

# **Equality in the Procurement Process – A Guide for Contractors and Suppliers**

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## 1) Introduction

The West Midlands Metropolitan Area is a diverse region – one of many cultures, languages, races, religions and lifestyles. The West Midland Combined Authority's (WMCA) role is to promote and develop public transport across the region and to transform public transport so that people have a world class system. Equalities are integral in what we do – we strive to improve equality outcomes for both our employees and service users. Equality is at the heart of anything we do, including our procurement activities. Every year we spend a lot of money on contracts with companies/organisations for goods, works and services. We need to ensure that this money is spent in a way that delivers high quality goods and services as well as promotes equality of opportunity. It is therefore essential that equality considerations are built into the procurement process to ensure that contracts meet all necessary equality requirements. This document provides an overview of how we work to ensure the integration of equalities into procurement. It gives potential suppliers and contractors information on how we will promote equality in the procurement of goods and services and provides advice on what is expected of contractors and suppliers during the procurement process and the support available.

## 2) Objectives of the Guide

This guide should provide you with:

- Information about equality and diversity and the importance of implementing equality and diversity in the procurement process
- Information on the WMCA commitment to equality and diversity in procurement
- Information on the WMCA's expectations of you
- A summary of key equality legislation
- Copies of sample equal opportunity/harassment and other policies
- Information regarding what you will need to fill in the equalities pre-qualification questionnaire

## 3) What is Equality and Diversity

**Equality** is about creating a fairer society where everyone can participate and fulfil their potential. It is about ensuring that individuals or groups of individuals are treated fairly and equitably, and in a way that is appropriate to their needs. Equality is often used interchangeably with equal opportunities and protects people from being discriminated against on the grounds of group membership, i.e. sex, race, disability, sexual orientation, religion, belief, gender reassignment, maternity/paternity or age.

Promoting equality should remove discrimination in all of the aforementioned areas and protect employees and service users against bullying, harassment and victimization.

**Diversity** describes the range of visible and non-visible differences that exist between people. It is about valuing and taking into account individual and group differences and placing positive value on diversity in employment and service delivery. It is essential that individual and group diversity is considered in order to ensure that everybody's needs and requirements are understood and responded to within employment practice and service design and delivery.

Recognising equality and diversity principles and putting in place equality and diversity policies/strategies and initiatives helps organisations comply with anti-discrimination legislation but it also facilitates the provision of accessible services and inclusive working environments.

#### **4) Why Equality and Diversity in Procurement?**

The WMCA is committed to equality of opportunity for all in the delivery of a good, service or works and employment. We aim to ensure that our policies, strategies, procedures, services and all aspects of what we do incorporate equality objectives. In the delivery of a service, we are committed to ensuring appropriate services are provided that meet the needs of all the communities in the West Midlands.

This is in line with equality key equality legislation that expects public authorities to eliminate unlawful discrimination and promote equality of opportunity in employment and in the provision of goods, facilities and services.

Where functions and services are carried out by an external supplier/contractor, the WMCA remains responsible for meeting equality duties. We will take equality issues into account at all stages of our procurement process and we expect organisations that deliver goods or provide services on our behalf to promote equal opportunities within their businesses. We are committed to ensuring that contractors delivering services on our behalf share our equality vision and adopt anti discriminatory practices.

People, partners and businesses working or providing services on our behalf must adhere to our equality principles and demonstrate all necessary steps are taken to provide equal access in employment and service delivery in accordance with equality legislation.

Ultimately, the promotion of equality in procurement will help us deliver more responsive, accessible and appropriate services that meet the needs of West Midlands residents.

Our vision on procurement is also reflected in our Equality Scheme which is available at the suppliers' zone of our website. Equality in Procurement is, in fact, one of our four key Scheme objectives

## **5) Our Commitment**

As standard procurement practice, we aim to ensure that:

- Equality and diversity are evident in our procurement practices and procedures both generally and especially in high value contracts and where there is a high impact on the community
- Our suppliers/contractors deliver the right goods, works and services for all our service users

To achieve that:

- We always encourage suppliers/contractors to promote equality and opportunity and offer guidance where needed
- We assess equalities at different stages of the procurement process, pre-qualification, tender evaluation and contract award
- Equalities can form part of the tendering process with a standard pre-qualification questionnaire on equality and diversity that potential contractors must complete. This questionnaire forms part of the selection process that decides which contractors may be considered to tender
- We undertake Equality Impact Assessments to identify whether a given scheme or project (including those delivered by contractors/supplier) has the potential for negative equality impact or/and is of high equality relevance
- We include a standard equality clause in all contracts
- We provide guidance to contractors on good equality practice
- Contracts may include equality and diversity terms and conditions
- Where relevant, we monitor the contractor's performance under the contract to ensure equality requirements are met and take necessary action where non-compliance is identified

## **6) Commitment from our Suppliers/Contractors**

We expect that you:

- Are familiar with and adhere by equality legislation and all relevant legislative provisions
- Adhere to the WMCA's standard terms and conditions which also contain a specific clause on equality
- Have an up to date equal opportunities/equality policy (refer to Appendix 2 for sample policies)

- Familiarise yourselves with our Equality Scheme in order to fully understand our Equalities Commitment
- Share our commitment to the promotion of equality and diversity across all different protected characteristics, namely
  - Age
  - Disability
  - Gender
  - Gender Reassignment
  - Maternity/Paternity
  - Race
  - Religion/Belief
  - Sexual Orientation
- Where required, complete an equalities pre-qualification questionnaire as part of the PQQ process (please refer to the following section for more details)
- As part of the PQQ, truthfully inform us of any findings made against you relating to discrimination
- Where relevant, consider the relevance of equality to your individual contract and make sure you comply with relevant requirements

## **7) The Pre-Qualification (PQQ) Process**

### **a) PQQ selection process – why equalities**

It is standard practice for the WMCA to evaluate potential suppliers and contractors on areas such as financial viability and health and safety but we also want to make sure that our contractors and suppliers are embracing diversity and implementing equality practices within their organisation. To become a contractor/supplier and depending on the value of the contract, you may be asked to fill in an equality and diversity questionnaire (the template is available below). This normally would occur at pre-qualification stage but may also occur at tender depending on the value and nature of tender exercise. We require you to fill in that section in order for us to:

- a) Understand your equalities contractual history
- b) Make sure you are compliant with your obligations under the Equality Act 2010.
- c) Ensure your commitment to Equality and Diversity is communicated externally and internally

You will be assessed on your answers so failure to complete the Equalities questionnaire would mean you may not be invited to tender. You may also be asked to provide us with some documents, such as your Equal Opportunities Policy/ Equality Scheme, your Workforce Profile information and evidence on good practice in regards to training, recruitment and promotion. It is therefore imperative that you answer all these questions truthfully.

b) Template

**EQUALITIES QUESTIONNAIRE**

**1.10 EQUALITY AND DIVERSITY - Section of eVM Questions:**

**IMPORTANT:** This Section contains Questions you may have already answered in your Organisation Profile, the answers to those questions will be used to pre-populate your response. You may change these answers so they differ from those saved in your Organisation Profile and save new answers on your response. These answers will be applied back to your Organisation Profile when the PQQ/ITT is evaluated by the Buyer. You may also supply different answers to these Questions in other PQQs/ITTs. In this case the response saved to your Organisation Profile will always be the response which was most recently evaluated by the Buyer.

