

APPENDIX 3

City of Cardiff Council Statutory Screening Tool Guidance

If you are developing a strategy, policy or activity that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of reproach.

For instance, this will apply to strategies (i.e. Housing Strategy or Disabled Play Strategy), policies (i.e. Procurement Policy) or activity (i.e. developing new play area).

Completing the Statutory Screening Tool will ensure that all City of Cardiff Council strategies, policies and activities comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Statutory Screening Tool will identify if there is a need for a full impact assessment, as relevant.

The main statutory requirements that strategies, policies or activities must reflect include:

- [Equality Act 2010 - Equality Impact Assessment](#)
- [Wellbeing of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government Statutory Guidance - Shared Purpose Shared Delivery](#)
- [United Nations Convention on the Rights of the Child](#)
- [United Nations Principles for Older Persons](#)
- [Welsh Language \(Wales\) Measure 2011](#)
- [Health Impact Assessment](#)
- [Habitats Regulations Assessment](#)
- [Strategic Environmental Assessment](#)

This Statutory Screening Tool allows the Council to meet the requirements of all the above legislation as part of an integrated screening method and should take no longer than 1 hour to complete.

The Statutory Screening Tool can be completed as a self assessment or as part of a facilitated session, should further support be needed. For further information or if you require a facilitated session, please contact the Operational Manager – Policy, Partnerships and Community Engagement on (029) 2078 8561 or e-mail: Gareth.Newell@cardiff.gov.uk

Please note:

- **The completed Screening Tool must be submitted as an appendix with the Cabinet report.**
- **The completed Screening Tool will be published on the Council's Intranet.**

Statutory Screening Tool

Name of Strategy / Policy / Activity: Socially Responsible Procurement Policy		Date of Screening: 27/11/2017			
Service Area/Section: Resources – Commissioning and Procurement		Lead Officer: Steve Robinson			
Attendees:					
What are the objectives of the Policy/Strategy/Project/Procedure/ Service/Function		Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]			
<p>This Policy aims to provide an overarching framework to ensure a joined up consistent approach to the delivery of 'socially responsible procurement' that encapsulates the Wellbeing of Future Generations Act, the Wales Procurement Policy Statement, Cardiff Local Well-being plan and the Capital Ambition. To aid this the Council has identified the following six priorities:</p> <ul style="list-style-type: none"> • Local Training and Employment • Think Cardiff First • Partners in Communities • Green and Sustainable • Ethical Employment • Promoting the Wellbeing of Young People and Vulnerable Adults <p>This policy will set out the Council's ambition and commitment in respect of these key priorities and to support delivery the Council will:</p> <ul style="list-style-type: none"> • Oversee implementation of the policy through its Social Responsibility Board. • Develop and maintain a Social Responsibility Toolkit to support both suppliers and buyers to maximise the delivery of social value. • Publicise and raise awareness of the Council's social responsibility objectives to ensure that suppliers and contractors are clear about what we want them to deliver. • Develop and implement a Responsible Procurement Delivery Plan template for inclusion in tender documents so that suppliers, providers and contractors can set out how they will support implementation of the policy. • Manage delivery of community benefits through effective contract management arrangements and ensure that contractors utilise the Welsh Government Measurement Tool to measure delivery on appropriate contracts over £1million. 		<p>The Council's commitment to the delivery of economic, social, environmental and cultural well-being is clearly set out in Capital Ambition, which states that the Council will "Launch a new Social Responsibility policy to make sure that local people and local communities benefit when the Council spends money on goods and services." It is also reflected in a range of Council Strategies and Plans including the Council's:</p> <ul style="list-style-type: none"> • Local Well-being Plan objectives, which are clearly aligned to the Wellbeing and Future Generations (Wales) Act. • Procurement Strategy 2017-2020, which has four organisational placed outcomes the first of which is 'maximising economic, social, environmental and cultural well-being' through its procurement activity. <p>The Policy has placed a particular focus on three key Welsh Government initiatives:</p> <ul style="list-style-type: none"> • Community Benefits – drives the creation of employment and training opportunities including apprenticeships, support for small and medium sized enterprises and delivery of community, educational and environmental initiatives • Ethical Employment in Supply Chains – focuses on ensuring a high standard of ethical employment practices by our suppliers, service providers and contractors • Opening Doors: Charter for SME Friendly Procurement – seeks to create a fair and open environment in which we can all do business together and address issues of particular concern to SMEs. <p>This Socially Responsible Procurement policy aims to provide an over-arching framework for the delivery of these initiatives and the wider associated legislative and policy driven requirements. The aim of this policy is to ensure that the Council maximises the social, economic, environmental and cultural wellbeing that it delivers through its procurement activity.</p> <p>The Policy was presented to SMT in August and PRAP Scrutiny Committee in September. Consultation has taken place with Community Benefits Board, Council directorates, suppliers, contractors, Welsh Government and voluntary sector organisations.</p>			
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Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:		
+	Positive	Positive contribution to the outcome
-	Negative	Negative contribution to the outcome
ntrl	Neutral	Neutral contribution to the outcome
Uncertain	Not Sure	Uncertain if any contribution is made to the outcome

