

Denbighshire Highways and Civil
Engineering Contractor Framework
Agreement (Works up to £125 k. per
contract).
28 October 2014.

Equality Impact Assessment

Denbighshire Highways and Civil Engineering Contractor Framework Agreement (Works up to £125 k. per contract).

Contact: Andy Clark, Highways and Environmental Services.

Updated: 1/10/2014

1. What type of proposal / decision is being assessed?

A new procedure

2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

A procedure to procure approved and assessed contractors for Highway and civil engineering works with a value of up to £125 k. per contract.
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3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes	Procurement is a a recognised specific duty in the Equality Act 2010 Wales (statutory) duties 2011. Equality is likely to be relevant to contracts for services delivered directly to the public. This proposal does not provide a direct service but does ensure the environment improvements are fully inclusive and usable by all members of the community regardless of their protected characteristics.
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4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

(Please refer to section 1 in the toolkit for guidance)

Since the introduction of the Equality Act in 2010, and the public sector equality duty in 2011, public bodies have been required to consider equality when procuring goods, works or services. Furthermore, in Wales there is a specific equality duty, requiring equality to be considered in relation to all relevant agreements. Authorities need to have due regard to the equality duty through all the stages of the procurement cycle in relation to protected characteristics, age, sex, disability, sexual orientation, marriage and civil partnership, race, gender reassignment, religion and faith and pregnancy and maternity (linked to maternity leave in the employment context). Religion and belief and sexual orientation.

Wales has a specific duty that 'when procuring works, goods or services from other organisations on the basis of a relevant agreement, a listed body in Wales must:

- have due regard to whether it would be appropriate for the award criteria for that contract to include considerations to help meet the general duty

- have due regard to whether it would be appropriate to stipulate conditions relating to the performance of the contract to help meet the three aims of the general duty.' The duty applies regardless of the value of the contract.

Embedding equality in procurement will enable us to:-

- Meet the needs of the whole community- using local intelligence to ensure that procurement meets the diverse needs of citizens and communities

Comply with legislation - decreasing the risk of complaints and legal challenges from individuals and groups

- Improve efficiency and effectiveness, manage and mitigate risk – and only entering into contracts with organisations that comply with equality legislation.

The EHRC Wales, 'Procurement: A guide for listed public authorities in Wales', defines procurement as 'the contractual process by which a public authority agrees for another to carry out works and/or to provide goods and/or services on its behalf'.

Assessing contractor technical capacity and ability

A pre-qualification questionnaire (PQQ) will be used to find out about a potential supplier's general track record on equality, both in terms of their technical competence and to assess their equality performance and their compliance with the Equality Act. PQQs also help to identify any grounds of exclusion as permitted by relevant procurement law

5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

(Please refer to section 1 in the toolkit for a description of the protected characteristics)

Neutral impact on protected characteristics. The awards and conditions

processes can be used to address any issues that may be identified after undertaking the PQQ process in relation to giving out contracts. The PQQ (Value Wales) is used to find out about a potential supplier's general track record on equality, both in terms of their technical competence and to assess their equality performance and their compliance with the Equality Act.

For more information and to access the Value Wales Community Benefits Guidance visit www.buy4wales.co.uk

Improved highways benefit everyone in particular older and disabled people who have identified environmental barriers as limiting their inclusion in their communities. This also supports the council equality objective in relation to improving environmental access and the council's aim of Getting Close to the community.

6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?

As a public sector authority, we are required to meet the same Welsh Language Scheme legislation and Public Sector Equality Duty it is a mandatory requirement. We have Plans, objectives and actions in place in order to improve our services and employment opportunities for all including those with protected characteristics

7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.

No	<If yes, please provide detail>
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8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?

No	No negative impacts on protected characteristics at this time but the policy will be monitored and reviewed. Within the Framework there are clauses to ensure successful contractors comply with Equality Legislation.
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Action(s)	Owner	By when?
Review the policy	Nathan Jones	30.10.2015
Monitor compliments and complaints from the public	Nathan Jones	31.01.2015
<Please describe>	<Enter Name>	<DD.MM.YY>
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9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	1.10.2014
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Name of Lead Officer for Equality Impact Assessment	Date
Andy Clark	10.10.2014

Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.