	Note	Note Details	
1.10.1	Statement on Diversity	Suppliers & Contractors providing goods to or on behalf of the WMCA must carry out their duties in accordance with legislation governing race, gender, disability, sexual orientation, age, transgender status, religion or belief, pregnancy or maternity and marriage or civil partnership. Failure to comply with equality legislation could in some cases make the WMCA liable to legal action. We need to ensure our Suppliers and Contractors meet key equality standards and comply with all statutory duties. You are asked to answer the questions to demonstrate your current compliance as an employer and service provider with these equality duties. The open ended questions complement the closed questions; we are asking these questions to get a better understanding of what measures your company is taking to promote equality and discourage discriminatory behaviour.	
1.10.2	Guide Document 	The attached is a guidance document that explains the reasons for and legislation behind the equalities questionnaire. The document is titled Equality in the Procurement Process - A Guide for Contractors and Suppliers. Please read prior to answering the equalities questionnaire.	
	Question	Description	Response
1.10.3	Compliance with Equality Duties	As an employer and service provider do you meet the requirements of the equality duties in relation to the Equality Act 2010?	
1.10.4	Equal Opportunities Policy	The WMCA considers it necessary for all organisation wishing to provide services on our behalf of the to demonstrate that all reasonably practicable steps have been taken to eliminate discrimination and promote equality of opportunity by allowing equal access and equal treatment in employment and service delivery for all	

		Do you have an equal opportunities policy statement/scheme as an employer and service provider?	
1.10.5	Equal Opportunities Policy	If no, would you be willing to develop an equal opportunities policy statement at commencement of any contract?	
1.10.6	Equal Opportunities Policy	If yes, please attach a copy of your equal opportunities policy here.	
1.10.7	Equalities in Employment	Is it your policy as an employer to comply with your statutory obligations under the current legislation relating to Equal Opportunities and accordingly, your practice not to treat one group less favourably than others because of its gender, gender identity, race or ethnic origin, religion or belief, disability, sexual orientation, or age, marital status (including civil partnership) and because of maternity and pregnancy, in decisions to recruit, train or promote employees?	
1.10.8	Court Cases	In the last three years has any court of tribunal found a case of unlawful discrimination against your company? Investigation will not disbar your company from inclusion, but failure to disclose it will.	
1.10.9	EHRC Investigation	In the last three years, has your company been the subject of a formal investigation by the Equality and Human Rights Commission on grounds of alleged unlawful discrimination? Investigation will not disbar your company from inclusion but failure to disclose it will.	
1.10.10	Remedial Action	If any court of tribunal found a case of unlawful discrimination or/and the Equality and Human Rights Commission has made a finding against your organisation, please outline the steps taken as a result of that finding	 Characters available = 2000
1.10.11	Communicating the Equal Opportunities Policy	Is your policy on equal opportunities set out in the following: Instructions given to people you are recruiting, training and promoting?	

1.10.12	Communicating the Equal Opportunities Policy	Is your policy on equal opportunities set out in the following: Documents available to employees, recognised trade unions or other employee groups?	
1.10.13	Communicating the Equal Opportunities Policy	Is your policy on equal opportunities set out in the following: Job advertisements?	
1.10.14	Communicating the Equal Opportunities Policy	If required, is supporting evidence available to the WMCA on request?	
1.10.15	Ensuring Compliance	Please explain how staff or any subcontracted staff working on your behalf, are made aware of their equality obligations and operate according to the requirements of the equality law.	 Characters available = 2000
1.10.16	Promoting Diversity	Please give examples of how you promote diversity and equality as an employer and as a service provider.	 Characters available = 2000
1.10.17	Statutory Code of Practice For Employment	Provide examples of where you have followed the relevant Commissions statutory Codes of Practice for Employment.	 Characters available = 2000
1.10.18	Exemption from UK legislation	If you are not currently subject to UK legislation, please provide details of your experience in working under your equivalent national and material legislation which is designed to eliminate discrimination (especially racial; disability and sexual discrimination) and promote equality and opportunity.	 Characters available = 2000
1.10.19	Contract Termination	In the last three years, has any contract with your company been terminated on grounds of your failure to comply with: Legislation prohibiting discrimination	

1.10.20	Contract Termination	In the last three years, has any contract with your company been terminated on grounds of your failure to comply with: Contract conditions relating to equality in the provision of services	
1.10.21	Diversity Monitoring Statistics	Please provide your organisation's current diversity monitoring statistics by using the attached monitoring form to document your responses. You may then upload your completed Supplier Diversity Monitoring Form within this question as indicated.	<a href="#">+ Click to attach file</a> 

### Suppliers/Contractors Workforce Diversity Monitoring Form

The WMCA is committed to the elimination of discrimination, harassment and victimisation because of a person's age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, ethnic or national origin, nationality or colour, religion or belief, sex or sexual orientation; (the "protected characteristics").

