

Supplier Code of Conduct

April 2024

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CITB Supplier Code of Conduct

Foreword

I am pleased to endorse our first Supplier Code of Conduct, which marks a significant step in our journey towards being part of a global transition to make societies around the world more resilient for a future where both people and nature will co-exist and thrive.

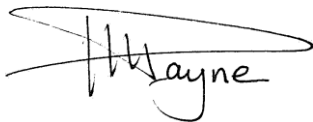
I recognise the importance we place on you, our partners and suppliers of goods and services, to deliver added value to the customers we serve. Whilst underpinned by contractual arrangements, our productive relationships need to be based upon a bond of trust, acting constrictively together to deliver our Purpose: "To support the construction industry to have a skilled, competent, and inclusive workforce, now and in the future".

The CITB is principally funded by a statutory levy on eligible employers operating in the construction industry and we wish to ensure this money is spent wisely on delivering the right services and represents good value for money. They have an expectation that together we will look after their interests and deliver on the promises we make. Like us, they expect you to behave ethically and to treat the end users of your services fairly and respectfully.

As a statutory corporation, a charity, and Non-Departmental Public Body, we wish to work with those organisations that share the principles of operating in an ethical, sustainable, and inclusive manner. We have adopted the principles set out in the Government's Supplier Code of Conduct and feel that it is important to publicly state our expectations, including challenging any unethical, dishonest, or questionable behaviour in your organisation or in your supply chain, and to be open and honest in sharing any issues that both parties can help resolve.

We are always keen to hear your views about how we can work better together, including on areas relating to equality, diversity, and inclusion, and the environment and sustainability. At the same time, if there is anything that we could do to improve, then we want to hear from you, so we can change for the better.

Given the importance of our relationship, I would hope that you would share this Code with your employees, partners, and sub-contractors that work on contracts with the CITB, so that they can appreciate our aspirations for sustainable partnership working and contribute to our mutual success.

A handwritten signature in black ink, which appears to read 'N Payne', is positioned to the left of the portrait photograph.

Nick Payne
Chief Financial Officer



1. Introduction

Our aim is to deliver for our funders on a range of commitments, including the provision of excellent skills and training products services that represent good value for money. In delivering these commitments, we must ensure adherence to the highest standards of ethical and professional behaviour. As our suppliers, you play an important role in the delivery of our services, so our relationships with you are critical to delivering on these commitments.

The overall objective of our Supplier Code of Conduct is to build trusting and open relationships between us to drive improved performance throughout our supply chains. This Code acts in a reciprocal way and sets out the behaviours we would expect of each other.

In selecting suppliers, we check that we are contracting with reputable organisations. These checks are conducted in line with public procurement regulations that guarantee fair access to opportunities for all suppliers and equal treatment during the selection processes.

As we move from procurement to the life of the contract, we expect delivery should be in accordance with the spirit of the contract, as well as its letter. We expect you, in delivering goods and services to, or on behalf of the CITB, wherever you operate, to act in a manner that is compatible with charitable and public service values, upholding our reputation, promoting innovation and expertise, opening-up the market to small and medium-sized enterprises, and contributing to the growth and prosperity in the construction industry across Great Britain.

We recognise that in many cases you can only be as good as your customer, CITB, so in return, you can expect us to place risk with the party best able to manage it, create the right conditions for innovation and create a culture of collaboration between you, your sub-contractors, and the CITB, and we commit to pay you promptly.

We expect our employees to treat you with fairness and respect and to work jointly with you to build trusting, collaborative, and constructive working relationships. In return we expect you to treat our employees in the same way, and to work with us to build those same relationships that are focused on delivering for our funders.

This Code is intended for all those involved in our supply chain, including you, your partners, and sub-contractors. As a statement of good practice, it should be read both by current and aspiring suppliers to the CITB and by their sub-contractors in the supply chain. We expect all our suppliers to communicate this Supplier Code of Conduct to their employees, their parent company, subsidiaries, and sub-contractors, as appropriate, and our commitment to you is that we will equally communicate it to all our employees.

