

Case Study: Human Rights in Public Procurement: NI Water's Commitment and Practices

Purpose

NI Water's Capital Procurement Team oversees the procurement of professional services and capital works frameworks and plays a key role in formulating strategies for future frameworks. In alignment with the Procurement Policy Note (PPN) 05/21 on 'Human Rights in Public Procurement,' the team is committed to ensuring that procurement decisions uphold human rights and avoid any adverse impacts on the rights of individuals involved in delivering capital works and associated services through our contracts.

How we adhere to this?

The Capital Procurement Team integrates robust practices within its NEC contracts and frameworks to ensure that measures and controls are in place across the Capital Works Programme (CWP) to safeguard the needs and rights of individuals involved in the supply chain. These measures include:

- Ensuring contracts comply with legislative requirements such as the Human Rights Act 1998, the Modern Slavery Act 2015, and other applicable standards.

In response to recent market pressures stemming from global challenges such as the COVID-19 pandemic, geopolitical events including the conflict between Russia and Ukraine, and Brexit, the team has introduced additional initiatives:

1. Supplier Engagement and Collaboration

- Engaging suppliers to enhance understanding and identify potential risks to human rights within their operations.
- Holding frequent supplier engagement meetings and requiring annual assurance statements from framework suppliers to confirm compliance with framework clauses and legislative obligations.

2. Policy Evaluation and Contractual Integration

- Evaluating supplier policies, procedures, and standards on human rights through framework tenders to ensure alignment with expected behaviours and protections.
- Identifying and addressing gaps between social clauses and contract documentation.
- Incorporating provisions into contract, project, and programme-level risk registers within the CWP, alongside mitigation strategies.

3. Risk Assessment and Monitoring

- Conducting supply chain mapping and resilience assessments, in line with PPN 03/21.
- Implementing the Modern Slavery Assessment Tool (MSAT), an online tool for identifying and managing modern slavery risks, within recently procured major capital frameworks.
- Monitoring outcomes and recommendations from the MSAT assessments.

- Incorporating modern slavery risks into contract risk registers.

4. Training and Policy Development

- Attending relevant training sessions and seminars, including the Anti-Slavery Digital Learning Roadshow, to remain informed about legislative updates.
- Developing and publishing a Modern Slavery Policy on the NI Water website, in accordance with Section 54 of the Modern Slavery Act 2015.

These initiatives demonstrate NI Water's commitment to upholding human rights throughout its procurement processes.

Outcome

NI Water's Capital Procurement Team has embedded a proactive and structured approach to managing human rights risks across its CWP. Through the integration of a bespoke Risk Management Tool tailored for construction contracts, the team is able to systematically identify, assess, and mitigate risks at contract, programme, and corporate levels. This tool enhances visibility and accountability, ensuring that human rights considerations are not only acknowledged but actively managed throughout the procurement lifecycle.

Key outcomes include:

- **Enhanced Risk Visibility:** The bespoke tool enables early identification of human rights risks across the supply chain, allowing for timely intervention and mitigation planning.
- **Improved Supplier Accountability:** Annual assurance statements and regular engagement have strengthened supplier awareness and compliance with human rights obligations, fostering a culture of transparency and shared responsibility.
- **Data-Driven Decision Making:** The implementation of the Modern Slavery Assessment Tool (MSAT) and supply chain mapping in line with PPN 03/21 has provided actionable insights, enabling the team to target areas of vulnerability and track improvements over time.
- **Policy and Practice Alignment:** The publication of a Modern Slavery Policy and integration of social clauses into contractual documentation demonstrate a clear alignment between NI Water's procurement practices and its ethical commitments.
- **Future Readiness:** Looking ahead, the team is preparing to deploy enhanced data capture tools to further strengthen supply chain resilience. These tools will support the identification of emerging risks linked to global market dynamics, ensuring that NI Water remains agile and responsive to evolving human rights challenges.

Together, these outcomes reflect NI Water's leadership in embedding human rights into public procurement and its ongoing commitment to ethical, responsible, and sustainable capital delivery.