

Due Regard Statement

Please use this statement to evidence how 'due regard to' the three aims of the public sector equality duty has been made (section 149 of the Equality Act 2010) during the development of the 'policy'.¹

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

Name of the 'policy':	Highways and Transportation Services Contract - Award
Person(s) responsible for completing this statement	Mark Darlow-Joy
Briefly describe the activity being considered including aims and expected outcomes	Award of a 5 year contract to a single supplier for the provision of Highways and Transportation services across Gloucestershire with options for the Council to extend up to a maximum of 11 years, with an estimated total combined value of up to £450m over 11 years.

¹ For 'policy': any new and existing policy, strategy, services, functions, work programme, project, practice and activity. This includes decisions about budgets, procurement, commissioning or de-commissioning services, service design and implementation.

Documenting use of sufficient information

Please document below the data and information sources that you have used to understand the needs, participation and experiences of each protected group. Evidence must be gathered as the policy is developed and used to inform decisions.

Service user data

Service user data is an important source of evidence and should be collated as part of routine monitoring of in- house or external services. If service user data is not available record 'not known' and use the action plan to identify what improvement actions will be used to gather data going forward.

Service user diversity reports are available on our website and give an indication of service user participation across commissioning areas, for example adult residential services and youth services. It does not include participation data at individual service level.

Needs analysis

Gloucestershire population demographics data is available to understand the representation of different protected groups across the county and help with needs analysis. Data like this may also be also useful for benchmarking to identify under or over representation of a service by any of the protected groups. For example, a service is open to all residents and from monitoring you know that 2% of service users are disabled: However, demographic data indicate that 16.7% of Gloucestershire residents report having a disability or long term limiting illness. This finding can be used can be used to explore if there are barriers to participation by residents with disabilities and how this can be addressed as part of the development of your 'policy'.

Data gaps

You may find that you have more information about some of the protected groups for example, gender, age, disability and less about others, for example, sexual orientation and religion and/or belief. If data is not available and you intend to start collating data about a protected characteristic please use the action plan to outline how this data will be collated. You can find equality monitoring guidance on our website including an equality monitoring template.

If you have no plans to start collating data about a protected characteristic please state the rational why.

Service information (if applicable) or Needs analysis (if applicable)

Who is responsible for delivering the service?	<i>Successful Contractor</i>
Service user data/Needs analysis information	
Age	<i>Countywide</i>
Disability	<i>Countywide</i>
Sex	<i>Countywide</i>
Race (including Gypsy & Traveller)	<i>Countywide</i>
Gender reassignment	<i>Countywide</i>
Marriage & civil partnership	<i>Countywide</i>

Pregnancy & maternity	<i>Countywide</i>
Religion or Belief	<i>Countywide</i>
Sexual Orientation	<i>Countywide</i>

Other information

NA

Workforce data

Please document details of GCC staff only if they will be affected by the proposed activity. This could include GCC staff transferring under TUPE to a new service provider, relocating, employment at risk. **GCC Workforce diversity reports** are available on our website.

If the proposed activity does not affect GCC staff, please state 'Not affected below'.

Total number of GCC staff affected	65
Age	Age range is from 27 through to 60, average female 46, average male age 50
Disability	Not known
Sex	27 Female, 38 Male
Race (including Gypsy & Traveller)	Not known
Gender reassignment	Not known
Marriage & civil partnership	Not known
Pregnancy & maternity	Not known

Religion or Belief	Not known
Sexual Orientation	Not known

Consultation and engagement

List all types of consultation that has taken place during the development of this activity. Include on-line consultations, events, meetings with stakeholders, community events, employee consultation exercises etc

Service users	Parish and Member surveys are on going in existing contract and proposed contract, along with national survey results. Complaints and compliments are carefully monitored.
Workforce	<p>Information updates and communication including staff team briefings have been ongoing throughout the process to ensure that all members of staff have had the opportunity to express their views and concerns.</p> <p>Meetings with Union representatives have been undertaken and are ongoing.</p> <p>TUPE can only be instigated once a new service provider is identified and any special considerations required by staff, for example existing disabilities, these can then be considered as a part of these undertakings.</p> <p>Assignment of staff in to the new client role of the contract has followed the council's guidelines; a full and proper consultation, publication and process has been undertaken.</p>
Partners	NA
External	Open days, presentations at industry events, local authority peer review and liaison with Chartered Institute of

providers of services	Highways and Transportation.
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Equality analysis: Summary of what the evidence shows and how has it been used

This section will allow you to outline how the evidence has been used to show 'due regard' to the three aims of the general equality duty. It is important that this consideration is thorough and based on sufficient information. Consideration should be relevant and proportionate.

- Eliminate discrimination
- Advance equality of opportunity
- Promote good relations..

Protected group	Challenge or opportunity considered and what we did
Age(A)	During the tender process and through the managing of the contract the County will ensure that the contractor will operate a fair policy that encourages all age groups to deliver the service, and that the contractor operates with the law.
Disability (D)	NA
Sex (S)	During the tender process and through the managing of the contract the County will ensure that the contractor will operate a fair policy that encourages both sex groups to deliver the service, and that the contractor operates with the law.
Race (including Gypsy & Traveller)(R))	NA.
Gender reassignment(GR)	NA

Marriage & civil partnership (MCP)	NA
Pregnancy & maternity (PM)	NA
Religion and/or Belief (RAOB)	NA
Sexual Orientation(SO)	NA
	<p>The Highways and Transportation Services Contract Procurement is the procurement of the mechanism for the delivery of works rather than the delivery of works themselves.</p> <p>The equality considerations are therefore limited to activities related to procurement and are outlined below:</p> <p>Specification</p> <p>The specification is set at a national level and has a range of standards integrated within it that are specifically targeted at ensuring that specific groups are catered for. These include for example guidance on the design standards of tactile paving services and the guidance on inclusive mobility.</p> <p>The Tender</p> <p>The Tender has been developed to ensure that the potential suppliers take due regard of how</p>

	<p>their business and business practices effect the target groups. Extensive questions were asked at the Pre-qualification Questionnaire stage and there are additional requirements for potential suppliers to explain:</p> <ul style="list-style-type: none"> • How their business operations will pay due regard to the target groups in terms of; <ul style="list-style-type: none"> ○ Workforce recruitment and development ○ Work planning • Day to day operations <p>By way of additional information, while no specific consultation has taken place with regard to this assessment, extensive consultation was carried out in connection with the Local Transport Plan and the results of that consultation were published, assessments were also made w through the development of the Transport Asset Management Plan and the Public Rights of Way Plan.</p>
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Strengthening actions: Planning for further improvements

Please outline here what actions are required for further improvements to address challenges or opportunities, for example:

- Arrangements for continued/new engagement with stakeholders, staff, service users
- Plans to close data gaps across any of the protected characteristics through reviewed contract management arrangements
- Identify other plans already underway to address the challenges or opportunities identified in this statement
- Share findings with partner organisations.

If none, state 'none' below.

Action Plan

Action	Who is accountable	Time frame
none		

Monitoring and Review

Please indicate what processes/actions will be put in place to keep this 'activity' under review. For example will progress be monitored/ reported to a board, scrutiny committee, project board etc


Mobilisation Dec 2013 through to start of contract April 2014

Sign off and Scrutiny

By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity

Senior level sign off:  M. O'Brien-Joy	Date: 13-11-2013
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I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I as the decision maker have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Name of relevant Portfolio Holder/Cabinet Member:	
Signed by Portfolio Holder/Cabinet Member: 	Date: 13th Nov 2013.

Publication

If this statement accompanies cabinet paper it will be published as part of the cabinet report publication process. Statements accompanying cabinet reports are also published on our website. If this statement is not to be submitted with a cabinet paper please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.

