



Equality Screening

Policy on the use of Social Clauses in Council Contracts

Belfast City Council - Equality Screening Template

The Council has a statutory duty to screen all policies. Please note a policy can be written or unwritten, formal or informal. This includes our strategies, plans, policies, legislative developments; and new ways of working such as – the introduction, change or end of an existing service, grant funding arrangement or facility. Please note a policy can be written or unwritten, formal or informal.

This screening template is designed to help departments consider the likely equality impacts of their proposed decisions on different groups of customers, service users, staff and visitors.

Before carrying out an equality screening exercise it is important that you have received the necessary training. To find out about the training contact – gilmartins@belfastcity.gov.uk or dennisl@belfastcity.gov.uk

The accompanying [Screening Guidance](#) note provides straightforward advice on how to carry out equality screening exercises. Detailed information about the Section 75 equality duties¹ and what they mean in practice is available on the Equality Commission's website.

The screening template has 4 sections to complete. These are:

Section A - asks you to provide details about the policy / decision that is being screened.

Section B - has 4 key questions that require you to outline the likely impacts on equality groups, and all supporting evidence.

Section C - has 4 key questions in relation to obligations under the Disability Discrimination Order

Section D - is the formal record of the screening decision.

¹ ECNI 'Section 75 of the NI Act 1998: A Guide for Public Authorities' April 2010. www.equalityni.org

Section A

Details about the policy / decision to be screened

Title of policy / decision to be screened:-

Policy on the use of Social Clauses in Council Contracts

Brief description of policy / decision to be screened:-

(Explain - Is this a new, revised or existing policy? Are there financial / legislative / procurement implications?)

The Council's Investment Programme 2012-15 included a commitment for the Council to adopt social clauses. This is a new policy to help direct the use of social clauses in procurement contracts. The policy is primarily aimed at longer term (over 6 months) high value (over £250,000) contracts.

Social Clauses in contracts are still in their infancy as a concept. So far they have tended to apply to construction projects and relate to encouraging suppliers to recruit long term unemployed and engage with the local community. The change to the legislation (the Local Government Best Value - Exclusion of Non-commercial Considerations - Order Northern Ireland) that has allowed social clauses to be used, only came into effect in 2012. Hence there is little prior experience to draw upon. The council is also still restricted by the wider EU rules and regulations surrounding procurement practice.

This draft policy was approved for further consultation by the [Strategic Policy and Resources committee](#) on the 19-9-14.

Aims and objectives of the policy / decision to be screened:-

(What is the policy trying to achieve?)

To engage with the market and so encourage suppliers to include social value within contracts; to ensure that, wherever possible, appropriate social clauses are included in all Council contracts (within the limits of the law); and to ensure that money spent on public service provision and procuring goods, works and services reaps maximum economic, social and environmental value.

In general, to inform staff when and how to use suitability clauses in Council contracts.

On whom will the policy / decision impact?

Consider the internal and external impacts (both actual or potential)

- Staff - some impact. Will affect those involved in larger scale procurement.
- Service users – no (though see below)
- Other public sector organizations – no
- Voluntary / Community groups / Trade Unions – no (though see below)
- Others, please specify
 - Suppliers of larger contracts. People who may benefit from social clauses that are included in a contract, primarily long term unemployed.

Are there linkages to other Agencies/ Departments? The policy has been developed with reference to the work already done in this area by central government departments especially CPD and DCAL. We have also used the work by the Construction Industry Forum (CIFNI) which is considered to be best practice. The policy has been primarily developed by external legal experts in consultation with officers from Economic Development, Policy, Procurement, and Contract Management. In particular, there has been significant input from officers who have experience of working with contractors and the local community on previous council construction contracts. These officers also represent the Council on the Belfast Social Clause Delivery Forum, which includes DEL, NIHE, the Construction Industry Forum (CIFNI), CPD, Strategic Investment Board (SIB), business representative organisations, community organisations, and training organisations/representatives.

Section B

1. Outline consultation process achieved or planned

In developing the draft policy discussions have been held with other organisations that are trying to develop social clause policies. This is through the NI Social Clause Delivery forum that DEL chairs and that meets quarterly and was established in the middle of 2014. Officers have also considered the experience from the council's main social clause projects to date, the Titanic Signature Project and Girdwood. The main lesson from working with local community groups was that they expect us to specify that employment opportunities are for local people. Unfortunately the law does not allow the council to do that.

The draft strategy has been presented to members of the [Strategic Policy and Resources](#) for comment and feedback.

It has also been distributed to relevant officers across the council via the Policy Officers Group. The draft has also been presented to and discussed at the Council's Equality Forum to gain a better understanding of any equality implications. Additionally, the council's main procurement strategy outlined plans to introduce social clauses and this document has recently been out for public consultation. The document was available from the council's website and invitations to comment were sent out to over 7,000 businesses, representative, community organisations and procurement organisations. 29 responses were received by the closing date in October 2014. Suggestions were primarily about including clauses to promote other community benefits.

