



Selby District Council

Promoting Equal Opportunities

SEPTEMBER 2004

SELBY
IN THE VALE OF YORK

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Introduction

We believe in equal opportunities for all. The purpose of this booklet is to give guidance and advice on how to use equal opportunities policies and to show what contractors who want to provide us with goods and services must do. It supports the Council's Equalities Scheme.

It also gives information on legislation relating to race relations, disability, gender and other equality issues.

As one of our contractors, you must follow UK legislation and the Commission for Racial Equality's Code of Practice for Employment.

Everyone has a right to expect that the money local authorities spend on goods and services promotes and protects equalities in employment.

Race Relations

Introduction

Britain is a multi-racial society but there is still racial discrimination.

- Unemployment rates in some ethnic minority communities are, on average, twice the rate in the white population and members of ethnic minorities find it twice as hard as white people to get jobs.
- There are thousands of cases of discrimination every year, and many are not reported.

By encouraging you to introduce racial equality policies in employment, we hope to help improve this situation.

Legislation

Under UK legislation, local authorities must consider equal opportunities in their contracts. The Race Relations (amendment) Act 2000 and the Local Government Act 1988 and 1999 control the way we consider equal opportunities issues.

We use the legal framework that this legislation provides to encourage you to use equal opportunities policies and practices.

The Race Relations (amendment) Act 2000

The Race Relations (amendment) Act 2000 makes it against the law to discriminate against anyone because of their race, colour, nationality (including citizenship), or ethnic or national origins.

The Act applies to:

- Jobs
- Training
- Housing
- Education
- Providing goods, and
- Facilities and services.

Under the Race Relations Act, local authorities must make sure that they try to get rid of racial discrimination and promote racial equality.

As employers, we must follow the Act and make sure you meet your own racial equality obligations when you do any work for us.

Section 71 of the Race Relations Act says the following.

It shall be the duty of every local authority to make appropriate arrangements with a view to securing that their various functions are carried out with due regard to the need:

- A to eliminate unlawful discrimination, and
- B to promote equality of opportunity and good relations, between persons or different racial groups.

An important part of the Race Relations Act is about employer's responsibilities for preventing direct and indirect discrimination and victimisation in employment. The Act applies to all employers, large and small.

The Act makes racial discrimination against the law in:

- Recruitment
- Appointment
- Terms of employment
- Access to opportunities for training
- Transfer and promotion
- Access to benefits
- Facilities and services, and
- Discipline and dismissal.

The Act also makes it against the law to display a notice or advertisement which shows an intention to discriminate, or tell others to discriminate.

The Local Government Act 1988

The Local Government Act 1988 controls the way local authorities manage their tendering procedures for all contracts for goods, works and services.

Section 18 of the Act allows authorities to consider race relations matters that relate to contractors' workforces. In brief, it allows the following.

Local authorities can include written questions about racial equality in employment in their pre-qualification questionnaires for contracts and use these answers in the selection process.

These approved questions are often referred to as 'the six questions' and are set out in appendix B and will be used by the Council.

The Local Government Act 1999

The Local Government Act 1999 was mainly written to help create the legislation for best value and modernising local government.

Section 19 of the 1999 Act gives the Secretary of State the power to change part or all of section 17 of the Local Government Act 1988. Section 17 of the 1988 Act is about non-commercial considerations, and section 18 and the six approved questions are based on it. If the Secretary of State uses these powers and changes section 17 of the 1988 Act, local authorities may be able to ask contractors a lot more about equal opportunities than just the approved questions set out at appendix B.

The Commission for Racial Equality Code of Practice in Employment

The Race Relations Act is supported by codes of practice that the Commission for Racial Equality publish. The code of practice for removing racial discrimination and promoting equal opportunities in employment (known as 'the CRE Code of Practice for Employment') sets out the steps which employers should take to meet their obligations under the Act.

The code of practice recommends that employers should do the following:

- Have a written policy on equal opportunities, including racial equality.
- Get trade unions and employee representatives to agree on the policy.
- Tell employees and job applicants about the policy.
- Have disciplinary procedures for racial discrimination, including harassment within the firm.
- Train managers and supervisors to make sure there is racial equality.

- Regularly review the firm's recruitment, promotion, training and transfer practices in line with the policy.
- Take positive action to encourage under-represented ethnic groups to be represented more in the workforce.
- Record the ethnic origins of job applicants and members of the workforce and use these records to monitor how effective the firm's equal opportunities policy is.

All companies who work for us must work to the standard that is set out in the Race Relations Act, which they must keep to by law, and the Commission for Racial Equality Code of Practice, which they must follow as far as possible.

However, organisations of different types and sizes can meet the standard in different ways. Small organisations can have fewer procedures, in less detail, than larger organisations. So, standards have been set which reflect the size of the company involved. Companies are put into the following categories.