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.1	<p>People in Cardiff are healthy; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the promotion of good health, prevention of damaging behaviour, promote healthy eating/active lifestyles etc,</i> <i>vulnerable citizens and areas of multiple deprivation</i> <i>Addressing instances of inequality in health</i> 	X				<p>The Partners in Communities priority focuses on playing an active role in the local community and community support organisations, especially in those areas and communities with the greatest need.</p> <p>We will:</p> <ul style="list-style-type: none"> Help to support the health and wellbeing of communities in which the business operates by for example linking with local schools and colleges, other local businesses and residents' groups to help run or sponsor activities / events, which will directly benefit those living there. Make a local impact by improving local facilities and areas and by encouraging our suppliers to operate paid staff volunteering schemes.
1.2	<p>People in Cardiff have a clean, attractive and sustainable environment; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the causes and consequences of Climate Change and creating a carbon lite city</i> <i>encouraging walking, cycling, and use of public transport and improving access to countryside and open space</i> <i>reducing environmental pollution (land, air, noise and water)</i> <i>reducing consumption and encouraging waste reduction, reuse, recycling and recovery</i> <i>encouraging biodiversity</i> 	X				<p>The Green and Sustainable priority focuses on protecting the environment, minimising waste, reducing energy consumption and using other resources efficiently</p> <p>We will:</p> <ul style="list-style-type: none"> Seek, in partnership with suppliers, to minimise any negative environmental impacts of goods and services purchased, across their life cycle from raw material extraction to end of life Ensure that we follow sustainable procurement policies and processes which will exploit the opportunity to minimise energy consumption, waste, pollution production of greenhouse gas emissions and detrimental environmental impacts while encouraging others to do likewise Eliminate unnecessary waste by adopting the "reduce, reuse, recycle" philosophy and supporting circular economy and sharing economy through 'think before you purchase – do you really need it, could something else be used, or could we hire or borrow it?' Procure fair trade products where possible (fair trade supports farmers and workers in developing countries through better prices, decent working conditions and a fair deal.

