**University of Derby**

Supplier Code of Conduct

 Denise China

Head of Category Management

**Supplier Code of Conduct**

Control Document Rev 1 August 2019

This Supplier Code of Conduct sets out the behaviours, practices and standards we expect from our suppliers. These are based on our own University policies and standards and values and principles are incorporated within it. All suppliers are required to adhere to this code in order to provide products or services to us. High standards of corporate conduct, ethical and anti-discriminatory behaviour as well as compliance are critical for the success of the University and our suppliers.

 The University is a critical part of Derby’s economic prosperity, as well as the city and county community, so being able to provide support for our community while working to enhance its outputs is really important. From the heart of England, we empower people across the globe to achieve their potential and make a positive contribution to society.

Our [Strategic Framework 2018-2030](https://www.derby.ac.uk/about/strategic-framework/) provides us with the foundations and direction on which to plan, perform and succeed in a changing and globally dynamic environment. We have committed to 1 Promise, 3 Pillars and 4 Values to ensure the University is best placed to succeed for its students, staff and region.



Promise

Everything we do is driven by delivering excellence and opportunities for our students, staff and region.



jPillars

**Game Changers** – our students will set their aspirations high, think beyond the obvious and have the ingenuity, curiosity and enterprise to succeed.

**Positive Impact** – Our research, knowledge creation and innovation is focused on making a practical, positive difference to people’s lives close to home and around the world.

**Opening Doors** – We are a champion of social mobility and firmly believe in the transformational nature of education

 Values

 **Value People** – We enable people to achieve beyond their expectations, which attracts high-performing staff, students with a drive to succeed, and partners who are keen to benefit from our expertise.

 **Bold** – We think big and make an impact

 **Future Focused** – We are modern, seek out and embrace current thinking, and employ innovative practices.

 **Brilliance** – We’re curious, optimistic and strive for excellence.

We don’t expect our suppliers to be perfect before they begin working with the University but we do expect improvement over time, commitment to our Strategic Framework and our values.

Suppliers applying this code must comply with national and other applicable law and, where the provisions of law and this code address the same subject, to apply that provision which affords the greater protection.

As such we encourage all our suppliers to have or develop appropriate systems and controls to abide by our Supplier Code of Conduct and ensure the following requirements are satisfied.

**Employment and Welfare Standards**

These standards are based upon the ETI Base Code. The Code is widely acknowledged as a model code of labour practice, and is derived from the Conventions of the International Labour Organisation (ILO).

* 1. Employment is freely chosen

		1. There is no forced, bonded or involuntary prison labour
		2. Workers are not required to lodge “deposits” or their identity papers with their employer and are free to leave their employer after reasonable notice
	2. Freedom of association and the right to collective bargaining are respected

		1. Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively.
		2. The employer adopts an open attitude towards the activities of the trade unions and their organisational activities.
		3. Workers representatives are not discriminated against in line with the Equality Act (2010) and have access to carry out their representative functions in the workplace.
		4. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.
	3. Working conditions are safe and hygienic

		1. A safe and hygienic working environment shall be provided, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as it reasonably practicable, the causes of hazards inherent in the working environment.
		2. Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers.
		3. Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
		4. Accommodation, where provided, shall be clean, safe and meet the basic needs of the workers.
		5. The company observing the code shall assign responsibility for health and safety to a senior management representative.
	4. Child labour shall not be used

		1. There shall be no new recruitment of child labour
		2. Companies shall develop or participate in and contribute to policies and programmes which provide for the transition of any child found to be performing child labour to enable her or him to attend and remain in quality education until no longer a child;

(“child” and “child labour” as defined by the ILO)

* + 1. Children and young persons under 18 shall not be employed at night or in hazardous conditions.
		2. These policies and procedures shall conform to the provisions of the relevant ILO standards.
	1. Living wages are paid

		1. Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher. In any event wages should always be enough to meet basic needs and to provide some discretionary income.
		2. All workers shall be provided with written and understandable information about their employment conditions in respect to wages before they enter employment and about the particulars of their wages for the pay period concerned each time that they are paid.
		3. Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All disciplinary measures should be recorded.
	2. Working hours are not excessive

		1. Working hours must comply with national laws, collective agreements, and the provisions of 1.6.2 to 1.6.6 below, whichever affords the greater protection for workers.

