

# Gender Equality and Social Inclusion in ICT Procurement: **Discovery Report**

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Sabrina Martin  
Scarlet George  
Laura Caccia  
Connie McKimm  
Mor Rubinstein

Contact: [info@oxfordinsights.com](mailto:info@oxfordinsights.com)



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## Executive Summary

The Government Digital Service (GDS), as part of its Global Digital Marketplace (GDMP) programme, is looking to understand how gender equality and social inclusion (GESI) in information, communication, and technology (ICT) public procurement can be integrated into GDMP delivery. **This project examines the existing procurement global best practice. It then offers recommendations for incorporating and mainstreaming GESI into ICT procurement practices.**

### Inclusive Procurement

GESI principles are important to ICT procurement because they open up opportunities to more SMEs including those run by women, ethnic minorities and other marginalised groups. Inclusive procurement also brings concrete economic and social benefits for the government, supporting jobs and giving the government access to a wider choice of goods and services, generating increased competition and economic growth.

### Recommendations

This report makes several global recommendations to improve GESI practices:

1. The terms **'gender equality and social inclusion'** should be clearly defined in conversations with government stakeholders about ICT procurement so that all parties are clear about what these terms mean and to which people they refer.
2. GDS should advocate the Sustainable Development Goals to promote gender equality and social inclusion in ICT Procurement.
3. Procurement entities must **engage with women-owned and minority-owned businesses**. Governments should reach out to these enterprises throughout the procurement lifecycle to maximise inclusion of marginalised groups.

# Introduction

Government buying accounts for an estimated one-fifth of global gross domestic product (GDP) -- estimated at around USD84.3trn in 2018. Yet only 0.2% of this total figure goes to women-owned businesses. Statistics about businesses owned by other socially excluded groups are nearly impossible to find.

Inclusivity in public procurement is a cyclical issue: procurement can be used to promote equality in the public sphere, but to be effective, procurement itself needs to be inclusive. If diversity is not considered in language, processes and policies, the public services provided will not be inclusive.

By 2030, the UN hopes to realise its [5th Sustainable Development Goal](#) (SDG) to “achieve gender equality and empower all women and girls.” [SDG 12](#) supports this objective and is aimed at promoting “public procurement practices that are sustainable in accordance with national policies and priorities.” [According to UN Women](#), This has the power to achieve great socioeconomic change for women and girls on a global scale, by implementing more inclusive processes that endorse supplier diversity.

In addition to helping countries meet the SDGs, there are also concrete economic and social benefits to inclusive procurement for the government. [According to ‘The Power of Inclusive Procurement’](#), “An inclusive supplier portfolio enables supply chain and procurement professionals to use spending strategically in the supplier selection process.” Inclusivity in procurement supports jobs, helps to manage unemployment and by procuring from a diverse supplier portfolio, the government has access to a wider choice of goods, services and professional skills.

*All countries, despite differences in their legal frameworks, can take concrete steps to increase social inclusion in public procurement and subsequently decrease discrimination.*

## Goals

The research in this report is relevant to both government buyers and suppliers. These practices will apply to the recruitment of procurement teams in addition to how teams procure. For example, mandating a diverse procurement team structure, and then ensuring accessibility and fair competition in the bidding process (see the [Best GESI procurement practice step-by-step](#) section below). In terms of suppliers, this report will look at how governments can support companies run by disadvantaged or marginalised groups to access government supplier markets, as well as how suppliers can be encouraged to implement GESI practices throughout their companies.

The recommendations in this report should be used in conjunction with the [GESI indicator framework](#) and the accompanying [user guide](#). This will enable procurement practitioners and other government officials to monitor and improve practices over time. It will also allow suppliers to observe performance on each of the GESI metrics.

## Definitions and key concepts

We define GESI practice in ICT public procurement as *‘Requirements and procedures that ensure fair access, competition, and benefits for marginalised and disadvantaged groups.’*

In terms of understanding GESI, the [World Bank](#) writes that “**Gender equality** is about transforming the distribution of opportunities, choices and resources available to women and men so that they have equal power to shape



their lives and participate in the process. **Social inclusion** refers to the process of improving the conditions of disadvantaged individuals and groups - such as migrants, indigenous peoples, or other minorities.”

Governments are the best-placed actors, due to their huge purchasing power, to promote equality through procurement. By setting inclusivity standards for suppliers to adhere to, governments can foster a more inclusive commercial, and by extension social, ecosystem.

Benefits of inclusive procurement can be *direct*, when a service or good is designed to meet a particular equality requirement, such as elderly care or transport for disabled children; or *indirect*, for example, when a government procures a web-based service and ensures the end product caters to those who are visually impaired or do not speak the country's primary language.

There are myriad dimensions of diversity and inclusivity that could fall under the GESI best-practice umbrella. For clarity's sake, we highlight four<sup>1</sup> GESI dimensions to focus on in this report:

**Gender**: defined as “a social construction relating to behaviours and attributes based on labels of masculinity and femininity; gender identity is a personal, perception of oneself which may not match the sex they were assigned at birth.”

**Sexual Orientation and Gender Identity (SOGI)**:<sup>2</sup> Sexual orientation refers to the capacity of each human being for affection, attraction and relationship with people of the same gender, the opposite gender or multiple genders. Gender identity incorporates gender expression such as dress, speech and mannerisms.” The term SOGI is used by organisations such as the Council of Europe and the United Nations to recognise fluidity of sexual orientation and gender identity.

**Race/ethnicity**:<sup>3</sup> no internationally accepted definition exists nor is possible for racial categorisation. However, commonly used groupings include race, colour, language, religion, customs of dress or eating, tribe or various combinations of these characteristics.”

**Disability**, which the UN proposes be understood broadly as “those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”

We will also aim to examine and highlight the intersection(s) of these dimensions in procurement. Issues of inclusivity can be compounded through multiple channels of disadvantage. For example, the ILO reports that women with disabilities suffer disproportionately to men with disabilities and face a greater risk of poverty around the world.

Below we include additional definitions relevant to this report.

**Equity** is a term that is largely starting to replace ‘equality’ in social justice parlance. While equality implies ‘sameness’ in terms of needs, methodology, and outcome, equity is seen as acknowledging that differences in needs and methodology might be required to bring about equal outcomes. In this report, we opt for the term ‘equality’ in line with mainstream literature, but suggest keeping in mind differentiated needs in ICT procurement policies.

**Mainstreaming** is defined by the UN as a strategy or approach for achieving equality that involves including GESI perspectives in all activities, and making the goals of gender equality and social inclusion integral to any definitions of successful projects.

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<sup>1</sup> We had intended to include a fifth dimension: socioeconomic background. However, there was very little research and data into socioeconomic background and procurement, so have consequently decided to leave it out for now. We do note, however, that any best practice GESI procurement initiatives should also try to account for mitigating against disadvantages caused by socioeconomic background, including income and education levels.

<sup>2</sup> Although sexual orientation and gender identity are often grouped together by international organisations, the two are not necessarily inherently linked in any way.

<sup>3</sup> See also United Nations Human Rights: Office of the High Commissioner. United Nations, 2010, Minority Rights: International Standards and Guidance for Implementation, [ohchr.org/Documents/Publications/MinorityRights\\_en.pdf](http://ohchr.org/Documents/Publications/MinorityRights_en.pdf).

**Intersectionality** is a feminist methodology developed by Kimberlé Crenshaw referring to overlapping systems of disadvantage and discrimination. Intersectionality is important as it allows us to analyse how these oppressions intersect to multiply disadvantage for some.

**Procurement lifecycle** refers to the cyclical process of buying goods and services, from commissioning to planning (defining needs), through to approaching the market, evaluating suppliers, and managing the delivery.

(See figure 1.)

**Product lifecycle** and **product lifecycle management**: The product lifecycle refers to the stage of development of a product: *introductory, growth, maturity* and *decline*. Product lifecycle management is a methodology which, with GESI incorporated, can help to arrive at the most economically and environmental possible option.”

### Limitations

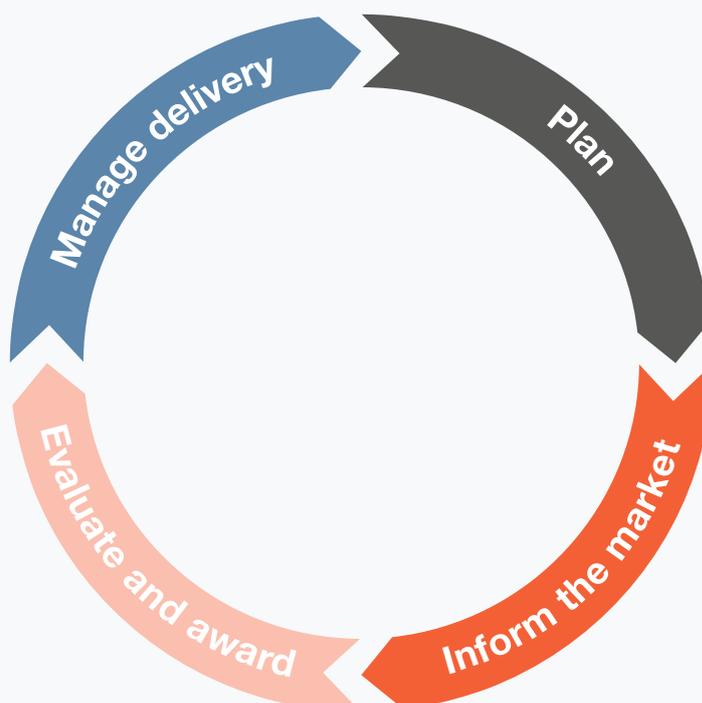
There are numerous compounding factors that make assessing, measuring, and improving conditions brought about by these dimensions difficult in the first place, let alone in the context of ICT procurement. There is a **global lack of**

**data about disadvantaged groups**, not least about who owns businesses and who supplies to governments. Further, there are countries where gender identity, sexuality, racial background or disabilities cannot be disclosed for fear of discrimination, legal punishment, or even death. This makes collecting accurate data difficult, and engrained social discrimination means that many governments may not have an appetite to collect the data in the first place.

Research shows that “that for open contracting to deliver social returns, data is not enough. Consideration must also be given to the process of public contracting and the social dynamics in which the process is embedded.”

Finally, when talking about gender equality and social inclusion we must be careful to respect **cultural sensitivity** while not falling prey to **cultural relativism**. To facilitate social justice progress, we advise that it is possible to remain sensitive to different cultures while still maintaining a baseline of universal rights in line with gender equality and social inclusion.

**Figure 1: Procurement lifecycle**



Source: “*Digital Buying Guide*”, GDS, forthcoming August 2020.

# GESI in Procurement

In order to understand the broad goal of incorporating GESI considerations into ICT procurement, it is important to first define what we mean by this. There are two ways we can understand GESI-responsive ICT procurement:

## 1. Enacting GESI practices/policies throughout the procurement lifecycle:

GESI policies and practices need to be implemented throughout the ICT procurement lifecycle, so that buyers and suppliers are actively incorporating GESI in decision making. This includes looking at a contractor's supply chain and ownership structure. In practice, examples could include: ensuring diversity within procurement teams on the buyers' side; gathering and reporting diversity data; the use of quotas to enable women and minority-owned businesses to more easily win tenders; reviewing existing processes to encourage tenders from a diverse range of companies; requiring bidders to demonstrate a commitment to GESI principles within their own organisations and supply chains; and reducing internal inequalities in government service teams.

**2. Procuring ICT products and services which adhere to GESI standards:** this means these products or services need to be accessible to all. Examples of what this would look like in practice include: ensuring computers have all the accessibility requirements for a variety of users; online services are built to be used by all, including users with low literacy rates, dyslexia and other forms of neurodiversity; and users with other types of disabilities such as reduced mobility, partial sight and hearing loss.

When a government enacts policies based on GESI principles in procurement, it forces the supplier market to adhere to these, ensuring their products and services meet these standards. We identify three general areas of how a government can 'promote' GESI through public procurement:

- 1. Project design:** Commission projects that (directly or indirectly) benefit communities or companies led by marginalised or disadvantaged groups.
- 2. Procurement process:** Ensure fair<sup>4</sup> access to competition for companies led by marginalised or disadvantaged groups, across the procurement lifecycle.
- 3. Environment:** Create an environment in which companies led by marginalised or disadvantaged groups are able to flourish and supply to the government.

