



**East Staffordshire Borough Council
Equality and Health Impact Assessment (EHIA)**

This EHIA documents how you have taken into account health impacts and the requirements of the Public Sector Equality Duty in the decision making process for this function, policy or service.

1	<p>Title of function, policy or service to be assessed:</p> <p>Procurement Policy Update 2022</p>
2	<p>Date:</p> <p>15th September 2022</p>
3	<p>Name of EHIA author:</p> <p>James Abbott</p>
4	<p>EHIA team:</p> <p>James Abbott Glen McCusker Lisa Turner Stiliyana Stoyanova</p>
5	<p>Head of Service:</p> <p>Sal Khan</p>
6	<p>Is the policy, function or service existing, new or being reviewed?</p> <p>A revision of an existing policy.</p>
7	<p>State the aims, objectives and purpose of the function, policy or service and provide a summary of the service provided:</p> <p>The Procurement Policy provides a framework for procurement and commissioning. The aims of the Policy are:</p> <ul style="list-style-type: none"> • To ensure that the Council has in place robust arrangements for ensuring that its works, supplies and services are procured or commissioned in a way that provides Value for Money • To provide a policy framework for the processes and resource allocation of the organisation in its procurement of works, supplies and services. • To detail the Council's continued approach to using best practice procurement

	<p>approaches and processes.</p> <ul style="list-style-type: none"> • To guide officers in making the right decisions and engage with colleagues and elected Members as appropriate when undertaking contracting activities while complying with the Council's Contract Procedure Rules and Financial Regulations which form part of the Council's Constitution. • To make sure that planning reflects our Corporate vision, our values, aims and outcomes; • To secure commitment to effective and efficient procurement from Members and officers at all levels throughout the organisation; • To provide a focus for procurement, helping us to co-ordinate procurement and use resources as effectively as possible; • To help us to plan budgets, tasks and targets to meet the main procurement aims identified; • Strengthened focus on maximising opportunities for local businesses and organisations, whilst still ensuring compliance with applicable procurement regulations
8	<p>Are there any other functions, policies or services which might be linked with this one for the purpose of this EHIA?</p> <p>The Council's Contract Procedure Rules, Financial Regulations and the application forms used in the procurement process are fundamentally linked to the Procurement Policy in this EHIA.</p>
9	<p>Who is it intended to affect or benefit (the target population)?</p> <ul style="list-style-type: none"> • Staff purchasing works, supplies and services • Current and potential suppliers to the Council, including private and third sector organisations • Residents of East Staffordshire

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Equality impacts

The Public Sector Equality Duty requires public bodies, in the exercise of their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Within this table, state whether the policy, function or service will have a positive or negative impact across the following protected characteristics and provide any comments.

	Positive Impact	Negative Impact	Comments
Age			i. <i>[No impact identified]</i>
Disability		✓	ii. The Policy has a focus on electronic procurement. People with visual impairments may have difficulty accessing online forms or submitting online tenders.
Sex / gender reassignment / pregnancy or maternity			iii. <i>[No impact identified]</i>
Race			iv. <i>[No impact identified]</i>
Religion or belief			v. <i>[No impact identified]</i>
Sexual orientation			vi. <i>[No impact identified]</i>
Other	✓	✓	vii. All adverts and access to tender documents is online allowing direct, unrestricted access to documents at all times.
	✓		viii. As the Council advertises all tendered contracts, and receives tender submissions via online means only, organisations without internet access may experience difficulty tendering.
	✓		ix. The policy and associated tendering processes facilitate easy access to contracts by SMEs and local organisations.
	✓		x. Tender processes provide scope for the Council to ensure compliance with Equality Legislation ahead of suppliers being awarded contracts.

11. What evidence do you have for the statements made in question 10?

ii. Disability (visual impairments) - The Public Contracts Regulations 2015 stipulate that *“by means of the internet, offer unrestricted and full direct access free of charge to the procurement documents”*. Furthermore the Regulations state *“all communication and information exchange... including electronic submission, shall be performed using electronic means of communication”*.

The Regulations also state that *“the tools and devices to be used for communicating by electronic means, and their technical characteristics, shall be non-discriminatory, generally available and interoperable with the information and communication technology products in general use and shall not restrict economic operators’ access to the procurement procedure”*. The Council has procured a recognised electronic tendering portal that is compliant with procurement regulations.

vii. Other (24hr access to adverts / documents) - The requirements for unrestricted internet access increase accessibility, as it eliminates the need for a supplier to have any direct contact with the Council in order to access the procurement information / documents. Suppliers who are unable to contact the council during normal hours are not disadvantaged.

viii. Other (electronic submissions) - The requirements regarding electronic procurement may cause issues for suppliers without internet access. But as above, electronic tendering is necessary. Also the Council’s current procurement portal’s screens are designed to meet Web Accessibility Initiative (WAI) “AA” standard or better and are compatible with standard screen reader software.

ix. Other (reduced burden on SMEs) - The Public Contracts Regulations 2015 have been implemented with accessibility of contracts to SMEs as a focus. Selection Questionnaires (SQs) have been eliminated for most below threshold tenders, and have been standardised for tenders above the threshold, reducing burden on SMEs and allowing them to be more competitive with larger organisations.

x. Other (compliance with equality legislation) - the procurement legislation and the associates application processes continue to allow for compliance with equality legislation to be a means of supplier selection.

12 Consultation:

Describe what consultation has been undertaken on this function, policy or service, who was involved and the outcomes.

