

Procurement Equality Standard (Revised 2026)

1. Overview

- 1.1 The Procurement Act 2023 ('the Act') establishes a new legal framework for public procurement across the UK, replacing the Public Contracts Regulations 2015 and related EU legislation. The Act aims to deliver value for money, promote fair competition, support transparency, and advance public benefit through efficient and inclusive procurement practices.
- 1.2 Under the Act, contracting authorities must conduct procurements in line with the overarching objectives of:
 - delivering value for money;
 - maximising public benefit;
 - sharing information to ensure transparency and integrity;
 - and acting with fairness, equal treatment, and proportionality.
- 1.3 The Council recognises that equality, diversity and inclusion are integral to delivering public benefit and value for money. Procurement decisions must reflect the Council's duties under the Equality Act 2010, ensuring that equality considerations are embedded at every stage of the process.
- 1.4 The Public Sector Equality Duty (PSED) requires the Council to have due regard to the need to:
 - eliminate unlawful discrimination, harassment, and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
- 1.5 The duty extends to organisations and contractors delivering public functions on behalf of the Council. All suppliers and subcontractors are expected to uphold these obligations and align with the Council's Equality and Diversity Policy.
- 1.6 In accordance with the Procurement Act 2023, equality and diversity are recognised as legitimate factors to consider where relevant and proportionate to the subject matter of the contract. The Council may include social, equality, and community benefit requirements as part of the tender and award process, contributing to the Act's "public benefit" objective.

2. Purpose and Objectives

- 2.1 The main aim and objectives of this Standard are to:
 - ensure equality and diversity are integrated throughout procurement planning, tendering, award, and contract management;
 - support suppliers in understanding and meeting their equality obligations;
 - encourage inclusive supply chains that reflect and serve the diversity of local communities;
 - deliver value for money and social impact in line with the Council's strategic objectives.

3. Application Across the Procurement Stages

- 3.1 Preparation and Planning
 - Equality and diversity impacts must be assessed during the planning stage.
 - Officers should complete an Equality Impact Assessment (or equivalent review) to identify how the procurement may affect service users, staff, or communities.
 - Where relevant, equality considerations will be incorporated into specifications, key performance indicators, and evaluation criteria.

3.2 Selection Stage

- The Council will apply the exclusion and selection grounds under the Act, including mandatory and discretionary exclusions related to breaches of labour, social, or equality laws.
- Suppliers must demonstrate compliance with the Equality Act 2010 and relevant international standards.

3.3 Tender and Award Stage

- Tender documents will outline equality-related requirements and evaluation criteria where relevant.
- Equality and inclusion may be considered under the “public benefit” and “value for money” objectives of the Act.
- The weighting of equality criteria will be proportionate and transparent.

3.4 Contract Management

- Contracts will include equality and inclusion clauses where relevant to delivery.
- Performance against equality and diversity commitments will be monitored and may form part of contract review and renewal decisions.
- The Council’s standard contracts contain requirements to comply with the Equality Act 2010 and with the Council’s Equality and Diversity Framework Document ([Comprehensive Equality Policy](#)). The contracts also possible consequences of breaching the contract’s equality requirements, especially in high relevance contracts, may result in termination.

4. Modern Slavery and Ethical Standards

4.1 The Council upholds its obligations under the Modern Slavery Act 2015 and will exclude suppliers who fail to meet ethical and human rights standards. Suppliers must:

- confirm they are not involved in slavery or human trafficking;
- ensure their supply chains are free from such practices; and
- provide an up-to-date Modern Slavery Statement, where applicable.

5. Compliance and Continuous Improvement

5.1 Failure to comply with equality and diversity obligations may result in:

- exclusion from current or future procurement processes; and/or
- termination of contract in serious or persistent cases.

The Council will continue to review this Standard to ensure consistency with statutory guidance under the Procurement Act 2023, the National Procurement Policy Statement, and updates to equality and social value legislation.