

Equality and Human Rights Screening Template

PART 1 - POLICY INFORMATION

1.1. Policy Title

A proposed new structure for procurement.

This screening will be updated following an individual engagement exercise with impacted staff which will account for their needs and seek the best outcome based on staff's individual circumstances.

1.2. Description of policy or decision

The Education Authority employs almost 40,000 staff with annual budget of almost £1.5 billion providing a range of educational services for nearly 340,000 children and young people. As part of the amalgamation of the five ELBS, EA is engaging in a process of restructuring its function and units within the Authority. Procurement is one of these areas.

The assessment of the Education Authority Centre of Procurement Expertise (CoPE) by independent internal reviewers was carried out between 31 January 2017 and 2 February 2017.

The findings of the Assessment Report were that: *"The Education Authority CoPE does not fully meet the requirements of the Accreditation Model and must address one or more recommendations before a further assessment is conducted."*

The Report contained 12 recommendations which the Corporate Leadership Team of the Authority accepted in March 2017. The following three recommendations from the report relate the structure of the procurement service:

Recommendation 3: *The Authority should establish a professionally qualified Head of CoPE to support the effective management of all procurement activity in the Authority.*

Recommendation 4: *The CoPE should establish a procurement strategy which should contain:*

- *Commercial Assurance, including supply chain risk;*
- *Category Management;*
- *Portfolio Management and Assessment of Value for Money; and,*
- *Customer Survey and feedback.*

Recommendation 5: *The Authority should establish its capacity and capability requirements so that it can prepare a workforce plan which should include a*

training and development strategy.

As a result of the Assessment Report, the Department of Education and the Authority have been meeting on a quarterly basis to monitor and report the Authority's progress in implementing the Programme of Work developed by the Authority, with the objective of achieving CoPE accreditation by 2018.

The principles underpinning the development of the new proposed structure are as follows.

- Recommendations of the External Review of EA Procurement March 2017.
- Provide a strategic focus on procurement as a driver for strategic change and efficiency.
- Provision of a high quality professional procurement function that is linked directly to the strategic priorities of the Authority.
- Provision of specialist procurement advice within a CoPE (Centre of Procurement Expertise) to ensure there is a professional influence on all procurement activity to maximise value for money and ensure compliance with EU and UK legislation.
- Procurement must be at the core of EA business, with excellent procurement practice and working relationships with both customers and suppliers to ensure the delivery of high quality services across the Education Authority.
- A single Procurement Service which includes both supplies and services as well as construction to ensure consistency of delivery of high quality procurement practices across the Authority.
- Clear organisational structure identifying how the CoPE function will be discharged. Documentation of roles and responsibilities within a governance framework, along with appropriate controls for financial delegations and approvals.
- Clear governance and accountability arrangements.
- A Quality Management System in place to ensure effective implementation of procurement best practice within the Authority.
- Encourage career progression and development to attract and retain a skilled, competent and committed workforce.
- Restructuring will be carried out in line with EA HR policies and procedures.

In order to achieve these principles, the proposed structure has been developed to reflect the need to deliver a regional procurement service for both Construction and Supplies & Services which is both reactive and responsive at a local level; but ensures consistency and quality across the whole procurement service.

CURRENT STRUCTURE

The Chief Executive is currently the Head of CoPE. The Authority is currently one of nine CoPE's in Northern Ireland and its procurement activity falls into two areas, Construction Works, and Supplies and Services.

The current structure of Procurement for both Supplies & Services and Construction is based on the locations inherited from the former ELBs. Procurement for Supplies and Services is delivered by dedicated Procurement Teams within each office led by professional CIPS procurement officers. With regard to Construction Procurement, there is no separation of procurement and delivery, with professional staff (construction related not CIPS) responsible for projects through the full project life cycle from initiation, specification and tendering through to delivery.

With the degree of uncertainty for a number of years around Education and in particular whether the Supplies and Services function would be outsourced to CPD, there has led to a lack of investment in career structures and the professional procurement training and development of staff. It has significantly impacted morale amongst staff and over time a number of staff have left the service to seek the security of transferring to a more secure employment environment within the Authority and elsewhere. Despite repeated attempts to attract staff to the service both internally and externally in recent years, there has been limited success.

