

## **SCHEDULE 18**

### **Equality Requirements**

1. The Operator (including its agents and employees) shall not, and shall procure that any Operator Related Party shall not:
  - 1.1 discriminate directly or indirectly, or by way of victimisation or harassment, against any person on Protected Characteristics; and/or
  - 1.2 contravene sections 39, 108 to 109 and 111 to 112 of the Equality Act 2010 and section 24A of the Equality Act 2006 (or any of them),where appropriate.
2. The Operator (including its agents and employees) shall, and shall procure that any Operator Related Party shall, for purposes of ensuring compliance with paragraphs 1.1 to 1.1, in relation to staff engaged in the provision of Works or Services observe as far as possible the provisions of:
  - 2.1 the Equality and Human Rights Commission Code of Practice in Employment;
  - 2.2 the Equality and Human Rights Commission's Statutory Code of Practice on Equal Pay; and
  - 2.3 any other relevant code of practice introduced by a commission or other body set up by Parliament to promote, monitor and enforce Equalities Legislation,including, but not limited to, those provisions recommending the adoption, implementation and monitoring of an equal opportunities policy.
3. The Operator shall, and shall procure that any Operator Related Party shall, in performing its/their obligations under this Agreement, comply (to the extent permitted by law) with the provisions of sections 149 and 150 of the Equality Act 2010 as if they were a body within the meaning of Schedule 19 to the Equality Act 2010.
4. Where in connection with this Agreement the Operator (including its agents and employees) or any Operator 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 Policies relating to discrimination and equal opportunities.
5. The Operator shall, and shall procure that any Operator 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 Operator or any Operator Related Party under the Equalities Legislation.
6. 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 Operator's performance of its obligations under this Agreement being in contravention of the Equalities Legislation, the Operator shall, and shall procure that any Operator Related Party shall, free of charge:

- 6.1 provide any information requested in the timescale allotted;
- 6.2 attend any meetings as required and permit any of its staff to attend;
- 6.3 promptly allow access to and investigation of any documents or data deemed to be relevant;
- 6.4 allow itself and any of its staff to appear as witness in any ensuing proceedings; and
- 6.5 co-operate fully and promptly in every way required by the person or body conducting such investigation during the course of that investigation.