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<sup>4</sup> Fair, in this case, may include preferential treatment or affirmative action to help traditionally disadvantaged groups.

There are a number of different **practices** which can be enacted in each of these areas to support GESI principles. For the purposes of this report, we define these as **GESI practices**: procedures or requirements that actively include disadvantaged or marginalised groups. Some examples could include:

1 <b>Plan</b>	2 <b>Inform the market</b>	3 <b>Evaluate and award</b>	4 <b>Manage delivery</b>
<ul style="list-style-type: none"> <li>a. Diversity on design teams</li> <li>b. SME friendly project size</li> <li>c. Understand user needs - taking into consideration any GESI needs</li> <li>d. Supplier certification models</li> <li>e. Policies supporting businesses led by marginalised or disadvantaged groups</li> </ul>	<ul style="list-style-type: none"> <li>a. Write requirements               <ul style="list-style-type: none"> <li>i. Gender-neutral language</li> <li>ii. Require businesses to demonstrate a commitment to GESI principles</li> </ul> </li> <li>b. Write the evaluation criteria in gender neutral language</li> <li>c. Advertise the opportunity:               <ul style="list-style-type: none"> <li>i. Remote access for bidding documentation</li> <li>ii. Public, well-advertised tender notices</li> <li>iii. Clear project specification</li> <li>iv. Accessibility requirements are taken into account</li> <li>v. Enough time between notice and assessment</li> <li>vi. Remote bidding possible</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>a. Quotas designed around marginalised groups</li> <li>b. Prioritisation based on ownership</li> <li>c. Diversity in assessment teams (gender &amp; other marginalised groups)</li> <li>d. Diversity in supplier teams (gender &amp; other marginalised groups)</li> <li>e. SME friendly payment term</li> </ul>	<ul style="list-style-type: none"> <li>a. Inclusive supplier relationship</li> <li>b. Fulfil agreement focusing on outputs and outcomes</li> <li>c. Pay on time</li> </ul>

The outcomes we may expect to see are examined in our indicator framework. See below [‘Best GESI procurement practice step-by-step’](#) for a fuller guide to the international community’s best practice guidance on GESI procurement practices.

# GESI ICT procurement: practice and policy

Information and Communication Technology has become a significant tool in helping governments champion GESI goals. Indeed, the [European Commission](#) has cited “digital technologies as one of the most important factors that can reduce existing social inequalities, support social inclusion and increase people’s quality of life.” Procurement reform that promotes GESI can also support the government to achieve progress with these social policy goals.

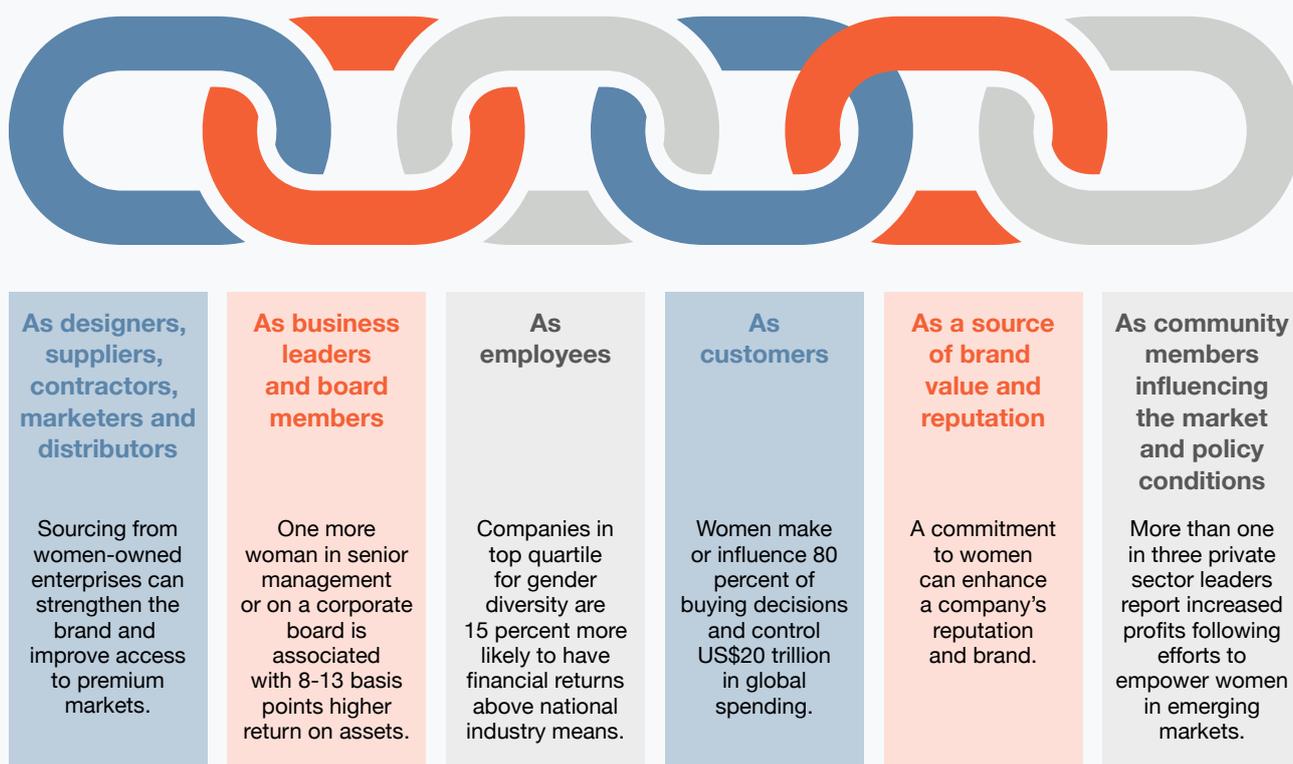
However, without meeting user-centred design principles, ICT can increase existing social inequalities. [Data is not neutral and sexism, racism and ableism can all manifest and datasets may under-represent or misrepresent marginalised groups.](#) It is therefore vital that governments have strategies in place to help all their citizens realise the full potential of ICT.