Compliance

The Supplier Code of Conduct is intended to set out the way in which we will behave towards each other. It is not intended to be legally enforceable, to create any legal obligations or rights, or to undermine our contracts with you or the rules we set out when we procure our goods and services, which always shall take precedence. For the avoidance of doubt, this Code does not take precedence where the courts or other institutions, such as a regulatory agency, authority, or body, have jurisdiction.

All our suppliers that have entered a contractual relationship to provide goods and services to the CITB, either directly or through sub-contractors, are expected to comply with all aspects of this Code.

Both parties should be open and transparent with each other and report any instances of non-compliance. In these circumstances, the first step is for us to discuss and, where appropriate, agree suitable remedial actions. If a party considers that an issue has not been resolved at a working level by discussion, it may escalate to an executive level for resolution.

Contact

For further information and queries, contact our Head of Commercial at procurement@citb.co.uk.

2. Employees and Service Users

2.1. Respectful treatment

Our employees, those of our suppliers, and service users have the right to respectful treatment. We will not tolerate discrimination, harassment, or victimisation in the workplace or in connection with any CITB service. We expect you to provide the same commitment, including to your own employees. The Equality Act 2010 protects against discrimination, harassment, and victimisation.

For the avoidance of doubt:

- Bullying and harassment refers to any action or behaviour that any individual or group finds unwelcome, humiliating, intimidating, threatening, violent, hostile, or discriminatory.
- Discrimination means treating a certain person or group based on factors such as age, race, religion, national or ethnic origin, colour, gender, sexual orientation, gender reassignment, marital status, disability unrelated to the task in hand, union membership or political affiliation. This is not necessarily an all-inclusive list, and factors could vary based on the laws where your business is located.

In essence, we expect you to:

- Be committed to creating an inclusive working environment in which everyone is respected and able to flourish equally without fear or favour.
- Prevent any behaviour or attitudes that support coercion, intimidation, or discrimination.
- Challenge and act upon any behaviour observed and support others who do so.

2.2. Professional behaviour

We will work constructively and collaboratively with you. We expect you to be prepared to invest in your relationships with us, and to establish trust with our staff, and with other suppliers involved in the delivery of CITB services. We also expect you to be able to speak out when any party is not upholding the values embedded in this Code. We also expect you to speak out, without fear of consequences, when a project or service is unlikely to succeed because of our behaviours or a lack of good governance on our part.

We expect the same behaviour when a contract is no longer fit for purpose, for example, in its contractual stipulations or measures.

2.3. Meeting user needs

It is important that contracts with you meet the needs of our service users. We will work together with you to articulate these outcomes to ensure that the goods and services being provided meet the needs of users and we expect fully reciprocal behaviour from you.

2.4. Vulnerable users

Some of our contracts deliver services to service users with needs, such as physical or mental disabilities, medical conditions, or other factors that place them in a vulnerable position. You will ensure that these service users are always treated with courtesy and that their dignity, safety, security, and well-being is always treated as a priority concern.

2.5. Human rights, modern slavery, and employment law

The CITB and its suppliers must both comply with all applicable human rights and employment laws in the jurisdictions in which they work. This includes complying with the provisions of the Public Procurement Notice (PPN) related to Modern Slavery Act 2015 [PPN 02/23: Tackling Modern Slavery in Government Supply Chains](#). In addition, you must have robust means of ensuring that your sub-contractors in your supply chain also comply.

For the avoidance of doubt, this means:

- Respecting the human rights of your employees and increasing awareness and the mitigation of risk of modern slavery in the countries and communities in which you operate.
- Prohibiting forced labour and human trafficking in your own supply chain.
- Prohibiting child labour.
- Ensuring your salaries/wages, as a minimum, are set at the level of the Real Living Wage within the UK and/or the legal requirements in the country in which you operate outside of the UK.
- Allowing your employees to organise and join labour associations, such as trade unions.
- Ensuring working hours are set in accordance with regulations and accepted industry good practice, and voluntary overtime is at a manageable level.

- Treating all employees fairly, and not harass or discriminate against any group in your employment practices.
- Ensuring there are no negative consequences for anyone who raises a concern.
- Championing your workforce and their health, safety, and wellbeing.