Supplies & Services

There are currently 5 Procurement Offices within the Authority delivering Supplies and Services Procurement. As well tendering the requirements of schools and other major services such as Catering and Transport they provide a procurement service under SLA to a number of other public sector bodies in Northern Ireland e.g. CCEA, Libraries NI. This service is currently led by 4 Procurement Officers covering the 5 legacy ELBs (Belfast & Dundonald Offices are covered by 1 Procurement Officer). The Procurement Officers are supported by Senior Contracts Managers and Contract Officers.

Construction

Construction procurement is currently carried out across the five offices within the Authority, with each office carrying out procurements relating to the projects they deliver.

DEFICIENCIES IN CURRENT STRUCTURE & NEED FOR CHANGE

As outlined above there are a number of issues with the current structure. These are as follows:

- current structures did not meet CoPE reaccreditation standards;
- current Head of CoPE is Chief Executive which does not leave room for escalation;

- Construction and Supplies and Services are delivered separately and not joined up at a senior leadership level to ensure procurement is effectively managed within the Authority;
- procurement is delivered on the legacy ELB geographical basis rather than across procurement categories therefore not as efficient or effective in terms of value for money and consistency as it could be;
- a legacy of lack of investment in specialist procurement staff and limited career progression;
- procurement activity is focused on tendering and contracting processes with limited customer and supplier engagement;
- limited contract management of existing contracts;
- no dedicated quality management and compliance role to ensure implementation and adherence to Procurement Guidance.

PROPOSED STRUCTURE

There are a number of key changes within the proposed new structure:

- **Head of CoPE** – this role will move from CE to Director of Operations & Estates which allows for escalation to Chief Executive as necessary. They will provide sponsorship and ensure appropriate governance and organisational arrangements are in place, as well as sufficient skilled resources.
- **Assistant Director for Pupil Services & Procurement** – this post will provide strategic leadership and support the Head of Procurement to deliver EA's procurement requirements.
- **Head of Procurement** - will form part of the 4th tier Pupil Services and Procurement structure. This post will ensure that the procurement function is properly staffed, organised and supported to deliver user requirements when awarding legally compliant contracts and achieving best value for money across all procurement activity within the Authority.
- **CoPE Quality & Compliance Manager** – this post will ensure the retention of CoPE Status and develop and maintain a Quality Management System for EA Procurement.
- **Category Management** – is simply a way of the Authority managing its procurement activity by grouping together related works, services or supplies contracts across directorates, mapping them onto a supplier market and maintaining control through our CoPE arrangements. This approach was recommended by the External Review Team and is the model that is in operation within other NI CoPEs.
- **Senior Category Manager** – this post will provide specialist procurement advice to customers.
- It is also recognised that there is a shortage of appropriately qualified staff across Northern Ireland. Therefore the new structure will contain a role of

'Trainee Category Manager' which will enable a staff member to be appointed to the role of Category Manager without being CIPs qualified – they will be paid at the level of trainee and supported to become CIPs qualified and then will be moved up a grade.

It is envisaged that the implementation of this structure will take time to ensure that staff are adequately trained and supported to deliver this new procurement service within the Authority. The structure will be subject to ongoing review as the Authority works through the implementation.

BENEFITS OF PROPOSED STRUCTURE

- Enable EA to achieve CoPE accreditation.
- Development of a culture of professionalism within procurement.
- Enhanced career progression.
- Category specific – build up knowledge and expertise in specific area(s).
- Working collaboratively.
- Achieving best value for money.
- Procurement as a strategic lever for change.
- The ability to work collaboratively with other CoPEs to drive efficiencies within public sectors in Northern Ireland.
- Greater focus on contract monitoring.
- Benchmarking with other CoPE's.
- Increased supplier engagement and market intelligence.
- Continuous improvement and support through the quality and compliance role.
- Clear roles and responsibilities.
- Clear accountability and governance processes.

The proposed structure will fundamentally review how we do procurement in the EA and will require changes to structures and staff roles.

This is the first stage of the screening exercise that will be undertaken. It is concerned in the first instance with the restructuring of the function to meet CoPE accreditation standards and deliver the best service standard possible for schools and ultimately children and young people.

EA recognises that there are likely to be impacts for some staff. However, this is a functional restructuring and not geographical. It is anticipated that procurement staff will still be dispersed across our locations in Northern Ireland as is currently the case. The main changes and impacts for staff are therefore, in the main, likely to be about function / task rather than location.

