



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Equality Impact Assessment

Equality Impact Assessment: initial screening

Please complete the form using the blank rows, as well as the greyed out boxes containing guidance that you should overwrite.

What is being assessed by whom?

Name of the policy ¹
Sustainable Procurement Practice
Name of person leading the assessment ²
Katie Mitchell-Taylor
Names of other team members
Please list any others contributing to the assessment
Is this a new or existing policy?
New <input type="checkbox"/> Existing being reviewed <input checked="" type="checkbox"/>
If existing, then please check to see whether a previous EqIA is available to provide a basis for this assessment.

Initial screening

	Yes	No
Does the policy impact on people? (e.g. on service users, businesses, employees, wider community)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will it have a significant effect on how other organisations operate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does it relate to an area where SNH has set equality outcomes³ ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does it relate to an area where there are known inequalities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you answered **Yes** to any of the above, please proceed to Stage 1 of the EqIA form.

If you answered **No** to all of these, you do not need to carry out an EqIA so proceed to sign and complete the statement below.

¹ The term policy is shorthand for policies, provisions, criteria, functions, practices and activities including the delivery of services.

² Person leading on the policy development

³ Through the delivery of our services people who are under-represented as a result of a protected characteristic are more able to visit and experience the outdoors

Our workforce broadly reflects the diversity of the population of Scotland

Our workforce welcomes, values and promotes diversity

The gender pay gap is reduced

An EqIA is not needed Date:

Signed	Date
Lead officer:	
Responsible officer ⁴ :	

Please now publish the initial screening section of the form in eRDMS file [B239231](#) and email confirmation to diversity@snh.gov.uk. Please also retain a copy with your policy documents.

⁴ Person with overall responsibility for the policy.



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Equality Impact Assessment: assessing impact

Stage 1. The purpose of the policy, service, activity etc.

What is the purpose of the policy?	To explain what we mean by sustainability (in procurement terms), what our standards are, and staff must use them when buying any goods, services and works in SNH. This is shared externally as part of evidence of climate change duty and to encourage all people to understand how to include sustainability in supply of goods, services and works. This is a guidance document that points to current requirements and best practice to encourage sustainable practices. It guides staff to the EqIA process where appropriate for individual procurement exercises.
Who does the policy affect? (employees, customers, equality groups, stakeholders)	Employees, customers, equality groups, stakeholders as per any individual procurement exercise, potential suppliers including Small & Medium Enterprises (SMEs), Minority Businesses, Third Sector enterprises and/or Supported Businesses .
What results/outcomes are intended?	Compliance with regulation and legislation, best practice and public procurement duties with a focused emphasis on sustainability. Improved procurement practices and encourage more innovative, sustainable practices by contractors. While not specific to equality, there is scope to embed equality within sustainability and to consider equality alongside these issues during the procurement process. For contracts relevant to equality include Equality Impact Assessment.

Stage 2. Relevance to the needs of the general equality duty

Please consider which aspects of the policy are relevant to the three needs of the general equality duty

	Comment
Eliminate unlawful discrimination	With a focus upon sustainability is thorough the Fair Work practices, fair trade and ethical sourcing which are referenced and explained in the guidance. Examples may be contracts where the contractor's consideration of reasonable adjustments for different staff or visitors is important during their service delivery, such as path construction, building or refurbishment work where the contractor may need to make adjustments to ensure access for disabled staff or visitors while work is carried out.
Advance equality of opportunity	Sustainable procurement does not relate solely to environmental issues but also includes social issues, for example equalities, diversity and fair and ethical trading, fair work practices and economic issues. It encourages opportunities for small and medium sized enterprises and Third Sector organisations to successfully compete for public contracts. Where appropriate consider clauses in contract specifications to ensure equality is included.
Foster good relations between groups of people	This would be demonstrated through targeted projects following the sustainability guidance and equality guidance where appropriate which in turn encourage consultation relevant equality groups. In practice, there may be few contracts that are relevant solely to this part of the duty. Discuss equality considerations as part of initial contract commencement with contractors.

Stage 3. To which of the equality groups is this policy relevant?

