



London 2012

Good practice guidelines

Procurement and employment



**Equality and
Human Rights
Commission**

Introduction

The Equality and Human Rights Commission (the Commission) expects that the Olympic Games and Paralympic Games (London 2012) will create a sustainable legacy for some of the most deprived communities in the UK. The five host boroughs of Greenwich, Hackney, Tower Hamlets, Newham, and Waltham Forest all fall within the top third most deprived boroughs in London and are in the top 45 nationally. These five boroughs are also home to the most diverse communities in the UK. These communities face multiple barriers to gaining employment and business opportunities. London 2012 and the £9 billion of investment has the potential to address some of the persistent inequalities in these communities and achieve real equality outcomes.

Responsibility for delivering London 2012 rests with the Department of Culture Media and Sport (DCMS), Government Olympic Executive (GOE), British Olympic Association (BOA), British Paralympic Association (BPA), Olympic Delivery Authority (ODA), The London Organising Committee of the Olympic Games and Paralympic Games Limited (LOCOG), London Development Agency (LDA) and Greater London Authority (GLA). The Olympic Park Legacy Company (OPLC) will be delivering the legacy for the Olympic Park. London 2012 aims to be an accessible and inclusive Games, and the GOE has set out six legacy promises¹ to achieve this objective.

London 2012 legacy promises

1. Make the UK a world-class sporting nation.
2. Transform the heart of east London.
3. Inspire a new generation of young people to take part in local volunteering, cultural and physical activity.
4. Make the Olympic Park a blueprint for sustainable living.
5. Demonstrate the UK is a creative, inclusive place to live, visit and for business.
6. London 2012: A legacy for disabled people.²

¹ Department of Culture Media and Sport (DCMS), Our Promise for 2012.

² Department of Culture Media and Sport (DCMS), London 2012: A Legacy for Disabled People, March 2010

Commission focus

The Commission has engaged key stakeholders to ensure there are good equality outcomes from the Games and as its starting point has looked specifically at employment and local business opportunities created by London 2012 in the five host boroughs. Research undertaken by the Commission, and evidence gathered for its Inquiry³ into race and the construction industry, showed that women, disabled people and ethnic minority groups are significantly under-represented in employment and access to business opportunities. Ethnic minority communities have a higher rate of self-employment and business start-ups yet they face persistent barriers to obtaining procurement contracts.^{4,5}

Based on our research findings, these guidelines represent what we consider to be the key drivers to promote good equality and diversity practice. The Commission is committed to improving and sharing good equality and diversity practice and it is intended that these guidelines will help to achieve this aim.

Good practice guidelines

Procurement and supplier diversity

A procurement policy that has considered equality and diversity should have processes in place, where appropriate, to monitor equality and diversity practice throughout the supply chain. There should be mechanisms to give feedback to companies that have been unsuccessful. As part of the new European Remedies Directive,⁶ introduced on 20 December 2009, companies can challenge decisions and ask for feedback. This directive is applicable to public bodies. Feedback is a valuable tool that can be used to develop capacity in under-represented companies and create more competition.

³ Equality and Human Rights Commission Race and Construction Inquiry, Spring 2010.

⁴ Kingston University and Equality and Human Rights Commission research report 6: Procurement and Supplier Diversity research, November 2008.

⁵ Commission for Racial Equality, Regeneration Formal Investigation, June 2007.

⁶ Revision of the Public Procurement Remedies Directives.

Good practice guidelines for procurement and supplier diversity are:

- Complete a comprehensive Equality Impact Assessment (EIA) on all projects to ensure that the works, goods or services purchased are responsive to and genuinely meet the needs of the service users.
- Ensure, where applicable, contractors are aware of the requirement to comply with the Public Sector Duties when bidding for public sector contracts.
- Monitor equality and diversity information, including trends and barriers for under-represented groups to identify where support is needed. Comprehensive and consistent data collection is required on firms bidding for contracts in order to refine and improve the systems being used.
- Provide tailored feedback to companies tendering for business.
- Buyers to consider splitting contracts into price thresholds to create lower value opportunities and increase supplier diversity.
- Reflect equality issues in the contract specification and contract conditions.
- Give an accurate picture in advertised contracts of how buyers intend to run the contract and what expectations they have from suppliers.
- Ensure contractors demonstrate how they will address management of the supply chain, sub-contractors, employee selection and provision of local training and employment opportunities, where applicable.
- Monitor the performance of contractors and take action where breaches of equality issues have been identified.

Good practice guidelines

Employment and training

The Public Sector Duty requires those companies that are subject to the Duty to have transparent and effective employment policies that promote equality. The processes used to recruit and manage employees have to be fair and offer equal opportunity. This cannot be achieved without a consistent approach to data collection and analysis.

Good practice guidelines for employment and training are:

- Agree comprehensive and consistent data collection.
- Monitor recruitment and retention rates and address any areas of disproportionate impact.
- Monitor progress of trainees and students as they make the transition from training to work and consider programmes of additional support where needed. The evidence shows that there is a higher drop-out rate for black and ethnic minority groups between training and work.⁷
- Tell the local community what jobs are going to be available and when. Our employment research⁸ has shown that the local community needs to be made more aware of the opportunities that are available.
- Promote the range of jobs available, whenever possible, in schools and colleges to increase the diversity and number of applicants.
- Develop positive action⁹ programmes to encourage women, disabled people and people from ethnic minorities to train and apply for jobs in construction and other areas where they have traditionally been under-represented.

⁷ Equality and Human Rights Commission, Race and Construction Inquiry, June 2009.

⁸ Tank Consulting and Equality and Human Rights Commission Research report 49: Olympics 2012 Access to training and employment opportunities. March 2010.

⁹ Equality and Human Rights Commission, Race and Construction Inquiry Action Plan, February 2010.

- Join up initiatives providing workforce development, employment and skills training to maximise resources and target services more effectively. The development of shared services via targeted joint commissioning can achieve efficiency savings while meeting the needs of the local community.
- Effectively communicate the diversity and inclusion work that is already underway.

These guidelines set out what good practice looks like and also best practice in some areas. The Commission will be encouraging the organisations delivering the Games to achieve this level of good practice and where possible exceed these targets to become an exemplar organisation.

It is intended that the learning from London 2012 and research evidence that the Commission has gathered could be used to support the development of equality and diversity practice in other delivery bodies working on major regeneration schemes, for example, the Commonwealth Games and Cross Rail. The Commission will be promoting and sharing good practice to encourage other organisations to learn the lessons from London 2012.

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