## Guidelines and best practice

### Diversity and inclusivity in procurement

Not only do women-owned businesses contribute to global and domestic GDP, when women are included in the business value chain, they are also shown to contribute to better business results. In 2016, the [UN Secretary General’s High Level Panel on Women’s Economic Empowerment](#) demonstrated how including women in the value chain contributed to “to each link of the business value chain.” This is illustrated in figure 2 below.

**Figure 2: Women in a Value Chain approach to the Business Case**



Source: UN Secretary General’s High Level Panel on Women’s Economic Empowerment

When inclusive practices, such as procurement reform are implemented properly, and women are able to thrive, it is clear that countries and businesses benefit. [Several studies on diversity and economic growth](#) “suggest that geographic proximity and cultural diversity—a place’s openness to different cultures, religions, sexual orientations—also play key roles in economic growth.” But diversity does more than that. [Diversity also contributes to innovation and creativity](#); “over 85 percent of successful businesses interviewed in a Forbes research in 2011 said that a diverse workforce was the key to innovation and creativity,” and has been shown to result in lower turnover rates.

### Data collection

The United Nations Foundation and Data2x recommends that at a minimum, states should collect gender data.

This is a good place to start in terms of GESI procurement. In comparison with other GESI data (such as race, ethnicity or disability) gender data is likely to a) be easier to collect as it is less sensitive b) be representative of a large proportion of the population. Once suppliers grow accustomed to disclosing this data, and there are government systems in place to collect and analyse the results, collecting more complex and sensitive data will arguably become easier.

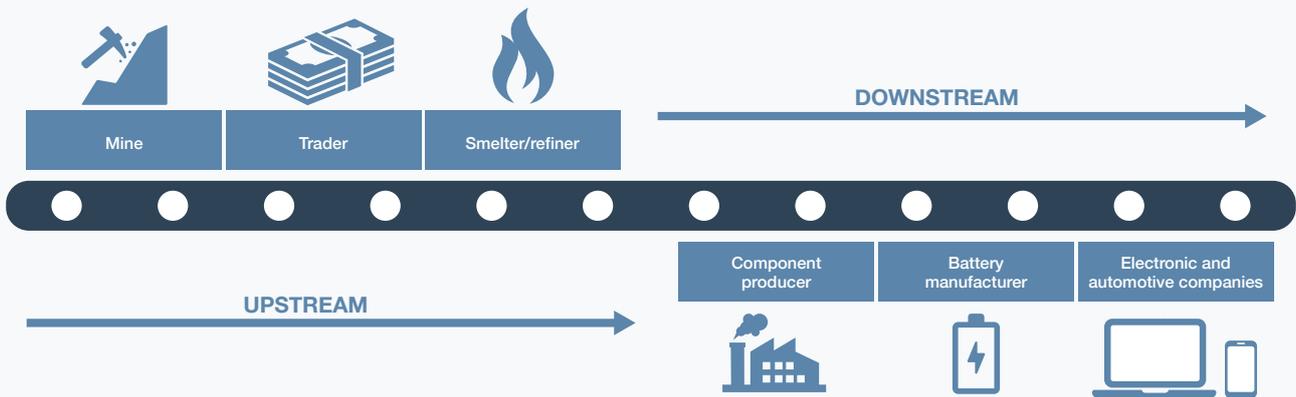
### Accessibility standards

There are several globally recognised ICT procurement accessibility standards which serve as guidance for both public procurers and suppliers. These help public procurers to identify the requirements for their purchases, and also help manufacturers employ recognised standards within their design, build and quality control procedures. Examples include [EN 301 549 \(EU\)](#), [WCAG 2.0/ISO/IEC 40500](#), and the technical requirements of [Section 508 of the U.S. Rehabilitation Act](#). The [Global Initiative for Inclusive ICTs \(G3ict\)](#) prepared a [questionnaire guide](#) to engage ICT vendors on their inclusive practices:

- “How do your company’s structure and policies support a comprehensive commitment to accessibility and inclusion?”
- “What kind of experience does your company have in producing accessible technology?”
- “What specific development processes in your company ensure the accessibility of your products?”
- “How do you test the accessibility of your products and demonstrate conformance with accessibility requirements and global accessibility standards?”
- “How can your product be used to meet our specific accessibility needs and requirements?”

The full list of questions can be found in G3ict’s [\*Procurement of ICTs for Inclusive Government and Public Sector\*](#).

**Figure 3: Social impacts on working conditions**



Source: ICLEI and Electronics Watch, *How to Procure fair ICT hardware*, 2020

### End-to-End Supply Chain

GESI-best practice in procurement dictates that ICT supply chains should be transparent, working conditions throughout the supply chain are decent, and materials are sourced responsibly and fairly. Compliance, transparency and responsibility should be managed and monitored through contracts and delivery.

### Supply Chain Resilience

Supply chains have come under increased pressure during the COVID-19 pandemic and experienced major disruptions due to products needing to be sourced from quarantined areas.

The OECD has found that while global value chains have been hugely affected by the pandemic, even if firms' supply chains were local, they would have been equally negatively affected due to the COVID-19 provisions brought in by governments around the world.

Often, organisations only take the initial purchasing cost of a product or service into account and tend to make decisions based on the least expensive offer. However, this does not take into account the full cost of a product or service throughout its lifecycle. Further costs are likely to occur when this product or service is live including operational and maintenance expenditure and development. In order to fully understand how much a buyer is spending, it's important to look at the total cost throughout

the lifespan of a product or service to establish which offer is truly the 'least expensive'. This is often referred to as Lifecycle Costing (LCC). Considering longevity and purposefulness of goods and services will help procuring entities to better meet GESI goals.

### GESI Policy Evaluation Frameworks

#### What is a GESI Framework and why are they important?

Gender equality and social inclusion frameworks are tools that can help to develop, monitor, and evaluate policy according to how effectively it promotes GESI goals. GESI frameworks are important because they allow us to see the ways in which all policy affects women and other marginalised or socially excluded groups in society. A GESI perspective on policy enables us to see how policies reinforce or rectify existing inequalities and disadvantages within society.

It is important to note, before examining the frameworks themselves, that the frameworks are only useful when applied with commitment and expertise. Implementing a GESI framework will require local knowledge and political will. Practitioners in each country will be able to understand and navigate local contexts to iterate policies and to realise change.

