

**Schedule 19**

**Equality Requirements**

## Schedule 19

### Equality Requirements

#### **1 Racial Discrimination and the Promotion of Race Equality [and equal opportunity]**

- 1.1 The Contractor (including its agents and employees) shall not, and shall procure that any Contractor Related party shall not:
- (a) discriminate directly or indirectly (and in relation to disability for a reason related to disability or failure to make reasonable adjustments) or by way of victimisation or harassment, against any person on Prohibited Employment Grounds; and/or
  - (b) discriminate directly or indirectly or by way of victimisation or harassment against any person on Prohibited Grounds; and/or
  - (c) contravene Part IV of the Race Relations Act 1976 (Other Unlawful Acts) and/or Part IV of the Sex Discrimination Act 1975 (Other Unlawful Acts),
- where appropriate.
- 1.2 The Contractor (including its agents and employees) shall, and shall procure that any Contractor Related party shall, for purposes of ensuring compliance with sub clauses 1.1(a) to (c) above, in relation to staff engaged in the provision of Works, Initial Services or Services observe as far as possible the provisions of:
- (a) the Commission for Racial Equality's Code of Practice in Employment;
  - (b) the Disability Rights Commission's Statutory Code of Practice on Employment and Occupation and the Code of Practice on the Disability Equality Duty; and
  - (c) any other relevant code of practice introduced by a commission or other body set up by Parliament to promote, monitor and enforce Equalities Legislation
  - (d) including but not limited to, those provisions recommending the adoption, implementation, and monitoring of an equal opportunities policy.
- 1.3 The Contractor shall, and shall procure that any Contractor Related Party shall, in performing its/their obligations under this Agreement, comply (to the extent permitted by law) with the provisions of:
- (a) Section 71(1) of the Race Relations Act 1976, as if they were a body within the meaning of Schedule 1A to the Race Relations Act 1976;
  - (b) Section 52(1) of the Equality Act 2006 as if they were a body within the meaning of Section 52(2) of the Equality Act 2006; and

- (c) Sections 21B and 49A of the Disability Discrimination Act 1995, as if they were a body within the meaning of Section 49B of the Disability Discrimination Act 1995.
- 1.4 The Contractor shall, and shall procure that any Contractor Related party shall, notify the Authority's Representative forthwith in writing as soon as it becomes aware of any investigation of or proceedings brought against the Contractor or any Contractor Related Party under the Equalities Legislation.
- 1.5 Where any investigation is undertaken by a person or body empowered to conduct such investigation and/or proceedings are instituted in connection with any matter relating to the Contractor's performance of its obligations under this agreement being in contravention of the Equalities Legislation, the Contractor shall, and shall procure that any Contractor Related Party shall, free of charge:
  - (a) provide any information requested in the timescale allotted;
  - (b) attend any meetings as required and permit any of its staff to attend;
  - (c) promptly allow access to and investigation of any documents or data deemed to be relevant;
  - (d) allow itself and any of its staff to appear as witness in any ensuing proceedings; and
  - (e) cooperate fully and promptly in every way required by the person or body conducting such investigation during the course of that investigation.