



ANNEX A.1 – TECHNICAL SPECIFICATIONS

EQUALITY AND DIVERSITY EVALUATION

D-SE-13-T05



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1. Information about the Contracting Authority

The contracting authority is the European Union Agency for Fundamental Rights (hereinafter referred to as the FRA). The FRA was established in 2007 by a legal act of the European Union (Regulation (EC) n° 168/2007) and is based in Vienna, Austria.

The FRA helps to ensure that fundamental rights of people living in the EU are protected. It does this by collecting evidence about the situation of fundamental rights across the European Union and providing advice about how to improve the situation. The FRA also informs people about their fundamental rights. The FRA is operational as of 1 March 2007.

At present, the FRA has 100 staff members being nationals of almost all EU Member States. FRA's activities are divided among the following Departments, including the Directorate:

- Directorate
- Equality and Citizens' Rights
- Freedoms and Justice
- Communication
- Human Resources and Planning
- Administration

2. Background information

The principles of non-discrimination, equality and diversity are among the core values of the European Union, finding their expression, inter alia, in the European legal and policy framework. These principles are set out in the EU Charter of Fundamental Rights including Articles 20,21,22,23,26, also in Articles 12 and 13 of the Treaty Establishing the European Union (TEU), and they are also covered in secondary legislation: the Racial Equality Directive (2000/43/EC) implements “the principle of equal treatment between persons irrespective of their ethnic origin”, the Employment Equality Directive (2000/78/EC) establishes “a general framework for equal treatment in employment and occupation”, Directive 76/207/EEC regards the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, Directive 2006/54/EC provides for the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. Furthermore, the principles of diversity and non-discrimination are set out in Article 1d of the EC Staff Regulations “no employee or potential employee shall be discriminated, directly or indirectly, on the grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation”. These principles are an integral part of the European Employment Strategy and the Lisbon Agenda and were promoted in a number of Action Programmes designed by the European Commission over the years.

The EU has ratified the Convention on the Rights of Persons with Disabilities (CRPD). It is binding to all EU institutions including the FRA. Additionally, the FRA is part of the framework monitoring the CRPD implementation.

As a European Union Institution, the FRA works for and represents all European Union citizens. The FRA is committed to providing equality of opportunity to its entire staff, and all applicants to its posts. Equal opportunities and diversity are not only central to enhancing the effectiveness and the efficiency of the FRA, but are also crucial for fairness, justice and democracy.

In 2006, The European Monitoring Centre on Racism and Xenophobia (EUMC), the predecessor of the FRA, carried out a diversity audit. In 2010, the FRA has adopted a policy of Equal Opportunities and Diversity by which the Agency proclaimed its commitment to the principles of equality and diversity. In 2012, the FRA published its second wellbeing survey, including an area on discrimination and equality.

Definitions of equality and diversity for the purpose of this evaluation:

Equality

Equality is associated broadly with the legislative framework outlined in the paragraphs above. Equal opportunities shall be understood as meaning that everyone should be treated fairly within the workplace and shall have an equal access to employment related opportunities.

Diversity

Diversity adds an extra dimension to equality of opportunity. It encompasses all types of difference beyond those covered by the legislative framework, and focuses principally on the individual. Diversity includes every kind of difference that makes each person unique and distinct.

3. Contract objectives, activities and expected results

a. Overall objective

The FRA aims to carry out an equality and diversity evaluation to assess how and to what extent the FRA's current working environment, organisational structure, policies, practices and procedures ensure that new steps can be taken forward with respect to the equality and diversity of its staff.

b. Activities

- To define which are the FRA's current practices in HR services and management decisions concerning staff matters, that affect staff's equality and diversity and is there any unintended bias;
- To carry out an equality and diversity evaluation regarding the working environment, organisational structure and HR services- e.g. selection and recruitment, appraisal and career advancement, staffing- positions of responsibility, learning and development, complaints and appeals, policies, procedures, etc.;
- With regard to the results of the FRA wellbeing survey 2012 in the area of discrimination and equality (e.g. gender, race, ethnicity, religion, nationality, age), to further analyse, assess and determine those elements that need improvement, areas and processes that need to be targeted;
- To review the FRA Equal opportunities and Diversity policy and the Equal opportunities and Diversity action plan and provide suggestions for improvement;
- To provide a template/checklist to support FRA to ensure that organisational change, HR and administrative practices are in compliance with equal opportunities and diversity principles;
- To provide a list of existing best practices on equality and diversity at the workplace;
- To provide statistics, recommendations for improvement and expertise regarding equality and diversity at the FRA;
- To provide recommendations on how equality and diversity can be promoted at the FRA;
- To provide recommendations what should be the role of Human Resources, FRA management and staff concerning equality and diversity at the workplace.

c. Deliverables

- Equality and Diversity Evaluation
- One Inception Report and one Final Report
- One Executive Summary

Example of requested deliverables. The following are the minimum contents that the deliverables should include:

EXECUTIVE SUMMARY	FINAL REPORT	TECHNICAL ANNEXES
<ul style="list-style-type: none"> -Key findings -Key Statistics -Key conclusions -Key recommendations 	<ul style="list-style-type: none"> -Evaluation context -Description of intervention -Findings -Statistics - Conclusions - Recommendations 	<ul style="list-style-type: none"> - Methodology used and limits -Survey findings, case study reports, etc. - Key documents consulted -Statistical sources -Etc.

