



Equality and Fairness in Contracts

Date Approved by Executive Director of Resources:
Date Due for Review:
Responsible Officer:

21 October 2022
21 October 2025
Corporate Procurement Manager

If you would like this information in another format, please ask us.



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(calls to OneCALL may be recorded for training purposes)



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Our Vision

Our Vision is to create confident people and confident communities.

Equality, diversity and inclusion is at the heart of everything we do and we are committed to inclusivity across all areas of employment and business, in the provision of services and in all our processes and procedures.

Our employees are encouraged to reach their full potential and we recognise the protected characteristics and strands of equality: age, disability, gender reassignment, marital / civil partnership status, pregnancy / maternity, race, religion or belief, sex and sexual orientation. We seek to reflect the community we serve and fulfil our legal and regulatory obligations.

This commitment to equality, diversity and inclusion applies to all our services, whether we provide those services directly or procure them from elsewhere. We expect high standards from suppliers who provide goods, services and works to us.

All groups in our communities, whatever their background, have a right to expect that public money is spent on services which meet their needs, in a way which promotes equality of opportunity for customers and fairness for those who make and supply those goods and services. We support supplier diversity to ensure equality of opportunity for large and small contractors alike. Supplier diversity means ensuring that our procurement processes provide equal opportunities for all suppliers to compete for contracts in the housing supply chain.

This document explains the requirements on us and our expectations of suppliers regarding equality and fairness through the avoidance of exploitation and slavery and provides information about where suppliers can get further advice and information.

We welcome and support the Equality Act 2010 and the requirements stipulated within the Modern Slavery Act 2015, ensuring that we meet our obligations under these acts as an employer, service provider and as a purchaser of goods and services. We aim to embed these obligations in all our tender opportunities so external partners understand and embrace our ethos for equality within the procurement process.

Delivering equality in service provision

The Equality Act 2010 has important implications for our organisation, as we carry out a public service it prohibits unlawful discrimination in all functions we undertake, including procurement.

We are committed to purchasing works and services from suppliers who can demonstrate a commitment to making sure their employees and customers are not discriminated against because of age, sex, sexual orientation, race, religion or belief, disability, gender reassignment, pregnancy / maternity and marital / civil partnership status.

Equality Act 2010

Part of the Equality Act 2010 relates to the Public Sector Equality Duty (PSED). The PSED requires organisations that carry out a public function to 'have due regard' to:

- eliminate unlawful discrimination;
- advance equality of opportunity; and
- foster good relations when exercising their functions.

The Equality Act 2010 contains a specific measure on procurement, making provision 'to enable duties to be imposed in relation to the exercise of public procurement functions'.

From a procurement perspective, the Equality Act 2010 requires us to consider:

- how our procurement approach can contribute to the delivery of our equality objectives;
- the use of equality-related contract award criteria where they relate to the subject matter of the contract and are proportionate; and
- incorporating equality-related contract conditions where they relate to the performance of the contract and are proportionate.

We recognise and can demonstrate, that we must use the knowledge and skills of all sections of our workforce and that our diverse workforce enables us to meet the demands of a broad customer base. We must all ensure that such diversity is considered when we deliver and supply goods and services to the end customer using third parties.

We want to assist and encourage contractors and other partners working with us to achieve good practice in all equality of opportunity areas, to help us to deliver our responsibilities.

Equality in the tender process

In evaluating tenders, we will look for suppliers who demonstrate they understand and meet their responsibilities, operating with due regard to legislation, and can positively assist us in our obligations and aspirations.

We need to be sure that suppliers have no history of discrimination (or if they have, that positive steps have been taken to rectify this) and for relevant contracts we need to ensure that suppliers have the capacity to meet the equality standards required to deliver the contract.

For instance:

- Suppliers may be required to complete and submit answers to equality related questions as part of the tender process. The answers will be used to assess compliance with statutory regulations and the approach to equality.

