

# Workplace Equality Index Application

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## Procurement: Part 1

### Section 7: Procurement

This section comprises of 4 questions and examines how the organisation affects change in its supply chain. The questions scrutinise the steps taken to ensure LGBT inclusive suppliers are procured and held to account. This section is worth 9% of your total score.

**Below each question you can see guidance on content and evidence. At any point, you may save and exit the form using the buttons at the bottom of the page.**

#### **7.1 Does the organisation train or give guidance to the person/team responsible for procurement around diversity and inclusion outcomes, inclusive of LGBT equality?**

**GUIDANCE:** Examples can include information booklets, programmes or training, but must explicitly mention LGBT equality in relation to procuring services.

Yes

Describe the role or team responsible for procurement:

We have a dedicated Central Procurement Team (CPT) which is led by the Director of Finance and Procurement. He is supported by a Procurement Manager, two dedicated Procurement Business Partners (for IT and non-IT respectively) and they are supported by two Procurement Officers. The Director of Finance and Procurement, the Procurement Manager and the two Procurement Officers are permanent COPFS employees.

The IT Procurement Business partner is an external Contractor.

The Non-IT Procurement Business Partner is a permanent employee of the Scottish Government, seconded to COPFS as part of a shared service arrangement which has been in place for some years.

The team's remit is to deliver:

- a Strategic Transformation of Procurement, which has five work-strands:
- reviewing and updating procurement governance arrangements;
- affecting cultural change through training and awareness;
- ensuring effective re-letting of all contracts;
- ensuring effective contract and
- supplier management across all contracts

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Describe the diversity and inclusion training or guidance they receive:

The Director of Finance and Procurement has overall responsibility for procurement and, as a permanent employee of COPFS, he was required to undertake the mandatory 2 day face-to-face training on Equality and Diversity which had LGBT specific topics, case studies and discussions. There was a discussion on equality of service provision which specifically referred to LGBT considerations. The Director of Finance and Procurement is also, on an annual basis, required to undertake mandatory civil service e-learning on Equality and Diversity Essentials (1 hour) and Becoming Disability Confident (1 hour) and on a bi-annual basis to undertake mandatory civil service e-learning on LGBT awareness (1 hour), Mental Health awareness (1 hour), Unconscious bias (1 hour) and Becoming a friend of dementia (1 hour). The two day course was completed and all of the e-learning modules were completed within the 2018-19 financial year and all annual commitments will be met again during 2019-20 (and subsequent years). The Procurement Manager and the two Procurement Officers as permanent members of COPFS staff, are also required to undertake the same face-to-face mandatory training and are also required to undertake the mandatory e-learning modules within the same specified timelines. The Director of Finance and Procurement has also applied the same training requirements to the Contractor (and will do so for any successor) and the SG employee. Therefore all members of the team are expected to undergo the same level of training and to demonstrate its application on an ongoing basis in the delivery of their work.

In addition, the team ensures that equality and diversity is a mainstream aspect of all procurement and contract management work. COPFS has a number of Service User Leads (SULs) who are generalist staff that are responsible for ensuring that specifications articulate the business needs, tenders meet those needs and through contract and supplier management, those needs are delivered once a contract is awarded.

The Central Procurement Team host a development programme for SULs comprising of four modules. The E&D guidance is provided during all 4 modules by our COPFS Equality Champion and specifically includes consideration of LGBT requirements to be considered when undertaking a procurement process. This training session was delivered to SULs and the procurement team on 29th August 2018 at our prosecution college in Glasgow. Subsequent events have already been held in May 2019 and thereafter twice annually (2 dates per occurrence) commencing 11 and 29 November 2019.

7.2 Before awarding a contract, does the organisation scrutinise the following in the tender process?

Tick all that apply

**GUIDANCE:** Although it would be best practice, these criteria do not need to be deciding factors when awarding contracts. They should however still be scrutinised and appropriate action taken if the contract is awarded.

- A. Whether the potential supplier has a policy which explicitly bans discrimination/bullying and harassment based on sexual orientation or gender identity
- B. Whether the potential supplier has equality training which is explicitly inclusive of sexual orientation and gender identity

Describe the options selected below:

- A. Describe how the organisation scrutinises the potential suppliers' policies:

Our Director of Finance and Procurement periodically writes directly to existing suppliers to make them aware of our role as Stonewall Diversity Champions. In this correspondence he reminds them of our public commitment to encourage and share best practice in sexual orientation and gender diversity inclusion and emphasises that this includes those with whom we hope to do business. He makes them aware of our key policies and guidance on sexual orientation and gender diversity inclusion, forwards copies to them of relevant policies, advises them of our zero tolerance approach to discrimination/bullying and harassment based on sexual orientation or gender identity and asks them if they have similar policies and, if so, to forward them to him so that we can compare and learn from each other. Any policies forwarded to him would be sent to our Equality and Diversity policy lead for scrutiny. For example, our then, Procurement Director wrote to Haven, a potential supplier, on 21 August 2017 in the explicit terms outlined above and provided them with copies of our Fair Treatment at Work policy and our Transitioning at Work policy and associated line managers guide to transitioning at work. He asked Haven if they had any policies which made it clear that they explicitly ban discrimination /bullying and harassment based on sexual orientation or gender identity and, if so, asked to view them.

The standard COPFS Terms and Conditions (Section 14 for the supply of goods, Section 16 for the supply of services) state:

"The Supplier must not unlawfully discriminate against any person within the meaning of the Equality Act 2010 in its activities relating to the Contract or any other contract with the Purchaser."