		Sub –clauses 1.6.2 to 1.6.6 are based on International Labour Standards
		2. Working hours, excluding overtime, shall be defined by contract, and shall not exceed 48 hours per week.\*
		3. All overtime shall be voluntary. Overtime shall be used responsibly, taking into account all of the following: the extent, frequency and hours worked by individual workers and the workforce as a whole. It shall not be used to replace regular employment. Overtime shall always be compensated at a premium rate, which is recommended to be not less than 125% of the regular rate of pay.
		4. The total hours worked in any seven day period shall not exceed 60 hours, except where covered by clause 1.6.5 below.
		5. Working hours may exceed 60 hours in any seven day period only in exceptional circumstances where **all** of the following are met:

		- this is allowed by national law;

		- this is allowed by a collective agreement freely negotiated with a workers’ organisation representing a significant portion of the workforce;

		- appropriate safeguards are taken to protect the workers’ health and safety:

		and

		- the employer can demonstrate that exceptional circumstances apply such as unexpected production peaks, accidents or emergencies.
		6. Workers shall be provided with at least one day off in every seven day period or, where allowed by national law, two days off in every 14 day period.

		\* International standards recommend the progressive reduction of normal hours of work, when appropriate, to 40 hours per week, without any reduction in workers’ wages as hours are reduced.
	3. No discrimination is practised

		1. There is no discrimination in hiring and recruitment, access to training, promotion, termination or retirement based on age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, gender re-assignment (trans staff) or sexual orientation (including bi-inclusion).
	4. Regular employment is provided

		1. To every extent possible, work performed must be on the basis of recognised employment relationship established through national law and practice.
		2. Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship shall not be provided through the use of labour-only contracting, sub-contracting, or home working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.
	5. No harsh or inhumane treatment is allowed;

		1. Physical abuse or discipline, the threat of physical abuse, sexual, racial, gender identity or other harassment and verbal abuse or other forms of intimidation shall not be ignored
		2. Discrimination and prejudice throughout the organisation is challenged and appropriate training provided in a timely manner on topics such as Unconscious Bias, inappropriate use of banter, LGBT+ awareness, trans awareness, bi-visibility and reasonable adjustments.

**Modern Slavery**

Under the Modern Slavery Act 2015 the University of Derby is committed to understanding our supply chains better and taking steps to address and prevent the risk of modern slavery in all our operations. We are committed to improving our practices to combat slavery and human trafficking

2.1 Our suppliers are required to comply/observe the spirit of the Modern Slavery Act 2015

2.1.1 Suppliers must ensure they are not directly engaged in slavery, servitude, forced and compulsory labour or human trafficking.

2.1.2 Suppliers must take steps they consider reasonable and proportionate, having regard to the nature of their business, to identify potential high and medium risk of slavery, servitude, forced and compulsory labour or human trafficking in their supply chains. To the extent it is commercially practicable suppliers should use their buying power to influence their suppliers form such prohibited activities.

2.1.3 Suppliers must be prepared to provide to us the names and geographical locations of their own suppliers, to the extent that these are the sources of products supplied to us.

2.1.4 Suppliers must permit any of the University’s staff, consultant acting on its behalf, or similar to inspect the Supplier’s premises and interact with workers without notice at any reasonable time. The Supplier must co-operate with any such inspection and notify the University of the outcome of an equivalent visit by a party not associated with the University.

