**Appendix G – Equality, Diversity and Inclusion Supplier Requirements**

1. **Promotion of Equality, Diversity and Inclusion (EDI)**
   1. The Supplier shallensure that it complies with the requirements of theEmployer’s EDI Policy and the Equality Act 2010 and has due regard to the need to:
      * + eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
        + advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
        + foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
   2. In providing theservices the Supplier shall assist and co-operate with theEmployer’s Project Manager in discharging these duties by:
      * + acknowledging that the Employer views each area of diversity as being important and consequently that the Employer intends to proactively promote all areas of diversity;
        + ensuring that no individual involved in or affected by the services is treated less favourably because of their connection with any particular characteristic of diversity; and
        + ensuring that any Subcontractors assist and co-operate with the Project Manager in discharging these duties.
2. **Compliance with Equality Related Legislation**

2.1 The Supplier, in providing the services:

* + - * does not unlawfully discriminate;
      * ensures that its staff do not unlawfully discriminate; and
      * ensures that its Subcontractors do not unlawfully discriminate in relation to the provision of the services.

1. **EDI Representative – Point of Contact** 
   1. The Supplier shall appoint an EDI Representative who is a key person within 8 weeks of the contract start date, who shall:
      * + be the primary contact for EDI-related matters for the delivery of the services; and
        + be responsible for the production, implementation, management and updating of any EDI Action Plans and any further deliverables required by the plan.
        + have responsibility for ensuring that the Supplier’s EDI obligations are met in accordance with the services; and
        + upon request provide evidence and records in support of promoting EDI in procurement including evidence and records from Subcontractors employed on the services.
2. **EDI Related Policy and Procedures**

4.1 TheSupplier shallsubmit to theProject Manager for acceptance, no later than 8 weeks after the starting date of the Contract, EDI-related policies and procedures which cover the matters set out below:

* + - * equality, diversity and inclusion
      * recruitment and selection
      * training and promotion
      * disciplinary and grievance
      * workplace bullying and harassment
      * reasonable adjustments (relating to disability in the workplace)
      * flexible working
      * equal pay
      * accessible communications
      * arrangements for workforce diversity monitoring

4.2 Together such policies and procedures shall be referred to as the ‘EDI Policies and Procedures’. Grounds for not accepting the Supplier’s EDI Policies and Procedures are if the policies and procedures submitted do not comply with the Employer’s EDI Policies and Procedures. In the event that, in the Employer’s opinion, Supplier’s EDI Policies and Procedures do not comply, the Employer and Supplier will agree and enact a remedial action plan.

4.3 The Supplier shall ensure that the EDI Policies and Procedures comply with relevant statutory obligations set out in the Equality Act 2010 and all other applicable laws.

4.4 The Supplier in providing the services shall comply, and ensure that all Subcontractors comply, with the Supplier’s EDI Policies and Procedures, which have been accepted by the Project Manager.

4.5 The Supplier shall hold records of each Subcontractor’s EDI policies and procedures for the term of this contract and shall make them available to the Project Manager upon request.

1. **EDI Action Plan**

5.1 The Supplier’s response to the EDI ITT question [T08] will form the Supplier’s “EDI Action Plan”. If successful, during the contract term the Employer may request the Supplier to review and update its EDI Action Plan in order to provide assurances that a consistent, compliant approach to EDI is being followed.

5.2 Where the Supplier engages Subcontractors, the plan shall include:

* + - * awareness of diverse subcontractors available to undertake the services required within this contract and the Supplier’s strategies to ensure that barriers preventing subcontractor opportunities are removed;
      * commitment to processes that will ensure that diverse subcontractor involvement is optimised within this contract;
      * processes for ensuring that a diverse range of subcontractors are aware of potential opportunities to supply services, receive assistance in understanding the bidding process and are offered support (to the extent permitted by procurement law);
      * how the Supplier actively seeks out diverse subcontractors;
      * outline procedures for monitoring engagement with diverse subcontractors, numbers of diverse subcontractors in the Supplier’s supply chain and spend with such diverse subcontractors;
      * the means by which Subcontractors will provide diversity data to the Supplier.

