



Government Equalities Office

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Rt Hon Caroline Nokes
Chair, Women and Equalities Committee
House of Commons,
London,
SW1A 0AA

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Or

By email to: womeqcom@parliament.uk

Dear Caroline,

I am writing following the Women & Equalities oral evidence session as part of the Select Committee's inquiry *Unequal impact? Coronavirus and BAME people* on 15 July to respond to three queries raised by members.

Contracted Facilities Management employees in HM Treasury

The first, raised by Kate Osbourne, was on the conditions for contracted Facilities Management employees within my department, HM Treasury.

The Facilities Management (FM) Marketplace contract specifications state that all suppliers providing services under Crown Commercial Service (CCS) government contracts must ensure they meet fair workplace practices, including Living Wage accreditation.

All CCS FM government contracts adhere to legislative standards, Codes of Practice, British Standard (BS) and International Standard (ISO) requirements and building regulations which include standards such as Modern Slavery Act 2015 and Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

Assurance is undertaken via the Cabinet Office FM Spend Control of new and contract extension FM procurements to ensure that compliance to standards and policy is achieved.

Since April 2020 the Government Property Agency (GPA), which delivers property and workplace solutions for the government's general purpose office estate, has agreed with the Cabinet Office to pay Interserve FM staff a London Living Wage equivalent for the Whitehall estate.

During the pandemic, GPA has adopted the Procurement Policy Notice (PPN) principles for the workplace contracts they manage. This guarantees that the core fee for supplier services is paid until the 31 October 2020. This income is guaranteed on the basis that workers continue to be paid for COVID-19 related absences. GPA has also provided guidance and leadership for both clients and contractors regarding risk assessments and ensuring all necessary precautions have been taken to protect all staff delivering FM services during the pandemic

In my own department, building management services are provided to the Treasury under a 35-year PFI Agreement with Exchequer Partnerships who hold the subcontracts for these services. HMT has sought assurance from Exchequer Partnerships that the risk assessments are in place for COVID-19, and that in particular they include any impact on BAME staff. All of the cleaning and security staff in Treasury's 1 Horse Guards Road building are paid the London Living Wage. All of the catering staff are paid above the National Living Wage with around 40% receiving the London Living Wage.

Further details on the contract specifications are provided in the annex below.

Data collected to understand the impact of Covid 19 on ethnic minorities

The second, raised by Alex Davies-Jones, was on the data the Race Disparity Unit is collecting to understand the impact of Covid 19 on ethnic minorities.

The team leading this work (the Race Disparity Unit) is focusing on building on the analysis undertaken by Public Health England which, in looking at the impact of COVID-19 on ethnic minority groups, controlled for age, sex, deprivation and region. I have asked RDU, working with health experts, to explore the availability of data on a series of likely risk factors including occupation, comorbidities, disability, housing conditions, household size/structure, and air quality. RDU has a longer list of potential risk factors, but health experts suggest that these should be the priorities to explore.

This is ongoing work, and answering some of the salient questions - and exploring other topics that emerge as our understanding of COVID-19 increases - may require targeted research projects, in addition to the work I have already commissioned.

Language barriers to accessing guidance on the Coronavirus Job Retention Scheme

The third, also raised by Alex Davies-Jones, was on reports she noted the Commission had heard about language barriers to accessing guidance on the Coronavirus Job Retention Scheme (CJRS). To facilitate access to this scheme, officials at HMT and HMRC have produced a large volume of guidance to extremely demanding timescales. The guidance has been translated into English and Welsh. For those who do not speak English or Welsh, HMRC's support for customers who need extra help includes the option to speak to the department via an interpreter.

Our current approach is proportionate – at the last census, only 0.3% of the population of England and Wales could not speak English or Welsh at all, and that group will speak a diverse array of languages.

More generally, the Government is working with COVID teams across departments and agencies to communicate and engage directly with different communities across the country. This includes a national campaign that spans owned, earned and paid-for channels to maximise reach and engagement. To increase accessibility, government advice, guidance, legislation, and the support measures announced were translated into over 25 different languages.

I hope this information is helpful.

Kind regards,

A handwritten signature in black ink, reading 'Kemi Badenoch' in a cursive style.

**Kemi Badenoch MP
Exchequer Secretary to the Treasury &
Minister for Equalities**

Annex

- The Facilities Management Marketplace contract specifications states that all suppliers providing services under Crown Commercial Service government contracts must ensure they meet the following clauses:
 - **Community benefits**
 - 1.1. The Supplier shall ensure that they adopt a positive stance on delivering community benefits throughout the life of the Framework Contract Period and any Call-Off Contracts.
 - **The public sector in the UK**
 - 1.2. The public sector in the UK is committed to the Delivery of high quality public services, and recognises that this is critically dependent on a workforce that is well rewarded, well-motivated, well-led, has access to appropriate opportunities for training and skills development, are diverse and is engaged in decision making. These factors are also important for workforce recruitment and retention, and thus continuity of service.
 - 1.3. Public bodies in the UK are adopting fair work practices, which include:
 - 1.3.1. A fair and equal 'pay policy' that includes a commitment to supporting the Living Wage, including, for example being a 'Living Wage Accredited Employer';
 - 1.3.2. Clear managerial responsibility to nurture talent and help individuals fulfil their potential, including for example, a strong commitment to 'Modern Apprenticeships' and the development of the UK's young workforce;
 - 1.3.3. Promoting equality of opportunity and developing a workforce which reflects the population of the UK in terms of characteristics such as age, gender, religion or belief, race, sexual orientation and disability;
 - 1.3.4. Support for learning and development; stability of employment and hours of work, and avoiding exploitative employment practices, including for example no inappropriate use of zero hours contracts;
 - 1.3.5. Flexible working (including for example practices such as flexi-time and career breaks) and support for family friendly working and wider work life balance; and
 - 1.3.6. Support progressive workforce engagement, for example Trade Union recognition and representation where possible, otherwise alternative arrangements to give staff an effective voice.
 - 1.4. In order to ensure the highest Standards of service quality in this Contract the public bodies in the UK expect Suppliers to take a similarly positive approach to fair work practices as part of a fair and equitable employment and reward package.
- In addition all CCS FM government contracts adhere to the numerous Legislative standards and Codes of Practice. These legislative standards must be complied with (under the “comply with applicable laws” Framework Agreement provision) in any event and nothing in the Service Requirement or Standards absolves the Supplier from doing so.

Relevant examples are:

Workplace (Health, Safety and Welfare) Regulations 1992 (WHSWR)
Health and Safety at Work Act 1974 (HSW)
Management of Health and Safety at Work Regulations 1999 (MHSWR)

Personal Protective Equipment Regulations 2002 (PPE)
Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Reporting of Injuries, Diseases and Dangerous Occurrences 2013 (RIDDOR)
Personal Protective Equipment Regulations 2002 (PPE)
Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017
Modern Slavery Act 2015

- Buyers from the central government (including arm's length bodies) are required to adhere to the Cabinet Office Spending Controls when buying common goods and services. The (CCS) FM Category Team acts on behalf of the Cabinet Office to review all new Central Government FM procurements and contract extensions. This is to ensure:
 - Compliance with the PEX(ER) mandate for Departments to utilise the HMG central procurement vehicle for FM, the CCS Facilities Management Framework.
 - Unnecessary expenditure is stopped.
 - Best value for money and commercial benefits.
 - Inclusion of commercial and FM compliance criteria within contracts.
 - Requests are aligned to Government policy.