The draft policy and this equality screening document will be made available for public consultation in December 2014. Feedback from this consultation will inform a final draft which will be submitted to councillors for approval.

2. Available evidence

Section 75 category	Details of evidence / information and engagement
Religious belief	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p> <p>The 2011 Census indicates that 48.6% of Belfast City residents are from a Catholic community background and 42.3% from a Protestant community background. Many of the contracts, especially construction ones or recruitment events, are based in a particular location. A particular location may be off-putting to some parts of the community even though it may still be quite local.</p>
Political opinion	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p>
Racial group	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics</p>

	<p>available through NISRA and the Council's CityStats Team.</p> <p>The 2011 census suggests that 3.57% of the population of Belfast is from an ethnic minority background. It is likely that the actual figure is higher as the census does not differentiate between the white ethnic population from Ireland and the UK and others. It is often the case that minority ethnic groups suffer from higher rates of unemployment, which is a key aspect of this policy. This may be due to many factors including limited access to information because of poor communication or language or literacy issues; or a lack of 'know how' as to how to access opportunities that may require capacity building support.</p>
Age	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p> <p>Unemployment among younger people is notably higher with 24.2% of those claiming unemployment related benefits in Belfast being aged under 24 (November 2014). Often it is difficult for younger people, especially those with limited qualifications, to get started on the career ladder. Younger people may also miss out on employment opportunities due to not using traditional communication sources. E.G. they are more likely to use social media and web content for their news than printed newspapers.</p> <p>There is also evidence to suggest that older people are more likely to become victims of long term unemployment ("Long-term Unemployment" EEO Review 2012).</p> <p>Addressing long term unemployment is a key aspect of this policy.</p>
Marital status	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal</p>

	<p>expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p>
<p>Sexual orientation</p>	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p>
<p>Men & women generally</p>	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p> <p>The 2011 census shows that the employment rate for women in the construction industry is only 2% compared to 14% for men. This may be due to various factors such as incorrect perceptions about the suitability of construction work for women or a lack of facilities on site. Many of the contracts that social clauses apply to will be for construction projects.</p>
<p>Disability</p>	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team.</p>

	<p>According to the 2011 census, of those who stated that their day to day activities were limited a little or a lot, only 5.1% of the population aged 16 to 74 are economically active. This is significantly lower than the 58.5% who said that their activities were not limited. The figures are even worse for those with learning difficulties. The issue can be made worse by insufficient access to recruitment events or employment information not being made available in different formats. Equally, employers do not always consider that people with a disability may be able to undertake a particular job. Addressing economic inactivity is an aspect of this policy.</p>
Dependants	<p>This is a new activity and so no specific evidence exists for the council to use. We have referred to the limited best practice that exists, legal expertise, councillor and staff feedback and will include views from the Equality Forum, representative businesses and the public consultation. As a result of this screening we will include clauses that oblige contractors to provide monitoring arrangements. We have also referred to the statistics available through NISRA and the Council's CityStats Team. There are 17,036 lone parent households in Belfast with dependent children. Of these households just under half (49.2%) are in employment.</p>

3. What is the likely impact (indicate if the policy impact is positive or negative) on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? What is the level of impact?

Section 75 category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	<p>We have found no evidence to suggest that the new Policy will have a negative impact relating to religious beliefs. Though contractors may need to be aware of the sensitivity of different parts of the community to particular locations where construction activity or recruitment might take place.</p>	Minor

Political opinion	We have found no evidence to suggest that the new Policy will have a negative impact relating to political opinion.	Minor
Racial group	As many of the clauses are aimed at employment, it is possible that they may have a more significant positive effect on this group who have a higher than average unemployment rate.	Minor
Age	As many of the clauses are aimed at long term unemployed, it is possible that they may have a more significant positive effect on older long term unemployed and younger people who cannot find an opportunity to start their career.	Minor
Marital status	We have found no evidence to suggest that the new Policy will have a negative impact relating to marital status.	Minor
Sexual orientation	We have found no evidence to suggest that the new Policy will have a negative impact relating to sexual orientation.	Minor
Men and women generally	As many of the clauses are aimed at employment in the construction industry, it is possible that they may have a more significant positive effect on women who are significantly underrepresented in the construction sector.	Minor
Disability	As many of the clauses are aimed at employment opportunities, it is possible that they may have a more significant affect on this group who have a	Minor

	much higher than average unemployment rate.	
Dependants	As many of the clauses are aimed at employment, it is possible that they may have a positive affect on this group who have a higher chance of being economically inactive.	Minor

4. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

Section 75 category	If Yes, provide details	If No, provide reasons
Religious belief	Yes. We have included clauses to ensure contractors provide equality of opportunity in terms of recruitment and the working environment. The clauses also highlight the need to locate activities in neutral or shared space where possible. Contractors are also required to work with the Council and DEL in developing their recruitment activities. This will ensure a suitable range of communication channels is used to reach all sectors of the community. We also ask for monitoring information to ensure that there is no unintended bias.	
Political opinion	Yes. We have included clauses to ensure contractors provide equality of opportunity in terms of recruitment and the working environment. We also ask for monitoring information to ensure that there is no unintended bias.	
Racial group	Yes. We have included clauses to ensure contractors provide equality of opportunity in terms of recruitment and the working environment. We	

	<p>also ask for monitoring information to ensure that there is no unintended bias. As this groups suffers from higher than normal unemployment rates, we have added clauses to ensure the contractor provides a plan to show how they will promote opportunities and encourage applications from people from underrepresented groups. The clauses also expect the contractor to work with the council and DEL to make use of existing expertise, communication channels, capacity building and support systems.</p>	
Age	<p>Yes. We have included clauses to ensure contractors provide equality of opportunity in terms of recruitment and the working environment. We also ask for monitoring information to ensure that there is no unintended bias. As this groups suffers from higher than normal unemployment rates, we have added clauses to ensure the contractor provides a plan to show how they will promote opportunities and encourage applications from them. The clauses also expect the contractor to work with the council and DEL to make use of existing expertise, communication channels, capacity building and support systems. There are specific clauses relating to apprenticeships and student opportunities.</p>	
Marital status	<p>Yes. Some of the CIFNI standard clauses that we plan to adopt place a duty on contractors to promote equality of opportunity and respect for people.</p>	
Sexual orientation	<p>Yes. Some of the CIFNI standard clauses that we plan to adopt place a duty on contractors to promote equality of opportunity and respect for people.</p>	

Men and women generally	<p>Yes. We have included clauses to ensure contractors provide equality of opportunity in terms of recruitment and the working environment. We also ask for monitoring information to ensure that there is no unintended bias. As women are underrepresented in the construction industry, we have added clauses to ensure the contractor provides a plan to show how they will promote opportunities and encourage applications from women. The clauses also expect the contractor to work with the council and DEL to make use of existing expertise and support systems. We have also included clauses relating to initiatives such as Women in Construction NI.</p>	
Disability	<p>Yes. We have included clauses to ensure contractors provide equality of opportunity in terms of recruitment and the working environment. We also ask for monitoring information to ensure that there is no unintended bias. As this groups suffers from much higher than normal unemployment rates, we have added clauses to ensure the contractor provides a plan to show how they will promote opportunities and encourage applications from people with disabilities. The clauses also expect the contractor to work with the council and DEL to make use of existing expertise, communication channels, capacity building and support systems. Clauses specify that recruitment events and communications need to be appropriate and accessible. The causes also highlight the need for reasonable adjustments during the recruitment process and in employment.</p>	
Dependants	<p>Yes. We have included clauses to ensure contractors provide equality of opportunity in terms</p>	

	<p>of recruitment and the working environment. We also ask for monitoring information to ensure that there is no unintended bias. As this groups suffers from higher than normal unemployment rates, we have added clauses to ensure the contractor provides a plan to show how they will promote opportunities and encourage applications from people from underrepresented groups. The clauses also expect the contractor to work with the council and DEL to make use of existing expertise and support systems.</p>	
--	---	--

5. To what extent is the policy likely to impact (positive or negatively)on good relations between people of different religious belief, political opinion or racial group? What is the level of impact?

Good relations category	Likely impact?	Level of impact? Minor/Major/None
Religious belief	We have found no evidence to suggest that the new Policy will have a negative impact relating to religious beliefs.	Minor
Political opinion	We have found no evidence to suggest that the new Policy will have a negative impact relating to political opinion.	Minor
Racial group	We have found no evidence to suggest that the new Policy will have a negative impact relating to racial group.	Minor

6. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Good relations category	If Yes, provide details	If No, provide reasons
Religious belief	We have included clauses, based on the Council's good relations strategy that places a duty on the contractor to work with BCC to ensure that the work site and other activities, such as recruitment events, are conducted in a manner that is respectful and welcoming to all members of our community and so helps to promote good relations.	
Political opinion	We have included clauses, based on the Council's good relations strategy that places a duty on the contractor to work with BCC to ensure that the work site and other activities, such as recruitment events, are conducted in a manner that is respectful and welcoming to all members of our community and so helps to promote good relations.	
Racial group	We have included clauses, based on the Council's good relations strategy that places a duty on the contractor to work with BCC to ensure that the work site and other activities, such as recruitment events, are conducted in a manner that is respectful and welcoming to all members of our community and so helps to promote good relations.	

