

Schedule 19

Race Equality Requirements

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1 Racial discrimination and the promotion of race equality

- 1.1** The Contractor (including its agents and employees) shall not, and shall procure that any Contractor Related Party shall not:
- 1.2**
- (a) discriminate directly or indirectly, or by way of victimisation or harassment, against any person on grounds of colour, race, nationality, or ethnic or national origins contrary to Part II (Discrimination in the field of Employment) of the Race Relations Act 1976, as amended (the **Act**); and/or
 - (b) discriminate directly or indirectly or by way of victimisation or harassment against any person on grounds of colour, race, nationality, or ethnic or national origins contrary to Part III of the Act (Discrimination in Other Fields); and/or
 - (c) contravene Part IV of the Act (Other Unlawful Acts), where appropriate.
- 1.3** 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 the Commission for Racial Equality's Code of Practice in Employment, as approved by Parliament in 1983, including, but not limited to, those provisions recommending the adoption, implementation, and monitoring of an equal opportunities policy.
- 1.4** The Contractor shall, and shall procure that any Contractor Related Party shall, in performing its/their obligations under this Agreement, comply with the provisions of Section 71(1) of the Act, as if they were a body within the meaning of Schedule 1A to the Act.
- 1.5** [Where in connection with this Agreement the Contractor (including its agents and employees) or any Contractor Related Party are required to carry out work on the Authority's premises or alongside the Authority's employees on any other premises, they shall comply with the Authority's own employment policy and codes of practice relating to racial discrimination and equal opportunities.]¹
- 1.6** 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 Act.
- 1.7** 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 Act, the Contractor shall, and shall procure that any Contractor Related Party shall, free of charge:

¹ The Authority may require this as an additional obligation where it wishes to ensure compliance with its own racial discrimination and employment policies and codes of practice.

- 1.7.1** provide any information requested in the timescale allotted;
- 1.7.2** attend any meetings as required and permit any of its staff to attend;
- 1.7.3** promptly allow access to and investigation of any documents or data deemed to be relevant;
- 1.7.4** allow itself and any of its staff to appear as witnesses in any ensuing proceedings; and
- 1.7.5** cooperate fully and promptly in every way required by the person or body conducting such investigation during the course of that investigation.