**Lichfield District Council**

**Supplier Code of Conduct**

Lichfield District Council is committed to operating ethically in its relationships with suppliers as well as complying with all applicable laws and regulatory requirements.

We ask all suppliers, contractors and other third parties (“Suppliers”) who do business with us to work in full compliance with the laws, rules and regulations of the United Kingdom[[1]](#footnote-1) and to seek similar commitments across their supply chain including sub-contractors and suppliers.

In addition, we expect all our Suppliers to adhere to this Supplier Code of Conduct as detailed in this document.

We reserve the right to ask any Supplier how they are complying with this document and our contract managers may ask for evidence as part of contract review meetings.

# Law and Ethical Standards

Suppliers must comply with all laws applicable to its business including (but not limited to) the Modern Slavery Act, Health and Safety legislation, environmental laws and employment regulations.

We also expect our Suppliers to have due regard to international regulations such as European Convention of Human Rights and the International Labour Organisation’s Declaration on Fundamental Principles and Rights at Work.

1. **Nolan Principles of Public Life**

As a part of the wider Public Sector, we are committed to upholding the [seven principles of public life](https://www.gov.uk/government/publications/the-7-principles-of-public-life)[[2]](#footnote-2) and expect our Suppliers to do the same. The principles are:

* Selflessness
* Integrity
* Objectivity
* Accountability
* Openness
* Honesty
* Leadership

1. **Professional Standards & Membership bodies**

We expect our Suppliers to be members of relevant membership bodies where this is a regulatory required or industry standard. Memberships are to be maintained throughout the contract term. All Suppliers must maintain high professional standards throughout their activity in general and when working with us in line with regulated professional standards and the more general Principles of Public Life above.

1. **Conflicts of Interest**

Suppliers must not put themselves at risk of influence or obligation by people or organisations who may try improperly to influence them in their work with us.

Suppliers must not take actions or make decisions in order to gain financial or other material benefits for themselves or others (for example family and friends) as a result of their work with us, other than payment due from us for the services, goods or works requested.

Where Suppliers have, or may have, a conflict of interest that impacts on their work with us, this must be declared in writing to us as soon as it occurs. We will then consider this information and any mitigation that can be put in place.

1. **Gifts & Hospitality**

Our staff and Members are subject to their own codes of conducts and policies in relation to the acceptance of gifts and hospitality. Suppliers should avoid giving, or promising to give, any gifts or hospitality to staff and Members. Staff and Members should refuse anything above a nominal value (£50), or where not possible, gifts and hospitality received will be formally recorded on the relevant register (for members this is available on our website) and where appropriate passed on to the Chair’s office for use as a prize in any raffle or auction for charity.

1. **Bribery & Corruption**

Suppliers must adhere to the Bribery Act 2010 and act with honesty and integrity. Bribery can range from offers of cash, gifts, opportunities or any other inducement in return for preferential treatment. Suppliers must not engage in such actions in relation to their work with us or any other organisation/individual.

Suppliers must not engage in or seek to engage in any corrupt activity, such as participating in cartels, abusing their power (including market position) or acting in any way to achieve an improper advantage.

In cases of proven bribery or corruption, we will cancel any and all contracts in place with the Supplier and recover any losses in line with the governing terms and conditions of contract.

1. **Fraud**

Suppliers must not act, or attempt to act, fraudulently or deceptively or make any false claims.

We have a counter fraud framework which suppliers also conform with that is available on request.

1. **Equality and Diversity**

The [Equality Act 2010](https://www.gov.uk/guidance/equality-act-2010-guidance) legally protects people from discrimination in the workplace and in wider society.

We expect that our employees, customers and service users are treated respectfully. We will not tolerate discrimination, harassment or victimisation in the workplace or in connection with any Council service. All of our suppliers are expected to provide the same commitment, including to their own employees.

Suppliers must always consider the requirements of the Equality Act 2010 in their supply of goods or services to customers and service users. Goods and services must be supplied without discrimination according to the law. Suppliers should ensure their staff are trained in/aware of these requirements and act accordingly.

1. **Employment and Welfare**

We believe that Suppliers should protect the human rights of their employees and treat them with dignity and respect.

Suppliers are expected to provide a fair and ethical workplace which integrates appropriate employment and welfare standards practice into their business (including relevant health and safety legislation).

Suppliers must act in accordance with the Modern Slavery Act and minimum wage legislation.

There shall be no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation, union membership or political affiliation.

1. **Safeguarding**

We take our responsibilities in related to Safeguarding seriously and expects our Suppliers to do the same. Safeguarding is about protecting children and adults at risk from ill-treatment and harm.

Our policy and procedure can be found on our website [here](https://www.lichfielddc.gov.uk/community-safety/safeguarding/1)[[3]](#footnote-3). Appendix B of the procedure refers specifically to Suppliers and covers when a supplier needs its own Safeguarding Policy & Procedure, to follow a safer recruitment selection practices and our contracting actions.

1. **Health & Safety**

We are committed to successful management of health and safety, it follows that minimising risk to people, property, service continuity and our reputation is inseparable from all our other priorities.

All suppliers including contractors and their subcontractors must co-operate with us to enable compliance with the Councils health and safety policy and all statutory duties are achieved. Suppliers must be competent to manage the safe execution of the work, and they must have systems in place to ensure that risk control measures are identified before work commences and that their activities are monitored appropriately during supply or delivery of their work.