- Up to 20 employees
- 20 to 75 employees
- 76 to 250 employees
- Over 250 employees

The standards that firms in the smallest category need to meet are the most basic, and they become more demanding as the firm gets larger. This means that the full recommendations of the Commission for Racial Equality Code form that standard that the largest firms are measured against. There is a copy of the code of practice in appendix A.

Disability Discrimination

Introduction

We have to tell contractors on our approved list about the Disability Discrimination Act. We follow the Act and expect you to do the same if you work for us.

The Disability Discrimination Act 1995 says that there are two possible ways that a disabled person can be discriminated against.

There can be discrimination when a service provider:

- Treats the disabled person unfairly, because of their disability, compared to how it treats (or would treat) others, and
- Cannot show that the treatment is reasonable.

There can also be discrimination when a service provider:

- Does not do something that it must do under section 21 of the Act (a duty to make 'reasonable adjustments') in relation to the disabled person; and
- Cannot give a good reason why they did not do it.

Legislation

On 2 December 1996, the Disability Discrimination Act 1995 (the Act) brought in measures to prevent discrimination against disabled people. Part three of the Act is based on the principle that disabled people should not be discriminated against by service providers or those involved in managing properties. Anyone who comes within either of these categories must carry out the duties set out in part three. People who sell, let or manage property could also be service providers.

The Disability Discrimination Act 1995

The Disability Discrimination Act brings in new laws and measures that are aimed at ending discrimination which many disabled people face. The Act gives disabled people new rights in the areas of:

- Employment
- Getting goods and services, and
- Buying or renting land or property.

Under the Act, schools, colleges and universities must provide information for disabled people.

The Act also allows the Government to set minimum standards so that disabled people can use public transport more easily.

The Act sets up the National Disability Council and the Northern Ireland Disability Council to advise the Government on discrimination against disabled people.

Many people, with and without disabilities, will be affected by the Act.

1. Disabled People

The Act gives new rights to people who have, or have had, a disability which makes it difficult for them to carry out normal day-to-day activities. The disability could be physical, sensory (affecting the senses), or mental and must have a long-term effect (that means the disability must last, or be expected to last, for 12 months). Conditions which have a slight effect on day-to-day activities but are expected to become worse are covered. Severe disfigurement is also classed as a disability.

2. Employers and Services Providers

Employers and people who provide goods and services to the public will have to take reasonable measures to make sure that they are not discriminating against disabled people. Some people will have to take measures both as an employer and as someone who provides goods and services to the public.

3. Landlords and others who are responsible for letting or selling property

People who sell or let property will have to make sure that they do not unreasonably discriminate against disabled people.

What employers will have to do

It is against the law for an employer to treat a disabled person less favourably than someone else because of their disability, unless there is good reason. This applies to all employment matters, (including recruitment, training, promotion and dismissal).

So they can help a disabled person to do the job, employers will have to look at what changes they could make to the workplace or to the way the work is done, and make any changes which are reasonable. Employers should consider how much the changes would cost and how much they would help, when they decide what is reasonable.

In the same way, it will be against the law for trade associations, trade unions and professional organisations to treat a disabled person less fairly than someone else.

Employers will still be able to recruit or promote the best person for the job.

Employers will not be expected to make any changes which would break health and safety laws.

Employers who the Act does not apply to

The employment part of the Act does not apply to employers who employ less than 20 people. However, they are encouraged to follow good practice guidelines.

The Act also does not apply to operational staff who are employed in the armed forces, the police, the prison services, the fire services, or to anyone employed on board ships, hovercrafts or aeroplanes.

Complaints

Disabled people who feel that an employer has discriminated against them will be able to complain to an industrial tribunal. They can ask the Advisory Conciliation and Arbitration Service (ACAS), or in Northern Ireland, the Labour Relations Agency (LRA), to help them. This may mean that the complaint can be settled without an industrial tribunal hearing.

Changes to current employment rules

The current employment rights mean:

- Disabled people no longer need to register, and
- Employers no longer have to employ a certain number of registered disabled people.

The National Advisory Council on Employment of People with Disabilities

The National Advisory Council on Employment of People with Disabilities (NACEPD) will advise the Government on the parts of the Act which cover employment, and on employment issues in general.

Goods, facilities, services and property

The Act affects anyone who provides goods, facilities or services to members of the public, whether paid for or free. This could range from buying bread in a supermarket, using the facilities in a launderette or borrowing a book from a public library. Private clubs are not included.

Providing the same standard of service to everyone

It is against the law to refuse to serve someone who is disabled.

For example, it is against the law for a supermarket owner to refuse to serve someone whose disability means that they shop slowly.

