

DLA Exhibit B

B2. Equal Opportunity and Diversity Policy and Capability

Please note the word limit for each response is limited to a maximum of 500 words, unless specified otherwise.

Q Ref.	Information required	Description of information expected, which will be taken into account in assessment	Model Answer and Applicant's unique reference to supporting information
B2-1	Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, no supporting evidence required.	Yes – It is our policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others or We are in the process of developing a policy to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others
B2-2	In the last three years has any finding of unlawful discrimination been made against your organisation by any court or industrial or employment tribunal or equivalent body?	Please provide details of any findings. Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide details. If no, no supporting evidence required.	No – No findings have been made against the organisation <div style="border: 1px solid black; padding: 5px; margin-top: 10px; color: red; text-align: center;">Enter unique reference for details of any findings</div>
B2-3	In the last three years has your organisation been subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination?	Please provide details of any investigations. Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide details. If no, no supporting evidence required.	No – Not been subject to a compliance action <div style="border: 1px solid black; padding: 5px; margin-top: 10px; color: red; text-align: center;">Enter unique reference for details of any investigations</div>
B2-4	If the answer to question 2 and / or 3 is “Yes”, what steps did your organisation take as a result of that finding or investigation?	Please provide details/evidence of remedial action. Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, no supporting evidence required. If no, provide details.	Yes - Sufficient evidence provided to give confidence that suitable remedial actions have been implemented to address the incidents identified in B.2.2 and B.2.3. <div style="border: 1px solid black; padding: 5px; margin-top: 10px; color: red; text-align: center;">Enter unique reference for details/evidence of remedial action</div>

Q Ref.	Information required	Description of information expected, which will be taken into account in assessment	Model Answer and Applicant's unique reference to supporting information
B2-5	What does your organisation do to ensure that equality and diversity is embedded within your organisation?	Please provide copies of any relevant policies or written statement/evidence of relevant actions.	<p>Satisfactory - The supplier's policy/evidence gives confidence that the supplier is Compliant with their statutory obligations under the Equality Act 2010 and supports the Contracting Authority in fulfilling its Public Sector Equality Duty obligations (see below).</p> <div data-bbox="1083 616 1471 759" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="color: red; text-align: center;">Enter unique reference for copies of relevant policies/ actions</p> </div>
B2-6	<p>Do you actively promote good practice in terms of eliminating discrimination in all forms through:</p> <p>a) guidance to your employees/suppliers concerned with recruitment, training and promotion?</p> <p>b) making guidance or policy documents concerning how the organisation embeds equality and diversity available to employees/sub-contractors, recognized trade unions or other representative groups of employees?</p> <p>c) appropriate recruitment advertisements or other literature?</p>	<p>Please provide copies of any relevant policies/literature or written statement/evidence of relevant actions.</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>	<p>Must provide a YES response to a, b and c</p> <div data-bbox="1083 880 1471 1023" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="color: red; text-align: center;">Enter unique reference for copies of relevant policies/ actions</p> </div>

Guidance Note: Assessing B.2.2-B.2.3

The Authority should not automatically deselect an Applicant from tendering if it has been found to have unlawfully discriminated or been subject of a compliance action in the last three years, but the Applicant must provide compelling, comprehensive evidence that it has taken robust and appropriate measures to prevent recurrence, and give details of the outcomes resulting from these measures.

Guidance Note: Assessing B.2.5-B.2.6

Background: The Equality Act and the Public Sector Equality Duty

The Equality Act came into effect in October 2010, simplifying and streamlining equality legislation into a single Act. The Act gives people the right not to be treated less favourably in employment or in accessing goods, facilities or services because of a 'protected characteristic', defined as their age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion/belief or sexual orientation.

The Equality Act also introduced a Public Sector Equality Duty in April 2011. This gives public bodies a more proactive role in creating a fairer more inclusive society. In brief, it requires public bodies to give due regard to the need to:

- Advance equality of opportunity between people who share a protected characteristic and those who do not (including removing/minimising disadvantages, taking steps to meet differing needs, and encouraging increased participation where disproportionately low)
- Eliminate unlawful discrimination, harassment and victimisation
- Foster good relations between people who share a protected characteristic and those who do not.

Assessing Applicant Responses

Equality law does not say that an organisation has to have an equality policy, thus public bodies cannot demand this of Applicants. However they must provide sufficient evidence that the Applicant is compliant with their statutory obligations under the Equality Act 2010, and public bodies can be confident of fulfilling their Equality Duty obligations above. This applies to both their service delivery and employment practices.

As a minimum, the evidence should cover at least:

- Recruitment, selection, training, promotion, discipline and dismissal of employees.
- Their approach to discrimination, harassment, and victimisation, with reference to the protected characteristics, making clear that these are disciplinary offences and highlighting what is deemed to be unacceptable behaviour.
- How they communicate their approach to their employees and customers/suppliers.
- How breaches of the policy, concerns and complaints are dealt with.
- Identification of responsible owners for effective implementation, monitoring and review.

For Authorities working outside of the UK, the evidence should relate to equivalent legislation in the country that the supplier is located. In such cases the Applicant must provide details of experiences in complying with equivalent legislation designed to eliminate discrimination and to promote equality of opportunity. Although note that public bodies are still bound by their Public Sector Equality Duty and must be able to demonstrate that the evidence offered is consistent with this.