2.6. Equality, Diversity, and Inclusion

We aim to lead the construction industry by example to ensure fairness, inclusion, and respect for all. We seek to develop an organisation which reflects Britain's diverse population and create a culture that enables our customers to strive towards an organisational community that is reflective of today's society. We expect you to proactively support the development of an inclusive and diverse workforce within your own organisation and to work to improve representation at all levels, including positions of authority and seniority.

3. Business practices

3.1. Management of Risk

Our aim is to ensure that risk is allocated to the party best able to manage it. To assist us in making that judgement we will, where appropriate, engage with the market to understand its views to make informed decisions. We do not expect you or the CITB to be made responsible for managing a risk that is best managed by the other party. We expect you not to pass down risk inappropriately to your sub-contractors, and not to assert that they can manage risk that is in fact better managed by us. All parties should be prepared to share intelligence of supply chain risks, so that material commercial and operational risks, for example, the impact of losing a key supplier, can be mitigated. We expect risks that are highlighted through the supply chain by sub-contractors and direct contracted entities are brought to light in a transparent and timely manner. We require all suppliers of critical services to develop deployable business continuity and resolution plans in the event of a corporate insolvency to ensure that the provision of critical services is maintained.

3.2. Continuous Improvement

We expect you to use recognised industry good practices in the delivery of goods and services to, or on behalf of, the CITB. We also expect you to continuously improve these goods and services and bring innovation, ideas, and expertise to help us address our strategic challenges and to support growth and prosperity across the construction industry in Great Britain. We will endeavour to create the right conditions to allow you to innovate both during the procurement process and the life of a contract and, where appropriate, we will inform you of our innovation requirements during the procurement process.

3.3. Future Plans

To give guidance to you on future opportunities and the associated resource implications, we will publish our pipelines and plans for future goods and services requirements. Although we will update them regularly, you should understand that these are only estimates.

3.4. End-to-end Delivery

Some of the services that we require are complex, and no single supplier will have complete contractual responsibility for every element of what is needed to deliver to the end service user. In such cases, we will endeavour to create and maintain a culture that facilitates collaboration between all suppliers and ourselves to ensure that the right service outcomes are achieved.

To achieve this, we expect you to be aware of how you contribute to that overall delivery, and to work collaboratively with us and other suppliers to manage mutual dependencies and ensure that your product or service is used effectively in the delivery of a high-quality service to CITBs customers.

3.5. Data Quality

A robust delivery model, including its pricing structure, is dependent on the quality of data on which it is based. We will provide accurate data and/or build in flexibility (consistent with procurement legislation) to allow for subsequent validation of data, particularly where new services are being provided, for example, using pilots. For us to be able to do this, where a contract is being re-procured, we will require incumbent suppliers to act in a timely manner and be forthcoming with information required for scoping the re-procurement and the tendering process (for example, workforce information) and to behave in accordance with any required standards. As per the contractual obligations, this information should be provided promptly when requested by the CITB and updated as required, for example, during any transitional phase leading to transfer of the provision of the services.

3.6. Value

Our funders expect us to obtain value for every pound and to be able to demonstrate long-term value to them. This means that contracts should be priced to offer sustainable value throughout their life, including when changes are needed. Whilst we accept that you make a fair profit margin in return for the risk you are accepting, and the commitments and investments you make to be able to deliver services for us, we expect you not to exploit an incumbent or monopoly position, an urgent situation, an asymmetry of capability, or information to impose opportunistic pricing.

We will engage constructively with you in relation to any required changes and we expect you to reciprocate this. We expect you to work in good faith to resolve any disputes promptly and fairly during the life of a contract through good relationship management and, where appropriate, contractual dispute resolution mechanisms, recognising that our funders and your interests are rarely best served by protracted litigation.

We will seek to award contracts based on value for money, that includes price and quality, as well as appropriate social value criteria. We will measure your performance on relevant and proportionate indicators and apply proportionate contractual remedies for non-compliance.

3.7. Reputation and Trust

We want to work with suppliers who are proud of their reputation for fair dealing and quality delivery. We want working with us to be seen as reputation enhancing for you. We expect all parties to be mindful of the need to maintain trust and to be protective of our reputation, and ensure that neither you, nor any of your partners or subcontractors, bring the CITB into disrepute by engaging in any act or omission which is reasonably likely to diminish the trust of our other stakeholders. This is not intended to limit any of your legal obligations or to constrain whistleblowing or your ability to fairly criticise our ways of working.

