

EQUALITY, DIVERSITY AND INCLUSION GUIDANCE FOR PROCUREMENT TEAMS AND CONTRACT MANAGERS

Equality, Diversity, and Inclusion (EDI) is a key component in maximising social, economic, and environmental benefits through or as a direct result of awarding contracts.

The aim of this guidance is to provide suggestions and it is for institutions to tailor for their own institution and how this relates to them. There are definitive definitions as per the Act.

Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The Act makes it law that every private, public, and voluntary organisation must not discriminate against their employees or the people that use their services because of their particular characteristics.

The following characteristics are protected characteristics:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The Public Sector Equality Duty

It means that public bodies must consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.

It also requires that public bodies have due regard to the need to:

- eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities

These should be **specific and proportionate** to your contract.

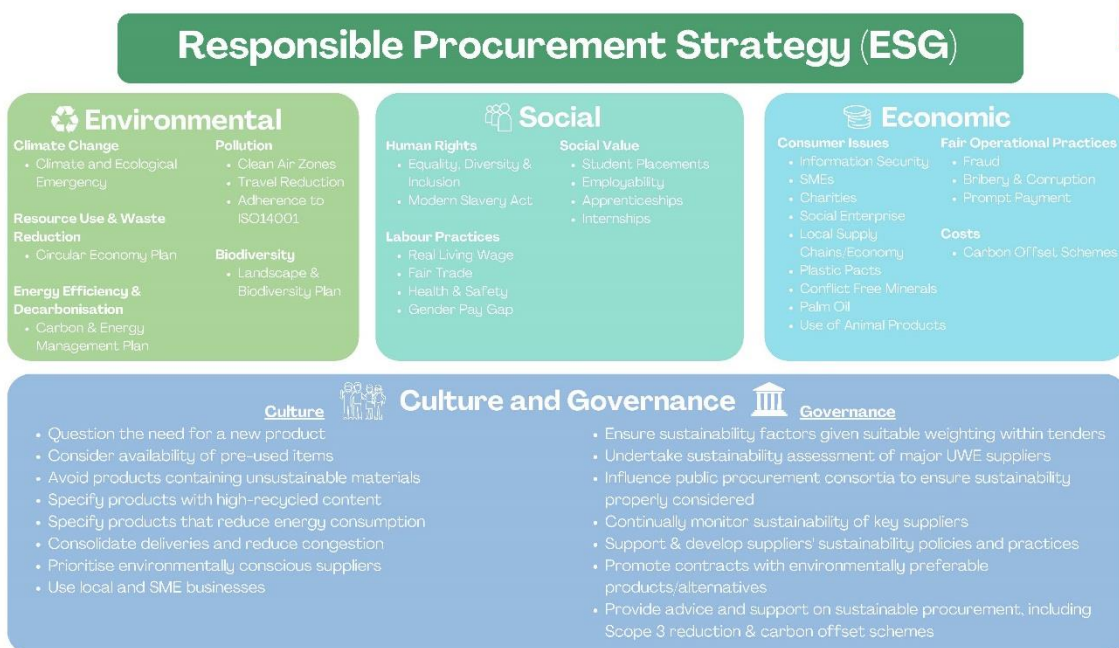
What does EDI mean for procurement?

- Refer to overarching/institutional strategy/strategic goals – e.g. inclusive initiatives
- Include in terms and conditions for suppliers and refer to institutional policies such as Supplier Code of Conduct or EDI or equal opportunities policies
- Include on contract review agendas
- EDI questions at framework level by purchasing consortia:
 - How they promote EDI across the contract length
 - How EDI is considered on delivery of the contract
 - Once framework agreements in place – seek evidence on how they actively promote EDI as opposed to having a policy (multiple choice question – internal committee, action plan, public commitment etc.)