1. **Modern Slavery**

We have committed to better understanding our supply chains and working towards greater transparency and responsibility towards people working in them in accordance with our [Slavery & Human Trafficking Statement](https://www.lichfielddc.gov.uk/council/modern-slavery-human-trafficking-statement)[[4]](#footnote-4).

Regardless of size or turnover, we expect our Suppliers to support this approach and ensure that they are not engaged in slavery, servitude, forced or compulsory labour or human trafficking.

Where we are engaged in a market at high risk of slavery, servitude, forced labour or other related activities we will ask Suppliers to share with us their policies, procedures and audits in order to evidence the steps being taken to avoid prohibited activities occurring within their own organisation and their supply chains.

1. **Sustainability, Environment & Social Responsibility**

We are committed to reducing our environmental impact and we expect our Suppliers do the same. We must all take actions to minimise negative impacts on the environment, community and natural resources.

Suppliers should aim to reduce waste to Landfill and work in a way that reduces their need to dispose of materials – an example hierarchy is provided below.

**Most preferred**

**Least preferred**

We will work together with our Suppliers to increase the positive social value that can be delivered as part of projects, works and contracts from opening up work experience and training opportunities, to working with local supply chains and supporting apprenticeships. Social Value will be recorded and measured throughout the Contract by capturing inputs and outcomes. Where necessary, contractual remedies for non-compliance may be applied.

1. **Invoices**

We follow a *'No Purchase Order, No Pay Policy'* in order to reduce processing times and streamline the process for payment of invoices.

Invoices should be submitted immediately by email to [invoices@lichfielddc.gov.uk](mailto:invoices@lichfielddc.gov.uk)

A copy of the policy can be found one our website [here](https://www.lichfielddc.gov.uk/downloads/file/1071/no-po-no-pay-policy)[[5]](#footnote-5).

1. **Insurance**

We have minimum levels of insurance which we require all Suppliers to have in place during, and in some cases after, any contract.

These are:

* Employer’s Liability - £5 million per claim
* Public Liability - £5 million per claim
* Public Liability (works related contracts) £25 million per claim
* Professional Indemnity - £2 million per claim (in place for a minimum of 6 years after the end of the contract, in some cases this will be 12 years)

Levels may be different in your contract due to nature and scope of our requirement – please refer to it for details.

1. **Data Protection**

The collection, use and storage of personal and sensitive personal data must be carried out in line with the Data Protection Act 2018 and any other relevant regulations. Suppliers must ensure that they follow the law in general and when working with us that they maintain strict security and approved processes in relation to our data (and that of our customers or service users). Where applicable Data Processing Agreements and or Data Sharing Agreements will be used.

If you have any questions or queries about this Supplier Code of Conduct please contact our Procurement Team via email at [procurement@lichfielddc.gov.uk](mailto:procurement@lichfielddc.gov.uk)

**Appendix B**

**WORKING WITH CONTRACTORS AND VOLUNTARY ORGANISATIONS**

Lichfield District Council’s Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure covers all LDC functions and services and the operations of partners, contractors and voluntary organisations providing a service to Lichfield District Council. All such partners, contractors and voluntary organisations need to be made aware of the council’s Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure and comply with the policy and procedures. Any contracts or Service Level Agreements or in place should therefore specify this requirement.

**Contractors and organisations working with Children and adults at risk**

Where the contractor or organisation will be working with children, young people and/or adults at risk, the contractor or organisation will be required to have approved their own Safeguarding Policy and Procedures, which have been reviewed by the officer responsible for the contract and agreed as fit for purpose. Advice may be sought from the Designated Safeguarding Officer.

Contractors and organisations must also follow safer recruitment selection policies and ensure these are implemented whenever a person is employed or volunteers to work with children, young people or adults at risk. This will also include a requirement that the provider will not sub-contract to any organisation that does not have safe recruitment processes.

These requirements will be included in the terms of any contract drawn up between the council and contractors or organisations that provide council services for, or adults to work with, children and adults at risk. The specific terms of the application of this policy, to contractors and organisations delivering services on behalf of the council, will be specified, where appropriate, in contractual documents, including procurement standards, monitoring and quality assurance.

It is the responsibility of the manager who is using the services of the contractor or organisation to check that any necessary Disclosure and Barring Service checks have been satisfactorily completed. The manager will monitor safeguarding compliance as part of the regular contract management monitoring.

The Designated Safeguarding Officer will use the Contracts Register to monitor compliance with overall Safeguarding requirements.

**Partnership working and Grant aided organisations**

Voluntary organisations, private and community sector providers working in partnership with the council involving children and adults at risk will be made aware of the council’s Safeguarding Policy and Procedure requirements.

Grant aided organisations delivering services involving children and adults at risk will be required to demonstrate that they have in place an appropriate Safeguarding Policy and procedure as a condition of financial support.

1. Where a Supplier works abroad, we expect them (and their sub-contractors and suppliers) to adhere to the equivalent laws listed as in force in that country; where UK legislation is applicable abroad this must be followed. [↑](#footnote-ref-1)
2. <https://www.gov.uk/government/publications/the-7-principles-of-public-life> [↑](#footnote-ref-2)
3. <https://www.lichfielddc.gov.uk/community-safety/safeguarding/1> [↑](#footnote-ref-3)
4. <https://www.lichfielddc.gov.uk/council/modern-slavery-human-trafficking-statement> [↑](#footnote-ref-4)
5. <https://www.lichfielddc.gov.uk/downloads/file/1071/no-po-no-pay-policy> [↑](#footnote-ref-5)