

# GREATER LONDON AUTHORITY

## REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2414

### Title: External Challenge – GLA Group Diversity and Inclusion Action Standard

#### Executive Summary:

This decision seeks approval to appoint EW Group, diversity and inclusion specialists, to provide external challenge to progress against the Diversity and Inclusion Action Standard.

This work supports delivery of the diversity and inclusion objectives set out in the Mayor's Equality, Diversity and Inclusion Strategy 'Inclusive London'.

#### Decision:

That the Assistant Director of Human Resources approves:

1. expenditure of £39,750 on services from EW Group to provide external challenge of progress against the Diversity and Inclusion Action Standard for 8 organisations (GLA, TfL, MET, LLDC, OPDC, MOPAC, LFB, L&P); and
2. a related exemption from the GLA's Contracts and Funding Code requirement to undertake a competitive procurement exercise.

#### AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT

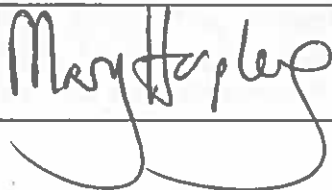
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

**Name:** Charmaine De Souza

**Position:** Assistant Director, HR & OD

**Signature:**



**Date:**

14 January 2020

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. The Mayor wants organisations in the GLA Group and more widely to lead by example with the highest standards for fair pay, good working conditions and workforce equality.
- 1.2. To support this ambition the GLA, TfL, LLDC, OPDC, LFB, MOPAC, MET and L&P are collaborating to share learning and best practice on diversity and inclusion.
- 1.3. To ensure there is a consistent approach to workforce diversity and inclusion across these organisations, in 2017 specialist diversity and inclusion consultants EW Group were commissioned to establish a set of common practices and standards known as the GLA Group Diversity and Inclusion Action Standard (approved under cover of ADD2116 - 22 May 2017).
- 1.4. The Diversity and Inclusion Action Standard is a benchmarking framework which focuses on the actions employers can take in order to raise the bar collectively on workforce diversity and inclusion.
- 1.5. The Diversity and Inclusion Action Standard also supports delivery of the workforce objectives set out in the Mayor's Equality, Diversity and Inclusion Strategy - Inclusive London, which collectively seek to achieve truly diverse workforces reflective of London and inclusive cultures in which everyone can flourish.
- 1.6. The eight organisations participating in this project have all adopted the Diversity and Inclusion Action Standard and carry out self-assessments against it. This decision form seeks approval for further work (with EW Group) to provide an external challenge of the 2019 self-assessments.
- 1.7. Section 9 of the GLA's Contracts and Funding Code requires where the expected value of a contract for services is between £10,000 and £150,000, that the services required should be procured competitively. However, Section 10 provides that an exemption from this requirement may be approved where a supplier has had previous involvement in a specific current project or the where the work proposed is a continuation of existing work, which cannot be separated from the new work.
- 1.8. To this end, appointing EW Group to conduct the external challenge of the eight organisations' self-assessments is a continuation of their previous work in developing the Standard.
- 1.9. Officers have examined an alternative option to challenge the self-assessment results by using in-house expertise across the participating organisations. However, participating organisations have already peer reviewed another organisation's self-assessment. Conducting a further in-house challenge would not meet the requirement for a robust, independent voice and risks being seen as too subjective.
- 1.10. Officers also considered not conducting the external challenge. However, this seriously weakens the reputation and leverage of the Diversity and Inclusion Action Standard to raise standards on diversity and inclusion.
- 1.11. Officers also considered a competitive tender for this work. However, due to EW Group's previous involvement and level of familiarity with the Diversity and Inclusion Action Standard, they are in a unique position to be able to commence work without the time needed to educate themselves on the Standard. Other providers would not have this prior knowledge and would require time to do this, impacting on the timing of the project.

- 1.12. Following examination of these options, officers conclude that EW Group are best placed in terms of their depth of knowledge of the Diversity and Inclusion Action Standard to provide the external challenge.

