

Equalities Analysis in Lambeth

Proposal Title *

Equalities Impact Assessment – Hard Services (Repairs and Maintenance) Ter

Author

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Please provide name of lead author and/or those within project team who may be required to contribute to this assessment

Who will sign off the assessment?

Darren Levy

Please indicate who will be involved in approving this assessment. This will need to be signed off by the designated Head of Service or Director

Q1a. What is changing?

The current Total Facilities Management (TFM) contracts including Hard FM (Repairs and Maintenance) have been extended to 30 June 2020 to allow time for the tender to be completed and the new contract mobilised ready to commence on 1st July 2020. There is no equalities impact on extending the current contract to end June 2020 as the staff will continue to be employed by the current contractor on existing terms and conditions of employment until this date. There will be no impact to Lambeth staff or residents as the current services provided will continue in their current form until end June 2020.

The approved Procurement Strategy is to tender the Hard FM and Soft Services (Cleaning and Security) as separate contracts. The procurement route is to use the new Crown Commercial Services Facilities Management Marketplace Framework. This approach will improve service delivery and offer better Value for Money for Lambeth. The services will remain outsourced and TUPE will apply to the Hard FM contract. Lambeth has a duty under the DDA to ensure buildings are accessible. This contract will ensure that access is maintained, for example lift serving and maintenance. Failure to maintain buildings may have an adverse effect with the potential to accelerate their depreciation and worsen their general condition.

Contract & Specification

The main change is to the packaging and tendering of the contracts, and the use of the Crown Commercial Services framework. The use of a framework is expected to reduce the procurement timeline as all the tenders will have pre-qualified for the Framework. The specification will change and the CCS specification will be used for the procurement. There may be some changes to the way the services are delivered to align to internal service delivery, for example, Scheduling of essential maintenance works. Tackling inequality is one of Lambeth's Strategic priorities. The contract terms and conditions require suppliers to comply with equalities legislation. Suppliers will also support this by the commitments they make to Social Value.

Tender evaluation

This Procurement will require suppliers to set out their commitments Lambeth's Strategic Priorities as set out in the Borough Plan. The evaluation of tenders will award up to 10% of the total mark for Suppliers commitment to Social Value and Lambeth's Strategic priorities. This is a major change to the award of marks as the standard marks allowed for Social Value are 5%.

Suppliers will be asked to make commitments to deliver:

- New apprenticeships, jobs and work experience placements

- Support for residents including support for unemployed residents into work, volunteering, support for the local community groups, use of facilities, and support for local businesses.
- Contribution to the Lambeth Social community value fund

Resourcing

There may be changes to the way the contract is resourced. If the successful supplier changes the way the service is delivered this could impact on the staff currently employed by the contract, for example reduced resourcing may lead to potential redundancies, which may impact negatively on socio-economic status of staff, there could also be positive impacts if staff are redeployed to other areas of the suppliers business and have opportunities to apply for new roles. Increased resourcing can lead to increase opportunities for existing staff through improved training opportunities and personal development, with positive impacts on socio-economic status. The choice of Procurement route will not impact on the TUPE transfer or the current TFM contract.

Pay

The current contract pays London Living Wage to all directly employed staff. This will continue with the new contract.

Social Value (see also Tender Evaluation above)

The specification will include a requirement for all bidders to set out how they will support Lambeth's Strategic priorities and this will form part of the formal tender evaluation. This has been aligned to Lambeth's priorities to support priority groups, Community groups and Small and Medium Enterprises (SMEs). This will include provision of apprenticeships, jobs, work placements, offers, and training. The Social Value commitments made by suppliers will be monitored and measured and reported to Senior Manager annually as a minimum.

Suppliers will be encouraged to provide opportunities for people with a higher level of need, for example through work placements, support into work, apprenticeships and new jobs.

What is the most significant or key change taking place? Can you indicate the type of change in your response (e.g. policy/decision/strategy/ service/procedural/ geographic/procurement etc.) so it is clear what is being equalities assessed? Why is this change happening? What do you aim to achieve? Can you clearly indicate what decision-makers are being asked to take a decision on?

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Q1b. Who will be involved in approving this decision?

Procurement Board, Strategic Director Resident Services, , Director of Housir

Who else will be involved in signing-off this decision?