We monitor our practices and arrangements in order to ensure our commitment is fulfilled and we want to ensure that our suppliers and companies delivering contracts on our behalf are also committed to our equalities vision. We monitor data to understand the diversity of our workforce and are also committed to understanding the diversity of our supplier base.

The information you provide will not be used for any other purpose and will be retained confidentially.

Company Name: \_\_\_\_\_

		Current Employees	Total Number	Percentage of your workforce
<b>AGE</b>	<b>16-25</b>			
	<b>26-30</b>			
	<b>31-35</b>			
	<b>36-40</b>			
	<b>41-50</b>			
	<b>51-65</b>			
<b>GENDER</b>	<b>Male</b>			
	<b>Female</b>			
	<b>Transgender</b>			
<b>DISABILITY</b>	<b>Disabled</b>			
	<b>Not disabled</b>			
<b>ETHNICITY</b>	<b>White British</b>			
	<b>Mixed</b>			
	<b>Asian or Asian British</b>			
	<b>Black or Black British</b>			

	<b>Chinese or Other Ethnic Group</b>			
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**Name of Person Completing Form:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

### c) Guidance in answering the Questionnaire

All potential contractors will be required to complete this section of the Equality Questionnaire. When completing it, you must answer all questions fully and truthfully.

**Questions 3 and 7 (Compliance with Equalities Duties and Equalities in Employment):** Equalities legislation prohibits discrimination in employment and in the provision of goods, facilities and services. Non-discrimination in employment and in the provision of goods, facilities and services applies not only to the WMCA as a public authority, but to all those providing services on our behalf. All contractors are therefore required to comply with the Equality Act 2010. If you have implemented an effective equality policy you will be able to answer yes to these questions. It is important for tenderers to note that their organisation's compliance with equalities legislation may be monitored if they are awarded a contract.

#### **Questions 4-6 (Equal Opportunities Policy)**

Please submit a copy of your organisation's equality policy/scheme covering

- a statement of your organisation's commitment to equalities and equal opportunities
- recruitment, selection, training, promotion, discipline and dismissal
- victimisation, discrimination and harassment
- ways that the policy will be implemented and monitored

If you have not got an equal opportunities policy/scheme it will not automatically mean that you do not get the contract. However, you would need to commit to developing a policy before the contract commences. Further information on developing an equal opportunities policy is available on the Equalities and Human Rights commission website.

A sample equal opportunities policy and a sample action plan are included in Appendix 2.

#### **Question 8 (Court Cases)**

This question inquires as to whether any court or tribunal has found your organisation guilty of unlawful discrimination in the last three years. Please be honest with your answers, since we may check the responses. If your organisation has been found guilty in the past you will not be disqualified; however, you will need to provide evidence that you have implemented measures to prevent a re-occurrence.

#### **Question 9 (EHRC Investigation)**

This question asks whether your organisation has had any investigation carried out, regardless of the outcome. It is important that you are honest –the WMCA can check your answers from lists provided by the Commission. We are aware that having been investigated for discrimination does not mean that you are guilty of discrimination.

**Question 10 (Remedial Action)** If the answer to 8 and/or 9 has been affirmative you will need to provide information with the action your organisation has undertaken to prevent a repeat occurrence and to remedy a situation following recommendations by the court, tribunal or the relevant commission. If your organisation has taken no action following these recommendations you are unlikely to be awarded a contract. We would need to be confident that you have sufficient measures in place to prevent a re-occurrence.

**Questions 11-14 (Communicating the Equal Opportunities Policy)** Documents which explain your organisation's policies in regards to recruitment, selection, training and promotion may be requested. That would include evidence of your organisation's commitment to equality in employment and service delivery. You may also be requested to provide evidence of material used to promote your services, including any material provided in different languages or formats.