All	<input type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>
Age	<input checked="" type="checkbox"/>	Gender reassignment	<input checked="" type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Pregnancy and maternity	<input checked="" type="checkbox"/>
Gender	<input checked="" type="checkbox"/>	Religion and belief	<input checked="" type="checkbox"/>

Race	<input checked="" type="checkbox"/>	Marriage and civil partnership ⁵	<input type="checkbox"/>
------	-------------------------------------	---------------------------------------------	--------------------------

If you decide that the assessment is not relevant to some groups, please say why below.

Marriage and civil partnership is also a protected characteristic, but an assessment against this characteristic is not required unless the policy or practice relates to work, for example, HR policies and practices.

⁵ In relation to unlawful discrimination in employment

Stage 4. Evidence

Please consider what evidence is available to help you identify the impact the policy may have on people amongst the relevant groups you have identified? Both quantitative (statistics etc.) and qualitative (event feedback etc.) are equally valid. Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, [Scottish Government Evidence Finder](#), the views of equality groups, as well your own experience of working in this area etc.

Remember to consider whether this requires you to consult relevant equality groups. Where it is not possible to gather new information in time to inform the assessment, consider including such actions in your plans to monitor and review the policy.

Protected characteristic	Evidence	Source	Gaps and actions taken
Age	<p>'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself and the people accessing it. This could include people (for example older people) who share one or more of the protected characteristics.'</p> <p>'The negative impacts of climate change are disproportionately borne by persons and communities already in disadvantageous situations owing to geography, poverty, gender, age, disability, cultural or ethnic background,</p>	<p>Final Equality Impact Assessment (EQIA)</p> <p>Changes to the Public Procurement Rules in Scotland</p> <p>February 2016</p> <p>The Scottish Government</p> <p>https://www.gov.scot/Resource/0049/00493744.pdf</p> <p>United Nations Human rights Office of the High Commissioner</p> <p>https://www.ohchr.org/en/issues/handclimatechange/</p>	<p>Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.</p>

	<p>among others, that have historically contributed the least to greenhouse gas emissions.'</p> <p>A survey (sample size 684) conducted in 2017 found that less than half of LGBT young people(43%) said that there were enough places where they could socialise safely and be open about their sexual orientation or gender identity.</p> <p>'People aged 18–24 were more likely than any other age group to earn less than the Living Wage. In 2017, 47.8% of people aged 18–24 earned less than the Living Wage.'</p> <p>National markets of low priced goods, such as textiles and electronics are vulnerable to the possibility of Child Labour having been used</p> <p>Child labour is concentrated primarily in agriculture (71%).</p>	<p><u>pages/hrclimatechangeindex.aspx</u></p> <p>Is Scotland Fairer? EHRC <u>https://www.equalityhumanrights.com/en/britain-fairer</u></p> <p>Is Scotland Fairer? EHRC <u>https://www.equalityhumanrights.com/en/britain-fairer</u></p> <p>Centre for Research on Multinational Corporations <u>https://www.somo.nl/wp-content/uploads/2014/03/Fact-Sheet-child-labour-Focus-on-the-role-of-buying-companies.pdf</u></p> <p>2016 Global Estimates of Child Labour International Labour Organization (UN)</p>	<p>The Guidance uses this as an example of the requirement to consider Equality when designing shared spaces.</p> <p>Our Sustainability Guidance also references Fair work practices</p> <p>Our guidance references Scottish Government supply chain conditions and worker exploitation procurement guidance</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>For both older and younger armed forces veterans some employers have limited understanding of the military workplace, relying on clichéd or outdated stereotypes which can add to the challenge of entering employment for those leaving the Armed Forces.</p>	<p>https://www.ilo.org/wcmsp5/groups/public/-/ed_norm/-/ipecl/documents/publication/wcms_575604.pdf</p> <p>The Strategy for our Veterans Presented to Parliament by the Secretary of State for Defence by Command of Her Majesty November 2018</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755915/Strategy_for_our_Veterans_FINAL_08.11.18_WEB.pdf</p>	<p>Our Sustainability Guidance also references Fair work practices</p>
Disability	<p>Disability Groups have been impacted upon by changes in availability of single use plastics</p>	<p>One in Five campaign Open Letter</p> <p>https://www.oneinfive.scot/disabled-people-unite-against-starbucks-plastic-straw-ban/</p>	<p>Our Sustainability Guidance discourages provision of plastic straws. However, it also encourages provision of hygienic straws being available on request.</p>

