

**General Equality Duty:**

Eliminate discrimination  
Advance equality  
Foster good relations

## Equality Impact Assessment

<b>1. Name of policy/procedure/proposal/project/decision*:</b>	Procurement Policy Incorporating Sustainability
<b>Completed:</b>	27 May 2020
<b>Next scheduled review date:</b>	March 2021

<b>2. Name of policy/procedure/proposal/project/decision*:</b>
Procurement Policy Incorporating Sustainability

<b>3. What is main purpose of the policy?</b>
<p>The purpose of this policy is to provide guidance for SQA staff involved with any procurement activity, ensuring compliance with varying statutory requirements whilst enabling SQA to meet its aims and objectives.</p> <p>As a publicly funded organisation, SQA must comply with various Procurement and EU legislations. The process for procuring goods and/or services must be fair, transparent, non-discriminatory, and open to audit and accountability. SQA, as a public sector organisation, is committed to ensuring that it does not breach any legislation and proactively promotes equality, sustainability and diversity.</p> <p>SQA will only contract with suppliers who are aligned with, and can meet, SQA's standards and those set by the most current legislation in not limited to:</p> <ul style="list-style-type: none"><li>• Health and Safety Act 1974</li><li>• Equality Act 2010</li><li>• Data Protection Act 1998</li><li>• Bribery Act 2010</li><li>• Freedom of Information Act 2000</li><li>• Modern Slavery Act 2015</li><li>• General Data Protection Regulation</li></ul> <p>It is SQA's policy to consider the use of internal resources in the first instance. If the goods or services cannot be delivered in house, then an external supplier should be sourced.</p> <p>It is SQA's policy to advertise all regulated contracts on the Public Contracts Scotland website.</p>

**General Equality Duty:**

Eliminate discrimination

Advance equality

Foster good relations

To fulfil our legislative duties, all requirements over values set by the European Union are advertised in the European Union Journal.

**4. What information, and evidence, is being used to evaluate the impact of this policy on people who share protected characteristics?**

The policy has been benchmarked against Scottish Procurement Journey.

## General Equality Duty:

Eliminate discrimination  
Advance equality  
Foster good relations

## Public Sector Equality Duty

SQA is required to have 'due regard' to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

This section provides the opportunity to capture how the policy will contribute towards the three aims of the general equality duty, and to consider if there is anything more we need to do to meet our responsibilities.

<b>5. How might this policy impact on people who share protected characteristics? Please consider positive or negative impact. (At the beginning of the process you may want to record perceived impact – ongoing monitoring of the policy will allow you to measure the actual impact of the policy)</b>				
<b>Protected Characteristic</b>	<b>Neutral Impact</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>Please provide more information</b>
Age		X		SQA's procurement process encourages suppliers to consider how they can contribute to promoting and advancing equality in delivering the contract.  SQA require suppliers to complete probity statements and include equality policies or statements when submitting tenders.  Where a supplier directly impacts on our equality duties, assessment of their equality commitments forms a significant part of our contracting criteria.  We have awarded contracts to two supported businesses (defined as mainly employing disabled people): the Edinburgh Braille School and Haven.  SQA takes appropriate action to ensure that we engage with suppliers who do not discriminate in relation to any of the protected characteristics, and that they have equality policies and/or statements detailing their commitment to their staff and supply chain. However, our ability to challenge their evidential proof is limited.
Disability		X		
Marriage / Civil Partnership	X			
Race		X		
Religion / Belief / non-Belief	X			
Sexual Orientation		X		
Gender Re-assignment (Gender identity and transgender)		X		
Pregnancy / Maternity	X	X		
Sex		X		
Care experience (where relevant)		X		

**General Equality Duty:**

Eliminate discrimination

Advance equality

Foster good relations

				<p>The policy states:</p> <p>The policy states that a specification should be written in plain English, and should encourage:</p> <ul style="list-style-type: none"><li>▪ suppliers to diversify from the specification and offer alternatives as well as the specified product and innovation</li><li>▪ suppliers to use (if sub-contracting) small and medium-size enterprises and companies that are classed as supported business and factories (these are companies that have more than 50% of disabled employees)</li><li>▪ suppliers to use sustainable materials in their production and to act responsibly in disposing of their waste</li><li>▪ suppliers to specify Fair and Ethically Trade Products, if applicable</li><li>▪ the use of government specified sustainable products listed under 'Government Buying Standard.</li></ul> <p>Equality considerations are incorporated as part of contract management processes.</p>
--	--	--	--	--

**General Equality Duty:**

Eliminate discrimination  
Advance equality  
Foster good relations

**6. What arrangements could be implemented to reduce or mitigate any potential adverse or negative impacts identified above?**

N/A

**7. If you are proceeding with a decision that may have a negative impact despite the mitigatory arrangements identified in Step 5, are you satisfied that this is objectively justified, i.e. a proportionate means of achieving a legitimate aim? Please provide explanatory details.**

N/A

There is legislation to ensure all public sector bodies are compliant with the principles of open, fair and transparent procurement decisions. Any decision to proceed with an award of contract that does not meet these principles would be unlawful and could be challenged in a court of law.

**8. Could this policy be revised or changed to better meet the general equality duty?**

Ongoing consideration will be given to ensure SQA continues to ensure mainstream equality as of its procurement processes.

**9. Has there been consultation/is consultation planned with people who will be affected by this policy/procedure/project/decision? Please detail below how this has affected your decision making.**

No direct consultation was carried during this assessment, however feedback from colleagues has been considered.

**10. How will this policy be monitored and evaluated?**

The policy has been created to ensure compliance with SQA's legal responsibilities. The policy is embedded in SQA's procurement process and procedures.

**General Equality Duty:**

Eliminate discrimination

Advance equality

Foster good relations

**General Equality Duty:**

Eliminate discrimination  
Advance equality  
Foster good relations

**Action Plan**

<b>Ref:</b>	<b>Action:</b>	<b>Owners:</b>	<b>Dates:</b>
Eq/P01	Ensure there is ongoing consideration of equality impact considerations as part of SQA's procurement processes.	Procurement	Ongoing
Eq/P02	Ensure SQA's procurement strategy continues to promote equality and ensures there is equal opportunity for all suppliers who meet the stated criteria to participate.	Procurement	Ongoing