



# Responsible Procurement

## Guidance for Suppliers

17/10/2014

Corporate Procurement Team

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## Introduction

This guide for potential suppliers has been published to give an understanding of Responsible Procurement at Cornwall Council, in line with our [Responsible Procurement Policy](#). It gives information and advice on how we promote Responsible Procurement in the purchasing of goods, works and services and what we expect from potential suppliers during the procurement process.

For Cornwall Council, responsible procurement means pioneering socially, environmentally and economically responsible procurement to deliver improved quality of life and better value for money for our people, our businesses and our County. Essentially, responsible procurement is good procurement.

Cornwall Council focus on 6 Responsible Procurement workstreams, information and guidance on these individual workstreams can be found below:

- [Environmental Sustainability & Carbon Management](#)
- [Equality and Diversity](#)
- [Safeguarding](#)
- [Ethical Sourcing](#)
- [SME Engagement](#)
- [Health and Safety](#)

## Structure of this Guidance

In this guidance the Corporate Procurement Team (CPT) have summarised each area of responsible procurement to show you, our potential suppliers, how they will be considered in the procurement process. Therefore each section is loosely structured as followed:

- Introduction
- Council Policy and Approach
- Expectation of Suppliers
  - Although Cornwall Council use a risk based approach to Responsible Procurement some considerations will be made in all procurement projects, these are outlined here
- Inclusion in the Procurement Process
  - What is considered at Pre-Qualification
  - What to expect in Award and Contract Management

Considerations at the Invitation to Tender stage have not been included in this guidance since they are specific to the individual procurement project.

# Environmental Sustainability and Carbon Reduction

## Introduction, Council Policy and Approach

Procurement has an important role to play in the protection of both our local and global environments.

Cornwall Council, along with its partners, are committed to ensuring that goods and services are delivered in a way that helps to protect the quality of the environment, and minimises any adverse impact on the climate from the release of Greenhouse Gases.

Considerations are made under the following environmental headings:

- Reducing soil, water & air pollution
- Reducing energy consumption & climate change
- Reducing materials, packaging & waste

These topics map across onto the [Responsible Procurement Checklist](#) which is used by the CPT when building the business case for a procurement project.

## The Importance of Carbon Management in Procurement

Carbon footprints carried out by other Local Authorities have shown procurement to account for between 60-80% of total Greenhouse Gas emissions from their organisations emphasising the importance of it's consideration by Cornwall Council.

- Expectation of Suppliers

All suppliers are expected to have a good understanding of the environmental issues associated with both the management of their own businesses and the goods/services they are planning to provide. This understanding is formalised in the production of a policy and where applicable an environmental management system.

- Inclusion in the Procurement Process

Environmental Sustainability is considered using a modular approach based on the [Responsible Procurement Checklist](#) as below.

## What is considered at Prequalification

Each of the headings listed above is scored for relevance on a scale of 0-3. These scores are then combined and the questions below used based on the combined score out of 9. Generally project specific questions will be reserved for the Invitation to Tender stage however on occasion additional questions may be asked.

Relevance 0-5:

No question included at pre-qualification.

Relevance 6-9:

3.5.1	Does your organisation have ISO 14001 Environmental Management System (EMS) certification?  If 'yes' please enclose a copy of the certificate and proceed directly to section 3.6 without answering any of the other questions in section 3.5.  If no please complete the remainder of Section 3.5.	Yes / No  Certificate attached Yes / No
3.5.2	Please explain in what respect your EMS does not meet the broad requirements of ISO 14001 and detail what alternative measures you have in place and how these compare or differ to the requirements of ISO 14001?  <b>This question will be evaluated as a whole and higher marks will be awarded to Applicants that demonstrate their alternative measures do not detract from the requirements of ISO 14001.</b>	

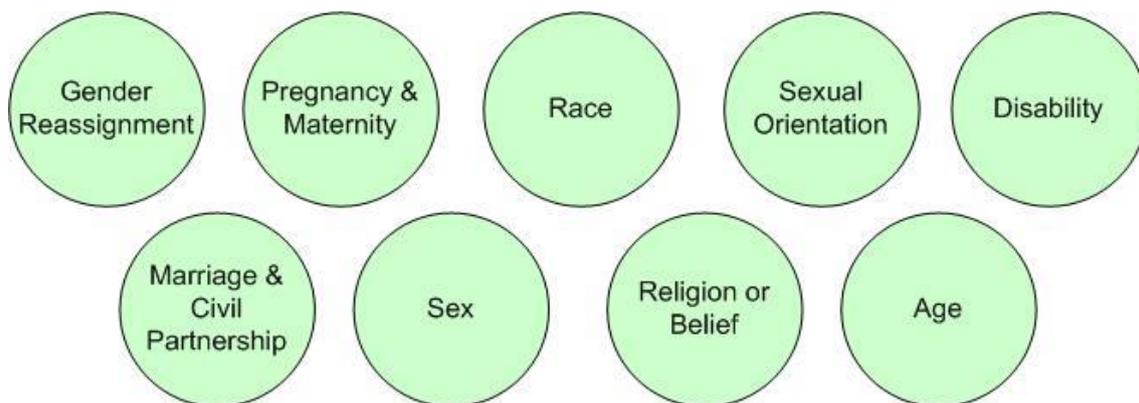
### What to Expect in Award and Contract Management