Further, no member of staff is at risk of compulsory redundancy as part of this restructuring as there are enough posts within the new structure to accommodate all existing staff however staff roles will change. Posts will also be trawled within EA in the first instance but procurement experience will be an essential criteria.

1.3. Who are the main stakeholders impacted? (Internal and external as well as actual and potential)

Staff in procurement services

1.4. Other policies or decisions with a bearing on this policy or decision?

Education Act (Northern Ireland) 2014

PART 2 – EVIDENCE AND MITIGATION

2.1. What information did you use to inform this screening? E.g. census data, Equality Impact Assessments (EQIAs), consultation reports, service level data?

- HMRC Accounting Services Programme 2006
- Workplace 2010 / Accounting Services Programme 2006
- Workplace 2010

2.2. Quantitative Data

What is the profile of the people that are impacted by this policy or decision?

Please provide a statistic breakdown of the people impacted by this policy or decision. Note, if the policy or decision impacts both staff and service users, please provide data on both.

This is the first stage in screening the potential impacts of the procurement restructuring. Information is currently being collected by HR to get a sense of individual staff needs as they relate to section 75. This will be shared when the information is available.

Section 75 Group	Make up of affected groups?
Age	

Dependants	
Disability	
Religious Belief	
Gender	48 female 62 male
Marital Status	74 married 27 single
Political Opinion	
Ethnicity	
Sexual Orientation	

2.3. Qualitative Data

What are the needs and experiences of the groups that are impacted by this policy or decision?

Are there different needs and experiences for any of the equality groups and what equality issues emerge from this?

Section 75 Group	What are the needs and experiences of the groups as they relate to the policy or decision?
Age	<p>From other equality exercises, EA understand the potential impacts for any staff in a restructuring process to be:</p> <ul style="list-style-type: none"> if changes in work activity take place younger people may be disadvantaged if specific experience is required;
Dependants	<p>From other equality exercises, EA understands the potential impacts for any staff in a restructuring process to be:</p> <ul style="list-style-type: none"> negative impacts if needs are not taken on board if re-training is necessary negative impacts if changes in work patterns are needed
Disability	<p>From other equality exercises, EA understand the potential impacts for any staff in a restructuring process to be:</p> <p>Attitudes of new colleagues:</p> <ul style="list-style-type: none"> stress/worries/anxieties in relation to changes if change in work activity requires re-training potential

	disadvantages
Religious Belief	<p>From other equality exercises, EA understand the potential impacts for any staff in a restructuring process to be:</p> <ul style="list-style-type: none"> if changes in work activity take place some may be unable to undertake certain roles due to their beliefs (eg. some Muslims re. payment/receipt of interest)
Gender	<p>From other equality exercises, EA understand the potential impacts for any staff in a restructuring process to be:</p> <p>Part-time workers (primarily female) experience adverse impacts due to</p> <ul style="list-style-type: none"> if business needs dictates change in working patterns if re-training is required (travel and residentials) <p>negative impacts on part-time workers (mostly female w/dependants) who hold two jobs</p> <p>some men feel disadvantaged vis-à-vis women when decisions are taken</p> <p>Transgender people:</p> <p>anxiety/stress re. potential attitudes of new colleagues & line manager</p> <ul style="list-style-type: none"> feeling comfortable to advise new colleagues/line manager of trans* status <p>or those in the process of transitioning, anxiety/stress as to stability of support arrangements agreed with the current employer</p>
Marital Status	
Political Opinion	
Ethnicity	<p>From other equality exercises, EA understand the potential impacts for any staff in a restructuring process to be:</p>
Sexual Orientation	<ul style="list-style-type: none"> anxiety/stress re. potential attitudes of new colleagues & line manager

2.4. Policy / Decision changes

Based on the equality issues that have been identified, what changes (mitigation) can you make to the policy in order to better promote equality of opportunity?

In developing the policy or decision, what changes did you make, or do you intend to make to address any equality issues that you identified?