## GESI Policy Evaluation Framework

<b>Theme</b>	<b>Questions</b>
<b>Values</b>	Do intersectional feminist values underlie the policy? What goals does the policy seek to promote?
<b>Multiple Identities / Intersectionality</b>	Who are the citizens targeted by the policy? Does it consider the implications of characteristics of gender, race, class, sexuality, disability, etc.?
<b>Equality</b>	Does this policy achieve 'gender equality and social inclusion', and how is 'GESI' imagined by this policy? Does the policy treat people differently to treat them equally well?
<b>Language</b>	Does the language of the policy implicitly assume people are male and abled? Does the language of the policy ignore women and minority groups? Is the policy 'gender-neutral'?
<b>Material/ Symbolic Change</b>	Does this policy create symbolic change for marginalised individuals/ groups, or does it actually create substantive change?
<b>Voice</b>	Are civil society groups given voice in policy formulation? Were members of minority groups consulted during the formation of the policy and regularly given opportunities to comment once it was put in place?
<b>State-Market-Family Control</b>	Does the policy discriminate against unpaid labour and care? Does the procurement policy contain elements of social control for marginalised groups? If the policy requires ownership or participation from minority groups, are there safeguards in place to resist coercion?
<b>Representation</b>	What is the demographic makeup of the policymaking authority? Who enforces the policy? Are those who are marginalised represented in the enforcement process?

# Recommendations

## Define gender and social inclusion generally & in ICT procurement

Throughout our interviews, we often heard that stakeholders misunderstand what gender equality and social inclusion mean. Our report clearly defines these terms. Throughout each of our interviews we tested our definition of GESI ICT procurement. All interviewees stated that this definition was clear and helpful in the procurement context. We recommend using this definition when talking to stakeholders, to ensure clarity between different stakeholders and promote awareness of GESI issues.

## Consider incentive mechanisms

It's important to recognise that women and socially excluded groups are more likely to own and operate SMEs than larger corporations. 35% of all SMEs are owned by women and the number increases as you take an intersectional approach.

Although we talk about the use of quotas, it is important to also acknowledge their limitations. The OECD<sup>5</sup> is moving towards community engagement as a way to better empower marginalised groups. They have found this results in better engagement with minority-owned suppliers. For example, quota's do not necessarily equate to fairness and can still mean that more privileged women are overrepresented in procurement. Although they are a good starting point, quotas should be used in tandem with other measures to ensure fairness and representation of a broad group of stakeholders and which empower minority-owned enterprises.

Therefore, the next question then becomes what **mechanisms** are there for ensuring that GESI

practices are met. This report will focus largely on legal/statutory modes of change: what laws and policies exist/need to be put in place? It is also important to simultaneously consider GESI culture as well: what social changes have worked/need to be put in place?

## Leverage SDGs to promote GESI in ICT procurement

The UN Sustainable Development Goals (SDGs) are an important international agreement which promotes gender equality and social inclusion. States can use public procurement practices to both **measure progress towards their goals and realise their equality commitments**.

The SDGs have been signed onto by all UN countries and therefore this method can be used across all the GDMP countries. By using public procurement to promote the SDGs, countries can align existing strategic objectives and policies, such as social inclusion and supporting entrepreneurship to reform. It's important to point out how "procurement can be a means to fulfilling these obligations."<sup>6</sup>

Public procurement should be used to **measure** a country's progress towards the SDGs. Contract data can be used to determine how successful countries are implementing certain goals, such as Goal 5 of achieving gender equality and empowering all women and girls. If the right contract data is captured, governments can see how many women-owned businesses they are actually contracting from. They will be able to ask questions, like, 'how are we actively supporting women and minority-owned businesses in public procurement?'. SDG 12 concerns sustainable consumption and production patterns, progress

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<sup>5</sup> Interview with P3 & P4, International best practice researchers, 23/03/2020.

<sup>6</sup> Interview with P5, International best practice researcher, 30/03/20.

towards which can be measured through a gender and inclusion analysis of public procurement data

### **Use economic growth as an incentive for governments**

Many governments around the world are hesitant to focus on GESI policies, whether this is due to cultural norms, institutional inertia or a lack of funds. Demonstrating to governments how they can economically benefit from instituting these policies is a great way to help incentives them into action.

The [UN Women's gender-responsive procurement manual](#), recognises the link between “gender equality, women’s empowerment and development.” It reports that women-owned SMEs contribute to around 20% of the world’s GDP. It also discusses a [case study](#) which demonstrates that in the US, SMEs<sup>7</sup> account for about half of the country’s private sector workforce and “create most of the net new jobs [and] produce a significant share of innovations.”

It’s also important to recognise that the economic approach does have limitations such as, if certain GESI initiatives don’t have an economic benefit, we still need to be able to convince governments to implement them.<sup>8</sup> This is why we also suggest highlighting how the SDGs and other international obligations can be accomplished through GESI-responsive procurement.

### **Consider certification models**

Quite a few interviewees expressed their concerns around the definition of women and/or minority-owned businesses. It can often be hard to determine who *really* owns a company and who is benefiting from the revenue. A method that is commonly used to address this issue is certifying businesses as women- and/or minority-owned. UN Women’s guide on ‘[How to source from women-owned businesses](#)’ is a good resource that focuses on procuring from women and certification of women-owned, SOGI, minority- and indigenous-owned businesses.

Certification works for both governments and businesses. For governments, it not only creates a database of suppliers owned by socially excluded groups, but it also creates an easy way to determine whether or not a business is actually owned and supports excluded peoples. For businesses, it allows them to advertise that they have been certified increasing visibility and to more efficiently participate in the public procurement process.

It is also important that governments recognise the potential burden they are putting on organisations who may have to be paid to be certified. We therefore recommend that governments create assistive initiatives that help SMEs, especially those owned by women and minorities, to afford certification.

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<sup>7</sup> SMEs are defined by the UN as businesses with fewer than 500 employees in this case.

<sup>8</sup> Interview with P5, International best practice researcher, 30/03/20.

