

**Impact and Needs/Requirements Assessment (INRA)**

<b>Name of Policy:</b>	Procurement Strategy
<b>Lead Officer (responsible for assessment):</b>	Jeanette Thompson, Head of Legal Services
	Legal & Democratic Services
<b>Others Involved in the Assessment (i.e. peer review, external challenge):</b>	Andrew Killington, Deputy Chief Executive
<b>Date INRA Completed:</b>	11 August 2011

**'Policy' needs to be understood broadly to include all Council policies, strategies, services, functions, activities and decisions.**

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

This is an overall Procurement Strategy, which basically sets down the processes the Council currently operates in writing, for achieving value for money for the Council.

Most of the processes detailed are based on legislation or established good practice. It also includes reference to statutory requirements to adhere to equality principles – which, whilst adhered to previously were not set out in a procurement policy document/ guidance.

Initial drivers for change were under the old Local Authority Audit Commission Inspection regime called the Comprehensive Area Assessment (“CAA”). Following the last inspection, it was recommended that the Council put in place a Procurement Strategy. Huntingdon District Council’s Procurement Manager was instructed under a Service Level Agreement to prepare one for the Council – which was then to be considered and adopted.

This was prepared in 2011 – and was then amended to incorporate the Council’s Corporate Guidance on Equality and Diversity requirements for the procurement and commissioning process, with the aim of promoting equal treatment and equal access in the process. This, however, is enshrines the Rules that the Council already has under its Contract Procedures in the Constitution (and as detailed in any legislative requirement), and in the Council’s Standards contract terms and conditions – which should be used for most of the contracts that the Council becomes involved in (albeit at a value of £5,000 and above).

The Policy will be put into practice through the various actions identified in the Strategy. The Strategy will be reviewed every 2 years (possibly with the assistance of Huntingdon’s Procurement team).

**Who are its main beneficiaries?** i.e. who will be affected by the policy?

Contractors for goods and services.

**Is the INRA informed by any information or background data (quantitative or qualitative)?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The INRA was informed by the following:

- the CAA report which made the recommendation on having a Procurement Strategy.
- There is no specific data of issues that the Council needs to address in terms of procurement and equality issues. We have not received any complaints or legal challenges on such points.
- Management Team and audit officer review.
- A consultation has been undertaken, via the Council's Consultee list. The Procurement Strategy and response question was sent to 26 Equal Opportunities Consultees and 35 Corporate Consultees. One was recorded on audio/ put into braille as part of the consultation. These were sent out on 6 July with a requested response date of 4 August (28 days).

Out of the 61 consultations, we received the following 3 responses:

- CR64 responding on her own behalf: questions were raised by the Consultee about the risk – detailed as “value and risk”. She questioned why “non-critical” spend was high and questions some of the terms within the Strategy – and the need to define these. She did not like the document and made a discourteous remark about staff and O’Level English. She did not, however, provide any comment as to whether this would have an adverse impact on relevant equality groups (and indeed, just crossed through these two sections in the response document).

*Comments in relation to any abbreviations or explanation shall, however, be taken on board and amendments made to the Strategy.*

- CR15 a response on behalf of Care & Repair: this Consultee stated that they believed that the aims of the Strategy were good and the analysis sensible – although there were concerns on how the Strategy would work in practice and how to add some safeguards to achieve the Council's aims\*. It was proposed that there should not be the assumption that savings are always possible. Also it was indicated that given the current staffing levels at the Council, qualified staff should not be taken from their essential jobs to do this. It was proposed that procurement procedures should only be entered into when there were resources to do so and there is a good chance that the result will be a significant net saving. They supported the view that local businesses should be used as much as possible – dependent on the procurement. It was suggested that simplification of procurement documentation, with less jargon, would assist this process. Going for bigger, it was suggested, was not always better and there were other things to consider, such as TUPE (the Transfer of Undertaking Regulations – which deal with staff transfers in work transfer scenarios). Risks must be minimised, not just reduced. It was suggested, however, that there was need for Staff support for small businesses wanting to tender for work. That supporting tender documentation should be appropriate in language, size – bearing in mind the contract. Smaller organisations should be given the opportunity to bid.

The Consultee did not, however, indicate a belief that the Strategy would have an adverse impact on persons within relevant equality groups.

*In terms of backing up the Strategy, \*the Contract Procedures are a statutory requirement which enshrine the need to procure in ways that are compliant with European legislation. This means that this is part of most officers work requirements in local authorities. In terms of language and forms for small businesses –we do not have procurement officer who would normally do this (as all of our Cambridgeshire co-authorities do to provide small business assistance with procurement). It is, however, our intention to finalise a Toolkit for Officers and provide training on the process and as part of the Strategy paragraph 11 – where possible undertake development with small or medium enterprises (SMEs). It is also proposed to increase the limits for formal tenders to £50,000 (which needs to be approved through the member process), and replace this with formal quotations – which is less bureaucratic and this should encourage local/ smaller firms to bid for a contract.*

- CR59 – see attached.

