



Equality and Diversity in  
Procurement  
Guidance for Suppliers

## Introduction

Firms and organisations that are awarded tenders are acting on behalf of Dover District Council and will be expected to comply with current equality legislation in the same manner as we do, in both employment and service delivery.

The purpose of this guidance is to explain how we put our commitment into practice when it procures; it is intended to assist suppliers with understanding our requirements on equality and diversity in procurement.

The Council's Equality and Diversity Policy (which can be found on the internet) highlights its commitment to ensuring that current and potential service users, employees or job applicants will not be discriminated against on the grounds of age, gender, disability, race, religion or belief, sexual orientation, gender reassignment, marriage or civil partnership and pregnancy and maternity. The principals of tolerance and understanding and respect for others are central to us and we expect any supplier or contractor doing business with us to share this commitment by offering equality of opportunity, and operating in a non-discriminatory manner.

We also have a duty to provide services that demonstrate value for money, whilst ensuring that its policies support local diversity and do not lead to unfair discrimination. Council spending contributes to local sustainability and regeneration, and the local citizens have a right to expect that the money spent by us on goods and services will promote and protect equality.

This document is intended as a brief guide to equality legislation and an overview of the way in which we ensure that it meets its responsibilities when procuring goods, works and services. If you want to take advantage of the business opportunities offered by us, you will need to comply with all the equality legislation that is relevant to your contract.

## Equality in Procurement

Any contract that we enter into should reflect its range of needs by ensuring that the services provided are tailored to our community. Therefore it is important to us that equality and diversity are reflected in all our procurement procedures, and in particular those that impact most on the community.

We procure externally sourced goods, works and services. Whilst a contractor themselves must not discriminate, our duties include not only ensuring discrimination does not occur, but also actively promoting equal opportunities and good community relations. In order to do this, we have built relevant equality considerations into the procurement process.

Contractors, and potential contractors, need to be aware of the legal duty placed on us since it has implications for them.

By promoting Equality and Diversity in procurement, we should:

- Provide more adaptable services to tackle social exclusion, support independent living and develop stronger and more cohesive communities.
- Create a diverse and integrated workforce.
- Improve the accessibility, quality and appropriateness of our services.
- Improve overall value-for-money in terms of goods, works and services it purchases.

## Legislation

We take our responsibilities for promoting Equality and Diversity very seriously. In order to ensure that these requirements are addressed in procurement, we have some key considerations.

### **Statutory Duties and Legislation**

We comply with all anti-discriminatory legislation including:

- Sex Discrimination Act 1975 and 1986 and as amended by the Equality Act 2006
- Employment Equality (Sex Discrimination) Regulations 2005
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Equal Pay Act 1970
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995 and 2005
- Special Educational Needs and Disability Act 2001
- Human Rights Act 1998
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- The Protection from Harassment Act 1997
- Local Government Act 2000
- The Equality Act 2010
- The Employment Equality (Age) Regulations 2006
- European Regulations and Directive
- Codes of Practice, including on Equal Pay

This has implications for the Council's procurement policy as we have a duty to ensure our suppliers meet requirements to promote Equality and Diversity.

## **The Equality Standard**

The Equality Standard recognises the importance of fair treatment and equal access to local government services and employment. It has been developed as a tool to help local authorities mainstream their equality and diversity objectives.

## **Documents**

There are various documents relating to the procurement process.

- The Council's 'Procurement Strategy' sets out our strategic approach to procurement.
- The Council's 'Equality and Diversity Policy Statement' highlights our commitments to Equality as a whole.
- The Council's Equality guidance for Procurement reinforces the aims of the Equality Standard for Local Government.

## **Working with Dover District Council**

We expect all our suppliers to:

- Comply with all relevant legislation and keep up-to-date with all developments and changes in legislation.
- Consider the relevance of equality that has been given to your contract and make sure you understand in broad terms what this means for you.
- Have an up-to-date equality policy covering employment and service delivery issues.
- Complete an equalities pre-qualification questionnaire as part of the procurement process.
- Consider what you need to do to meet the requirements of this questionnaire.
- Take steps to maintain this standard throughout the length of any awarded contract.
- Complete an equalities monitoring questionnaire on a regular basis to ensure compliance during the lifetime of the contract.

## **How does the Council check supplier compliance?**

- The Council's requirement will reflect general equality and diversity issues and there may be more specific equality and diversity considerations within the core requirements.
- Compliance will form part of the tendering process with a standard pre-qualification questionnaire on diversity that contractors must complete.
- This questionnaire forms part of the selection process that decides which contractors may be considered to tender.
- Contracts may include equality and diversity terms and conditions.

- The supplier will be monitored during the contract to ensure compliance with equality issues. This will continue throughout the service provision.
- The results of this monitoring questionnaire will be reported back within the Council's procurement function.

If you need this guidance translated in to another language, please contact 01304 872334 or email [procurement@dover.gov.uk](mailto:procurement@dover.gov.uk).