## Address the problem of SMEs and beneficial ownership

It is important to ensure that organisations and/or governments have a clear understanding of what it means by a woman- or minority-owned business. Often the definition, for example, of a woman-owned business is where a woman or women hold 51% of the shares. As ownership can be complex, there are a number of factors that could affect who *actually* benefits from a company's revenues.

Certification can address this issue and can also be used to incentivise procuring entities to buy from women- and minority-owned businesses.

When it comes to preferential treatment of women and minority-owned business in public procurement it is also important to consider the current marketplace. If there are very few women-owned businesses defined where a woman or women hold 51% of the shares, it may be worth still providing preferential treatment to organisations where women hold only 30% of shares. However, at the same time, governments need to be working to create a larger database of women and minority-owned businesses, so that the percentage can be increased over time. This can be done through outreach and training programmes as well as reserving financial resources to support the creation of these businesses.

## Prevent COVID-19 from setting GESI procurement goals back

Due to COVID-19 governments around the world have shifted to emergency buying, rather than taking a strategic approach. In numerous cases, this has been detrimental to the procurement process and has resulted in the procurement of poor products. Procurement reform is, therefore, becoming a higher priority across the world. As the OECD report states, "contracting authorities... need to act to support their at-risk suppliers so that they are better prepared to cope with the current crisis and can resume normal service delivery when the outbreak is over." Suppliers owned and operated by women and minorities are much more likely to be at risk during COVID. It is therefore important that any procurement reform emphasises GESI.

To embed GESI principles, we recommend creating a sustainable procurement strategy for both the long and short term. Such a plan should focus on buying long lifecycle products that support local communities and minority groups and evaluate all elements of the supply chain.

The pandemic should be seen as an opportunity to reform flaws in their public procurement processes and imagine ways to bring about much-needed change such as embedding GESI principles to prevent further exclusion of marginalised suppliers. A sustainable model of procurement is outlined in ANNEX 3.

## **Engage with women- and minority-owned businesses**

We recommend that procuring entities should hold market engagement events before releasing tenders to understand what the market can currently provide and also supplier needs. This creates an environment of collaboration and helps buyers better understand the needs of suppliers.

Governments should sustain engagement throughout the procurement lifecycle. Buyers must engage with suppliers during the tendering process and provide feedback for suppliers when they are not chosen. This feedback mechanism permits unsuccessful suppliers to iterate so that they are more likely to win bids in the future. Feedback helps women-owned businesses who may lack the knowledge of or confidence in the bidding process. This is especially important for SMEs who tend not to have a large sales department. Feedback should also be given from both the chosen supplier and buyer throughout the contract. This ensures that the project stays on point and suppliers can flag any pain points as they go.

Further, a major risk when reaching out through market engagement events is missing the opportunity to talk to new suppliers, especially those who are likely to be most at risk of exclusion, such as minority and/or women-owned businesses. We, therefore, recommend that procuring entities who hold such events, ensure they reach out to suppliers through a number of avenues. This could include through social media, physically advertising opportunities and using community spaces.

## **Champion initiatives that support SMEs run by socially excluded groups**

While we do not discourage the use of quotas, they can often result in the same organisations constantly being hired. This is a result of a lack of women-owned suppliers in the market. It is the government's responsibility to help create, support and grow organisations owned and operated by excluded groups. This can include monetary assistance, such as small business loans targeted at women and minority entrepreneurs as well as educational support.

## **Don't overlook qualitative data**

While the [GESI MEAL indicator framework](#) focused on capturing quantitative data, it's also important to emphasise the value of [qualitative data](#), which "can reveal unexpected outcomes and intersecting inequalities." This could include interviews with stakeholders, feedback forms with open text boxes, or group workshops.

## **Check for unconscious bias**

Unconscious bias can be very hard to identify, we therefore suggest that all procuring documents, from tenders to legislative frameworks are examined through a GESI lens. This should be done by either GESI experts (within or outside the government) or if this is not possible, someone who has not worked on the document. Our framework may be used as a base for inclusion. Unconscious bias could include things like gendered language or attribution bias where you make unsubstantiated conclusions based on prior conceptions.

## **Champion a supportive regulatory framework**

It's important to ensure you have a supportive regulatory framework that mainstreams GESI principles. To determine whether you are implementing these policies properly and using data to ensure they are successful we suggest using the GESI framework. This can be used alongside other resources like the [UN Sustainable Procurement Indicators](#) and the [Methodology for Assessing Procurement Systems](#).

**Use the GESI MEAL framework, and assess at least every 2 years to see that actions have been taken and record changes**

It is very important to track changes when recommendations are implemented. This is not just to ensure that changes are made but is also to help create and maintain momentum. A regular cadence of logging progress every two years will support continuous improvement. It is also important to evaluate how successful changes have been. Using the framework, procuring entities will be able to know the right questions to ask and properly evaluate progress.

drawing on the Digital Marketplace, the Crown Commercial Service Technology Strategic Category agreements, and their Digital Buying Community

- assuring service delivery - drawing on the Digital Service Standard and GDS service assessments
- publishing open contracting data - drawing on the Open Contracting Data Standard (OCDS) and implementers globally
- building institutional capabilities and capacities - drawing on the GDS Academy, the Digital, Data and Technology (DDaT) Profession and Capability Framework.

**Incorporate the GESI 5 Pillars into the GDMP 5 Pillars**

The current GDMP five pillars are:

- assuring plans before money is spent - drawing on the Technology Code of Practice and GDS spend controls
- designing procurements and contracts -

These are not as inclusive as they could be. We have therefore added GESI aspects to the five pillars. These should be merged with the original principal in order to mainstream GESI principles. This is an easy way to draw attention to GESI principles in procurement and ensure procuring entities institute GESI practices.

**Figure 4: GDMP 5 pillars**



### **Assuring plans before money is spent**

To align with the Technology Code of Practice, practitioners must make spending plans inclusive and accessible. The Code of Practice asks practitioners to consider accessibility requirements such as motor difficulties, cognitive impairments and impaired vision. GESI inclusivity means that plans should also develop knowledge of users needs based on intersectional user research.

### **Designing procurements and contracts**

Governments can support the designing of procurements and contracts through the sharing of best practice among buyers. Best practice could include: an awareness of how contractual language can be gendered and discriminatory; inclusion of marginalised communities in the contract design process; creating a digital buying community to share knowledge and to improve diversity in procurement practices.