3.8. Cyber Security

It is essential that you safeguard the integrity and security of your systems and comply with the relevant government standards and guidance. You must inform the [National Cyber Security Centre](#) if you become aware of any cyber security incident that affects or has the potential to affect any data held on behalf of the CITB.

You must ensure that data protection and privacy laws are adhered to. Wherever personal information is gathered, held, or used, it must be managed in accordance with the data protection laws relevant to your location, and have specific regard the requirements of the General Data Protection Regulations 2018 and the Payment Card Industry requirements, as appropriate.

For the avoidance of doubt, we expect you to:

- Process personal information in a fair, lawful, and transparent manner.
- Only collect the personal information required to fulfil the service provided, and to not further process this information in a manner incompatible with this service.
- Take steps to ensure personal information remains accurate and up to date.
- Have a retention schedule to ensure personal information is not retained longer than is necessary.
- Implement organisational and technical measures to ensure the integrity and confidentiality of personal information.
- Reasonably co-operate with and assist on Data Protection Impact Assessments or compliance matters which relate to the processing activities being carried out by you on behalf of the CITB.

3.9. The Environment and Sustainable Procurement

We expect you to be aware of, and support us in, complying with our legal and contractual obligations under social value legislation. This is in support of wider national and international policies that sit behind our contracts with you, and in the delivery of the UK Government's targets as defined within the [Greening Government Commitments](#), as well as our own target to achieve Net Zero greenhouse gas emissions by 2040. We expect you to assist us in the understanding and reduction of supply chain impacts on the environment in which we operate (this includes carbon emissions, energy consumption, air and water pollution, water usage, hazardous and general waste, hazardous chemicals and impacts on nature and biodiversity), and risks related to the supply chain.

We expect you to understand these impacts and to:

- Abide by all legislation and regulations related to environmental protection, climate-related disclosures, and transition plans, as applicable to your organisation.
- Have a written environmental sustainability policy or plan which is appropriate and relevant to your organisation, setting out how your organisation is working on measuring and reducing its environmental impacts and supporting the transition to a low carbon economy.
- Continuously improve environmental performance and to publish results and review them on a regular basis.
- Take action and demonstrate proof of continuous improvement towards having a recognised Environmental Management System, as appropriate, in place.
- Gather data to calculate your carbon footprint (including from your supply chain) and share this information with the CITB to enable us to calculate our Scope 3 emissions.
- be open and transparent in assisting us in reporting publicly on product or service utilisation and any environmental impacts.

3.10. Confidentiality

We are both expected to comply with the provisions in our contracts and any legal requirements to protect commercial and sensitive information. We may both also be party to confidential information that is necessary to be effective partners. This information, even if it is not covered by contractual provisions, should be handled with the same care as information of similar sensitivity. Notwithstanding this mutual understanding, you should recognise that this does not prevent us from disclosing information where we are compelled to do so, for example, by

law or parliament, or to comply with the principles stated in [PPN 01/17: Update to Transparency Principles](#).

3.11. Conflicts of Interest

We expect you to mitigate appropriately against any real, potential, or perceived conflict of interest through your work with the CITB in accordance with [PPN 04/21: Applying Exclusions in Public Procurement, Managing Conflicts of Interest and Whistleblowing](#). 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.

3.12. Whistleblowing

We expect you to have a comprehensive whistleblowing policy which allows your employees to report any incidents or concerns anonymously, safely, and without repercussion in accordance with [PPN 04/21: Applying Exclusions in Public Procurement, Managing Conflicts of Interest and Whistleblowing](#).

4. Standards of Behaviour

4.1. Ethical Behaviour

We expect the highest standards of business ethics from you and your agents in the supply of goods and services funded by our levy paying employers and charitable funds, for example as referenced in the Committee on Standards in Public Life's 2014 report and 2015 guidance: [Ethical Standards for Providers of Public Services](#). We expect you to be explicit about the standards you demand of executives, employees, partners, and sub-contractors, and to have in place appropriate governance and processes to monitor adherence to these standards. Our employees, as public servants, are expected to follow the [Seven Principles of Public Life](#) in their dealings with third parties and we expect fully reciprocal behaviour from you.