It is against the law to offer a disabled person a service which is not as good as the service that is offered to other people.

For example, it is against the law for a restaurant owner to insist that a person with a facial disfigurement sits out of sight of the other customers.

It is against the law to provide a service to a disabled person on terms which are different from the terms given to other people.

For example, it is against the law to ask a disabled person for a bigger deposit when they are booking a holiday.

Exceptions

If the health or safety of the disabled person or other people would be in danger, it would not be against the law to refuse to provide the service to a disabled person, or to provide it on different terms. Other exceptions include if:

- The customer was not capable of understanding the terms of a contract, or
- Providing the service or the same standard of service would deny service to other customers.

Making changes to the way goods, facilities and services are provided

It is against the law for someone to run a service, or provide goods or facilities, in a way which makes it impossible or unreasonably difficult for a disabled person to use the service or goods.

For example, a restaurant which does not allow animals will not be able to turn away a disabled person with a guide dog.

However, it will not be against the law if the way the service is run is essential to the business.

For example, dim lighting could be considered essential to a nightclub, even though it causes difficulties for someone with poor eyesight.

People have to provide equipment or other helpful items which will make it easier for disabled people to use their service, if it is reasonable to do so.

For example, an induction loop might make it easier for people who use hearing aids, or a handrail for people who find walking up stairs difficult.

For example, a building society provides information about its savings accounts on tape for visually impaired customers.

People have to remove physical obstructions (for example, by widening entrance doors) or provide other ways of letting disabled people use their services, if it is reasonable to do so.

For example, if a library's reference section is on the first floor and there is no lift, library staff could offer to bring the reference books to the disabled person.

Service providers cannot charge a disabled person more to meet the cost of making it easier for them to use their service.

Selling or letting land or property

It is against the law for anyone who sells or lets land or property (and their agents) to unreasonably discriminate against disabled people.

For example, a landlord could not charge a disabled person a higher rent than he would charge anyone else.

A landlord who rents six or less rooms in their home would not be affected.

People who sell or rent property do not have to change the property so disabled people can get into it.

Complaints

If a disabled person feels they have been wrongly excluded from goods or services, or the selling or letting of land or property, they will be able to go to court to get damages for any financial loss they have suffered and if their feelings have been hurt. There will be an upper limit on the amount of damages that can be paid if the person's feelings have been hurt.

The National Disability Council and the Northern Ireland Disability Council

The National Disability Council and the Northern Ireland Disability Council are independent organisations which advise the Government on:

- Ending discrimination against disabled people
- How well the Act is working, and
- Whether any changes need to be made.

They also give advice on how to introduce the new rights about goods and services by preparing codes of practice. They publish a report every year.

Other measures in the Act

1. Transport

The Government can now set minimum standards for new public transport vehicles (taxis, buses, coaches, trains and trams) so that disabled people, including people who use wheelchairs, can use them.

For example, disabled people who use wheelchairs will eventually be able to hire taxis in the street or at a taxi rank like everyone else.

2. Education

The Act makes sure that the needs of disabled people who want to study are recognised and better information is provided for parents, pupils and students.

Schools have to explain:

- Their arrangements for admitting disabled pupils
- How they will help these pupils gain access, and
- What they will do to make sure these pupils are treated fairly.

Further and higher education institutions that the Further and Higher Education Funding Councils fund have to publish disability statements that contain information about facilities for disabled people.

Local education authorities have to provide information on their further education facilities for disabled people.

(Source: Department for Education and Employment)

Sexual Discrimination

Introduction

The Sex Discrimination Act (SDA) was introduced in 1975 and was changed in 1986. The Equal Pay Act (EPA) was introduced in 1975 and was changed in 1984.

The SDA makes it against the law to discriminate on the grounds of someone's sex. Specifically, sex discrimination is not allowed in employment, education, advertising or when providing housing, goods, services and facilities. It is against the law to discriminate because someone is married, in employment or advertisements for jobs. The EPA says women must be paid the same as men when they are doing the same work.

The Sexual Discrimination Act (SDA) 1975 (1986)

The SDA applies to two kinds of discrimination.

- Discrimination means treating someone unfairly because of their sex.
- Indirect discrimination means setting unreasonable conditions that appear to apply to everyone, but in fact discriminate against one sex.

For example, a rule saying that only people more than six feet tall will be hired will exclude far more women than men. Or, a rule saying all employees must work full time would discriminate against many parents.

The Equal Pay Act (EPA) 1975 (1984)

The EPA applies to pay and other contractual matters where a woman and a man are doing the same work that is of equal value.

(Source: Equal Opportunities Commission)

The Sex Discrimination (Gender Reassignment) Regulations 1999

These regulations make it illegal to discriminate against transsexuals. This includes treating them less favourably than others when they are off work because of sickness or injury. Transsexuals are also protected from victimisation and harassment at work.