## **2. Objectives and expected outcomes**

- 2.1. Progress against the Diversity and Inclusion Action Standard is vital to:
- deliver the Mayor's ambition for a representative workforce and inclusive workplace cultures;
  - embed inclusive cultures in which everyone can flourish;
  - demonstrate to the workforce the commitment to fairness in the workplace;
  - demonstrate to Londoners - and London's employers - leadership by example; and
  - support delivery against the workforce objectives in Chapter 6 of Inclusive London – the Mayor's Equality, Diversity and Inclusion Strategy.
- 2.2. Assessment against the Diversity and Inclusion Action Standard has involved two self-assessments to date, one in May 2018 and another one in May 2019.
- 2.3. The purpose of introducing an external challenge now is to bring a level of rigour to the self-assessment process and provide confidence that it is an accurate reflection of the level of maturity on diversity and inclusion. It will also provide an external perspective on current initiatives and suggestions as to what more could be done.
- 2.4. The external challenge will include desk based reviews of self-assessments and workforce metrics, discussions with D&I leads, individual challenge meetings and feedback.
- 2.5. The expected outcomes from this work are:
- a more accurate assessment of the level of maturity on diversity and inclusion;
  - confidence and trust in the 2019 self-assessment results;
  - better informed and better developed action planning on diversity and inclusion; and
  - progression against the twin objectives of achieving diverse workforces reflective of London and inclusive cultures.

## **3. Equality comments**

- 3.1. This project has equality, diversity and inclusion at the core of its objectives and outcomes. The Diversity and Inclusion Action Standard focuses on actions that organisations can take to achieve truly diverse workforces reflective of London and inclusive cultures in which all groups can flourish.
- 3.2. It adopts the following definitions:
- *Diversity* is about recognising, respecting and valuing a wide set of differences and understanding that the opportunities we get are impacted by characteristics beyond those protected by legislation.
  - *Inclusion* means removing barriers and taking steps to create equality, harness diversity and produce safe, welcoming communities, workplaces and cultures that encourage innovative and fresh ways of thinking and allow people to speak up, especially to suggest where things could be done better.

- *Equality* is about recognising and respecting differences, including different needs, to ensure that everyone: can live their lives free from discrimination, knows their rights will be protected, and has what they need to succeed in life. It is about ensuring equality of opportunity by tackling the barriers that some groups face, and making London fairer by narrowing the social and economic divides that separate people. The characteristics protected by equality legislation are age, disability, gender, gender reassignment, ethnicity, pregnancy and maternity, religion and/or belief and sexual orientation.

3.3. Progress and delivery against the Diversity and Inclusion Action Standard requires:

- commitment and accountability from the senior leadership to diversity and inclusion so that it is integral to the development and implementation of the business;
- transparency of workforce data to drive plans;
- no bias in recruitment processes and equal opportunity to gain employment so that workforces reflect the London economically active population, at all levels;
- support for staff in achieving their ambitions and improving the career development of under-represented groups;
- fair reward systems and working towards eliminating pay gaps between different groups and widening representation at senior level; and
- inclusive cultures which reflect the importance of diversity and inclusion and actively address all forms of discrimination.

3.4. In his Equality and Diversity Strategy – Inclusive London – the Mayor set out his vision for a more equal and inclusive London – *a city where no one is held back or left behind because of who they are or their background*. He also stated his determination to lead by example in areas where he has direct responsibility, both at City Hall and in the functional bodies.

3.5. The Diversity and Inclusion Action Standard is central to this. It serves not only to help eradicate discrimination but also promotes equality of opportunity and the fostering of good relations between persons sharing and not sharing protected characteristics.

## 4. Other considerations

### *Key risks and issues*

4.1. Without an independent perspective of the self-assessments against the Diversity and inclusion Action Standard, we risk not having a true picture of progress, and weakening the actions taken to embed the Diversity and Inclusion Action Standard into business-as-usual of the eight organisations.

