

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being or has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Adults & Health	Service area: Telecare
Lead person: Katie Cunningham	Contact number: 3783264

1. Request the approval to vary the framework agreement for the Supply of Assistive Technology Equipment for Daily Living Framework 2017 in respect of all suppliers under the framework agreement through the modification of contracts during their term under Regulation 72(c) of the Public Contracts Regulations 2015.

Is this a:

Strategy / Policy

Service / Function

Other

If other, please specify:

2. Please provide a brief description of what you are screening

The current framework agreement is due to expire on 31st May 2021 with no further options to extend. Regulation 33(3) of the Public Contracts Regulations 2015 do not permit above OJEU frameworks to exceed 4 years in total save in exceptional cases duly justified. The Council considers there are exceptional reasons justifying this request to extend the framework agreement for a further 12 months, as further detailed below.

The use of Regulations 72 (1) (c) (i) permits a variation when: the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen. The current Covid-19 pandemic has resulted in an exceptional and unprecedented situation which was unforeseen by the Council. Covid 19 has significantly impacted on the procurement timetable of a replacement arrangement which should have already commenced (see paragraph 1.6 below) and the inoperability of the market to undertake a competitive procurement exercise as a result of measures imposed by the UK Government to contain the spread of Covid – 19 which has impacted on the lack of capacity in the market. During 2020 due to Covid 19 the service did not have the capacity to undertake a procurement exercise of this size. There are over 300 individual items of equipment which each require a review of their specification. Part of this review involves input from clinical staff such as occupational therapist,

tissue viably nurses etc. These staff have were not available during Covid 19 as they were required to work in patient facing roles. Their input in essential to ensure that the specifications which go out to tender are current and comply with the latest regulations. In addition the Council would be unable to conduct a transparent procurement process with regard to tender evaluation, specifically the product sampling which requires face to face demonstrations as these are product which the service and clinicians are unfamiliar with and product evaluation would be very difficult to achieve safety. Some products such as pressure relieving equipment, moving and handling etc. require customer interactions and clinical evaluation which is difficult to achieve with current social distancing measures imposed by COVID-19. The product evaluation traditionally takes place over five weeks and involves involvement from different clinician staff from the NHS as well as staff from the service. This usually takes place at Assisted Living Leeds. However, this was not possible during the Covid pandemic as Assisted Living Leeds is building for two key essential services, Leeds Community Equipment and Telecare Service. During the Covid pandemic Assisted Living Leeds has only been open to staff working in those two services in order to protect the services from the spread of Covid 19.

Due to the unknown timescales related to the period of Covid 19 restrictions and the vulnerable nature of individuals requiring continued supplies of this essential equipment, it is recommended that the end date of the framework agreement be varied for a further 12 months with the current suppliers to allow sufficient time to re-engage the market due to the current lock down restrictions and undertake a new competitive procurement exercise with a new start date of 1st June 2022. It is not contemplated that any orders under the framework agreement with the existing suppliers need to have their expiry dates extended as all current orders will be fulfilled by 31st May 2021.

Regulation 72(1)(c) permits a variation whereby all of the following conditions must be fulfilled:

- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

As the anticipated annual spend is £2,000,000, this is only 25% of the original value and therefore fulfils condition regulation 72(1)(c)(iii).

All of the providers who are on the framework agreement and are therefore subject to modification, if approved. The modification does not alter the overall nature of the contract and therefore fulfils condition regulation 72(1)(c)(ii)

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		No
Have there been or likely to be any public concerns about the policy or proposal?		No
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		No
Could the proposal affect our workforce or employment practices?		No
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		No

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**
(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

- **Key findings**
(**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

- **Actions**
(**think about** how you will promote positive impact and remove/ reduce negative impact)

5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval		
Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Katie Cunningham	Service Delivery Manager	17 th March 2021
Date screening completed		5/3/2021

7. Publishing	
<p>Though all key decisions are required to give due regard to equality the council only publishes those related to Executive Board, Full Council, Key Delegated Decisions or a Significant Operational Decision.</p> <p>A copy of this equality screening should be attached as an appendix to the decision making report:</p> <ul style="list-style-type: none"> • Governance Services will publish those relating to Executive Board and Full Council. • The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions. • A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record. <p>Complete the appropriate section below with the date the report and attached screening was sent:</p>	
For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent: 5/3/21
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: