

**Fairness and Equalities Impact Assessment (FEIA)**

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

**Completed by:** Richard Leake      **Role:** Service Manager Procurement & Payments

**Head of Service:** Meirion Rushworth      **Date:** 20/11/2020

**I confirm that the above Head of Service has agreed the content of this assessment**

**Yes**

**When you complete this FEIA, it is your responsibility to submit it to**

impact.assessments@newport.gov.uk

**1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.**

Strategic Plan for Procurement 2020 – 2024

The existing Procurement Strategy has now expired and a new Strategic Plan for Procurement has been developed to ensure procurement activity across the Council is undertaken in a consistent manner in line with recent and emerging priorities and protocols.

The Plan will ensure compliance with the Well-being of Future Generations (Wales) Act 2015, as well as other requirements coming from Welsh Government requiring Procurement to expand principles in relation to Social Value, including Community Wealth Building, Carbon reduction, Environmental Sustainability, Supporting local and other Welsh businesses and other priorities detailed in the Plan.

It is therefore essential that we have an up to date strategy for Procurement that will guide the function and its priorities across the Council for the next 3 to 4 years.

**2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal**

The new Strategy has been drafted with input from the senior procurement officers and team leader within strategic procurement. The draft strategy has been reviewed by Heads of Service and the Chief Executive prior to being formally submitted through Corporate Management Team. The Cabinet Member for Assets Cllr Rahman has also been briefed on the strategy and has provided comment for the Cabinet Member report.

**3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.**

Stakeholders will in the main be senior management and internal officers who will need to consider the strategy when undertaking procurement activity for the Council. External stakeholders/suppliers will be identified through revised procurement processes and their compliance and adherence to the new strategy evaluated during tendering and establishing contracts.

Questions set at the point of tendering will ensure that legal compliance, compliance with the Equality Act 2010 and due diligence are performed prior to engaging and procuring services. These questions will be tailored to the services or products acknowledged within the tender brief.





**4. Equalities and Welsh language impact**


Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Age</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that utilise (or have within their supply chains) child labour or take advantage of young people. This should also help ensure we do not contract with suppliers who discriminate against people because of their age. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Disability</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone due to a disability. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Gender reassignment/ transgender</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone due to their gender identity. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Marriage or civil partnership</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone based on this protected characteristic. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Pregnancy or maternity</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone based on this protected characteristic. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Race</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone based on their race. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation. Our commitment to the Welsh Government's Ethical Procurement in Supply Chains Code of Practice reinforces our obligations to ensure our own employees and employees of contracted service providers, are protected from exploitative practices such as modern day slavery, which often impacts on people from minority ethnic and/or migrant backgrounds.
<b>Religion or Belief or non-belief</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone based on their religion or belief. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Sex</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
				suppliers that unlawfully discriminate against anyone based on their sex. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Sexual Orientation</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy focuses on ethical and legal employment practices, and the Equality Act and how our suppliers employ and treat their staff. Adopting the new Strategy should therefore help ensure we do not contract with any suppliers that unlawfully discriminate against anyone based on their sexual orientation. The strategy will promote equal opportunity and help eliminate unlawful discrimination, harassment and victimisation.
<b>Welsh Language</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy promotes the use of the Welsh Language by bidders tendering for contracts. The strategy complies with, and sets out, the Welsh Language measure as it applies to Newport City Council and obliges us to treat all tenders fairly irrespective of the whether they are submitted in English or Welsh.