	<p>'The negative impacts of climate change are disproportionately borne by persons and communities already in disadvantaged situations owing to geography, poverty, gender, age, disability, cultural or ethnic background, among others, that have historically contributed the least to greenhouse gas emissions.'</p> <p>'The employment rate for disabled people was much lower than for non-disabled people. In 2016/17, the employment rate was 32.9% for disabled people compared with 74.1% for non-disabled people. The employment rate increased between 2013/14 and 2016/17 for both disabled people and non-disabled people, with little change in the employment gap.'</p> <p>'Disabled people were paid less than</p>	<p>United Nations Human rights Office of the High Commissioner</p> <p>https://www.ohchr.org/en/issues/hrandclimatechange/pages/hrclimatechangeindex.aspx</p> <p>Is Scotland Fairer? EHRC</p> <p>https://www.equalityhumanrights.com/en/britain-fairer</p>	<p>Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.</p> <p>Our Sustainability Guidance references guidance on <u>Supported Business</u> and SME. At least 30 per cent of the employees of those businesses should be disabled or disadvantaged.</p> <p>https://www2.gov.scot/Topics/Government/Procurement/buyer-information/SuppBus</p>
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>non-disabled people. In 2016/17, median hourly earnings for disabled people were £9.89 compared with £11.63 for non-disabled people, a difference of £1.74 an hour. This represented a disability pay gap of 15.0%. The disability pay gap increased between 2013/14 and 2016/17 due to a small increase in median hourly earnings for non-disabled people.'</p>	<p>Is Scotland Fairer? EHRC https://www.equalityhumanrights.com/en/britain-fairer</p>	<p>Our Sustainability Guidance also references Fair work practices</p>
Gender	<p>'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself and the people accessing it.</p> <p>'The negative impacts of climate change are disproportionately borne by persons and communities already in disadvantaged situations owing to geography, poverty, gender, age, disability, cultural or ethnic background,</p>	<p>Final Equality Impact Assessment (EQIA) Changes to the Public Procurement Rules in Scotland February 2016 The Scottish Government https://www.gov.scot/Resource/0049/00493744.pdf</p> <p>United Nations Human rights Office of the High Commissioner https://www.ohchr.org/en/is</p>	<p>Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.</p>

	<p>among others, that have historically contributed the least to greenhouse gas emissions.'</p> <p>'Women-led businesses are defined as controlled by a single woman or having a management team of which a majority were women.</p> <p>In 2016, 19 per cent of SMEs in Scotland were women-led, broadly in line with the proportion in the UK as a whole (20 per cent). 43 per cent of SMEs in Scotland were entirely male-led, broadly in line with the figure in the UK as a whole (46 per cent).'</p> <p>'Women were more likely than men to earn less than the Living Wage. In 2017, 22.0% of women earned less than the LW compared with 14.3% of men, rates that were similar to those in 2015 and 2016.'</p>	<p>sues/hrandclimatechange/pages/hrclimatechangeindex.aspx</p> <p>Small Business Survey Scotland</p> <p>https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/08/small-business-survey-scotland-2016/documents/42f1f389-428d-4c7e-8edf-b4d714e4fc81/42f1f389-428d-4c7e-8edf-b4d714e4fc81/govscot%3Adocument</p> <p>Is Scotland Fairer? EHRC</p> <p>https://www.equalityhumanrights.com/en/britain-fairer</p>	<p>Our Sustainability Guidance references supported business and SME including Minority Businesses.</p> <p>Our Sustainability Guidance also references Fair work practices</p>
Gender reassignment	'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected	Final Equality Impact Assessment (EQIA)	Our Sustainability Guidance references the need to complete EqIA for specific decisions which

	characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself and the people accessing it.	Changes to the Public Procurement Rules in Scotland February 2016 The Scottish Government https://www.gov.scot/Resource/0049/00493744.pdf	may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.
Marriage and civil partnership	An assessment against this characteristic is not required unless the policy or practice relates to work, for example, HR policies and practices.	Final Equality Impact Assessment (EQIA) Changes to the Public Procurement Rules in Scotland February 2016 The Scottish Government https://www.gov.scot/Resource/0049/00493744.pdf	Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.
Pregnancy and maternity	'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself and the people accessing it.	Final Equality Impact Assessment (EQIA) Changes to the Public Procurement Rules in Scotland February 2016 The Scottish Government https://www.gov.scot/Resource/0049/00493744.pdf	Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.

		https://www.gov.scot/resource/0049/00493744.pdf	or decisions.
Race	<p>'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself and the people accessing it.</p> <p>'The negative impacts of climate change are disproportionately borne by persons and communities already in disadvantageous situations owing to geography, poverty, gender, age, disability, cultural or ethnic background, among others, that have historically contributed the least to greenhouse gas emissions.'</p> <p>'Minority ethnic Group (MEG)-led businesses are defined as having a person from an ethnic minority in sole control of the business or having a management team with at least half of its members from an ethnic minority. Three per cent of SMEs in Scotland</p>	<p>Final Equality Impact Assessment (EQIA)</p> <p>Changes to the Public Procurement Rules in Scotland February 2016</p> <p>The Scottish Government https://www.gov.scot/resource/0049/00493744.pdf</p> <p>United Nations Human rights Office of the High Commissioner</p> <p>https://www.ohchr.org/en/issues/hrandclimatechange/pages/hrclimatechangeindex.aspx</p> <p>Small Business Survey Scotland</p> <p>https://www.gov.scot/binaries/content/documents/govscot/publications/advice-</p>	<p>Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.</p> <p>Guidance references supported business and SME including Minority Businesses.</p>

	were MEG-led in 2016, lower than the proportion in the UK as a whole, at five per cent.'	and-guidance/2017/08/small-business-survey-scotland-2016/documents/42f1f389-428d-4c7e-8edf-b4d714e4fc81/42f1f389-428d-4c7e-8edf-b4d714e4fc81/govscot%3Adocument	
Religion or belief	'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself and the people accessing it.	Final Equality Impact Assessment (EQIA) Changes to the Public Procurement Rules in Scotland February 2016 The Scottish Government https://www.gov.scot/Resource/0049/00493744.pdf	Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement exercise. This advises on evidence and consultation for specific policies or decisions.
Sexual orientation	'Public contracts for social and other specific services are generally relevant to most, if not all, of the protected characteristic groups. For example, when assessing bids, the weighting applied to service and quality criteria, has an impact on the outcome of the procurement exercise, the service itself	Final Equality Impact Assessment (EQIA) Changes to the Public Procurement Rules in Scotland February 2016 The Scottish Government	Our Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups. SNH Equality Guidance references the need to consider EqIA to be included in shaping procurement

	<p>and the people accessing it.</p> <p>'A survey (sample size 684) conducted in 2017 found that less than half of LGBT young people (43%) said that there were enough places where they could socialise safely and be open about their sexual orientation or gender identity. The age of the respondents did not affect these findings (LGBT Youth, 2017).'</p>	<p>https://www.gov.scot/Resource/0049/00493744.pdf</p> <p>Is Scotland Fairer? EHRC https://www.equalityhumanrights.com/en/britain-fairer</p>	<p>exercise. This advises on evidence and consultation for specific policies or decisions.</p> <p>The Guidance uses this as an example of the requirement to consider Equality when designing shared spaces.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Additional comments:

With review of these potential impacts it emerges that the equality Guidance for individual projects needs to be encouraged as the Sustainability Guidance is overarching best practice guidance for all our procurements.

This is a piece of guidance that explains best practice based on current regulation and guidance which itself has been subject to EqIA.

Procurement Reform (Scotland) Bill <http://www.legislation.gov.uk/asp/2014/12/section/9>

Procurement Reform (Scotland) Bill - Equality Impact Assessment - Results

<https://www.gov.scot/Publications/2013/10/6683>

The one specific possible negative impact is the recent change to not provide plastic straws which is referenced in the guidance.