The Council are keen to engage with suppliers in voluntary agreements for continual improvement in the areas of environmental sustainability and carbon management. In both cases, the snapshot captured during the procurement process only gives an indication of action and change in the awarded contractors. Therefore continued improvement will be monitored wherever practical and relevant to the subject matter of the contract.

## Equality and Diversity

- **Equality** - is about giving everyone an equal chance to fulfil their potential. It means providing equality of opportunity, equal access to services and fair and proportional treatment.
- **Diversity** - recognises, respects, values and celebrates everyone's differences. Treating everyone as an individual means appreciating each person's skills, ideas, perspectives and experiences and meeting their needs.

There are nine protected characteristics to equality that as a local government we focus on, these are defined in the Equalities Act 2010:



In Addition, under the Equality Act, carers of disabled and older people get a level of protection.

## Council Policy and Approach

Cornwall Council is committed to meeting its legal duties under the nine protected characteristics of equality & diversity and ensure that its service users and employees are not discriminated against.

As part of the Council's approach to Equal Opportunities and statutory responsibilities, the Council is keen to ensure that we procure goods, works and services in a manner which:-

- Promotes equal opportunity
- Promotes good relations
- Eliminates discrimination (either direct or indirect).

The Equality Act 2010 governs the way in which Cornwall Council considers equal opportunities issues.

## What we expect from suppliers

Cornwall Council expects suppliers to comply with all relevant legislation; this requirement is incorporated in our contracts.

Suppliers providing services to, or on behalf of, Cornwall Council, must carry out their duties in accordance with the UK Legislation and take appropriate action to combat discrimination based on the nine protected characteristics.

Irrespective of size, where a firm employs people, then the requirements of employment legislation should be met. For sole traders or firms that employ less than five employees it may be viewed as unrealistic to have formal written policy statements on equality. For other Small and Medium Enterprises (SME's), above five employees then a more formalised approach to equality issues would be expected, this should include a written policy and a suitable review period. Beyond 50 employees, training in equality issues and ethnic monitoring would be expected.

If you do not have an equality of opportunity policy then you may wish to adopt the Council's own equality of opportunity policy (appropriately amended) to hold in your own company. This is available to be downloaded from the [Council's internet site](#).

## Inclusion in the Tender Process

### What is considered at Prequalification

During the collation of a Business Case for all procurement projects Equality and Diversity relevance is scored on a scale between 0-3. The considerations below correspond to this relevance scale:

0:

No consideration at Prequalification

1-2:

5.7.1	<p>Please confirm that your organisation complies with its legal obligations relating to the following:</p> <ul style="list-style-type: none"> <li>a) Race,</li> <li>b) Sexual Orientation,</li> <li>c) Gender Reassignment</li> <li>d) Disability,</li> <li>e) Age,</li> <li>f) Religion or Belief,</li> <li>g) Sex,</li> <li>h) Marriage &amp; Civil Partnership</li> <li>i) Caring Association</li> <li>j) Pregnancy &amp; Maternity</li> </ul>	Confirm Yes / No
5.7.2	<p>Please confirm that your organisation has an Equality &amp; Diversity policy which meets the principles set out in Cornwall Council's Equality &amp; Diversity Policy (Please see link) and therefore all statutory requirements. <a href="http://www.cornwall.gov.uk/Default.aspx?page=1958">http://www.cornwall.gov.uk/Default.aspx?page=1958</a></p>	Confirm Yes / No



3: When a critical risk is identified project specific questions are considered.

### **What to expect in Award and Contract Management**

All contracts for goods, works and services will have a requirement to adhere to the Council's standard terms and conditions containing a specific clause on equality – [found here](#).

Additional clauses relating to equalities may be included in relation to certain contracts depending on the nature of the requirement.

Once a contract has been awarded, it will be part of the contract management process to monitor and ensure you continue to meet the equality requirements. The level of monitoring will depend on the nature of the contract.

We may need to see reports on how you meet the legal obligations required of you in the contract, and where appropriate reports on your workforce profile, the take up of your service, incidences of harassment, bullying and discrimination in regards to your users/customers or staff. We would agree with you appropriate and timely frequency of reporting and would use our contract reviews as an opportunity to discuss these reports.