The regulation only protects transsexuals against discrimination in paid employment and vocational training.

You can get a guide from the Department for Education and Employment (DfEE) to help you follow the regulations. The guide also suggests good practice for employers and employees in the workplace.

Our Policy

Equal Opportunities Policies

We are committed to our adopted Equalities Scheme and Implementing Equalities Framework that will make sure our employees and the people we serve are not discriminated against because of their disability, race, colour, ethnic origin, religion, age, sexuality or gender.

Our mission is to improve the quality of life for those who live or work in the District.

To help us achieve this aim, we have introduced a number of equal opportunities policies.

Our policies concentrate on dealing with discrimination against members of black and ethnic minority groups, disabled people and gender.

We welcome all anti-discriminatory legislation, for example, the Sex Discrimination Act, the Race Relations Act and the Disability Discrimination Act, and we want to make sure that we follow them in all aspects of our work as an employer and service provider.

Our roles as an employer

We aim to have a workforce that represents the local population, so equal opportunities are at the centre of our policies as an employer.

Our policies are directed at the following:

Recruitment and selection

We aim to make sure that no employees or possible employee is treated unfairly because of their disability, race, colour, ethnic origin, religion, age, sexuality or gender.

Advertising

External Council vacancies are advertised as widely as possible including the local Job Centre and Council's website. Advertisements must not include any statements which go against our equal opportunities policies and must all include the statement: 'Working towards equality of opportunity'.

Job descriptions and employee specifications

Job descriptions and the essential requirements listed in employee specifications will only include the skills and qualities that are actually needed to do the job.

Interviews

All disabled people who meet the essential criteria of the employee specification are guaranteed an interview. All applicants are asked questions, based on the employee specification and job description.

Job sharing policy

The Council will take a reasonable approach to allowing posts to be job share.

Flexible working

The Council takes a sympathetic approach to flexible working requests including home working.

Birth and domestic leave policies

We provide better conditions in this area than we have to by law. These include birth leave for partners, adoption leave and leave for those caring for sick children or dependent relatives.

Complaints procedure

There is a complaints procedure to deal with any complaints of discriminatory treatment because of a person's sex, religion, disability, marital status, sexuality, age or involvement in trade union activities.

Employment monitoring

Equal opportunity policies are applied across the Council. In this way, we can identify any gaps in the number of women, disabled people and members of black and ethnic minority groups we employ. Monitoring is carried out and performance indicators are identified so that we can carry out evaluations and make improvements.

Anti-harassment and discrimination procedures

We aim to provide a safe working environment, free from harassment or discrimination. We have harassment and disciplinary procedures to deal with any incidents.

Equal opportunities training

We provide training on equal opportunities issues. We tell our staff about our commitment to equal opportunities.

Our role in providing services

We want to make sure that all sections of the community have equal access to services and that services are delivered in a way which considers the specific needs of disadvantaged groups.

Equal opportunities is central to our policies as provider, commissioner and inspector of services.

We aim to do the following:

- Have up to date information on the priority service needs of all sections of the local population.
- Make sure all members of the community who are eligible for services have equal access.
- Provide services of the same quality for all sections of the community.
- Make sure we meet the specific needs of disadvantaged groups by:
 1. Talking to disadvantaged sections of the community to identify what they need and how we can provide for them.
 2. Changing existing services.
 3. Designing new services.
 4. Setting clear and appropriate targets and performance indicators, so we can carefully monitor and assess the move towards achieving equal opportunities.
 5. Working with other statutory organisations, private sector and voluntary sector organisations, and
 6. Encouraging other organisations which provide services to use an equal opportunities approach.
- Make sure everything that advertises our services is user-friendly, accessible and easy to understand. This will involve:
 1. Translating materials into community languages.
 2. Producing it in Braille, in large print and on tape, and
 3. Making sure the information is available at our offices and other relevant contact points.
- Make sure all the buildings that are used for delivering services will be welcoming and as accessible as possible.
- Make sure that our compliments and complaints procedure relating to services is widely advertised. All members of the public can use this. It will be made available on tape, in Braille and in large print and translated into various languages as required.

Our role as a partner in promoting equal opportunities

We aim to do the following:

- Work effectively with other organisations in the District. We will share information, experience and examples of good practice on equal opportunities and develop further work.
- Promote equal opportunities in employment throughout the District by working with and influencing other employers and businesses.
- Share information on equal opportunities issues across the District, (for example, producing newsletters, websites, email bulletin boards, exhibitions, posters, information packs and so on).
- Actively look for ways of helping community representatives to take part in our policy-making processes through consultation exercises.

Consulting the public

We feel that consulting the disadvantaged communities we serve is an important part of our work if we are to identify their needs and find ways of meeting them.

