

## Schedule 8

### Diversity and Equality Requirements

#### 1 General

- 1.1 The Contractor acknowledges that the Authority has a 'duty to promote' equality and must at all times be seen to be actively promoting equality of opportunity for, and good relations between, all persons from the protected characteristic groups covered by the Equality Act: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. The Contractor must ensure that each of its Sub-contractors involved in delivery of the Contract are aware of, and acknowledge, that the Authority has a 'duty to promote' equality.
- 1.2 In delivering the Services, the Contractor shall, and shall ensure that its Sub-contractors, assist and cooperate with the Authority in satisfying Equality duties by fully complying with the requirements of this Schedule.

#### 2 Compliance

- 2.1 The Contractor acknowledges the provisions of the equality legislation set out in clause **Error! Reference source not found.** (Discrimination).
- 2.2 The Contractor shall produce a Diversity and Equality Delivery Plan in accordance with paragraph 2.5 (and sub paragraphs) and paragraph 2.6 (and sub paragraphs) of this Schedule, within six (6) Months of the Commencement Date, and annually thereafter. The Diversity and Equality Delivery Plan must be specific to the Contract and include details for all Sub-contractors involved in delivery of the Contract.
- 2.3 The Contractor will provide workforce monitoring data in accordance with paragraph 3 (and sub paragraphs) of this Schedule, within six (6) Months of the Commencement Date and annually thereafter.
- 2.4 The Authority will consider and agree the submissions made by the Contractor when complying with paragraph 2 (and sub paragraphs of paragraph 2) and paragraph 3 (and sub paragraphs of paragraph 3) of this Schedule. Any issues will be raised with the Contractor by the Contract Manager acting on behalf of the Authority. If an issue relates to a Sub-contractor, the Contractor must raise and resolve the issue with the Sub-contractor. Once submissions are agreed by the Authority the Contractor will formally review, revise and resubmit all information required in paragraph 2.2 and paragraph 2.3 on an annual basis. Diversity and Equality aspects will also be discussed jointly by the Authority and the Contractor as an ongoing item at the Contract review meetings.
- 2.5 In delivering the Services, the Contractor shall prepare the Diversity and Equality Delivery Plan which as a minimum includes:
- (a) an overview of Contractor and any Sub-contractor's policy/policies and procedures for preventing unlawful discrimination and promoting equality of opportunity in respect of:

- (i) age;
  - (ii) disability;
  - (iii) gender reassignment;
  - (iv) marriage and civil partnership;
  - (v) pregnancy and maternity;
  - (vi) race;
  - (vii) religion or belief;
  - (viii) sex; and
  - (ix) sexual orientation.
- (b) an overview of Contractor and any Sub-contractor's policy/policies and procedures covering:
- (i) harassment
  - (ii) bullying
  - (iii) victimisation
  - (iv) recruitment procedures
  - (v) staff training and development

Full policy documents must be made available to the Authority on request.

- (c) details of the way in which the above policy/policies and procedures are, or will be (and by when), communicated to the Staff;
- (d) details of what general diversity and equality related training has been, or will be delivered (and by when), to Staff;
- (e) details of what structure is already in place, or will be in place (and by when) and what resources are, or will be (and by when), directed towards diversity and equality within the Contractor and any Sub-contractor's organisation; and
- (f) details of any diversity and equality cases and tribunals (including volumes and outcomes) relating to the Contractor and any Sub-contractors.

2.6 In delivering the Services, the Contractor shall provide evidence, as required below, within the Diversity and Equality Delivery Plan as detailed at paragraph 2.2 of this Schedule:

- (a) where a Contractor is delivering Services to Participants on behalf of the Authority or Services to the Authority's staff, the Contractor must provide written evidence that:

- (i) Equality Analysis has been carried out in conjunction with the Authority prior to the Services being delivered and will be carried out in the event of any changes to the Services, in accordance with equality legislation;
- (ii) reasonable adjustments are made, as required by equality legislation to make those Services accessible to disabled people and that in the case of Information Technology services, those services are in accordance with the Authority's standards;
- (iii) all Staff have had appropriate training so that they understand the duties required by equality legislation, and where Services are being delivered on behalf of the Authority, the Contractor shall provide evidence that Staff understand the duties not to discriminate and to promote equality, in accordance with equality legislation.

2.7 The Authority may request further information and assurance relating to Diversity and Equality at any point during the duration of the Contract.

### **3 Monitoring and Reporting**

3.1 The Contractor shall provide workforce monitoring data as detailed in Appendix 3 (Workforce Monitoring Data Template) of the Diversity and Equality Guidance for Contractors document which is a supporting document to this ITT, or can be provided by the Authority on request. Completed templates for the Contractor and each Sub-contractor will be submitted by the Contractor with the Diversity and Equality Delivery Plan within six (6) Months of the Commencement Date and annually thereafter. Contractors are required to provide workforce monitoring data for the workforce involved in delivery of the Contract. Data relating to the wider Contractor workforce and wider Sub-contractors workforce would however be well received by the Authority. Contractors and any Sub-contractors are required to submit percentage figures only in response to paragraphs (a), (b) and (c) of the template.

3.2 The Contractor and any Sub-contractors will compare their figures, in all categories listed in paragraphs (a) and (b) of the template, and provide (where possible) comparisons against any official national/regional statistics that are publicly available. (In the Diversity and Equality guidance for contractor's document there are links to a number of data collection sources but it must be stressed this is not a full exhaustive list and other sources will be available). The Department acknowledges that there are regional variations in terms of population demographics and some data categories and coverage may not be complete or fully align, however, it should enable high level analysis and identification of trends.

3.3 The Contractor and any Sub-contractors will provide evidence of activities undertaken, or planned, in order to try and improve their current position in the categories detailed in paragraphs (a) and (b) of the template.

3.4 The Contractor shall, and shall ensure that its Sub-contractors will ensure at all times that they comply with the requirements of the DPA in the collection and reporting of the information to the Authority.