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Q2a. What do we know about the people who will be impacted by this change?

The equalities impacts for the tender were considered as part of the Procurement Strategy the stakeholders who could be impacted by change are Lambeth Staff, Contractor staff, elected members, Lambeth partners accessing the contract, Schools, Lambeth Residents, Visitors to and users of Lambeth buildings, Friends groups.

Design and maintenance takes account of the needs of disabled users of the facilities. Building Regulations provide minimum standards for disabled access.

Within stakeholder groups identified individuals may fall into one or more of these groups. Groups were identified from a number of sources including the Borough plan, Service areas within Lambeth Departments, Lambeth Customers and residents, and diverse staff groups, including (but are not limited to):

- Women
- BAME
- LGBT
- Transgender
- Children and Young People*

- People (including children and young people) with visual disabilities
- People (including children and young people) with hearing disabilities
- People (including children and young people) with physical disabilities and including wheelchair users and people with mobility problems
- People (including children and young people) with Learning Disabilities
- People (including children and young people) with mental health issues
- Men over 55
- Older persons
- People who may have English as a second language

*Children and young people may include Looked after Children, NEETs and Young Offenders

Contractor staff & sub-contractors

- There are gaps in equalities information provided by the contractor
- 17 staff are directly employed on this contract, over 17% are women and at least 29% are BAME.
- A number of staff are local residents and live in Lambeth.
- Staff working on the contract are currently paid London Living Wage.
- Some staff have English as a second language.
- Staff have basic DBS checks where required.
- Staff volunteer in Lambeth
- Staff fundraise in Lambeth
- The contractor and it's sub-contractors will maintain buildings
- The contractor will maintain facilities in parks including paddling pools, fountains and some leisure amenities.

Stakeholders: Lambeth staff; Elected members; Visitors to Lambeth Buildings; Lambeth residents and service users; Schools Staff, pupils and parents; Lambeth partners/3rd sector providers (including Brixton Rec); Friends groups (e.g. Friends of Libraries, Friends of Parks); other contractors

- Stakeholders may work in buildings maintained by the contractor and may include staff from protected groups with specific needs
- Stakeholders may work requests via the Lambeth DIY and receive responses from the contractors
- Lambeth Landscapes (In-house DLO) will interface with contractors staff and sub-contractors
- Elected members may receive compliments or complaints about service delivery from service users, schools or friends groups
- Stakeholders may come into contact with contractor staff when they are working.
- Friends groups play an important role in the governance and use of parks and Libraries.
- The contractor may be asked to attend meetings with friends groups from time to time and to provide information on work being undertaken in Parks and Open Spaces.

What does your information tell you about the people who will affected by this change? Are protected groups impacted? What information do you hold on the protected characteristics of the people affected by the change? (Age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief, gender, sexual orientation, health, socio-economic, language) Are there any gaps or missing information?

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Q2b. How will they be impacted by the change?

The outcome of the procurement is to award a contract for repairs and maintenance to the Lambeth Corporate Estate. Social Value and responsible procurement have been embedded within the deliverable elements of the contract. Bidders have been asked to set out their proposals for delivery of support to the local community and disadvantaged groups in Lambeth which will be scored by the evaluation teams. This contract will deliver positive outcomes for all stakeholders and groups by ensuring for :

Stakeholders and groups (as identified in Q2a)

Disability

- Buildings will be maintained ensure they are safe and operational for all, with an acceptable environment.
- Design solutions are suitable for use by the whole community.
- Accessibility to Council buildings is maintained and improved, for example maintenance and servicing of lifts has a potentially positive impact on people by helping them gain access to & from parts of relevant buildings. The contract has a potentially positive impact on people with disabilities by helping them gain access to & from parts of relevant buildings.
- Access to places on Lambeth training courses to improve awareness of priority groups, disabilities and awareness of gender bias, for example, autism awareness, Transgender awareness.