### *Links to Mayoral strategies and priorities*

4.2. This work links directly to the workforce equality, diversity and inclusion objectives set out in Inclusive London – the Mayor's EDI Strategy. They are:

- to recruit and retain a workforce across the GLA group that better reflects London's diversity including at senior levels;
- to recruit or appoint to non-executive boards and advisory panels across the GLA group in a way that better reflects London's diversity;
- to reduce pay gaps between different groups so that they are not statistically significant; and
- to take the steps needed to ensure that all organisations within the GLA group have open and inclusive cultures and are great places to work.

- 4.3. The work also links to the 'Leading by Example' pledge for the eight organisations to be exemplary employers, being taken forward through the Economic Fairness Programme.
- 4.4. Progress against the Diversity and Inclusion Action Standard also supports the accreditation against the D&I pillar in the Mayor's Good Work Standard, which all eight organisations have signed up to.
- 4.5. It also informs and guides delivery of pay gap action plans and/or corporate diversity and inclusion work programmes.

## **5. Financial comments**

- 5.1. This decision requests the Assistant Director of Human Resources to approve expenditure of £39,750 to procure the services of EW Group to provide independent challenge of progress against the Diversity and Inclusion Action Standard for 8 organisations, (GLA, TfL, MET, LLDC, OPDC, MOPAC, LFB, L&P).
- 5.2. Approval is also sought for a single source exemption from the requirements of the GLA's Contracts and Funding Code to seek three or more written quotations for goods or services between £10,000 and £150,000, on the grounds outlined in paragraph 1.7-1.12 of the form.
- 5.3. This will be funded from the 2019/20 corporate contingency budget.

## **6. Legal comments**

- 6.1. The foregoing sections of this report indicate that: the decisions requested of the Assistant Director concern the exercise of the GLA's general powers, falling within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of economic development and wealth creation, social development or the promotion of the improvement of the environment in Greater London. In formulating the proposals in respect of which a decision is sought officers have complied with the GLA's related statutory duties to:
  - pay due regard to the principle that there should be equality of opportunity for all people;
  - consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
  - consult with appropriate bodies.
- 6.2. In taking the decisions requested, the Assistant Director must have due regard to the Public Sector Equality Duty - namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010, and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Assistant Director should have particular regard to section 3 (above) of this report.
- 6.3. Section 9.1 of the Contracts and Funding Code (the 'Code') requires the GLA to call-off services with a value of that concerned here from a suitable framework, where possible, or if not, to undertake a competitive process which managed by TfL Commercial in respect of the services required. However, the Assistant Director may approve an exemption from this requirement under section 10 of the Code upon certain specified grounds. One of those grounds is that a contract may let without competition where a supplier has had previous involvement in a specific current project or the services concerned are a continuation of existing work that cannot be separated from the new project/work. Officers have indicated that this ground applies and that the proposed contract affords value for money. On

this basis the Assistant Director may approve the proposed exemption if satisfied with the content of this report.

- 6.4. In the event that the Assistant Director makes the decisions sought officers must ensure that a contract is entered into and executed by the GLA and EW Group before the commencement of the services.

**7. Planned delivery approach and next steps**

<b>Activity</b>	<b>Timeline</b>
Delivery Start Date [for project proposals]	Jan 2020
Completion of desk review and individual challenge meetings	Feb 2020
Feedback shared with MO	Mar 2020
Final evaluation start and finish (self)	Mar 2020

**Appendices and supporting papers:**

None.

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

**Part 1 - Deferral**

**Is the publication of Part 1 of this approval to be deferred? No**

If YES, for what reason:

Until what date: (a date is required if deferring)

**Part 2 - Sensitive information**

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form -NO**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to  
confirm the  
following (✓)

**Drafting officer:**

Ruth Morgan has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Corporate Investment Board**

This decision was agreed by the Corporate Investment Board on 13 January 2020.

**ASSISTANT DIRECTOR OF FINANCE AND GOVERNANCE:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

**Signature**

*M. J. Elle*

**Date**

*13.1.20*

