyster/CPAY journey statement.

Evidence and analysis

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act.

Extending the Special Compensation scheme to non-season ticket holders would have a positive impact by mitigating the indirect discrimination that could result from a scheme only available to season-ticket holders. Conversely, a Special Compensation scheme that only benefits season-ticket holders could be considered to indirectly discriminate against part-time workers - of which there are disproportionately more women than men (Office for National Statistics, 2018) - as well as people with disabilities, who are also more likely to work part-time than those without disabilities (Office for National Statistics, 2016). In addition, older people who are more likely to work part-time or may travel regularly by train due to family or care reasons may also benefit from an extension of the Special Compensation scheme to non-season ticket holders – reducing the risk of indirect discrimination against this group too. In addition, extending the Special Compensation scheme to non-season ticket holders could reduce indirect age discrimination due to younger and older passengers being more likely to hold Railcards and therefore less likely to buy season tickets (therefore it may be cheaper for those holding such Railcards to purchase daily tickets rather than season tickets).

With regards to groups with other protected characteristics, extending the scheme to cover PAYG and therefore most London users reduces the risk of indirect discrimination against LGBT and BAME groups, as these account for a larger proportion of the population in London.

With regards to groups with other protected characteristics, there is no evidence that these groups would be directly or indirectly discriminated against in relation to the scope of the proposed compensation package for GTR passengers.

2. Advance equality of opportunity between people who share a particular protected characteristic and people who do not share it.

As outlined above, expanding the scope of the Special Compensation package to include those who travel three days or more a week minimises the risk of indirectly discriminating against women, people with disabilities and older people, who are more likely to work part-time than men, those without disabilities and younger people respectively.

No other positive or negative impacts of the scheme on the advancement of equality of opportunity have been identified.

3. Foster good relations between people who share a particular protected characteristic and people who do not share it.

Extending the Special Compensation scheme to passengers who used GTR train services for 3+ days a week during the qualifying period should help to foster good relations between people who hold season tickets and are able to claim for the announced scheme and women, people with disabilities and older passengers who would be covered by a proposed extension of the scheme to non-season ticket holders.

Decision making

Proceed as planned with the proposal to roll-out Special Compensation packages for GTR passengers that are broadly inclusive schemes where redress is equally available to part-time travellers as well as season-ticket holders.

Monitoring and evaluation

GTR will produce a weekly report to monitor uptake and processing once the scheme goes live.