**Questions 15-16 (Ensuring Compliance and Promoting Diversity)** Please be as thorough as possible when answering these questions since it will help us understand how you implement your equality policy within your organisation as well as how you ensure your subcontractors comply with equality requirements.

**Question 17 (Statutory Code of Practice for Employment)** The Equality and Human Rights Commission website has issued a [statutory code of practice](#) which contains recommendations for practical implementation of policies to eliminate discrimination and enhance equality of opportunity in the field of employment

**Question 18 (Exemption from UK legislation)**

This question relates to non U.K. companies. Evidence that is equivalent to U.K. legislation will be required.

**Questions 19 and 20 (Contract Termination)**

These questions ask whether a contract has been terminated for non-compliance with equality legislation or equality contract conditions.

## Appendix 1: The Equality Act 2010 in detail

Prior to the introduction of the Equality Act, anti-discrimination laws were contained in a number of different statutory and regulatory provisions. The Equality Act replaces those provisions with one single Act which simplifies the law, removes many of the inconsistencies between the application of the different forms of protection and makes the law easier to understand and benefit from.

The provisions which the Equality Act replaces include:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Sex Discrimination Act 1986
- Parts of Employment Act 1989
- Disability Discrimination Act 1995
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Parts of Civil Partnership Act 2004
- Most of Employment Equality (Age) Regulations 2006
- Equality Act (Sexual Orientation) Regulations 2007

The main part of the Equality Act begins by setting out what it describes as **protected characteristics**. These are:

**Age:** A person discriminates on the basis of age if he or she treats another person less favourably because they are of a particular age or belong to a particular age group. Whilst age discrimination currently only applies in the employment or vocational training sector, the intention of the legislation is that it will also offer protection in relation to the provision of goods and services.

**Disability:** A person is deemed to be disabled for the purposes of the Equality Act if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

The Equality Act provides some additional protections not previously available.

These include:

- making a provision that it will be discrimination if a person with a disability is treated less favourably because of something which arises from the disability – e.g. spelling errors caused by dyslexia – provided that the employer knew, or could reasonably be expected to have known, about the disability;
- making indirect discrimination relevant to disability discrimination;
- removing the need to consider the list of capacities when deciding if a person has a disability; and
- making it unlawful, except in certain circumstances, to enquire about a candidates health before offering them work.

**Gender reassignment:** A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. This is a new definition and no longer requires that a person be under medical supervision to be protected.

**Marriage and civil partnership:** Protection is provided to employees who are married or in a civil partnership. It does not provide protection to those who are not married or in a civil partnership.

**Pregnancy and maternity:** Pregnancy meaning the condition of being pregnant. Maternity meaning the period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

A person discriminates against a woman in non-work cases if:

- he/she treats her unfavourably because of her pregnancy or,
- in the period of 26 weeks beginning with the day on which she gives birth he/she treats her unfavourably because she has given birth.

**Race:** Refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins.

**Religion or belief:** Religion means any religion, including reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).

**Sex:** It applies both to men and women.

**Sexual orientation:** This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

## **Types of discrimination**

### **Direct discrimination**

This occurs where person A treats person B less favourably than they would treat others because B has, is thought to have, or associates with someone who has, a protected characteristic.

### **Associative discrimination**

This is defined as direct discrimination by A against B because B associates with a person who has a protected characteristic.

### **Perceptive discrimination**

This is defined as direct discrimination by A against B because A believes B to have a protected characteristic, whether or not B actually possesses that characteristic.

### **Indirect discrimination**

This occurs where person A has a condition, policy, provision, criterion or practice which is applied to everyone but puts at a particular disadvantage people who have a protected characteristic and person A cannot show it to be a proportionate means of achieving a legitimate aim. For the purposes of indirect discrimination, a legitimate aim is a lawful decision made by A which benefits a business or organisation and which is a proportionate means of achieving that benefit.