5.2 The Employer wants to adopt a collaborative approach to managing performance on EDI in the delivery of this service. Suppliers are expected to review and update their EDI Action Plans on a quarterly basis as well as monitoring their performance against the EDI KPIs listed below. The Employer reserves the right to review the Supplier’s EDI Action Plan and their performance against the KPIs (including any associated evidence) twice a year over the life of the contract.

**Overview of EDI Key Performance Indicators (EDI KPIs)**

|  |  |  |
| --- | --- | --- |
| **HS2 Strategic Objective** | **KPI** | **What is being measured?** |
| To become an exemplar of EDI practice | **KPI1 – EDI PolPro**  EDI related Policies and Procedures | The EDI policies and procedures the Supplier has in place as described in the ITT documentation. |
| **KPI2 – EDI – Train&Dev**  EDI – Training and Development | The number of the Supplier’s staff and any Subcontractor’s staff delivering the Services who have received EDI induction and EDI training and development (T&D). |
| **KPI3 – M&R – WFD**  Monitoring and Reporting – Workforce Diversity | That a process is in place to capture the demographic profile of all of the Supplier’s (and any Subcontractor’s) staff delivering the services. |
| **KPI4 – M&R-SCD**  Monitoring and Reporting – Supply Chain Diversity (if applicable) | That a process is in place to capture the demographic profile of the ownership/leadership of all Suppliers within supply chain. |

1. **Monitoring and Reporting** 
   1. TheSupplier and its Subcontractors shall operate bi-annual diversity monitoring and reporting in relation to the employees providing theservices.
   2. The Supplier shall record and report this information on a bi-annual basis as a proportion of all employees engaged on the services by the Supplier and its Subcontractors. The Employer reserves the right to review this information twice a year over the life of the contract. The Supplier and the Subcontractors ensure at all times that they comply with the requirements of the Data Protection Act 1998 in the collection and reporting of information to the Employer.
   3. As a minimum the Supplier will monitor and report in respect of all of its employees (including trainees, apprentices and those on work placements) engaged on the services by:

|  |  |
| --- | --- |
| * + - * national identity       * age       * disability       * ethnicity       * religion or belief | * + - * sex       * sexual orientation       * previous employment status (applicable to applicants for employment and apprentice opportunities)       * postcode of residence |

* 1. The range of the Supplier’s functions to which monitoring is to be applied, extends to:
     + - recruitment (including analysis at application, interview and hire)
       - employment practice (including reasonable adjustments made, complaints, bullying and harassment, grievances, workforce satisfaction and discipline procedures)
       - progression and promotion
       - flexible working
       - access to training or upskilling
       - leavers
  2. Where the Supplier appoints Subcontractors , the Supplier is expected to collate company or entity ownership as described in paragraph 6.6 by ethnicity, gender, disability, sexual orientation, postcode of location of business, size of business and type of business (e.g. are they a social enterprise) at each key stage (where applicable) of the tendering process:

|  |  |
| --- | --- |
| * + - * expression of interest       * pre-qualification       * submission of tenders | * + - * short-listing       * tender award (including value) |

* 1. The Supplier shall record and report on a bi-annual basis the proportion of social enterprises or minority owned / led businesses (e.g. businesses where: women, people who are Black Asian and Ethnic Minority (BAME), Lesbian, Gay or Bisexual or disabled people make up more than 50% of the partners or directors in day-to-day control of the business or where the sole proprietor identifies with one of these groups) at the stages of expression of interest, pre-qualification, submission of tenders, short-listing and tender award for every subcontracted service. The Supplier should also request and record the same in respect of tendering processes operated by their Subcontractors. The Employer reserves the right to review this information twice a year over the life of the contract
  2. The Supplier shall record on a bi-annual basis the proportion of businesses appointed which are Small and Medium Enterprises (broken down by micro, small or medium as per the definitions outlined by the European Commission) and, by postcode, the location of business. The Supplier is also expected to report the same in respect of the supply chain of their Subcontractors.