- Only for certain contracts that are overtly part of the delivery of the contract – limited to number of questions and can be left to institutions to ask specific questions
- Every contract will complete as part of supplier due diligence
- Buying social justice: through procurement research – link from Gemma

Why is EDI important to an institution?

- It is a requirement under the [Public Sector Equality Duty](#) which still applies to institutions even if they are not a contracting authority
- Overarching organisational wide mission statements/strategy/strategic goals
- Promoting fairness and equity
- Diverse suppliers – more ideas, more reflective of the institution student base
- Data not collated for some areas – e.g. ethnic minority owned business
- Positive engagement strategy – local engagement days with other public sector bodies
- Below is an example of a responsible procurement strategy from UWE



What could EDI look like for a supplier?

- At the tender stage include checklist/questions as an opportunity to promote good practice and not necessarily scored
- Contract review meetings have an EDI agenda item. Examples of questions which could be asked as part of supplier engagement to support evidence of activities and can be asked at every meeting:
 - Are they a Disability Confident Employer?
 - Are they a member of Stonewall or similar?
 - Do they take part in Pride week activities?
 - Do they have a transition policy?
 - Do they have staff groups such as LGBTQ+ or ethnic minority groups?

- Do they have a menopause policy?
- Do they have a policy or support group for neurodiversity?
- Do they report on gender pay gap?
- Do they report on employee/governor/board EDI?
- Do they align with living/minimum wage?
- Do they have a modern slavery policy? Have they used the [Government's modern slavery toolkit](#)? If not invite them to.
- Ask what last 3 EDI initiatives they have undertaken? How are these monitored and recorded?
- Suggestions could be a Teams/share point site for each supplier and contract review minutes, agendas are saved in the same place and suppliers can update.
- Discussions can trigger an education piece within suppliers as they may not be aware that they have such things in place as an organisation.
- This could be a recommendation to UKUPC that these are covered at tender and at awarded contract stage as a more central function with all suppliers. Should be in central portal ([Government Central Supplier Registration](#)).
- Many of these have various levels of signatory as well as many different schemes
- Transparency question – Are institutions also meeting the same needs they are asking for their suppliers? Procurement teams should be aware of their institutions answers to the questions and which schemes they are part of. Tender documentation should include as standard links (not downloaded documents to ensure current versions are referred to) to the institution's policies to ensure they are kept up to date.
- [Sustain Supply Chain Code of Conduct](#) may be used which may cover some of the above items.
- Institutions could focus on specific areas depending on institution focus. More indicators of engagement rather than expectation to do all – a list of tools that suppliers could use and can align to their own goals and strategies.
- Refer to terms and conditions for contracts for EDI related areas – such as being living wage

EDI schemes

- [B corp](#)
- [Modern Slavery Assessment Tool – Supplier Registration Service](#)
- [Stonewall Diversity Champion](#)
- [Disability Confident Employer](#)
- [Armed Forces Covenant](#)
- [Inclusive Employers](#)
- [UK National Centre for Diversity and a Healthy Place to Work Awards](#)

List of resources/tips/hacks

- [Buying social justice: through procurement research – an EDI toolkit](#)
- [How to source diverse suppliers – CIPD \(Chartered Institute of Professional Development\)](#)
- [Sustain Supply Chain Code of Conduct](#)
- [Writing about ethnicity](#)
- [Glossary of key terms around EDI](#)



- [HEPA modern slavery and human rights tools](#)

Good examples of initiatives

- [Buying social justice: through procurement research](#)
- [Modern slavery in public sector tendering](#)
- [CIPS EDI](#)
- [Real Living Wage](#)

Relevant Legislation/Regulation

- [Equality Act 2010](#)
- [Public Sector Equality Duty](#)

This document has been produced by the [EAUC & HEPA Responsible Procurement Group – Social Responsibility Sub-Group](#)

Please provide any feedback or examples of where you have used this guidance to share good practice to feedback to the group – please contact Fiona Goodwin at fgoodwin@eauc.org.uk.

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