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	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.3	<p>People in Cardiff are safe and feel safe; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> reducing crime, fear of crime and increasing safety of individuals addressing anti-social behaviour protecting vulnerable adults and children in Cardiff from harm or abuse 	x				<p>Through Promoting Wellbeing of Young People and Vulnerable Adults priority we will:</p> <ul style="list-style-type: none"> Help make communities places where all citizens, including the most vulnerable, feel safe, and are able to have their voices heard and their rights promoted through the implementation of a Child Friendly City and Dementia Friendly City approach. Provide safeguarding advice and guidance. Ensure contractors are able to identify abuse or exploitation and take responsibility for reporting concerns in an appropriate and timely way. Ensure that all suppliers of care and support services that the Council purchases for its service users must have the necessary safeguarding policies, procedures and training in place and where required, be registered where appropriate registration body. Encourage contractors to promote and sponsor opportunities for children and adults who are in need of care and support i.e. events for carers.
1.4	<p>Cardiff has a thriving and prosperous economy; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity) Assisting those Not in Education, Employment or Training attracting and retaining workers (new employment and training opportunities, increase the value of employment,) promoting local procurement opportunities or enhancing the capacity of local companies to compete 	x				<p>The Think Cardiff First priority focuses on taking account of the social and economic impacts of buying locally when commissioning and contracting, and encouraging our suppliers and contractors to do the same.</p> <p>We will:</p> <ul style="list-style-type: none"> Work with partners to support local businesses, social enterprises and SMEs to access tender opportunities and encourage key contractors to hold Meet the Buyer events. Work with partners such as Business Wales, Business in Focus, South Wales Chamber of Commerce to improve the skills of local SMEs to access public sector business opportunities Increase the number of opportunities advertised through Sell 2 Wales and advertise opportunities locally where appropriate Promote our Selling to the Cardiff Council guide and continue to standardise and simplify our procedures and processes.
1.5	<p>People in Cardiff achieve their full potential; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> promoting and improving access to life-long learning in Cardiff raising levels of skills and qualifications giving children the best start 	x				<p>The Local Training & Employment priority focuses on employment and training opportunities for local people in order to reduce unemployment and raise the skills level of our local workforce, especially in target groups such as long term unemployed.</p> <p>We will:</p> <ul style="list-style-type: none"> Require bidders for contracts worth over £1m to make a commitment to provide employment and training opportunities

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
	<ul style="list-style-type: none"> improving the understanding of sustainability addressing child poverty (financial poverty, access poverty, participation poverty) the United Nations Convention on the Rights of a Child and Principles for Older persons 					<ul style="list-style-type: none"> Encourage our contractors to create more opportunities for apprenticeships, work placements and jobs. Work in partnership with employers, training providers and employment services to promote and co-ordinate access to local employment and training opportunities Seek opportunities to work with Primary and Secondary schools through the "Cardiff Commitment" to equip young people of Cardiff with the right skills to match the requirements of the labor market Maximise benefit from the City Deal and other major development opportunities to create employment and training. In line with Cardiff Commitment encourage suppliers and contractors to work with schools and colleges, offering work experience and business awareness to students and NEETs, especially those from disadvantaged areas or communities.
1.6	Cardiff is a Great Place to Live, Work and Play <i>Consider the potential impact on</i> <ul style="list-style-type: none"> promoting the cultural diversity of Cardiff encouraging participation and access for all to physical activity, leisure & culture play opportunities for Children and Young People protecting and enhancing the landscape and historic heritage of Cardiff promoting the City's international links 	x				<p>The Partners in Communities priority focuses on playing an active role in the local community and community support organisations, especially in those areas and communities with the greatest need.</p> <p>We will:</p> <ul style="list-style-type: none"> Make a local impact by improving local facilities and areas and by encouraging our suppliers to operate paid staff volunteering schemes Help to support the health and wellbeing of communities in which the business operates by for example linking with local schools and colleges, other local businesses and residents' groups to help run or sponsor activities / events, which will directly benefit those living there. Promote diversity, inclusion, equality and fairness – target effort towards those in greatest disadvantage and tackle deprivation across the city.

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.7	<p>Cardiff is a fair, just and inclusive society.</p> <p><i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the elimination of discrimination, harassment or victimisation for equality groups</i> <i>has the community or stakeholders been engaged in developing the strategy/policy/activity?</i> <i>how will citizen participation be encouraged (encouraging actions that consider different forms of consultation, through more in depth engagement to full participation in service development and delivery)?</i> 	X				<p>The Ethical Employment priority focusing on employing the highest ethical standards in our own operations and those within our supply chain.</p> <p>We will:</p> <ul style="list-style-type: none"> Implement and embed the Code of Practice: Ethical Employment in Supply Chains through tackling modern slavery, human rights abuses, blacklisting, false self-employment, unfair use of umbrella schemes and zero hours contracts Encourage our suppliers and contractors to become accredited Living Wage employer through promoting the Cardiff Council 'Real' Living Wage Accreditation Support Scheme. Organise employer workshops to promote the Living Wage, initially targeted at the construction sector Build a scored Fair Work Practices question into relevant tender documents to include section on Living Wage, unfair use of umbrella schemes, zero hour contracts and False Self-Employment Practices Encourage suppliers and contractors to have flexible working practices, LTGB/Gender reassignment friendly work policies which are inclusive in their equality training.
	<p>Will this Policy/Strategy/Project have a differential impact on any of the following:</p>					<p><i>Please give details/consequences of the differential impact (positive and negative), and what action(s) can you take to address any negative implications?</i></p>
	<ul style="list-style-type: none"> Age (including children and young people aged 0-25 and older people over 65 in line with the United Nations Conventions) 	X				Please see the Equality Impact Assessment.
	<ul style="list-style-type: none"> Disability 	X				
	<ul style="list-style-type: none"> Gender Reassignment 	X				
	<ul style="list-style-type: none"> Marriage & Civil Partnership 	X				
	<ul style="list-style-type: none"> Pregnancy & Maternity 	X				
	<ul style="list-style-type: none"> Race 	X				
	<ul style="list-style-type: none"> Religion/Belief 	X				
	<ul style="list-style-type: none"> Sex 	X				
	<ul style="list-style-type: none"> Sexual Orientation 	X				
	<ul style="list-style-type: none"> Welsh Language 	X				

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.8	The Council delivers positive outcomes for the city and its citizens through strong partnerships <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <i>strengthening partnerships with business & voluntary sectors</i> <i>the collaboration agenda and the potential for shared services, cross-boundary working and efficiency savings</i> 	x				<ul style="list-style-type: none"> Work in partnership with employers, training providers and employment services to promote and co-ordinate access to local employment and training opportunities. Work towards becoming a UNICEF "Child Friendly City" as part of a partnership programme focused on child rights Work with partners such as Business Wales, Business in Focus, South Wales Chamber of Commerce to improve the skills of local SMEs to access public sector business opportunities Maximise benefits from the City Deal and other major development opportunities to create employment and training.

SUMMARY OF APPRAISAL (highlight positive and negative effects of the policy / plan / project being assessed, demonstrating how it contributes to the economic, social and environmental sustainability of the city):

This policy aims to provide an overarching framework to ensure a joined up consistent approach to the delivery of 'Socially Responsible Procurement' that encapsulates Wales-wide and Cardiff policy drivers. The policy demonstrates the Council's commitment to ethical employment and also aims of this policy is to ensure that the Council maximises the social, economic, environmental and cultural wellbeing that it delivers through its procurement activity.

Cardiff Council recognises the positive impacts that our suppliers bring to the communities of Cardiff. It is hoped that through our supply chain further positive impact can be made through use of the policy and delivery plan. The Council is keen to make sure that our supply chain contributes as much as possible to the overall wellbeing of our residents and we therefore include social value as part of the procurement process.

The Council will utilise Community Benefit Clauses in all contracts above £1,000,000 and look to utilise them in contracts below this threshold. It is the role of those planning the procurement to consider from the outset on a contract by contract basis the potential for community benefits to be delivered through the procurement process and the most appropriate way of achieving this.

The Council is committed to ensuring a high standard of ethical trade practices across its commissioning and procurement activities. In accordance with this policy the Council expects its suppliers, service providers and contractors to observe the policy's provisions and to demonstrate a similar commitment to an ongoing programme of ensuring and, where necessary, improving ethical practices locally and globally.

Cardiff Council is also committed to deliver a consistent approach to procurement across the public sector in Wales while at the same time, addressing issues of particular concern to SMEs.

WHAT ACTIONS HAVE BEEN IDENTIFIED OR CHANGES BEEN MADE TO THE POLICY / PLAN / PROJECT AS A RESULT OF THIS APPRAISAL:

n/a

Part 2: Strategic Environmental Assessment (SEA)

		Yes	No
2.1	Does the plan or programme set the framework for future development consent?		x
2.2	Is the plan or programme likely to have significant, positive or negative, environmental effects?	x	

Is a Full Strategic Environmental Assessment Screening Needed?	Yes	No
<ul style="list-style-type: none"> ▪ If Yes has been ticked to both questions 2.1 and 2.2 above then the answer is Yes ▪ If a full SEA screening is required then please contact the Sustainable Development Unit to arrange (details below) 		x

If you have any doubt about your answers to the above questions, then please consult the Sustainable Development Unit for advice on (029) 2087 3228 or email: sustainabledevelopment@cardiff.gov.uk

Part 3: Habitat Regulation Assessment (HRA)

		Yes	No	Unsure
3.1	Will the plan, project or programme results in an activity which is known to affect a European site, such as the Severn Estuary or the Cardiff Beech Woods?		x	
3.2	Will the plan, project or programme which steers development towards an area that includes a European site, such as the Severn Estuary or the Cardiff Beech Woods or may indirectly affect a European site?		x	
3.3	Is a full HRA needed?		x	

Details of the strategy will be sent to the County Ecologist on completion of the process to determine if a Habitat Regulation Assessment is needed. For further information, please phone (029) 2087 3215 or email: biodiversity@cardiff.gov.uk

Part 4: Welsh Language (Wales) Measure 2011

		Yes	No	Unsure
4.1	Have you considered how the policy could be formulated so that the policy decision would have positive effects, or increased positive effects on opportunities for persons to use the Welsh language?	x		
4.2	Does the policy ensure that the Welsh language is treated no less favourably than the English language?	x		

If you have any doubt about your answers to the above questions, then please consult the Bilingual Cardiff team for advice on (029) 2087 2527 or email: Bilingualcardiff@cardiff.gov.uk

Appendix 1 – Statutory Requirements

It is possible that the Statutory Screening Tool will identify the need to undertake specific statutory assessments:

- **Equality Impact Assessment:** *This assessment is required by the Equality Act 2010 and Welsh Government’s Equality Regulations 2011.*
- **Wellbeing of Future Generations (Wales) Act:** *The Act requires sustainable development to be a central organising principle for the organisation. This means that there is a duty to consider sustainable development in strategic decision making processes.*
- **Welsh Government Statutory Guidance - Shared Purpose Shared Delivery:** *The Welsh Government requires local authorities to produce a single integrated plan to meet statutory requirements under a range of legislation. The City of Cardiff Council must therefore demonstrate its contribution towards Cardiff’s own integrated plan: “What Matters”.*
- **United Nations Convention on the Rights of the Child:** *The Children Act 2004 guidance for Wales requires local authorities and their partners to have regard to the United Nations Convention on the Rights of a Child.*
- **United Nations Principles for Older Persons:** *The principles require a consideration of independence, participation, care, self-fulfillment and dignity.*
- **Welsh Language (Wales) Measure 2011:** *The Measure sets out official status for the Welsh language, a Welsh language Commissioner, and the freedom to speak Welsh.*
- **Health Impact Assessment:** *(HIA) considers policies, programmes or projects for their potential effects on the health of a population.*
- **Habitats Regulations Assessment:** *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 provides a requirement to undertake Habitats Regulations Assessment (HRA) of land use plans.*
- **Strategic Environmental Assessment:** *A Strategic Environmental Assessment (SEA) is an European Directive for plans, programmes and policies with land use implications and significant environmental effects.*