External:

Training and external guidance on the revised Public Contracts Regulations has previously been undertaken and the internal tendering processes have been designed to account for the current legislation.

To support the refresh work, the Council has obtained external legal opinion on the working draft of the revised policy, to inform the final draft of the policy as presented in this report.

The Council also met with a representative of the CIPFA Procurement and Commissioning Network to discuss our Policy approach to inform the refresh.

The Council’s current procurement portal provider has been contacted to request information on how they make their solution accessible to all. They have advised that portal screens are

designed to meet Web Accessibility Initiative (WAI) “AA” standard or better and are compatible with standard screen reader software.

Internal:

Programmes and Transformation Team
 Financial Management Unit
 Legal Team

Comments were requested from the above on the Policy during the drafting phase and comments, experiences and advice incorporated accordingly, to ensure current approaches were captured correctly and that associated Council regulations are referred to accurately.

13 Briefly explain how the policy, function or service contributes to community cohesion by answering the following questions:

- How will it provide equality of access to services, information and employment?
- Does it or could it promote good relationships within and between communities?
- How will it help to prevent social exclusion?
- Will it help to reintegrate those who have become excluded?
- Will this assist with communities feeling that they are connected to decision making that affects them?
- How will it provide good quality, inclusive services?

The Policy should serve to provide good quality, inclusive services while enabling access to opportunities for SMEs to work with the Council and improve accessibility of documentation to all.

Through strengthening our procurement procedures and methodology we are confident that officers are being driven to procure appropriate contracts and the services they deliver and are required under the Policy to consider a range of factors including Local Purchasing, Community and Voluntary Organisations, Social Value, Value for Money, ethical procurement, Climate Change & Sustainability, and any other Council policy / Strategy that could influence their considerations.

14 Health impacts – screening question

Will the subject of this EHIA:

	No (provide a brief explanation of your response)	Yes (Is this impact positive or negative? provide a brief explanation of your response)
Have a direct impact on health, mental health and wellbeing?		✓ [Positive Impact] Through effective consideration of service needs in all purchases, and strengthened promotion of local procurement and accessibility to SMEs the well-being of residents in the area is contributed to.
Have an impact on social, economic and environmental living conditions that would indirectly affect health?		
Have an effect on an individual’s ability to improve their own health and wellbeing?		
Affect access to, and the quality of, health, mental health or wellbeing		✓ [Positive Impact] Strengthened social,

	services?		economic and environmental factors are embedded in the Corporate Priorities. The Policy ensures sound procurement of effective services in line with the Priorities.
<p>Please refer to the EHIA guidance document. If you answer yes to any of these questions a health impact assessment is required, please complete section 16.</p>			
15	<p>Head of Service signature: I am satisfied with the results of this EHIA.</p>		

16. HEALTH IMPACT ASSESSMENT¹

To be completed if you have answered yes to any of the health impact screening questions.

A. Describe the health impact(s). Please refer to the screening questions in Q14.	B. Answering yes to these questions indicates an important health impact. Be explicit and include the evidence that has been considered.			C. Are the health impacts significant?
Identify the health impact(s)	Will the health impacts affect the whole population? Will it affect particular groups of people differently?	Will the health impacts be difficult to remedy or have an irreversible impact? Are they likely to cause public concern?	Will the health impacts be medium to long term? Are they likely to create cumulative impacts?	Does this health impact have a significant positive or negative impact? (based on your responses to section B)
✓ [Positive Impact] Through strengthened local procurement and accessibility to SMEs, the well-being of residents in the area is contributed to.	Affects local people doing business with the Council. May influence employment.	Strengthened appropriate local advertisement of the tender opportunity, such as the Council's website, social media channels, and business e-newsletter. Positive impact, which would not cause public concern.	Over the life of the Policy. No cumulative impact.	Small positive impact.
✓ [Positive Impact] Social, economic and environmental factors are embedded in the Corporate Priorities. The Policy ensures sound procurement of effective services in line with the Priorities.	Procurement of services delivered across the area is fundamentally linked to the factors contained in the three Corporate Priorities, affecting the whole area equally.	Positive impact, which would not cause public concern.	Over the life of the Policy. No cumulative impact.	Intermediate positive impact.

¹ Adapted from 'Health Impact Assessment of Government Policy, a guide to carrying out a Health Impact Assessment of new policy as part of the Impact Assessment process.' Department of Health, July 2010 p.13

17. EQUALITY AND HEALTH IMPACT ASSESSMENT RECOMMENDATIONS AND ACTION PLAN

Please describe the actions, if any, you will take to mitigate against negative health or equality impacts identified in this assessment, or to maximise the benefits of the policy or service. If significant action is required it should be included in Service Plans.

Is it a Health or Equality action?	Issue/impact identified	Recommendation / action required	Lead officer and timescale	Resource allocation
Equality Action	The Policy has a focus on electronic procurement. People with visual impairments may have difficulty accessing online forms or submitting online tenders.	Engagement with suppliers to highlight the message that online procurement is necessary; through publication of tendering procedures and / or Council attendance at “Meet the Buyer” events. Ensure that Web Accessibility Initiative standards are considered in the Council’s E-procurement portal contracts.	Corporate & Commercial Manager [Ongoing]	Officer time
Equality Action	As the Council advertises all tendered contracts, and receives tender submissions via online means only, organisations without internet access may experience difficulty tendering.	Engagement with suppliers to highlight the message that online procurement is necessary; through publication of tendering procedures and Council attendance at “Meet the Buyer” events.	Corporate & Commercial Manager [Ongoing]	Officer time