As procurement service is being restructured the following principles will be applied:

- No member of staff is at risk of compulsory redundancy as part of this restructuring as there are enough posts within the new structure to accommodate all existing staff however staff roles will change.
- Posts will be trawled within EA in the first instance but procurement experience will be an essential criteria.
- The service in terms of geographical spread will remain the same; it will become a functional structure with responsibilities still remaining spread across the Authority. For example, a senior procurement officer will become a senior category manager, this is in line with how other CoPEs have structured their services.
- Any training needs will be met.
- Staff who need additional time/support will be accommodated or experience anxiety will be assisted.

PART 3 – GOOD RELATIONS

3.1. Are there any changes to the policy or decision that you would make to better promote good relations?

GROUP	Impact on Good Relations	Policy / Decision Changes
Religion	As procurement service is being restructured and is largely a functional restructuring, there is no evidence of an impact on good relations.	
Ethnicity	As procurement service is being restructured and is largely a functional restructuring, there is no evidence of an impact on good relations.	

Political Opinion	As procurement service is being restructured and is largely a functional restructuring, there is no evidence of an impact on good relations.	
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PART 4 – SCREENING DECISION

4.1. How would you categorise the impacts of the policy or decision?

Please refer to guidance notes on categorising impacts

Please select:

Major Impact	
Minor Impact	X
No Impact	

4.2. Does the policy or decision require a full Equality Impact Assessment?

Please select:

Yes	
No	x

Please provide reasons for your decision

This is the first stage of the screening process, concerned with the functional restructuring. An individual staff engagement exercise will be undertaken with staff, which will gather data on the background and needs of staff and explore any potential impacts so they can be mitigated.

This will be kept under review and if required, a decision to EQIA the restructuring can be taken.

PART 5 – DISABILITY DUTIES

5.1. Does the policy or decision encourage the participation of disabled people in public life? Or is there anything you can do within the policy or decision to encourage participation of disabled people in public life?

<i>How does the policy encourage the participation of disabled people in public life?</i>	<i>Is there anything further you can do to encourage the participation of disabled people in public life?</i>

5.2. Does the policy or decision promote positive attitudes towards disabled people? Or is there anything you can do within the policy or decision to promote positive attitudes towards disabled people?

<i>How does the policy promote positive attitudes towards disabled people?</i>	<i>Is there anything further you can do promote positive attitudes towards disabled?</i>

PART 6 – HUMAN RIGHTS

6.1. Are Human Rights Relevant?

Article		Relevant Yes/No
Article 2:	Right to Life	No
Article 3:	Right to freedom from torture, inhuman or degrading treatment or punishment	No
Article 4:	Right to freedom from slavery, servitude & forced compulsory labour.	No

Article 5:	Right to liberty and security of person.	No
Article 6:	Right to a fair & public trial in a reasonable time	No
Article 7:	Right to freedom from retrospective criminal law & no punishment without law	No
Article 8:	Right to respect for private & family life, home & correspondence.	No
Article 9:	Right to freedom of thought, conscience & religion.	No
Article 10:	Right to freedom of expression.	No
Article 11:	Right to freedom of assembly & association	No
Article 12:	Right to marry & found a family.	No
Article 14:	Prohibition of discrimination in the enjoyment of the convention rights	No
Protocol 1, Article 1	Right to a peaceful enjoyment of possessions & protection of property	No
Protocol 1, Article 2	Right of access to education	No

If you answered 'no' to all human rights considerations, please go to section 7 – monitoring

6.2. If you have answered yes to any of the Articles, does the policy or decision have a potential positive impact or does it potentially interfere with anyone's Human Rights?

Article number	Positive impact or potential interference?	How?	Any legal issues arise?

PART 7 – MONITORING

7.1. What data will you collect to monitor the impact of the policy in terms of equality of opportunity, disability duties or human rights compliance?

Section 75	Disability Duties	Human Rights
<p>We will engage staff and gather information and understand their needs that related to section 75 characteristics as part of an engagement exercise.</p> <p>We will monitor any adverse impacts that are unknown at this stage.</p> <p>We will monitor any section 75 related staff complaints throughout the staff engagement and relocation process</p>		

SIGN OFF

Approved Lead Officer: Donna Allen – Assistant Director of Pupil Services and Procurement

Policy Screened by: Suzanne Rea – Business Support officer for Operations and Estates

Date: 19 January 2018

Please note that the template **must be published** as part of the screening process. Please forward the completed template to equality.unit@eani.org.uk for publication