**Sustainability**

3.1 We expect our suppliers to collaborate with us in the achievement of our Sustainability objectives.

 3.1.1 Suppliers should approach sustainability as a process of continuous improvement and understand the Sustainability impact both negative and positive relevant to their core business activities.

3.1.2 Suppliers are expected to complete the [NETpositive Supplier Engagement Tool](http://www.netpositivesupplier.co.uk/suppliers-2/). The tool enables suppliers to create a simple, free sustainability action plan for their business. We will use this tool with awarded suppliers to support our sustainable procurement activities, and inform ongoing contract management.

**Ethics**

The University is committed to the highest standards of ethical conduct in all our activities and supports the Nolan Committee’s principles for public life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

4.1 Anti Bribery

 The supplier shall comply with international anti-bribery standards as stated in the United Nations’ Global Compact and local anti-corruption and bribery laws including The Bribery Act 2010. In particular the supplier may not offer services, gifts or benefits of the University’s employees in order to influence the employee’s conduct in representing the University.

4.2 Offers of Gifts and Hospitality should be avoided

 4.2.1 No gifts or hospitality shall be given or promised that could create suspicion of an intention to influence business transactions with the University, or give the impression that individuals have been or may be influenced in exercising their University duties.

 4.2.2 A modest degree of hospitality or gift in keeping with a normal business relationship may be offered, e.g. refreshments or a working lunch when visiting suppliers’ premises, but should not be of a value over £20 and must not be cash.

4.3 Conflicts of Interest

 Suppliers are expected to mitigate appropriately against any real or perceived conflict of interest through their work with the University. A supplier with a position of influence gained through a contract should not use that position to unfairly disadvantage any other supplier or reduce the potential for future competition, for example by creating a technical solution that locks in the supplier’s own goods or services.

4.4 Treatment of Subcontractors

 Suppliers are expected to deal fairly with the subcontractors in their supply chain, observing the principles of the [Prompt Payment Code](http://www.promptpaymentcode.org.uk/). We expect suppliers to avoid flowing unreasonable levels of risk to subcontractors who cannot reasonably be expected to manage or carry these risks. We expect suppliers not to create barriers to the use of small and medium-sized enterprises who are qualified to provide goods or services, and to encourage innovation in their supply chains to increase the value or quality of supply.

**Health and Safety**

5.1 The supplier will make proper provision for the health, safety and welfare of their employees, contractors, visitors and those in the community who may be affected by their activities

5.2 The supplier will provide health and safety training appropriate for their industry and ensure that any living facilities provided for personnel are safe and clean and meet the basic need of personnel.

5.3 The supplier shall report to Estates the first day they are on site to ensure any Health and Safety risks are discussed and any relevant training is received.

The University reserves the right to request details of how you comply with this Supplier Code of Conduct and expects you to apply the principles of the Code with your supply chains.

Any breach of the obligations stipulated in this Code is considered a material breach of contract by the supplier.

**Equality, Diversity and Inclusion**

6.1 The supplier will continually review policy and practice from an EDI perspective for the purposes of (where appropriate) monitoring of staff statistics such as recruitment, promotion, retention, training, use of services.

6.2 The supplier will make proper provision for their employees, contractors, visitors and those in the community who may be affected by their activities to be treated in an inclusive way.

6.3 The supplier will make proper provision for their employees to participate in EDI training.

6.4 The supplier will not use language in any of its activities which is racist, sexist, disablist, homophobic or ageist. Where appropriate, gender neutral language will be considered.

Please confirm you agree to comply with the University of Derby Supplier Code of Conduct:

|  |  |
| --- | --- |
| **Name of Individual** |  |
| **Signature** |  |
| **Date** |  |

# **Contact**

Suppliers can direct questions or comments about this code of conduct to their purchasing contact. Alternatively you can make contact with the Procurement Department by e-mail procurement@derby.ac.uk.

# **Supplier Code of Conduct : UoD Policy Dashboard**

(Please hold Ctrl and click on the images to display the corresponding Policy