Socio-economic

- Increased positive outcomes for the Community through improved Social Value commitments, these will be aligned with Lambeth's Borough Plan.
- Positive outcomes and Social Value commitments are delivered throughout the life of the contract.
- Positive outcomes and Social Value commitments are focused on support for disadvantaged groups, local businesses, SMEs and community groups.
- Delivering apprenticeships, and work placements.
- Contractor staff will receive additional training which will translate into improved service delivery and have a potential positive impact on socio-economic status

Contractor Staff (Staffing & Accommodation)

- Potential change in employer.
 - TUPE will apply and Lambeth has a duty to ensure that both the incoming and outgoing contractors work together and comply with the requirements of TUPE. Staff consultation must occur prior to any TUPE. The successful contractors may put forward changes to service provision this could impact on the staff employed on the contract. Any such changes would require consultation with the staff and their Trade Unions.
 - Pension: Transfer to a new employer may result in a change to contractor staff pension provider
 - Change in pay date: Transfer to a new employer may result in a change to the pay date for contractor's staff.
 - Resourcing: Changes in staff resourcing may result in some posts being at risk of redundancy. Negative impacts would be mitigated by offer of redeployment within the company, early retirement packages, and redundancy packages. Any such changes would require full consultation with the affected staff. Positive impacts could include better access to personal development, change in job role, and improved training/access to training, improved staff benefits. With the exception of potential redundancy a change in employer is likely to have a short term adverse impact.

Health and Wellbeing

- Healthy workplace charter: All bidders will be asked to make a commitment to the introduction of a Healthy workplace charter.

Would you assess the impact as positive, adverse, neutral? Do you have any uncertainty about the impact of your proposal? Is there a likelihood that some people will more impacted than others? Can you describe the ways in which they will be affected? How might this change affect our 'general duty'?

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Q3a. How do you plan to promote and deliver any positive impacts of the proposal?

The contract will be managed and monitored by Property Services. At contract award stage communications will be issued to promote the positive impacts of the new contract. The delivery of Social value commitments will be measured and monitored throughout the life of the contract and reported to the Strategic Board set up for the contract. The Board will meet every 6 months.

The contractors work in the community (e.g. volunteering) will be shared on Yammer. Property Services will provide regular reports on the positive outcomes of the contract to the Director of Housing, Strategic Director Resident Services and CMB.

The successful contractor will undertake regular customer feedback surveys. The contract management team and the successful supplier will engage with Lambeth staff who have links to community groups (e.g. Resident engagement, schools, and Enterprise , Jobs and Skills) to establish links with residents and community groups.

How might the principles of fairness, equality of opportunity and positive relationships be further promoted as a consequence of this proposal? How do you propose to measure your positive outcomes and the benefits outlined to find out if these have been achieved?

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Q3b How do you plan to address and mitigate any negative impacts of the proposal?

This contract requires the successful contractor to report on local initiatives separately to the contractors own corporate initiatives. The measurements will be SMART.

Negative impacts will be mitigated where possible, for example, potential redundancies can be mitigated by redeployment.

What impact has this evidence had on what you are proposing? What can you do differently that might lessen the impact on people within the timeframes i.e. development-implementation? Who can help you to develop these solutions?

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Q4. How will you review/evaluate your proposal, mitigating actions and/or benefits? Who will be responsible for this?

Polices will be checked as part of the procurement. The supplier's method statements will include their proposals for dealing with TUIPE transfers and support for Lambeth's Strategic Priorities". The contractor will be required to provide Equalities information regarding staff directly employed on the contract at the commencement of the new contract and then update this at frequent intervals throughout the contract term. The contract will set out the frequency for provision of the information. This information will be included in the annual contract review.

This EIA will be updated at contract award stage to incorporate the positive benefits offered by the successful supplier. An annual review and update of the EIA will be carried out as part of the formal annual contract review.

The Social Value commitments will be measured and monitored throughout the contract term. Reports will be provided to the Strategic Director Resident Services.

Who will you be accountable to for the above actions/outcome? How will those responsible know these actions have worked? What performance indicators will you use to demonstrate this? Are there any other forms of evidence you can use to support this assessment of their effectiveness?

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Section to be completed by Sponsor/Director/Head of Service

Outcome of equality impact assessment

- No adverse impact, no change required
- Low adverse impact, minor adjustment required
- Significant adverse impact, further action required
- Significant impact identified unable to mitigate fully
- Unlawful in/direct discrimination, stop and rethink

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Comments from Sponsor/Director/Head of Service

Submit for approval

Submit for approval

Executive Approval

Approved

Attachments

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