- If equality is a core requirement of the contract, suppliers may be asked to give additional evidence to support their tender submission, such as information about the way that they approach equality issues within the supply chain or have adapted the provision of the service delivery to clients to recognise inclusion and equality matters. Bids may be scored on the approach and evidence provided.
- If the contract has direct equality implications, requirements will be built into the tender specification and contract conditions for the service. These requirements must be fulfilled by the successful supplier.
- As a main contractor who uses subcontractors to undertake certain elements of work, we must ensure that all subcontractors are aware of and are meeting their obligations, in the same way that main contractors need to.
- Suppliers must be able to satisfy us that they can continuously monitor, gather data and provide us with information, assuring us that our obligations towards equality are met. We need such information to report progress to our tenants and other organisations that may require it.

Example equality questions

Dependant on the nature of the contract, equality questions may directly relate to the services being delivered, or may be more generalised, for example:

- Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others? Supporting evidence is required.
- In the last three years has any finding of unlawful discrimination been made against your organisation by any court, industrial / employment tribunal or equivalent body? Please provide details of any findings.
- In the last three years has your organisation been the subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination? Please provide details of any investigations.
- What does your organisation do to ensure that equality, diversity and inclusion are embedded within your organisation? Please provide copies of relevant policies or written statement / evidence of relevant actions.
- Do you actively promote good practice in terms of eliminating discrimination in all forms through:
 - a) guidance to your employees / suppliers concerned with recruitment, training and promotion?
 - b) making guidance or policy documents concerning how the organisation embeds equality, diversity and inclusion available to employees / sub-contractors, recognised trade unions or other representative groups of employees?
 - c) appropriate recruitment advertisements or other literature? Please provide copies of any relevant policies / documents / written statement / evidence of relevant actions.

Modern Slavery Act 2015

We fully support and commit to the intent of this legislation. The Modern Slavery Act 2015 aligns to our commitment to be a business which is fair and operates with a social conscience. We have zero tolerance of economic or physical exploitation in any form, including slavery or forced labour. Our suppliers and contractors are also expected to ensure compliance from their supply chain, through demonstrating appropriate knowledge and awareness of the issues and by exercising appropriate management and control of their suppliers and contractors within the wider supply chain.

Our suppliers and contractors may be asked appropriate questions and for supporting information at relevant stages of our procurement process to confirm their compliance with this legislation, in our duty to comply with it.

In conclusion, we aim to adopt procurement processes that demonstrate our commitment to equality and the avoidance of exploitation and slavery in the supply chain, with all our suppliers and contractors. We will demonstrate compliance in the questions we ask, the advice we provide and by making sure that contractual arrangements we agree, actively promote equality and seek to reduce the incidence of exploitation.

Further information - Equality Act 2010

A useful summary of the Equality Act 2010 can be found on the following website:
<http://homeoffice.gov.uk/equalities/>

Equality and Human Rights Commission

<http://www.equalityhumanrights.com/advice-and-guidance/>

Phone: 0808 800 0082.

Or write to: Equality and Human Rights Commission
Free Post
EASS Helpline
FPN6521

The Equality Act Codes of Practice are especially useful as they indicate the duties applicable to us and our suppliers who may provide services to us or on our behalf.

Government Equalities Office

<https://www.gov.uk/government/organisations/government-equalities-office#content>

Tel: 03000 200 229.

Or write to: Government Equalities Office
Sanctuary Buildings
16-20 Great Smith Street
London
SW1P 3BT

Further information - Modern Slavery Act 2015

The Modern Slavery Act 2015 and its explanatory notes can be found on the Parliament website: <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

Further guidance and information is available from the Government and other organisations on various websites such as the following.

UK Government

<https://www.gov.uk/government/publications/modern-slavery-industry-factsheets>

<https://www.gov.uk/government/publications/stopping-modern-slavery-in-business-video/stopping-modern-slavery-in-business-video>

<https://www.gov.uk/government/publications/transparency-in-supply-chains-a-practical-guide>

Other organisations

<http://stronger2gether.org/>

<http://www.unseenuk.org/>

Further advice

If required, further advice and guidance on compliance with our equality and modern slavery standards can be obtained from:

Corporate Procurement Team

Email: procurement@wdh.co.uk



Vision

to create confident communities

Mission

to inspire, transform and promote excellence

Values

to be creative, inclusive and work with integrity

delivering promises, improving lives