

Equalities in Procurement – Checklist for Contractors

Step 1 – Identifying Equality Requirements			
<p>Aim: To assess the extent to which equalities is a core requirement in the contract for goods, services or works and your company's ability to meet these requirements.</p>			
		Yes	No
1.	Does your company comply with the statutory obligations under equalities legislation? Please complete appendix A, attached.		
2.	Do you understand the public sector's Disability Equality Duty? You can find out more about this at.....		
3.	Is the purpose of the contract you wish to tender for to provide services directly to the public?		
4.	Is the provision of goods, services or works by a contractor likely to affect the contracting authority's ability to meet their duty to promote equalities either directly or indirectly?		
5.	If you are successful will you be required to promote equalities in a way that ensures the contracting authority is able to meet its disability equality duty?		
6.	List below the equalities implications you have identified.		
6.	If equalities are a core requirement of the contract how will you address the areas you have identified?		

Step 2 – Specification

Aim: To ascertain the breadth and depth of equality assurance detail required by the specification. This will enable clear equalities statements to be included in your application to tender.

		Yes	No
1.	Have you identified equalities requirements in the specification?		
2.	Are there specific clauses on equalities in employment and service delivery?		
3.	Have you identified equalities outcomes that you need to be aware of because they are likely to impact upon the contracting authority's aims?		
4.	Have you considered how you would achieve year on year improved equality outcomes where specified?		
5.	If you are selected as the main contractor, and are likely to sub-contract work, have you considered requesting details of the equalities evidence from any sub-contractors you may engage? (Ask them to complete Appendix A.)		
6.	If equalities are a fundamental requirement of the contract, are you able to supply a statement describing how you approach diversity within the supply chain?		
7.	How will you include non-discrimination and family friendly policies in your tender application?		
8.	Are you able to supply information about who owns / controls your company with reference to gender, disability and ethnic origin?		
9.	Has your company ever been subject to a tribunal or investigation? This does not automatically disqualify you, but be prepared to be asked what you have done as a result For example you may have introduced good practices, policies and procedures as a result.		

Step 3 - Contract Management – If you are awarded the Contract			
Aim: To monitor performance against the equalities conditions stipulated in the contract. To take action when required.			
		Yes	No
	Pre-delivery		
1.	Has a meeting with the public authority been arranged to discuss and check understanding of the equalities conditions in the contract and to discuss and agree reporting arrangements?		
2.	Have you checked whether there have been any recent changes in equalities legislation which must now be taken into account in addition to those included in the original specification?		
	During Delivery		
3.	If there have been changes in legislation how will these be taken into account?		
3.	How will you monitor performance throughout the contract to ensure your company's performance against the equality conditions in the contract are met?		
4.	If through routine monitoring equalities performance is deemed inadequate, how will you re-establish satisfactory performance standards?		

Appendix A

Candidate Company Approved Questions

	<i>Question</i>	<i>Response</i>
1.	<p>Do you comply with the statutory obligations under Equalities legislation, which applies in Great Britain, or equivalent legislation in the countries in which your organisation employs staff?</p> <p>Equalities Legislation includes: Equal pay act 1970 Sex Discrimination Act 1975 and its amendment 2003 Race Relations Act 1976, and its amendment 2000 Disability Discrimination Act 1995 and its amendment 2005 Human Rights act 1998 Employment Equality (Religion of belief) and (sexual orientation) regulations 2003 Age discrimination Regulations 2006 (please evidence)</p>	Yes/No
2.	<p>In the last 3 years, has any finding of unlawful discrimination been made against your organisation by the Employment Tribunal, the Employment Appeals Tribunal or any other court? (please evidence if applicable)</p>	Yes/No
3.	<p>In the last 3 years, has your organisation been the subject of formal investigation by the Commission for Racial Equality (CRE), the Disability Rights Commission, (DRC) the Equal Opportunities Commission (EOC) or a comparable body on grounds of alleged unlawful discrimination? (please evidence if applicable)</p>	Yes/No
4.	<p>If the answer to question 2 is yes, or, in relation to question 3, and there has been a finding adverse to your organisation, (please provide details of action to improve.)</p>	
5.	<p>Does your policy on equality and diversity cover the following?</p> <ul style="list-style-type: none"> • Recruitment/Selection • Job Adverts • Remuneration (pay) • Training • Promotion/transfer • Harassment/victimisation/grievance and discipline • Service delivery <p>(please evidence)</p>	Yes/No
6.	<p>Do relevant and appropriate people know about your policy and has it made a difference? (please evidence)</p>	Yes/No
7.	<p>Do you comply with relevant codes of practice, which give practical guidance to employers and others on the elimination of discrimination? For example the CRE and DRC codes of practice for employment, which cover issues including workforce monitoring, positive action recruitment and training opportunities. (please evidence)</p>	Yes/No