

For more information on C2E and to join the National Equality Register - contact West Midlands Quality Centre Ltd a C2E approved provider



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The Suppliers Guide to Equality



A brief guide to the Equality Bill 2009

WMQC West Midlands Quality Centre

A brief guide to the Equality Bill 2009

The Equality Bill 2009 and its Codes of Practice will have dramatic and significant effect on suppliers to Public Bodies and their sub contractors, as well as suppliers to the Private Sector.



The Equality Bill 2009 is scheduled to become law during the next session of Parliament. One of the Bill's main objectives is to enable duties to be imposed in relation to the exercise of public procurement functions+

The Bill and Codes of Practice will do this by strengthen the Equality Statutory Duty on Public Bodies and their suppliers through Public Procurement. (Part II Advancement of Equality Chapter 1 Public Sector Equality Duty Clauses 145 to 151)



The requirement will demand that all public authorities must, in the exercise of their functions, have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality and foster good relations. This duty applies to a person who is not a public authority but who exercises public functions (Part II Advancement of Equality Chapter 1 Public Sector Equality Duty Clause 145)

The rules of European Directive 2004/18/EC apply to all public procurement contracts.



National Equality Register

The C2E National Equality Register.

- ~ Simplifies the challenges of managing equality for suppliers
- ~ Enables reporting of Equality Information to be transparent
- ~ Holds and makes up to date and verified Equality Information available
- ~ Empowers public sector procurement and makes managing equality easier for them and their suppliers



Committed2Equality

Committed2Equality (c2e) is a not for profit organisation - a legacy of the business-led Race Equality Task Force. The Task Force, in which Janet Lakhani was the SME champion, was set up in 2003 by the Prime Minister to find practical ways for business, third sector organisations and government to work together on all strands of equality. The recommendations made in the report are at the heart of the Equality Bill introduced into Parliament in spring 2009.

C2e has published a number of reports including the Local Authorities Equality & Diversity Survey (2006), and A Procurement guide to the proposed Equality Bill (2008).



Further information

C2E and the National Equality Register - <http://c2e.co.uk>



The Equality Bill 2009- <http://services.parliament.uk/bills>

Government Equality Office- GEO has responsibility within Government for equality strategy and legislation- <http://www.equalities.gov.uk>

Equality and Human Rights Commission - EHRC is the statutory body which has the responsibility to protect, enforce and promote equality across the nine "protected" characteristics - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.



The commission has significant powers to enforce the equalities duties of organisations and authorities, including, ultimately, launching official inquiries and formal investigations- <http://www.equalityhumanrights.com>



Specific powers in connection with Public Procurement- Equality Bill 2009

The Government's view is that the public sector has an important opportunity to use its purchasing power to promote equality where possible. It believes that it is right that public money is spent on goods and services in a way that advances the Government's public policy objectives on equality.



The powers to impose additional specific duties, on a contracting authority within the meaning of the Public Sector Directive (2004/18/EC) in connection with its public procurement functions, is granted to a Minister of the Crown by the Bill. (Part II Advancement of Equality Chapter 1 Public Sector Equality Duty Clause 151)

European Directive 2004/18/EC applies to the award of public works contracts, public supply contracts and public service contracts. (European Parliament and of the Council of 31 March 2004)

Public Procurement



Over 350,000 suppliers work with public bodies.

According to Government figures the total amount spent by public Procurement amounts to £175Bn. There are approx 25000 organisations who

will be subject to an Equality Public Duty (Local Authorities/ NHS/ Central Government etc)



Suppliers and Sub Contractors to the Public Sector

The Equality Bill 2009



The Equality Bill 2009 and the Codes of Practice will directly affect you and your organisation. You will be subject to extra scrutiny and more exacting requirements.

As a supplier to a Public Body you will be required to have evidence of compliance that your equality practice meets a contracting authority's requirements. (Government Equality Office)

You will be expected to meet new contractual conditions and MEET your legal duty. That can include compliance with shared statutory equality duties. Part II Advancement of Equality Chapter 1 Public Sector Equality Duty Clause 145 (2)

New requirements will use Public spending to make sure that suppliers and their sub contractors meet their obligations. These will include reporting on your Gender Pay Gap.



What you need to do

Check your current contracts and the conditions that are already in place.

Ensure that you have Equality Policies and Practices in place and that you can evidence them. If you need help · contact C2E and join the National Equality Register



Suppliers to the Private Sector

The Equality Bill 2009



The Equality Bill 2009 and the Codes of Practice will affect you and your business less than a Supplier to the Public Sector **HOWEVER**;

You will have legal obligations to potential, current and past employees and customers but you will not be subject to the same scrutiny as Public Sector Suppliers.

If you have more than 250 employees you will be required to report on any Gender Pay Gap.

It is unlikely that the more exacting regulations that are applied to Public Sectors Suppliers will be applied to you.

If you want to become a Supplier to the Public Sector or a Sub Contractor you will become subject to the regulations and requirements detailed across the page.

What you need to do

Check your current contracts and the conditions in place. You may already be a sub-contractor or have duties to clients that you have overlooked.

Make sure that you have Equality Policies and Practices in place and that you can evidence them. If you need help ask · you can do this by contacting C2E and joining the National Equality Register