### **Harassment**

Harassment is defined as occurring where person A engages in unwanted conduct which is related to a relevant protected characteristic and that conduct has the purpose or effect of violating B's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for B. Harassment can be discriminatory even when it is not directed at the complainant and where the complainant does not have the protected characteristic.

### **Third party harassment**

There are circumstances where harassment can be of an employee by a third party. The Equality Act renders employers potentially liable if their employees are harassed by people other than employees of the company, for example customers or suppliers. It should be noted, however, that liability will only arise when harassment has occurred on at least two previous occasions and the employer was aware that it had taken place but failed to take reasonable steps to prevent it from happening again.

### **Victimisation**

Person A victimises person B if A subjects B to a detriment because B does, has done or may do a protected act. For the purposes of this section, a protected act is defined as:

- bringing proceedings under the Equality Act;
- giving evidence or information in connection with proceedings under the Equality Act;
- doing any other thing for the purposes of or in connection with the Equality Act; or
- Making an allegation (whether or not express) that A or another person has contravened the Equality Act.
-

## **Reasonable Adjustments**

The Equality Act also deals with adjustments which must be made for those with a disability.

The duty to make adjustments is divided into three parts:

- First, where a provision, criterion or practice of A (where A is the person upon whom the duty is imposed – e.g. an employer or service provider) puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, then A must take such steps as it is reasonable to have to take (the reasonable adjustment) in order to avoid the disadvantage,

- Secondly, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, A must take such steps as it is reasonable to have to take (the reasonable adjustment) in order to avoid the disadvantage, and

- Thirdly, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, A must take such steps as it is reasonable to have to take (the reasonable adjustment) in order to provide the auxiliary aid.

## **Positive Action**

The Equality Act allows employers and others to take positive action if they believe that employees or job applicants who share certain protected characteristics are experiencing a disadvantage which is linked to that characteristic or are not participating sufficiently in a particular activity. The proposed positive action, which is an entirely voluntary affair, must be a proportionate means of achieving a specific aim and may be to:

- enable or encourage persons who share the protected characteristic to overcome or minimise that disadvantage
- meeting needs, or
- enable or encourage persons who share the protected characteristic to participate in a particular activity.

Positive action can only be used where:

- The person who is the subject of the positive action is as qualified as others being recruited or promoted. In other words promoting a less able applicant merely because of his or her race would not be acceptable;
- The employer does not have a policy of treating people with a particular protected characteristic more favourably than others are treated; and
- Taking the action in question is proportionate.

### **Pre-Employment Health-Related Checks**

A prospective employer must not ask about the health of an applicant before offering them work or before including them in a pool of people to whom work will be offered when it becomes available, unless it is in order:

- to establish whether reasonable adjustments are needed for the applicant in order to enable them to participate in the selection process,
- to establish whether the applicant will be able to carry out a function that is intrinsic to the work concerned,
- to monitor diversity in the range of persons applying to the prospective employer for work,
- to take positive action to assist a person with a disability, or
- in relation to work where it is a requirement to have a particular disability, to establish whether the applicant has that disability.

Once a person has passed through the application stage and been offered a job, whether conditional or unconditional, it then becomes permissible to carry out health-related checks.

### **Equal Pay**

Under the old legislation, in order to show that there was a pay inequality it was necessary to find a comparator – someone of the opposite sex doing a comparable job that was being paid more. Now it may be possible for a person to show that, even though there is no real comparator, they would have been paid more if they had been of a different sex, even though there is no one of a different sex doing that work, or comparable work, for the employer. The Equality Act also deals with pay secrecy and makes it unlawful for an employer to prevent or restrict employees from discussing their pay for the purposes of establishing whether differences exist.

## **Appendix 2: Sample Policies**

### **A) Equality Policy**

The purpose of this policy is to ensure that all workers, job applicants and customers at [organisation's name]; will be treated fairly irrespective of race, gender, religion/belief, disability, gender orientation, maternity/paternity status, sexual orientation and/or age. We value a diverse customer base and the individuality and creativity that every worker potentially brings to the workforce.