**(b) Does this policy have the potential to cause an impact (positive, negative or neutral) on different groups in the community, on the grounds of (please tick all that apply):**

**Ethnicity**  
**Gender**  
**Disability**


**Age**  
**Religion and Belief**  
**Sexual Orientation**


**Please explain any impact identified (positive, negative or neutral):** i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

We understand through the Single Equality Scheme that the area of procurement is seen to be an area where issues may arise in terms of those who may apply for contracts with the Council and for potential user groups, taking up Council services. It has therefore been recommended that staff have guidance on equality and diversity requirements for the procurement and commissioning process. Standard ECDC Contracts already have equality clauses, which deal with the requirement on contractors for adherence to equality principles/ having policies/ ensuring there is a process for complaints and monitoring. This Strategy voices the overall aims of the Council in terms of achieving value for money – as well as addressing those issues in general terms.

**Otherwise, there is no direct local evidence on issues with procurement or lower or higher tenders from relevant equality groups. The Council is unaware of any barriers to applying for contracts with the Council or user group issues.** It has signed up to the Cambridgeshire Compact Agreement – which is a countywide partnership agreement between statutory bodies and the voluntary and community sector designed to improve relationships and agree principles for grants and procurements (so long as there is compliance with legislation). The aim of this is to assist with things like procurement exercises.

**(c) Does the policy have a differential impact on different groups?**

**NO**

**(d) Is the impact *adverse* (i.e. less favourable) on one or more groups?**

**NO**

**(e) Does it have the potential to disadvantage or discriminate unfairly against any of the groups in a way that is unlawful?**

**NO**

**(f) What additional information is needed to provide a clear picture of how the activity is impacting on different communities and how will you collect this information, i.e. expert groups, further research, consultation\* etc? Where there are major gaps in information that cannot be addressed immediately, these should be highlighted in your recommendations and objectives at the end of the INRA.**

It is not anticipated that any further consultation or research is required on this matter – bearing in mind the consultation exercise that has been undertaken externally and this has been reviewed and discussed at Management Team.

\* The Consultation Register is available to assist staff in consulting with the Council's stakeholders. If you are consulting on a new or revised policy contact the Principal HR Officer.

**(g) Do you envisage any problems with these methods of information collection?** i.e. not accessible to all, timescale not long enough to obtain all of the necessary information, translation facilities not available, insufficient resources etc.

The document and form was put on audio disk and sent to the Consultee. No response was, however, provided.

**(h) If it has been possible to collect this additional information, summarise the findings of your research and/or consultation (please use a separate sheet if necessary).**

Please see response to (c) above.

**(i) What are the risks associated with the policy in relation to differential impact and unmet needs/requirements?** i.e. reputation, financial, breach of legislation, service exclusion, lack of resources, lack of cooperation, insufficient budget etc.

Now that the CAA assessment have been abolished, failure to have a Strategy will not be in contravention of any legislation or recommendation – but it is desired as part of good practice.

Unlike other authorities, we do not have an assigned procurement officer who can monitor these issues on a day-to-day basis, but the policy will be reviewed and feedback obtained on whether issues have arisen on equality matters.

Under the Single Equality Scheme, we are required to give guidance on equality and procurement, and this Strategy therefore covers both these issues, with the aim of having a general joined up policy regarding procurement and equality aims.

**(j) Use the information gathered in the earlier stages of your INRA to make a judgement on whether there is the potential for the policy to result in unlawful discrimination or a less favourable impact on any group in the community, and what changes (if any) need to be made to the policy.**

Option 1:	No major changes, the evidence shows no potential for discrimination.	X
Option 2:	Adjust the policy to remove barriers or to better promote equality.	
Option 3:	Continue the policy despite potential for adverse impact or missed opportunity to promote equality.	
Option 4:	Stop and remove the policy – if the policy shows actual or potential unlawful discrimination it must be stopped and removed or changed.	

**(k) Where you have identified the potential for adverse impact, what action can be taken to remove or mitigate against the potential for the policy to unlawfully discriminate or impact less favourably on one or more communities in a way that cannot be justified?** Include key activities that are likely to have the greatest impact (max. 6). Identified actions should be specified in detail for the first year but there may be further longer-term actions, which need to be considered. To ensure that your actions are more than just a list of good intentions, include for each: the person responsible for its completion, a timescale for completion, any cost implications and how these will be addressed. It is essential that you incorporate these actions into your service plans.

Not applicable.
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This completed INRA will need to be countersigned by your Head of Service. **Please forward completed and signed forms to Nicole Pema, Principal HR Officer.**

All completed INRAs will need to be scrutinised and verified by the Council's Equal Opportunities Working Group (EOWG) and published on the Council's Intranet to demonstrate to local people that the Council is actively engaged in tackling potential discrimination and improving its practices in relation to equalities. Please be aware that you will be asked to attend a half-an-hour session to summarise the findings of the INRA to the EOWG Verification panel.

**Signatures:**

**Completing Officer:** Jeanette Thompson **Date:** 11.08.11

**Deputy Chief Executive:** Andrew Killington **Date:** 11.08.11