Stage 5. The significance of the potential impacts

Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the policy offers opportunities to promote equality and/or foster good relations.

Protected characteristic	Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+	M
Disability	Disability Groups have been impacted upon by changes in availability of single use plastics. Whilst sustainability guidance encourages reduced use of plastic straws it encourages provision of hygienic straws being available on request. Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+ +	H M
Gender	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+	M
Gender reassignment	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+	M
Marriage and civil partnership	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project	+	M

	targeting specific groups.		
Pregnancy and maternity	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+	M
Race	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+	M
Religion or belief	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups.	+	M
Sexual orientation	Sustainability Guidance references the need to complete EqIA for specific decisions which may be appropriate for a project targeting specific groups and references the need to consider equality when designing shared spaces.	+	M

Use the following guidance to inform your responses:

Indicate:

- Where you think that the policy could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the policy could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this policy has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a policy may be highly relevant to one aspect of equality and not relevant to another.

High impact	There is significant potential for or evidence of adverse impact
--------------------	------------------------------------------------------------------

(The policy or process is very equality relevant)	The policy is institution wide or public facing The policy has consequences for or affects significant numbers of people The policy has the potential to make a significant contribution to promoting equality
Medium impact (The policy or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The policy is institution wide or cross-Unit, but mainly internal The policy has consequences for or affects some people The policy has the potential to make a contribution to promoting equality
Low impact (The policy or process might be equality relevant)	There is little evidence to suggest that the policy could result in adverse impact The policy operates mainly within a Unit The policy has consequences for or affects few people The policy may have the potential to contribute to promoting equality

Stage 6. Action needed to fulfil the needs of the general equality duty

Please consider the results of your impact assessment, what mitigating or positive action do you recommend in order to fulfil the three needs of the general equality duty? This will involve considering whether the evidence indicates that there is likely to be a differential impact⁶ on particular equality groups, and particularly whether this impact is disproportionately negative.

Remember that it is lawful under the Equality Act to treat people differently in some circumstances, for example taking positive action or putting in place single-sex provision where there is a need for it. It is both lawful and a requirement of the general equality duty to consider if there is a need to treat disabled people differently, including more favourable treatment where necessary.

Needs of the general equality duty	Mitigating or positive actions needed, recommended or planned for each protected characteristic. (Age, Disability, Gender, Race, Sexual orientation, Gender reassignment, Pregnancy and maternity, Religion or belief)
1. Eliminate unlawful discrimination, victimisation or harassment	<ul style="list-style-type: none">– the policy builds in reasonable adjustments where these may be needed, through recommendation of project specific EqIA and also the suggestion for hygienic straws available on request
2. Advancing equality of opportunity	<ul style="list-style-type: none">– the essence of Fair work practices, fair trade and support to SMEs is for this purpose.
3. Fostering good relations	<ul style="list-style-type: none">– promote understanding of guidance available on the topics

⁶ Suggests that a particular group has been affected differently by a policy, in either a positive, neutral or negative way.

Stage 7. Taking account of the results of the assessment

Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:

- **No major change** – your assessment demonstrates that the policy is robust. There is no potential for unlawful discrimination and you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review
- **Adjust the policy** – this involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue the policy** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the policy** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.

Option selected	Justification
No major change	<p>There is no potential for unlawful discrimination has been identified. This is a piece of guidance that explains best practice based on current regulation and guidance which itself has been subject to EqIA.</p> <p>Procurement Reform (Scotland) Bill http://www.legislation.gov.uk/asp/2014/12/section/9</p> <p>Procurement Reform (Scotland) Bill - Equality Impact Assessment - Results</p> <p>https://www.gov.scot/Publications/2013/10/6683</p> <p>‘Equality issues were considered during the policy development process and none of the proposals were considered to give rise to the possibility of those affected being treated less favourably’</p> <p>Our Sustainability guidance directs EqIA to be completed for relevant projects and provides contact details of the Equality team for advice.</p> <p>Check for emerging legislation on the availability of plastic straws or alternatives (i.e. is it correct to only have them available on request).</p>

Stage 8. Summary of agreed actions resulting from your assessment

What action, by whom, will be undertaken as a result of the impact assessment.