We are producing a specific approach to consultation on equalities, which will form part of the Councils Consultation Strategy.

Working for us as an approved Contractor

Racial Equality in Contract Scheme

We use contracts to encourage equal opportunity policies in three main areas.

- **Employment** – employment policies, procedures and practices of contractors.
- **Service Delivery** – encouraging contractors to provide equally accessible services.
- **Opportunity** – providing information for ethnic minority firms on how to tender for Council contracts.

We want to have a more united approach to equal opportunities so we have developed this Racial Equality in Contracts Scheme. The Scheme:

- Reflects our commitment to equal opportunity.
- Helps provide quality and value for money.
- Sets clear standards, and
- Is fair and consistent across departments and contracts.

The main elements of the scheme are:

- Common contract conditions and contract documents.
- Evaluating your ability to meet contract conditions.
- Monitoring your performance, and
- Not including contractors who cannot meet the requirements in the tendering process.

Evaluating possible contractors

If you want to be added to our approved list of contractors you must complete the standard application process. This process involves filling in an application form and then we will examine the financial, health and safety and racial equality information you have given.

Section 18 of the Local Government Act 1988 allows local authorities to ask firms who are applying to be added to any tender list (specific lists or approved lists) six approved questions. These ask what they do to avoid

unlawful discrimination between different racial groups and how they promote equal opportunities. There is a copy of the approved questions in appendix B. When we assess your answers to the approved questions, we use a consistent method and if you do not meet the standards that are needed, we will contact you and ask you to explain your answers. We will then reassess you.

The tender evaluation process for some contracts takes into account different aspects, including equal opportunities. You must hand in a detailed method statement which will include your equal opportunities policy. There is an example of a method statement in appendix C.

We have standards (called benchmarks) that we use to assess each tender submission. There is a set of example standards in appendix D.

Monitoring

Once a department awards a contract, we will monitor you to make sure you continue to meet our requirements. This includes following our racial equality conditions. We can monitor you by doing the following:

- **Monitoring questionnaires** – we can send you a questionnaire during the contract period. You should fill it in and send it back to us within a given time. There is a copy of the proposed monitoring questionnaire that we will use in appendix E.
- **Site Visits** – we can arrange site visits to see how you are meeting the conditions.
- **Contractor Performance Reports** - the relevant service units Performance Reports include a section for equal opportunities issues. Supervising officers can use this section to make a note of anything they see during the contract period. There is an example of the Contractor Performance Report in appendix F.

We use a list of firms who have been found guilty by an industrial tribunal in race relations matters (provided by the Commission for Racial Equality). We challenge any firms that are also on the approved list to give details of what they have done to make sure that the incident does not happen again.

We will approach all firms on the approved list for information about the number of people from ethnic minorities in their workforce. There is an example of the form we use in appendix G.

We plan to repeat the exercise every year to identify areas for improvement and any patterns.

Good practice

The following is a general list of good practice guidelines that you should follow while you are working on site.

- Remove offensive behaviour and language from construction sites (no wolf whistles, cat calls, gestures and so on), especially when children could overhear it.
- Consider access issues for mothers and fathers who may be pushing prams in the area, (this may be similar to access issues for disabled people who use wheelchairs) and safety issues on and around sites. You must do all work with positive consideration to the needs of parents with children.
- There should be respectful and safe standards of dress, appropriate to the weather conditions, at all times.
- Do not put up with bad behaviour and language from your staff.
- Building work and moving site vehicles should be carried out with great care and consideration for the safety of the general public.
- Posters should be put up around the site, giving names and phone numbers of staff who can be contacted about any of the issues mentioned above.
- Always remember your duty to follow the Sex Discrimination Act and other equal opportunities legislation in relation to your employment practices and delivering goods and services.

Code of Practice on Workforce Matters in Local Authority Service Contracts

The Code of Practice set out in Annex D of Circular ODPM 03/2003 will be observed by the District Council in all Local Authority service contracts which involve a transfer of staff from the Local Authority to the service provider, or in which staff originally transferred from the Local Authority as a result of outsourcing are TUPE transferred to a new provider under a re-tender of a contract.

The Code will form part of the service specification and conditions for all such contracts.

Appendices

Appendix A

Commission for Racial Equality's Code of Practice

Category 1: Up to 20 employees

1. A statement of the firm's racial equality policy (or general equal opportunities policy) which covers at least:
 - Recruitment, selection, training, promotion, discipline and dismissal.
 - Victimisation, discrimination and harassment, making clear that these are disciplinary offences within the firm.
2. Identification for the senior position with responsibility for the policy and its effective implementation.
3. Communication of this policy to staff.
4. Effective implementation of the policy in the firm's recruitment practices, including at least evidence of open recruitment methods, such as the use of a job centre or press advertisements.
5. Regular review of the policy and specific action to make changes if necessary.
6. Regular monitoring of the numbers of employees from different ethnic groups.
7. If this indicates under-representation of particular ethnic group, action to check that criteria 1-5 are being used effectively within the firm and to make changes if necessary.