Furthermore, equality and diversity are specifically listed as discussion points on the standard agendas for both the

Contract Management kick-off meeting and **all** subsequent "routine" contract management meetings.  
The Embedding Contract Management across all COPFS contracts works-stream which is a major element of the Strategic Transformation of Procurement project includes undertaking a review of every COPFS contract and determining the degree to which the contract management arrangements conform with the COPFS Contract Management Framework; equality and diversity are required within that framework.

B. Describe how the organisation scrutinises potential suppliers' equality training:

Our Director of Finance and Procurement periodically writes to existing suppliers to make them aware of our role as Stonewall Diversity Champions. In this correspondence he reminds them of our public commitment to encourage and share best practice in sexual orientation and gender diversity inclusion and emphasises that this includes those with whom we hope to do business. He makes employers aware of our two day training on "Valuing and Managing Difference" (which is inclusive of sexual Orientation and gender identity) and enquires whether they have specific training on this subject and, if not then, they are invited to send staff to participate in our forthcoming sessions. They are also invited to discuss future training needs with a member of our Learning and Development Training team. This approach affords COPFS the opportunity to explore what training our prospective suppliers have in place and whether it meets our standards. If they do not have appropriate training they have the opportunity to attend our in house training. For example, our, then, Procurement Director wrote in these terms to Haven on 21 August 2017 in the terms outlined above, advising them of the training we have on this subject, made enquiry as to whether they had specific training on this subject and invited them to discuss their training with a designated member of our Learning and Development team.

The standard COPFS Terms and Conditions (Section 14 for the supply of goods, Section 16 for the supply of services) state:

The Supplier must not unlawfully discriminate against any person within the meaning of the Equality Act 2010 in its activities relating to the Contract or any other contract with the Purchaser.

Furthermore equality and diversity are specifically listed as discussion points on the standard agendas for both the Contract Management kick-off meeting and all subsequent "routine" contract management meetings.

The Embedding Contract Management across all COPFS contracts works-stream, which is a major element of the Strategic Transformation of Procurement project, includes

undertaking a review of every COPFS contract and determining the degree to which the contract management arrangements conform with the COPFS Contract Management Framework; equality and diversity are required within that framework.

## **Procurement: Part 2**

### **7.3 Once a contract is awarded, how does the organisation hold the supplier to account?**

**Tick all that apply**

**GUIDANCE:** The slot in supplier monitoring meetings does not have to be specifically for LGBT related issues, but should be inclusive of them.

- A. Include a broad diversity and inclusion slot in contract monitoring meetings inclusive of LGBT issues
- B. Monitor and analyse LGBT related feedback on supplier

#### **Describe the options selected below:**

A. Describe how D&I outcomes are included within contract monitoring meetings:

Our Contract Management Framework includes the need for a kick off meeting followed by regular routine contract management meetings throughout the life of each contract. The guidance and templates used as part of our procurement and contract management processes have been redesigned to ensure that Equality and Diversity is a standing item on each agenda and also that there is a mechanism in place to record actions taken from meetings specifically around this topic. This means that all contract management meetings now include a discussion on equality and diversity issues.

B. Describe how the organisation monitors and analyses feedback around suppliers from LGBT people:

A Service User Lead (SUL) network has been established to monitor feedback on suppliers. The network meets bi-monthly and a senior business manager from the Proud in COPFS network is a member of this group in order to provide feedback on suppliers from an LGBT perspective. The LGBT senior business manager alerted the Proud in COPFS network to his new role and has advised them to alert him to any feedback or concerns they have regarding suppliers so that he can then pass this on via the senior users lead network directly to the Procurement team.

**7.4 In the past year, how has the organisation engaged or collaborated with its suppliers? Tick all that apply.**

Tick all that apply

**GUIDANCE:** Joint LGBT diversity and inclusion training can also include sharing training with your suppliers.

- A. Joint LGBT diversity and inclusion training
- B. Invite suppliers' employees to take part in LGBT employee network group events
- C. Joint community outreach projects targeting LGBT people
- D. Share best practice and policy around LGBT inclusion

**Describe the options selected below:**

- A. Describe the joint training: In the past year we have provided three current suppliers with the opportunity to share training with us. We offered them the opportunity to participate in our two day Equality and diversity training "Valuing and Managing Difference" which incorporates specific training on LGBT issues on 12 September 2018. We have also offered them the opportunity to join us in planning for our future training for line managers on LGBT inclusion this autumn. We also invited our suppliers to a joint training event on Procurement and Equality on 4<sup>th</sup> September 2019 which included specific training on LGBT issues. 5 suppliers –namely –attended the event at our Glasgow office on 4<sup>th</sup> September 2019.
- B Describe the invitation to suppliers' employees to take part in network group activity: The companies who participated in our joint training session on 4<sup>th</sup> September 2019 were all invited to send their employees to a Transgender training session led by our LGBT Network on 5<sup>th</sup> September 2019 where there was an input from the Charity which supports gender-diverse and transgender children. An employee from attended the event.
- C. Describe the joint outreach project: We invited to share our stall at the Glasgow Pride event on 17 August 2019. A representative from their firm attended and brought their promotional materials and worked with COPFS employees at the stall to reach out to the LGBT community and raise awareness of our respective companies and our LGBT inclusive policies.
- D Share best practice and policy around LGBT inclusion We invited all our suppliers to our Procurement and Equality event on 4<sup>th</sup> September 2019 where we shared our Fair Treatment and Transitioning at Work policies and encouraged them to share their own policies. Not all of the suppliers had Transitioning at Work policies and were eager to adopt the same approach. We also shared the work we had done to promote LGBT equality, encouraged them to consider joining Stonewall and opened up access to our Proud Network, their activities and to our training.







