

# Gender-responsive Public Procurement

## Tool 3: Decision tree to assess the gender relevance of public contracts

This tool can be used by contracting authorities, policymakers and practitioners working towards gender equality and gender mainstreaming to assess if a public contract has gender relevance. Depending on your answers, it will help you to identify whether it would be worth designing a tendering procedure with gender elements or not.

The tool provides you with guiding questions. If, from your answers, it emerges that the contract has gender relevance, the tool also gives you some tips on how you could consider the best way to address the gender perspective through the procurement process. It also guides you towards the relevant sections of the toolkit that will help you to identify the most appropriate stages of the procurement process in which to include gender elements.

**Can you identify all of the groups of people who will be affected by the contract? This includes both those involved in production/delivery and the users or beneficiaries. Examples: In a contract for health services, this will include both the staff delivering the services and the patients/users. In a contract for uniforms, this will include both those involved in textile production and the staff who will wear the uniforms.**

**Yes** **No**

**Will women and men, girls and boys be affected differently by the contract? This may include impacts during the delivery of the contract itself (e.g. equal pay for employees) or its outputs/outcomes (e.g. the design of a building or public space affecting women and men differently). Note: If you are procuring from a sector with a significant gender gap in terms of pay or participation, you can assume the contract will have gender relevance.**

Engage with the market and users of the supplies, services or works to understand who will be affected by the contract and how. This may include employees of contractors and any subcontractors, employees of the contracting authority, members of the public, etc. See the sections on needs assessment and market consultation to plan your approach. Example: An open consultation may be held with public transport users to identify any gendered impacts prior to procuring a new station or train.

**Yes** **No**

**The contract has gender relevance. You should consider the best way to address this through the procurement process, including through defining the subject matter, technical specifications, selection and award criteria, and contract performance conditions. More than one approach may be combined to deliver gender-responsive procurement. Example: In a contract for research services, both the specifications and award criteria may address gender aspects.**

**In addition to the above ways of addressing gender in the contract, consider how to:**

- increase participation of women-owned or -operated enterprises in the tender process (e.g. through market consultation, the choice of procedure and the use of lots and/or reservations);
- ensure that businesses that do not comply with gender equality law cannot compete (through the application of exclusion grounds);
- ensure that gender-sensitive communication is applied in the preparation of the tender documents.

**The outcomes/outputs of the contract may not have gender relevance. It is still relevant to consider how to:**

- increase participation of women-owned or -operated enterprises in the tender process (e.g. through market consultation, the choice of procedure and the use of lots and/or reservations);
- ensure that businesses that do not comply with gender equality law cannot compete (through the application of exclusion grounds);
- ensure that gender-sensitive communication is applied in the preparation of the tender

documents.

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