### **Further Information**

For further information a copy of the Commission's Code of Practice for Employment and/or service delivery can be obtained from:

Equality & Human Rights Commission  
<http://www.equalityhumanrights.com/en/Pages/default.aspx>

# Safeguarding

- Introduction

Everybody has the right to be safe no matter who they are or what their circumstances. Safeguarding is about protecting children, young people and vulnerable adults from abuse and neglect.

We are all responsible for the safety of children, young people and vulnerable adults. We must ensure that we are doing all we can to protect the most vulnerable members in our society.

A more detailed introduction to Safeguarding can be found on the Council internet site – [Safeguarding](#).

- Council Policy and Approach

Safeguarding is considered in all procurement projects. For many projects safeguarding risks will be low, however for high risk projects Safeguarding is taken very seriously and will feature highly in both the procurement and contract management processes.

Safeguarding risks might include contractors visiting homes, schools or other sites where vulnerable adults and children are present.

- Expectation of Suppliers

The Council expects that any organisation wishing to provide services where staff are employed to work directly or indirectly with children, young people or vulnerable adults are able to demonstrate standards of safeguarding commensurate with those expected of statutory organisations.

All suppliers are expected to have considered Safeguarding risks both in their general operations and HR procedures and in relation to the contract being tendered. For contracts identified as high risk, which will be made clear in the tender documentation, [more comprehensive guidelines](#) are given for working with both children and vulnerable adults.

- Inclusion in the Procurement Process

During the collation of a Business Case for all procurement projects Safeguarding risk is scored on a scale between 0-3. The considerations below correspond to this risk scale:

## What is considered at Prequalification

Risk 0:

No Safeguarding question included

Risk 1-2:

1.1.1.	Confirm the Applicant has a Safeguarding policy that complies with the Council's policy and provides a commensurable level of protection as that policy. A copy of the Council's policy can be found on the	Yes / No
1.1.2.	If the answer to 3.11.1 is 'No', confirm you will make such amendments to your policy to ensure compliance with the Council's.	Yes / No

Risk 3:

If a high risk/relevance is identified advice is sought from Safeguarding Specialists within the council with regards to project specific questions on topics such as:

- Safe recruitment
- Staff training
- Management of allegations
- Management involvement

## What to Expect in Award and Contract Management

All contracts for goods and services will have a requirement to adhere to the Council's standard terms and conditions containing a specific clause on Safeguarding – found [here](#).

Additional clauses relating to Safeguarding are included in high risk contracts which can be seen [here](#).

# Ethical Sourcing

- Introduction

Ethical sourcing means that organisations take responsibility for improving the working conditions of the people who make the products they buy. Most of these workers are employed by supplier companies around the world, many of them based in poor countries where laws designed to protect workers' rights are inadequate or not enforced.

Adapted: Ethical Trading Initiative (<http://www.ethicaltrade.org/>) 05/12

- Council Policy and Approach

Cornwall Council are committed to finding applications of ethical sourcing considerations. We will use a risk-based approach, based on country, public exposure (reputational risk) and proportionality to identify relevant products and specific contracts suitable for ethical sourcing considerations.

Cornwall Council are currently compiling an Ethical Sourcing Policy guided by five principles as in UK best practice:

1. Identify suitable applications of ethical sourcing considerations.
2. Improve labour conditions in the supply chain
3. Monitor working conditions
4. Engage with Suppliers
5. Deliver Benefits within Law and Best Value

The CPT (Corporate Procurement Team) has representation on the UK Public Sector Working Group on Ethical Sourcing.

- Expectation of Suppliers

There are currently no direct expectations of suppliers however we are actively seeking examples of best practice in our own supply chain to use for peer learning moving forward.

## SME Engagement

- Council Policy and Approach

To raise awareness and promote our approach and commitment to the local economy and Small, Medium Enterprises (SME's) we have produced an [approach to small and local business](#) policy statement.

This details the steps we are taking to maximise the opportunities for SME's and local suppliers to bid for Council Contracts through a fair and transparent process. It explains how we are supporting the Cornish economy, the constraints we face on restricting purchases to local suppliers, the things we are currently doing to encourage them to compete and also highlights the initiatives we have planned.

Also to support this commitment, Cornwall Council is pleased to announce that as a Unitary Council is has reconfirmed and signed up to the [Small Business Friendly Concordat](#). This is a Government voluntary, non statutory code of practise that is a statement of principles to encourage effective trade between local authorities and small businesses and sets out the actions that local authorities will take to make their contracts more accessible.

Signing the Concordat demonstrates Cornwall Council's pledge to actively engage with small businesses and show our authority's commitment to good procurement practises.