Appendix A continued...

Category 2: 20 to 75 employees

Criteria 1-6, plus:

8. Written instructions to managers and supervisors on racial equality in recruitment, selection, training, promotion, discipline, and dismissal of staff. These can be instructions for general equal opportunities in employment.
9. Training in racial equality for managers and any staff responsible for recruitment and selection. This may be in the form of general equal opportunities training.
10. Monitoring of:
 - a). The numbers of job applicants for employment from different ethnic groups.
 - b). The numbers of employees from different ethnic groups, by grade and by section.
11. If monitoring reveals under-representation of particular ethnic groups, action to check that criteria 1-5, 8 and 9 are being used effectively in the firm, and to make changes if necessary.

Category 3: 76 to 250 employees

Criteria 1-6 and 8-10, plus:

12. Regular consultation on racial equality issues within the workforce.
13. If monitoring (as in criterion 10) indicates under-representation of particular ethnic groups, action to:
 - a). Check that criteria 1-5, 8, 9 and 12 are being used effectively within the firm.
 - b). Take advice about appropriate action from officers from the CRE, RECs or the Race Relations Employment Advisory Service, all of whom offer free advice.
 - c). Take appropriate action as a result of that advice.

Appendix A continued...

Category 4: over 250 employees

Criteria 1-5, and 8-10, plus:

14. Regular ethnic monitoring of selection, transfer, training, promotion, discipline and dismissal.
15. Mention in the firm's recruitment advertisements and publicity literature of its arrangements for offering equal opportunities, including racial equality.
16. If monitoring (as in criteria 10 and 14) indicates under-representation of any group, take action to:
 - a). Check that criteria 1-5, 8, 9, 12 and 15 are being used effectively within the firm.
 - b). Take advice about appropriate action from officers from the CRE, racial equality councils or the Race Relations Employment Advisory Service, all of whom offer free advice.
 - c). Take appropriate action (including positive action) as a result of that advice.

Appendix B

The six 'approved questions'

At present service units are involved in maintaining our approved lists (supplies, works and services). As part of the standard application process units use the following six 'approved questions'.

1. Is it your policy as an employer to comply with your statutory obligations under the Race Relations Act 1976 and, accordingly, your practice not to treat one group of people less favourably than others because of their colour, race, nationality, or ethnic origin in relation to decisions to recruit, train or promote employees?
2. In the last three years, has any finding of unlawful racial discrimination been made against your organisation by any court of industrial tribunal?
3. In the last three years, has your organisation been the subject of formal investigation by the Commission for Racial Equality on the grounds of alleged unlawful discrimination?
4. If the answer to question 2 is yes or, in relation to question 3 the Commission made a finding adverse to your organisation. What steps did you take in consequence of that finding?
5. Is your policy on Race Relations set out:
 - a). In instructions to those concerned with recruitment, training and promotion?
 - b). In documents available to employees, recognised trade unions or other representative groups of employees?
 - c). In recruitment advertisements or other literature?
6. Do you observe as far as possible the Commission for Racial Equality's Code of Practice for Employment, as approved by Parliament in 1983, which gives practical guidance to employers and others on the elimination of racial discrimination and the promotion of equality of opportunity in employment, including steps that can be taken to encourage members of the ethnic minorities to apply for jobs or take up training opportunities?

Appendix C

Equal opportunities method statement

Possible contractors must show the following.

- a. How they deal with their practices and procedures to promote equal opportunities, in connection with:
 - Employment policies, practices and procedures, and
 - Delivering a service to all sections of the community, including women, disabled people and ethnic minority communities
- b. How they meet their obligations under the relevant equal opportunities legislation.
- c. How they tell their employees about their responsibilities under the Race Relations (amendment) Act 2000.
- d. How they would deal with a complaint of racial harassment by one of their staff.