7. Multiple Identities

As we are not expecting any major impact (and no negative) impact on any group, we are also not expecting any impact on any multiple identities. It is possible that there might be a slightly increased positive impact on individuals who belong to multiple or all of the groups most obviously affected by lower employment rates e.g. older or young people from ethnic minorities who have a disability and dependants.

Section C

Consideration of Disability Duties

- 8. Does this proposed policy / decision provide an opportunity for the Council to better promote positive attitudes towards disabled people?**

Explain your assessment in full

Yes. Clauses will ensure contractors pay proper attention to their equality responsibilities. The policy and clauses clearly identify disabled people as disadvantaged and underrepresented in employment terms and require contractors to develop a suitable plan for promoting employment opportunities relating to the contract. The clauses also require contractor to work with the council and DEL developing their plan. This will ensure that appropriate communications channels are used and that activities, such as recruitment events, are suitable for disabled people. This should help to raise awareness of the positive contribution disabled people can make.

- 9. Does this proposed policy / decision provide an opportunity to actively increase the participation by disabled people in public life?**

Explain your assessment in full

Yes. The policy and clauses clearly identify disabled people as disadvantaged and underrepresented in employment terms and require contractors to develop a suitable plan for promoting employment opportunities relating to the contract. The clauses also require contractor to work with the council and DEL in developing their plan. This will ensure that appropriate communications channels are used and that activities, such as recruitment events, are suitable for disabled people including the need for reasonable adjustments. Similar clauses apply to the working environment. In addition, many of the clauses are aimed at long term unemployed, and this group has a much higher than average unemployment rate. It is therefore possible that the policy may help disabled people to increase their participation in public life through participation in recruitment activities and then employment.

10. Monitoring Arrangements

Section 75 places a requirement the Council to have equality monitoring arrangements in place in order to assess the impact of policies and services etc; and to help identify barriers to fair participation and to better promote equality of opportunity.

Outline what data you will collect in the future in order to monitor the impact of this policy / decision on equality, good relations and disability duties.

Equality	Good Relations	Disability Duties
The draft policy and clauses include a requirement for contractors to provide monitoring information in relation to employment opportunities.	The draft policy and clauses include a requirement for contractors to provide monitoring information in relation to employment opportunities.	The draft policy and clauses include a requirement for contractors to provide monitoring information in relation to employment opportunities.

Section D

Formal Record of Screening Decision

Title of Proposed Policy / Decision being screened:

Social Clauses (in procurement contracts)

I can confirm that the proposed policy / decision has been screened for –

<input checked="" type="checkbox"/>	Equality of opportunity and good relations
<input checked="" type="checkbox"/>	Disabilities duties

On the basis of the answers to the screening questions, I recommend that this policy/decision is – ***place an X in the appropriate box below**

<input type="checkbox"/>	*<u>Screened In</u> – Necessary to conduct a full EQIA
--------------------------	---

<input type="checkbox"/>	*<u>Screened Out</u> – No EQIA necessary (no impacts) Provide a brief note here to explain how this decision was reached:
--------------------------	---

<input checked="" type="checkbox"/>	<p>* <u>Screened Out</u> - Mitigating Actions (minor impacts)</p> <ul style="list-style-type: none"> • There is no previous information to act on but it seems that the policy is only likely to have a minor (and positive) effect on people from groups who are also long term unemployed. It is also possible that other people may benefit but only in terms of general benefits to the local community. No negative impacts have been identified. • As a result of this screening process several clauses have been added or amended. These include clauses relating to developing appropriate communications and awareness sessions for recruitment opportunities for disadvantages and underrepresented groups; working with the Council and DEL to make use of existing expertise and support mechanisms; creating work environments that are respectful and welcoming to all members of the community and so promoting good relations; and providing monitoring information. The equality clauses are now compulsory on contracts that include social clauses.
-------------------------------------	--

Formal Record of Screening Decision (cont)

Screening assessment completed by (Officer level) -

Name: Dr David Purchase

Date: 9-12-14

Department: Development Department

Signature: please insert a scanned image of your signature below

Screening decision approved by -

Name: Donal Rogan

Date:

Department /Job Title: Head of Contracts, Property & Projects

Signature: please insert a scanned image of your signature below

Please save the final version of the completed screening form and forward to the Equality and Diversity Officer – gilmartins@belfastcity.gov.uk or dennisl@belfastcity.gov.uk . The screening form will be placed on the BCC website and a link provided to the Council's Section 75 consultees.

For more information about equality screening contact –

Stella Gilmartin / Lorraine Dennis

Equality & Diversity Officer (job-share)

Belfast City Council

City Hall

Belfast

BT1 5GS

Telephone: 028 90270511

gilmartins@belfastcity.gov.uk or dennisl@belfastcity.gov.uk