## Cornwall Supplier Development Programme

The Cornwall Supplier Development Programme aims to support businesses in becoming 'tender ready' and reaching the standards required to engage in the public sector procurement process and consequently increase their competitiveness.

The CSDP consists of a number of resources including a supplier tendering toolkit, webinars, a selling to the Council Guide and sample tender documents as well as details of upcoming events and procurement opportunities.

Further info is available at: [www.cornwall.gov.uk/supplierdevelopment](http://www.cornwall.gov.uk/supplierdevelopment)

# Health and Safety

## Introduction

Cornwall Council is committed to ensuring the health, safety and welfare of its staff, visitors, contractors, residents and any other users of its buildings, facilities or services. Where these services or facilities are provided by suppliers (including contractors, sub contractors and any other partner organisations), those providers will be subject to an appropriate and proportionate assessment of their health and safety (H&S) policy and arrangements. There will, be occasions when it is deemed that, due to the nature of the services to be provided, a specific H&S assessment will not be required.

If this is the case it would be expected as part of the procurement process that the supplier signs a declaration to the effect that they will comply with the Council's H&S policy and all relevant health and safety legislation.

The policy aims to ensure that work undertaken on behalf of the Council, suppliers is carried out in a manner that will avoid, reduce or control to acceptable levels, foreseeable risks to the health, safety and welfare of Cornwall Council staff and to anyone else to whom it owes a duty of care under health and safety legislation.

The objectives of the policy include to:

- Safeguard all persons on council premises and land
- Minimise risks associated with work carried out or services provided by suppliers
- Protect Council staff, property, assets and the environment
- Ensure the Council and suppliers employ recognised good practice and comply with basic legislative requirements

To achieve this, the Council will ensure that:

- Only suitable and competent suppliers are engaged to carry out work on behalf of the Council
- Suppliers are supplied with adequate health and safety information and instructions relating to their specific Council contract.
- Effective communication co-operation and co-ordination is maintained between the Council's representatives, the contractor/suppliers/partners and their sub-contractors
- Suppliers will be required to adhere to agreed codes of conduct and plan/manage their work effectively with regard to the safety, health and welfare of anyone who can be affected by their work activities.
- Suppliers health and safety performance will be constantly reviewed by the project team during the contract period and on completion of works

## **Inclusion in the Procurement Process**

### **Requirement to assess as part of the PQQ process**

Where a formal H&S assessment is deemed appropriate by the Senior Health, Safety & Wellbeing (HSW) Advisor, suppliers will be required to complete one of the following categorised health and safety assessments. These assessments are tailored to suit each contract and ensure that the right questions are asked:

- Annex A – To be used where the contract has significant health and safety risks.
- Annex B – To be used for all care related contracts, e.g. day care, domiciliary, residential and independent living providers

Examples of these Annexes and guidance as to how to complete each can be found on the Council's Health and Safety internet page. Please be aware that for certain procurement projects these Annex's may be shortened to ensure they only contain relevant questions and requirements.

### **What health and safety subject areas are assessed?**

The list below shows some of subject areas of health and safety that are typically assessed. Not all subject areas of the assessment process will apply in all circumstances, this will depend on the kind of work the supplier does. A full list of areas considered can be found on the Council's Health and Safety internet page.

- Health and Safety Policy Statement
- Organisational arrangements for health and safety management
- Source of competent health and safety advice
- First aid
- Fire and emergency procedures
- Display screen equipment
- Manual handling of loads
- Accident reporting and investigation
- Monitoring, audit and review

### **Pre-assessed suppliers within the PQQ process**

If a prospective contractor or supplier can demonstrate that they have already undergone a prior health and safety assessment by a recognised body and that assessment is current then they will not be required to complete a further one as part of the PQQ process.

Recognised bodies are considered to be:

- Any member of the Safety Schemes in Procurement (SSIP) forum (see further information below)

- Any Occupational Health & Safety Assessment Series (OHSAS) 18001 certificate issued by an IRCA (International Register of Certificated Auditors) registered body

### **Further information:**

Further information regarding SSIP and how suppliers can apply for an assessment, including the list of SSIP Forum member organisations, can be found on the SSIP website: [www.ssip.org.uk](http://www.ssip.org.uk)

### **What to Expect in Award and Contract Management**

The Council has responsibilities to take reasonable steps to ensure that the suppliers they appoint, are competent to undertake the work they are being contracted for, whilst maintaining essential health and safety standards throughout the duration of the contract.

## **Responsible Procurement – Further Information**

Please email [Responsible.procurement@cornwall.gov.uk](mailto:Responsible.procurement@cornwall.gov.uk)

### **Alternate Formats**

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