No.	Action	Person responsible	Timescale
1.	Check for emerging legislation on the availability of plastic straws or alternatives (i.e. is it permissible to only have them available on request). Request updates on creation SNH Single Use Plastics Strategy.	Katie Mitchell-Taylor	Whilst advice active and in time for next review of guidance 2022
2.	Awareness of guidance encouraging contact and advice from the Equality team.	Equality Team	Whilst advice active and in time for next review of guidance 2022
3.			
4.			

Stage 9. Monitoring implementation and review

Engagement with potentially impacted equality groups is more likely to be within and relevant to specific projects.

The need for Project Managers to design their project and contract to collate appropriate and relevant management information is referred to in the Sustainability Guidance and accompanying procurement guidance documents and SNH Project Management guidance. Internal Equality guidance provides advice on providing project information required for equality reporting as per the project along with any outcomes of the EqIA for the policy that has led to the project or the EqIA for the project itself. If a proposal involves any related procurement of goods, services or works advice, Project Managers are expected to consider how best to reflect the results of the impact assessment in the procurement process.

Public Contracts Scotland portal provides information on relevant SME or Supported Business for each contract (over £50k). Procurement report any relevant contract details available to the Equality team for Equality reporting. We use the Scottish Government spend hub called Spikes Cavell to submit spend information. Details on SME engagement are provided in percentages. Our procurement team are investigating if Supported Business can be included in reporting for future years from our available spend information. In the coming period the procurement team will also continue to work closely with our Equality team to enhance the guidance on embedding management information required for Equality monitoring in the design of contracts and throughout the contract management process.

Review date	Person responsible
2022	Marian Brown

Stage 10. Procurement

The public sector equality duty for procurement requires bodies to consider how they can further fulfil the needs of the general duty in how they procure goods, services and works both through the award criteria and contract conditions. This applies to thresholds which most, if not all, our procurement falls below. However, EHRC guidance encourages public bodies to adopt these principles to help meet our broader obligations in relation to procurement and equality.

Consequently, if your proposal involves any related procurement of goods, services or advice, you should now consider how best to reflect the results of your impact assessment in the procurement process.

Award criteria at tender stage	n/a for this guidance
How will you evaluate award criteria	n/a for this guidance
Contract performance criteria	n/a for this guidance

--	--

Stage 11. Authorisation

Please confirm that:

This Equality Impact Assessment has informed the development of this policy:

Yes No

Opportunities to promote equality in respect of age, disability, sex, pregnancy and maternity, gender reassignment, sexual orientation, race and religion or belief have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Advancing equality of opportunity;
- Fostering good relations

Yes No

I am satisfied with the equality impact assessment that has been undertaken for **Sustainable Procurement Practice** and give my authorisation for the results of this assessment to be published on the SNH website.

Name:	Elaine E Ward
Position:	Head of Finance, Planning & Performance/ Activity Manager - Strengthening our Performance
Authorisation date:	6 February 2019

Note: if this EqIA is associated with a policy that requires Director, Management Team or Board sign-off, you should arrange for the results of the assessment to accompany approval of the policy. This is to ensure that decision-makers are given sufficient information to enable them to pay due regard to equality when making their decision.

Stage 12. Storing and publishing this EqIA

The regulations require that where an assessment has been made and the policy is implemented, the results of any assessment be published ‘within a reasonable period’ of the decision to apply the policy.

Please save your EqIA to an appropriate folder. For example, if it relates to a project, you should save it to the project folder. Please also record summary information about your EqIA in the tracking spreadsheet [B239231](#). Send the Objective ID to the Equality and Diversity Team diversity@snh.gov.uk for review and publication on the SNH website.

Guidance and tools

Glossary of key terms

[Equality and Human Rights Commission](#)

[Equality Challenge Unit](#)

Equality and Human Rights Commission (EHRC)

[EHRC guidance on public sector equality duty](#)

[EHRC guidance on impact assessments](#)

SNH

[EqIA – Process Map](#)