Appendix D**Equal opportunities standards for maintenance and repair work on housing estates****Contractors Name:**

Standard	Evaluation		Comments
	Yes	No	
<p>1. Does the tenderer have a written equal opportunities policy?</p> <p>2. Does the policy meet with the requirements of the Commission for Racial Equality, Equal Opportunities Commission, National Disability Council and Department for Education and Employment Codes of Practice?</p> <p>3. Do the staff know about the policy?</p> <p>4. is a senior manager responsible for introducing and monitoring the policy?</p> <p>5. is there a review system for monitoring how effective the policy is?</p> <p>6. Does the tenderer's complaints and disciplinary procedure recognise that there must be disciplinary action for discrimination and harassment in the workplace?</p> <p>7. Is there evidence that the workforce is regularly interviewed to see if there is any under-representation, in relation to gender, ethnicity and disability?</p> <p>8. Does the tenderer encourage members of ethnic minorities to apply for jobs or take up training opportunities, in line with the Commission for Racial Equality Code of Practice?</p>			

Standard	Evaluation		Comments
	Yes	No	
<p>9. Does the tenderer meet the Sexual Discrimination Act 1975 and the Equal Pay Act 1975?</p> <p>10. Will the tenderer meet the Disability Discrimination Act 1995?</p> <p>11. Will the tenderer meet the legal obligations under the Race Relations (amendment) Act 2000?</p> <p>12. Has the Commission for Racial Equality made any judgements against the tenderer in the last three years?</p> <p>12.b If so, has the tenderer followed any recommendations that the Commission for Racial Equality has made as a result of the judgement?</p> <p>13. Has any court or industrial tribunal found that the tenderer has unlawfully discriminated against someone in the last three years?</p> <p>14. Is the tenderer's policy on race relations set out in instructions to those who are responsible for recruitment, staff development and promotion?</p> <p>15. Is the tenderer's policy on race relations set out in documents that are available to all employees, recognised trade unions or other representative groups of employees?</p> <p>16. Is the tenderer's policy set out in recruitment adverts or other literature?</p>			

Standard	Evaluation		Comments
	Yes	No	
17. Did the tenderer provide relevant examples of the instructions, documents, recruitment adverts or other literature?			
18. Does the tenderer follow the Commission for Racial Equality's Code of Practice for Employment?			
19. Is there evidence all vacancies are advertised?			
20. Is there evidence that all applications are assessed using the pre-set written selection criteria?			
21. Are applicants monitored in relation to their gender, ethnicity and disability?			
22. Is the information from question 21 collected with recruitment outcomes (whether the person has been short listed or appointed)?			
23. Is there evidence the tenderer can provide interpreters in community languages.			
24. Is there evidence the tenderer can provide a sign language interpreter?			
25. Is there evidence the tenderer can use an office that a wheelchair can get into, if the client needs one?			
26. Is there evidence the tenderer can organise to have a woman officer if Asian women ask for one for cultural reasons?			

Standard	Evaluation		Comments
	Yes	No	
27. Does the tenderer have a complaints procedure?			
28. Is the complaints procedure available in community languages.			
29. Is the complaints procedure available in Braille and large print and on cassette?			

Which ethnic categories does your firm use for monitoring your workforce and applicants for employment?

When does your firm monitor the number of white and ethnic minority employees in its workforce, including those who have been trained, transferred, promoted, disciplined and dismissed?

When does your firm monitor the numbers of white and ethnic minority applicants for employment in the firm?

Please send us a copy of your most recent monitoring figures for the above three categories.

If these figures show under-representation at any level in the workforce, or in applicants of any particular minority group which is represented in the population that your firm recruits from, is your firm doing anything to improve the representation of that group? Yes No

If 'yes', please describe the Action that was taken or is being taken, including any:

- Reviews of and, if necessary, changes to the firms equal opportunities policy
- Advice from professionals in employment procedures (please show who the firm has got advice from), and
- Action being taken as a result of that advice.

Please send us a copy of your firms written instructions to managers and supervisors for racial equality (equal opportunities) in recruiting, selecting, training, promoting, disciplining and dismissing staff.

What arrangements does your firm have for providing training in racial equality (equal opportunities) in recruitment and selection? Please give details and send us any relevant evidence.

(Source: CRE, AMA and LGMBs Racial Equality)

Appendix F

**Contractor Performance Report
Major and Minor Work**

Firm Number	<input style="width: 95%;" type="text"/>	Firm	<input style="width: 95%;" type="text"/>
Job	<input style="width: 95%;" type="text"/>	Job Number	<input style="width: 95%;" type="text"/>
Service Department	<input style="width: 95%;" type="text"/>	Supervising officer	<input style="width: 95%;" type="text"/>
Date Issued	<input style="width: 95%;" type="text"/>	Issue number	<input style="width: 95%;" type="text"/>
Contract Details: Date the contract will start		Date the contract will end	Contract Value
<input style="width: 95%;" type="text"/>		<input style="width: 95%;" type="text"/>	£ <input style="width: 95%;" type="text"/>

The contract for this project has recently been awarded. Please fill in this contractor performance report and return it to the department you work for either when the contract ends or as a provisional report. Assess each area of the contractor's performance by ticking the relevant columns. If you assess any area of performance as unsatisfactory, please give examples in the comments box over the page or on a separate sheet of paper attached to this report. Please make sure the information you give us is clear so that the department can use it in any future contact with the contractor.