All deliverables shall be provided in paper and electronic copies.

4. Scope of the work

a. Work phases

There are **three major work phases** identified:

i. Inception phase

The first phase will be the *structuring stage or inception phase* for the whole process. It will be focused on understanding the objectives and activities of the evaluation and the current situation. It will also allow discussion and validation of the methodology.

The FRA not later than two (2) weeks after contract signature will convene an inception meeting with the contractor at the FRA premises in Vienna. The aim of the inception meeting, which will have to be attended by the contractor, is to discuss the terms of reference, and clarify outstanding issues as may be necessary for carrying out the contract and for the good implementation of the evaluation.

Within fifteen (15) working days after the inception meeting, the contractor shall submit to the FRA an *inception report*. It shall include the following elements:

- Detailed work methodology, incl. data collection and analysis, and consultation with staff (e.g. identification of interviewees and focus groups);
- Work programme, incl. phases, deadlines and the duration of the equality and diversity evaluation;

- Schedule for meetings for staff consultations and with the FRA project sponsor/manager.

Materials for desk research will be provided to the contractor during the inception phase. Documents will be selected according to their relevance to the evaluation questions. Examples of relevant data and sources include (not limited to):

- FRA Equal opportunities and diversity policy and Equal opportunities and diversity action programme 2013-2015
- Staff legislative framework- EC Staff Regulations 2004 and related documents / regulations
- Wellbeing survey 2012 and its summary report
- Wellbeing action programme 2013-2014
- Organisational structures, organigramme etc.
- Policies, guidelines and procedures for the recruitment and selection of candidates
- Staff learning and development policy & guidelines
- Internal HR documents related to appraisal and career advancement, staffing-positions of responsibility, complaints and appeals, HR policies and procedures.
- Equality and diversity audit carried out by the EUMC in 2006.

ii. Interim phase

The second phase will focus on carrying out the planned meetings and data-collection methods.

Regarding the data collection and analysis, it is suggested that the contractor carries out thorough desk- research, and consult staff- e.g. organise face-to-face and/or telephone interviews and focus group meetings at the premises of the FRA. The selection of interviewees and focus group participants should seek to reflect the different levels and categories of staff within the FRA, as well as to take account of the diversity of the organisation in terms of gender, representation from different race, sex, ethnic, national groups, etc.

At the end of the research and consultation work carried out at the premises of the FRA, a debriefing meeting with the project manager and project sponsor will take place, in order to report on the progress, present the work carried out and preliminary findings, and gather views and comments that may feed into the final report of the evaluation.

iii. Final phase

The third and final phase will be used for structuring and prioritising findings, conclusions and recommendations, and for report writing. A draft *final report*, designed to outline the evaluation's results, description of interventions, provide analysis in compliance with the evaluation's objectives, formulate solution oriented recommendations, will be discussed with the FRA project manager and project sponsor in a video conference. Following that the contractor should finalise the evaluation report. The contractor must support findings and recommendations by an explanation of the degree to which these are based on opinion, analysis, facts and statistics. The final report shall also include a list with best practices in the field of equality and diversity at the workplace.

b. General remarks

The equality and diversity evaluation shall be carried out in English language. The reports, as well as all written deliverables, must be submitted in English. It must be written in a clear and unambiguous way, providing information and analysis that can be easily understood.

All primary data collection will need to be documented and handed over to the FRA project manager.

c. Meetings

The inception and debriefing meetings will be held at the FRA premises in Vienna. Videoconferencing or telephone calls will be held as agreed. One room for meetings and interviews should be provided by the FRA for the purposes of the present tender.

All meeting costs on the contractor's side must be covered by the contractor and should be included in the final contract price.

d. Project management on behalf of the FRA

The project sponsor will be the Head of Human Resources and Planning Department. The project manager will be the Human Resources and Planning Department-Wellbeing coordinator.

5. Confidentiality

Contractors may come into contact with confidential information during the course of their work. Therefore, they are bound by rules of confidentiality, as indicated in Article 2.5 of the Draft contract (Annex B), regarding all information received in oral or written form during the course of their activities.



6. Expected commencement date

The FRA expects to sign the contract in **the second half of 2013**. The contract should commence on the day following signature by the last contracting party. The period of the execution of the tasks shall be **4 months** from the date of commencement.