**5 How has your proposal embedded and prioritised the sustainable development principle in its development?**

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The strategy includes a section on Sustainability and Procurement including our commitment to carbon management and reduction. This sets out how the Council will procure goods, works and services in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment”.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>The strategy includes a section on Collaborative Procurement and how Newport City Council will engage with the wider procurement community to deliver value for money goods and services. As one of ten Councils in the newly formed South East Wales Regional Procurement Delivery Group we will contribute to the development and establishment of regional contracts and frameworks, ensuring economies of scale and streamlined procurement deliver tangible benefits to all participants.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>The strategy includes a section on strategic oversight and the Councils Procurement Gateway Process, detailing how engagement with colleagues in service areas will feed into procurement planning and review by the Gateway Board and Heads of Service. Seeking the views and strategic direction of senior managers will ensure procurement activity positively supports the wider goals of the Council.</p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The strategy includes a section entitled ‘Building a Better Newport through Procurement’. This sets out how procurement will support the four well-being goals of the Council and will direct resource to projects where the most benefit can be achieved for the better good of our residents and businesses.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>The overarching principle of Newport's Corporate Plan is to "Improve People's Lives" and this Procurement Plan aims to build the principles of this mission statement into the way procurement is conducted throughout the Council. We have a duty, to ensure the way we act as a Council meets the objectives of the Well-being of Future Generations (Wales) Act 2015, which seeks to improve the social, economic, environmental and cultural well-being of Wales along with the more recently adopted Welsh Government Policy to ensure our supply chains operate ethically and legally, and suppliers treat their workforce with respect and dignity.</p> <p>This Strategic Plan is being produced during a continuing period of financial restraint with many challenges facing Local Government. Reduced public spending, an ageing population, rising public expectations and other social changes all increase the demand for services, with high expectations placed on our Council on what we should deliver. In this context, Newport City Council's Strategic Procurement Plan is designed to help support the provision of the best possible services, ensure value for money and delivering for future generations in Newport and Wales.</p> <p>Whilst there are strict guidelines and legal requirements set out by Europe, Westminster &amp; Welsh Governments in the way the providers of goods, services and works to Newport City Council are chosen, we are still able to procure in a way that has benefits to our local suppliers and the foundational economy of Newport. This Strategic Plan aims to set out how we can deliver effective procurement during these challenging times, and bring added value to the Council through the procurement function.</p>

**6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?**

No

**7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission**

The 4 parameters of fairness have been considered in relation with this proposal:

Equal treatment while recognising difference: the strategy will help ensure employees of our suppliers are treated legally, ethically and with dignity. It is often the case that socially

disadvantaged people may be more susceptible to unethical working practices or even instances of modern slavery, which this policy seeks to redress wherever possible.

Mutual obligations between citizens and LA: No relevant obligations will apply to individual citizens, as this procurement strategy will engage with organisations, businesses and representatives of such, to tender for procurement needs.

Reciprocity and interdependency within relationships –The changes to and implementation of the strategy will ensure no citizen or group will be at a disadvantage. Through the implementation of our strategy, providers delivering services on behalf of the council will also be required to discharge our Equality and Welsh language duties as if they were their own

Transparency and accountability – by undertaking this assessment we are being open and transparent about adopting a new strategic Plan for Procurement. We are accountable to Welsh Government in our approach to procurement and how this supports the wider aims of the Council and Welsh Government through compliance with the Welsh Procurement Policy Statement.

## **8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?**

There are no negative impacts to individuals or the public as a result of adopting this strategy, only potential positive impacts by helping to ensure our procurement activity supports local businesses, the environment and that individuals are treated fairly and ethically when contracting with the Council.

## **9 Monitoring, evaluating and reviewing**

The impact of the strategy will be monitored by the Procurement Gateway Board and continually reviewed to ensure that projects are undertaken in compliance with the principles set out in the strategy. Procurement fitness checked undertaken on behalf of Welsh Government will review and report on our processes and commitments to the Well Being of Future Generations.

## **10 Involvement**

This strategy plan will be applicable to all sectors, organisations, people and representatives able to provide a product or service to the Council, who wish to tender.

## 11 Summary of Impact (for inclusion in any report)

### Equality Act 2010 AND Welsh Language

There are no perceived detrimental impacts on our responsibilities under the Equality Act or the Welsh Language Measure (Wales) 2015. Adopting the strategy can only help improve the lives of employees working for suppliers that provide goods, works or services to the Council and also promotes the use of the Welsh Language by tenderers. In terms of awarding contracts, procuring a service, or buying a product used to deliver public services, then consideration is given to the compliance requirements of the Welsh Language Standards and General Equality Duty which are transferred to a third party.

### Wellbeing of Future Generations (Wales) Act 2015

Within the Act there are a number of topics that are specific to procurement and need to be considered as part of our approach to procurement. These are:

Goal	Topic	Description	Connection	
<b>A Prosperous Wales</b>	Topic 1: Fair and local procurement	Using procurement to promote inclusive growth	<b>A globally responsible Wales</b>	Topic 1: Supply chains
			<b>A resilient Wales</b>	Topic 5: Using natural resources
<b>A globally responsible Wales</b>	Topic 1: Supply chains	Ensuing that our supply chains are fair, ethical and sustainable.	<b>A prosperous Wales</b>	Topic 1: Fair and local procurement
			<b>A resilient Wales</b>	Topic 5: Using natural resources

The new strategy has been built around both the Wellbeing of Future Generations (Wales) Act 2015, and the four Newport Well Being Goals. The strategy clearly spells out how our procurement activity will support these aims and objectives and deliver positive outcomes for our residents and businesses alike.