#### **Operating Principles**

- Workers, job applicants and customers will be treated fairly, openly and honestly, with dignity and respect.
- No job applicant or worker will receive less favourable treatment on grounds of race, gender, religion, disability, gender orientation, sexual orientation, maternity/paternity and/or age.
- Equality and diversity is about good employment practice and makes sound business sense.
- Employment decisions on recruitment and promotion will be based solely on merit.
- Everyone has the right to work and do business in an environment free of unlawful discrimination and harassment. [Organisation's name] will not tolerate such behaviour under any circumstances.
- Disciplinary action, including dismissal, may be taken against any worker found responsible for harassment or discrimination.
- Any worker who believes he or she is being discriminated against, victimised or harassed should raise the matter through the [organisation's name] complaints procedure.

This policy is fully supported by (the owner/director of organisation). It will be ensured that all the workers are aware of the policy and that they are responsible for observing it.

### **B) Sample Equality Action Plan**

- (Named owner/manager or senior member of staff) is responsible for the equality policy and for putting the equality action plan into practice.
- We will circulate our equality policy, harassment policy and complaints procedure to all workers and their representatives, and also display them on company notice boards.

- We will provide guidance for supervisors, managers and other relevant staff on the company's equality policy, and on their responsibilities under the law.
- Our aim is to employ a diverse workforce. We will regularly review and revise the company's policies, practices, and procedures, to make sure they are not potentially discriminatory.
- If people from particular social backgrounds are under-represented, we will:
  - include a statement in our job advertisements, positively encouraging them to apply;
  - make sure we advertise jobs as widely as possible;
  - consult specialist agencies such as Job Centre Plus, for advice;
  - make sure the criteria for selection are entirely job-related; and
  - keep track of the ethnic backgrounds, gender and disability status of all workers and job applicants and use the information to improve opportunities at all levels in the company.

Our aim is to serve all members of the communities we serve. If people from some social groups are under-represented among our customers, we will develop marketing and other strategies to reach them.

**C) Sample Equality Action Plan for larger organisations/companies and/or with more resources**

- (Named senior manager) is responsible for the equality policy and for putting the equality action plan into practice.
- We will circulate our equality policy to job applicants and all workers, and their representatives, by enclosing copies in induction material and application packs, and by placing them on our website and on company notice boards.
- We will make sure the equality policy applies to all our activities. We will monitor the equality policy, for example, by collecting and analysing information about the ethnic background, gender and disability status of job applicants and all workers, at each level in the company.
- If we find under-representation in respect of ethnic origin, gender or disability, we will:
  - include a statement in our job advertisements, positively encouraging people from the under-represented groups to apply;
  - make sure our job advertisements reach them;
  - consider using minority media for our job advertisements;
  - consult specialist agencies, such as Job Centre Plus, for advice;
  - make sure the criteria for selection are entirely job-related;
  - review and revise the company's policies, practices and procedures; and

- consider taking positive action to provide training specifically for under-represented groups.
- We will make sure all our workers know and understand our harassment policy and complaints procedure, by:
  - circulating the policy and procedure to all staff and displaying both on company notice boards; and
  - holding staff meetings to explain and discuss the policy.
- Senior managers and other staff involved in recruitment and handling complaints will receive training in racial equality and the law on discrimination.
- We will consider using external agencies to support and advise us on equality matters.
- Our aim is to serve all members of the community. If people from some social groups are under-represented among our customers, we will develop marketing and other strategies to reach them.

### **Appendix 3: Useful Contacts**

**Anna Sirmoglou**, Equalities Manager, the WMCA, 16 Summer Lane, Birmingham, B19 3D, 01212147401, [annasirmoglou@centro.org.uk](mailto:annasirmoglou@centro.org.uk)

**Equality and Human Rights Commission**, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX Telephone 0207 832 7800 (non helpline calls only) 0808 800 0082 (Helpline)

**ACAS (Advisory, Conciliation and Arbitration Service)**, Euston Tower, 286 Euston Road, London, NW1 3JJ, 08457474747