

INTEGRATING EQUALITY & DIVERSITY INTO PROCUREMENT

Frequently Asked Questions

January 2010

1. Why do I or my company need to take equality into account?

Suppliers providing services to, or on behalf of Scarborough Borough Council must carry out their duties in accordance with legislation governing race, gender, disability, sexual orientation, age and religion or belief. Failure to comply with the integrating equality into procurement could make the authority, and in some cases, individuals, liable to legal action and prevent suppliers from being allowed to tender for Scarborough Borough Council Services and works.

2. What questions will I or my company be asked?

The questions detailed in the Equalities Questionnaire will be asked at the pre-qualification stage, when external providers are invited to provide relevant details with regard to their approach to equality and diversity issues.

3. Do I or my company have to answer all the questions?

At the pre-qualification stage the contract will have been deemed of high, medium or low relevance to equality. If the contract is deemed low you will only be required to complete Section A of the Equalities Questionnaire. If the contract is deemed of a medium or high relevance to equality you will be required to complete both Section A and Section B of the Equalities Questionnaire. It will be important to try and answer all the questions.

4. We do not have a written equality policy. Does this mean we cannot be included in the tendering process?

Scarborough Borough Council's approach is to strongly encourage potential suppliers to demonstrate a commitment to equalities. We recognise that a small firm may not have written equality policies, and other companies who may have formal policies may not refer to it in recruitment processes. This will not automatically exclude them from selection.

Scarborough Borough Council has produced a range of guidance information for contractors on the integration of equality into procurement practices on its web site at www.scarborough.gov.uk. This includes a booklet containing templates for a variety of equality policies and procedures which may prove useful to potential contractors and suppliers who have not yet implemented an equality policy.

5. How will this affect the contract clauses?

Scarborough Borough Council's contract clauses undergo a regular review to ensure they remain consistent with legislation. A standard clause on equality has been included in all contracts. This approach will not change.

6. How will this framework affect the contracts whose value equals or exceeds the European Union contract thresholds?

If the value of the contract exceeds EU thresholds, EU directives stipulate the questions that can be asked at pre-qualification stage. However, the Authority will make explicit in the OJEU (Official Journal of the European Union) notices for contracts that the successful contractor will be required to comply with additional questions pertaining to equality.

7. Why if a contract is over £1 million, does it have to be considered of high relevance to equality?

Spending £1 million on a particular contract is a significant amount of financial resources for Scarborough Borough Council to commit. Scarborough Borough Council is keen to ensure that any contract with significant financial implications for a service, function or project that affects the Borough does not discriminate against particular sections of the community, either through the nature of the project or through erroneous employment practices. Setting a financial limit is also consistent with other equality assessments and practices within the Council.