Organisational	Good			Satisfactory				Unsatisfactory				Does not apply
	10	9	8	7	6	5	4	3	2	1	0	
1. Standard of management structure												
2. Quality of project management												
3. Level of technical expertise												
4. Communication with SDC staff												
Financial	Good			Satisfactory				Unsatisfactory				Does not apply
1. Submitting provisional claims												
2. Submitting final claims												
Operational	Good			Satisfactory				Unsatisfactory				Does not apply
1. Quality of the work												
2. Meeting specifications												
3. Site supervision and management												
4. Site resources (labour & plant)												
5. Controlling subcontractors												
6. Working with tenants or the people who use the building												
7. Keeping to the work programme												
8. Health and safety practices												
9. Equal opportunities												
10. Environmental issues												
11. CDM regulations												
12. Running the contract												

Please give comments about the contractor's general performance below. If the comments relate to unsatisfactory performance, please give specific comments, including examples in the box below or on a separate sheet of paper attached to the report. Either way, the comment should relate to the question heading.

Please give details if you know about any matter which has been referred to the Health and Safety Executive or the Commission for Racial Equality regarding the contractor (even if it is not directly related to this contract).

Have you told the contractor in writing about any performance-related issues on this contract?

Yes No

If 'yes', please attach copies of supporting documents.

Date the contract ends Estimate of final cost £

Future Recommendation	Yes	No
Would you recommend the future employment of this contractor?	<input type="checkbox"/>	<input type="checkbox"/>

Your signature Your name Date
 (please print)

Designation Department

Phone number Fax number

Section Heads signature Section Heads Name
 (please print)

Date

Appendix G

Equal Opportunities

You do not have to fill this form in if you don't want to

We have an equal opportunities policy. This means that everyone who applies to go on the Approved List of Contractors will received equal treatment regardless of their sex, disability, colour, race, nationality or ethnic origin, sexuality of age.

To help us to develop this policy and make sure it is effective, we have decided to monitor everyone who applies to go on the approved list. Please fill in the section below. We will keep any information you give us confidential, and we will use it for statistical purposes only.

Please return this form in the envelope provided. You will not need to use a stamp. Thank you.

1. Please tick the appropriate boxes.

Are the owners or managers of your firm mainly:		female?Male?	
Are the owners or managers of your firm mainly:			
Black (African)?	Black (Caribbean)?	Black (other)? (please give details).....	
Irish?	Indian?	Pakistani?	Bangladeshi?
Chinese?	White?	Other (please give details).....	
Are the owners or managers of your firm mainly disabled? Yes No			

2. Please tick the appropriate boxes to say approximately what percentage of your company's workforce falls into each of the following categories.

Category	Percentage of your workforce											
	0%	1-5%	6-10%	11-20%	21-30%	31-40%	41-50%	51-60%	61-70%	71-80%	81-90%	91-100%
Female												
Male												
Black (African)												
Black (Caribbean)												
Black (other)												
White												
Irish												
Indian												
Pakistani												
Bangladeshi												
Chinese												
Other												
Disabled												

3. How many people do you employ?

4. What is the first part of your company's postcode?

Useful Contacts

Racial Equality

Commission for Racial Equality (CRE)

Yorkshire Bank Chambers (1st Floor)
Infirmery Street
Leeds
LS1 2JP

Phone: 0113 389 3600

Fax: 0113 389 3601

Email: info@cre.gov.uk

Website: www.cre.gov.uk

Race Relations Employment Advisory Service (RREAS)

14th Floor
Cumberland House
200 Broad Street
Birmingham
B15 1TA

Phone: 0121 244 8141

Disability Discrimination

National Disability Council

Level 4A
Caxton House
Tothill Street
London
SW1H 9NA

Phone: 0207 273 5636

Fax: 0207 273 5929

Minicom: 0207 273 5645

Email: chairman.ndc@dfee.gov.uk

Website: www.disability-council.gov.uk

Selby District Disablement Information and Advice Line (D.I.A.L)

12 Park Street
Selby
YO8 4PW

Phone & Fax: 01757 210495

Email: selby.dial1@btinternet.com

Department for Education and Employment

DDA Help
Freepost
MIDO 2164
Stratford Upon Avon
CV37 9BR

Phone: 0345 622 633
Text phone: 0345 622644
Faxback: 0345 622 644
Automated: 0345 622688
Email: ddahelp@stra.sitel.co.uk
Website: www.disability.gov.uk

Sexual Discrimination

Equal Opportunities Commission (EOC)

Customer Contact Point
Overseas House
Quay Street
Manchester
M3 3HN

Phone: 0161 833 9244
Fax: 0161 835 1657
Email: info@eoc.org.uk
Website: www.eoc.org.uk