### **Assuring service delivery**

To assure service delivery, practitioners should make sure that everyone can use the service and make the service simple for everyone to use. Teams should define what 'success' looks like for service delivery with mandatory diversity impact assessments to check that projects serve the most disadvantaged. Teams responsible for service delivery should use agile ways of working to iterate and improve frequently, creating an inclusive working environment where all stakeholders are valued and taken into account.

### **Publishing open contracting data**

Drawing on the Open Contracting Data Standard (OCDS), practitioners should publish open contracting data. Published contracting data should include disaggregated data on gender and social inclusion to enable practitioners to assess which suppliers might best unlock the economic potential of disadvantaged groups. Suppliers could include information on the percentage of women and representation of minority groups in their organisation's leadership teams and overall workforce. Suppliers could also disclose data on their gender pay equity. Governments might consider creating a public database of inclusive suppliers.

### **Building institutional capabilities and capacities**

Practitioners can build institutional capacity by ensuring that digital skills training is inclusive and targeted at disadvantaged groups. Practitioners should also build knowledge of the structures of racism, sexism, classism and other inequalities which permeate society and its institutions. Institutions and instead focus on transforming the institutional cultures and practices that constitute, reinforce and augment inequality.

# Conclusion

This report has examined global best practice in GESI procurement, particularly in relation to digital and technology. We carried out research into current GESI policies, procurement laws and data collection worldwide to offer a status quo picture of international practices. We have identified where the gaps are and drawn literature from the best practice across the board, from ICT and procurement to intersectional feminist frameworks. We then made clear recommendations to procurement experts for enacting GESI reform. We hope the global recommendations will be a catalyst for change enabling public procurement organisations to enact better strategic procurement policies.



# Annex 1 - Best GESI procurement practice step-by-step

Below we have a table where we explore some short examples of governments and institutions promoting gender equality and socially inclusive procurement. The selection is limited to nations that publish and report on their successes, and therefore focuses more heavily on developed nations than is likely representative. Many practices in developing nations will doubtlessly be in place, even if unreported.

## Environment

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### Equality criteria for suppliers

Publicising equality criteria for government contracts can help ensure that government buyers choose suppliers who adhere to high standards. These criteria also send a message to minority-led businesses that the government is considerate of the disadvantages that they face. In the UK, the West Midland Combined Authority (WMCA) has issued strict guidelines and criteria for all suppliers. These include requirements that suppliers must adhere to the organisation's equality legislation and have an up to date equal opportunities/equality policy, and complete a detailed equalities questionnaire as part of pre-qualification.

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### Capability building

In 2013 the Women Impacting Public Policy (WIPP) group, the U.S Small Business Administration (SBA) and American Express OPEN created the ChallengeHER initiative in the USA. This initiative aimed to boost government contracting opportunities for women-owned small businesses (WOSB) with a special focus on the WOSB Federal Contracting Program. They deliver free workshops for WOSBs, as well as mentoring, and direct access to government buyers. Since its inception, ChallengeHER has educated more than 21,000 women entrepreneurs at 70 workshops across the country and facilitated more than 5,350 meetings between women small business owners and government officials.

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### Supplier certification

An effective certification process is important to both corporations and women or minority-owned businesses. Certification provides corporations with an easy and effective way to verify whether a business claiming to be owned by marginalised groups is in fact owned by these groups. It also allows governments to better understand the presence of marginalised groups in their supplier community. However, certification can be an arduous and complex process. Streamlining this process opens up opportunities to larger numbers of suppliers who may not have the expertise to navigate a complex system. In 2019, the New York City Department of Small Business Services (SBS) launched an improved online certification portal called SBS Connect. This portal offers a more streamlined application process for minority- and women-owned firms to become newly certified or recertify if their certification has expired. More than 9,000 businesses are currently certified as a Minority- or Women-Owned Business (M/WBE). They also offer mentorship programs, networking events and one-to-one technical assistance. In particular, the portal allows them a platform to provide consultation services during the bid drafting process as well as post-selection feedback.

## Tender design and publication

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### Gender-neutral/ inclusive language

We have identified several governments who have included contractual clauses in legislation stating that references to the male gender also include the female gender (for example [UK 1850](#) and [Malta 2019](#)). Some government legal departments are now issuing guidance to assist civil servants and legal professionals in writing gender-neutral contracts. For example, the [Canadian Department of Justice includes a guide that advises staff to replace gender-specific words with gender-neutral words that have the same meaning](#). Similarly, the UK parliamentary counsel and legal department have issued guidance on gender-neutral drafting for the wider UK legal profession. The guide suggests, for example, using the passive voice to avoid assigning pronouns or substituting ‘they’ or ‘person’ when referring to an individual. However, there is little evidence of governments enforcing compliance with these guidelines, and no direct mention of use in tender writing or drafting supplier contracts.

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### Remote access

This is a fairly common goal for governments pursuing SME-friendly procurement reform. Publishing tender notices online, for example, means that smaller suppliers do not have to expend resources searching for notices physically by attending government offices or searching publications. Allowing suppliers to download and submit bidding documentation online can also reduce often considerable documentation fees and reduce geographical constraints. Most e-procurement systems make this a priority. In particular, the [Georgian electronic Government Procurement \(Ge-GP\) system](#) stands out. All tender documentation, signed contracts and any amendments are published and submitted online. They are also [introducing an e-Contest system for design](#), allowing suppliers to participate in design competitions remotely. Best practice in remote access to public procurement allows governments to engage with bidders during the bidding process to offer remote help in the application process. GDMP and the [Council of Europe’s e-procurement system](#) both permit suppliers to share messages and ask for clarification about active tenders.

## Bidding

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### Access to the government marketplace

Chile's Mercado Público, managed by ChileCompra, provides an example of how increasing accessibility for SMEs to public procurement procedures benefits women. Over 90% of companies selling their products and services on Mercado Público are micro or small enterprises, higher than most governments. These companies account for 45 per cent of public procurement transactions, a level far higher than their overall participation rate in the economy (8%). Small women-owned businesses often cite pre-qualification requirements as a significant barrier to entering the government marketplace. ChileCompra helps these businesses overcome such barriers by providing universal access to all public procurement tenders. There are no special requirements for being granted access to the system or on firms looking to bid for contracts with public agencies. The share of women participants in the public procurement system reached 36.5% of total participants in 2016.

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### Streamlined bidding

Smaller businesses have limited time and resources. This is particularly true for women-owned businesses, which statistically tend to be smaller than businesses owned by men, have less business experience, and are time poor due to competing family and childcare responsibilities. The more complex the application process, the fewer women-owned businesses are likely to apply. The Republic of South Korea is an example of how streamlining government procurement can improve access for SMEs. South Korea does not use either bid price preferences or set-asides to encourage SME participation. Instead, they have incorporated several elements into their electronic e-procurement platform KONEPS aimed at promoting and enabling SME participation. The system is also very easy to use. Some of these are also aimed at women-owned businesses. For example, for goods tenders women-owned businesses are given additional points in the contract fulfilment capability test, boosting their perceived ability to implement the contract successfully. Over time the share of contracts won by women-owned businesses has increased, rising from 3.9% in 2009 to 7.5% in 2014.

## Assessment and Award

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### Quotas designed around marginalised groups

In 2013 Kenya, instituted a set-aside policy whereby every procuring entity must allocate at least 30% of its procurement value to youth, women, and persons with disabilities. This law, called the Access to Government Procurement Opportunities (AGPO) law, aims to “facilitate the enterprises owned by women, youth and persons with disabilities to be able to participate in Government opportunities.” To qualify for this quota companies must have at least 70% membership of one of the three target groups, with leadership that is 100% of the relevant target group.

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### Prioritisation based on ownership

Australia’s Indigenous Procurement Policy (IPP), introduced in 2015, sets a target of 3% of all procurement being sourced from indigenous-owned businesses by 2020. An indigenous-owned business is defined as one with a minimum of 50 per cent indigenous ownership, and there is no minimum threshold value for contracts. Individual government departments set annual targets. In the first year of operation, there was a 15 per cent increase in government spending with indigenous-owned businesses. With such early success, the Ministry for Indigenous Affairs announced that the 2020 target would be brought forward to 2017 for all government departments.

## Contract

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### GESI contract clauses

In 2017, the Basque government won an international best gender equality practice award for their initiative to mainstream gender equality clauses in their public procurement contracts. The Spanish-language guide on setting the requirements can be found [here](#). [EU best-practice guidelines](#) state that “whenever possible, it is important to incorporate gender equality in the subject of the contract itself. This will allow the incorporation of gender equality clauses requiring gender technical competence to the awarding entities, as well as the inclusion of gender criteria for the evaluation of the submitted proposals and for further implementation.” Where this is not possible, they recommend embedding GESI principles into the conditions for implementation for the contract. Examples of this might include making sure the project team is gender-balanced, seeking out expert advice from traditionally marginalised groups, or undertaking GESI impact evaluations as part of the delivery of the project. UN Women has produced a set of [standardised GESI contract templates](#).

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### Supporting liquidity

Long delays on payment can disproportionately affect SMEs. To support liquidity SMEs on the Korean e-procurement platform KONEPS are [entitled to an upfront payment](#) of up to 70% of the value of a government contract. In many cases, SMEs are also entitled to instant payment upon presentation of an accepted invoice. KONEPS can process these payments in as little as four working hours.

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### Contract management

The procurement process doesn’t end once a supplier has been contracted. The procuring entity needs to ensure they properly manage the contract as it is fulfilled. The World Bank has created a contract management plan (CMP). The purpose of the CMP is to ensure the project goes according to plan and that roles and responsibilities are clearly defined. The [CMP framework covers a number of different aspects](#) including, governance structure, risk management, key contacts, roles and responsibilities, communication and reporting procedure, milestones and deliverables. The framework produced by the World Bank could be cumbersome for some organisations, such as SMEs. However, the idea of creating a plan is still good. Best practices, therefore, include things like discussing ways of working between the supplier and buyer, agreeing on deadlines and making it clear how work will be communicated throughout the project.

## Other

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Some more operational and subjective government decisions appear to be less reported on. These have included decisions created in response to individual procurements and internal management.

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<b>Providing feedback</b>	Educating businesses unfamiliar with the public procurement process through feedback is essential in helping them improve their competitive edge.
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<b>Appropriate award criteria</b>	Women-owned businesses can struggle to compete against other businesses when the price is the predominant selection criteria.
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<b>Reduced contract size</b>	Smaller contracts tend to be more accessible for women-owned businesses.
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<b>Diverse assessment teams</b>	This helps to ensure that marginalised groups are fairly assessed.
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# Annex 2 - Barriers to GESI ICT implementation

We have identified two common barriers that governments may face in implementing more inclusive ICT procurement strategies.

A primary barrier is what the EU describes as ‘[lock-in](#),’ where governmental departments will be locked into ICT systems that they purchase because the knowledge about how the system works is available only to the provider, so that “when they need to buy new components or licenses only the specific supplier can deliver.”

Another frequent barrier is a lack of data collection specific to marginalised or disadvantaged groups. This means that inequalities often go unseen and become harder to address. If governments are to procure ICT inclusively, they need to understand the presence of these groups in the supplier market and the wider community. Only then can they tackle the challenges they may face through targeted procurement policies and measure progress. The [UN’s recommendations](#) for collecting data to maximise inclusivity include the following:

- **Participation** of relevant population groups in data collection exercises, including planning, data collection, dissemination and analysis of data.
- **Data disaggregation** which allows data users to compare population groups, and to understand the situations of specific groups. Disaggregation requires that data on relevant characteristics are collected.
- **Self-identification** for the purposes of data collection, populations of interest should be self-defining. Individuals should have the option to disclose or withhold information about their personal characteristics.
- **Transparency:** Data collectors should provide clear, openly accessible information about their operations, including research design and data collection methodology. Data collected by state agencies should be openly accessible to the public.
- **Privacy:** Data disclosed to data collectors should be protected and kept private, and confidentiality of individuals’ responses and personal information should be maintained. This principle is exceptionally important, especially when collecting sensitive data that could be used to identify already disadvantaged or marginalised individuals.
- **Accountability:** Data collectors are accountable for upholding human rights in their operations, and data should be used to hold states and other actors to account on human rights issues.

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