4.2. Counter Fraud, Bribery and Corruption

We demand that you adhere to anti-corruption laws, including but not limited to the Bribery Act 2010, those listed in regulation 57 of the Public Contract Regulations 2015, and anti-money laundering regulations. We expect you to have robust processes to ensure that the sub-contractors in your supply chain also comply with these laws. We have zero tolerance of any form of corrupt practices, including extortion and fraud that we become aware of, and we expect you to be vigilant and to proactively look for fraud, and the risk of fraud, in your business.

For the avoidance of doubt, we expect you to

- Immediately notify the CITB where fraudulent practice is suspected or uncovered, and to disclose any interests that might impact your decision-making or the advice that you give to the CITB.
- Act honestly, fairly, and openly, and to fully comply with your tax obligations.
- Never offer, give, or receive bribes or make or accept improper payments, to obtain new business, retain existing business, or secure any improper advantage.
- Always inform us immediately about any attempts of fraud, bribery or solicitation of bribes and any suspicions about fraud, bribery, and corruption.
- Have policies in place to deal with and minimise issues of fraud, bribery, and corruption in your organisation, supply chain or with related parties.

4.3. Transparency

We seek to be transparent in our dealings with suppliers and we expect suppliers to be open and honest in their dealings with us, and be in full compliance with the updated principles published in [PPN 01/17: Update to Transparency Principles](#). In addition, where contractually required, we expect full and prompt disclosure of accurate cost, revenue, and margin information (Open Book Accounting and Open Book Contract Management) in line with published guidance and the terms of the contract. You should expect us to publish agreed key performance indicators and to conduct audits of open book contracts to ensure reporting requirements and any 'payment for results' mechanisms have been fairly implemented.

4.4. Treatment of Supply Chain

We expect you to deal fairly with your sub-contractors and suppliers in your supply chain. We expect you to avoid passing down unreasonable levels of risk to your sub-contractors who cannot reasonably be expected to manage or carry these risks. We expect you 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 your supply chains to increase the value or quality of supply.

4.5. Prompt Payment

We expect us both to be fair and reasonable in our payment practices. You should pay your sub-contractors within 30 days on any CITB contracts and comply with the standards set out in the Prompt Payment Code on all other contracts. We aim to pay 80% of undisputed and valid invoices within five working days, with the remainder paid within 30 working days.

4.6. Corporate Governance and Corporate Social Responsibility

We expect you to adhere to the UK Corporate Governance Code or follow equivalent good corporate governance principles underpinned by robust processes. We also expect you to be good corporate citizens by upholding the values of this Supplier Code of Conduct, taking into consideration social value legislation in delivering goods and services and supporting key UK corporate social responsibility policy areas, such as equality, diversity and inclusion, sustainability, prompt payment, small and medium sized enterprise engagement, the Armed Forces Covenant, apprenticeships and skills development, and addressing the gender pay gap across the UK economy.

5. Our General Commitments to You

5.1. Business Conduct

When carrying out procurement duties and responsibilities, all CITB employees are expected to share with you the organisation's commitments to high legal, ethical, and moral standards. Our internal guidance and mandatory training set out the behaviours expected of our employees in areas such as gifts and hospitality, conflict of interest, corruption, and confidential information.

5.2. Reporting concerns

The CITB has a means for you to raise questions and concerns about our business practices via our Comments, Compliments, and Concerns feedback channel. This is accessible via the customer feedback form on its website - [Customer feedback - CITB](#).

If you have a serious concern that something may not be consistent with this Code of Conduct, please speak up. We encourage you to raise any concerns or questions and will not tolerate any retaliation or discrimination of any kind against anyone who has raised something in good faith. All issues are treated seriously, and anything you raise will be treated confidentially and communicated on a need-to-know basis only.

5.3. Compliance with this Code of Conduct

We expect all our suppliers to meet or exceed all the principles and values set out in this Supplier Code of Conduct.

In situations where suppliers are not yet compliant, details of the areas of non-compliance should be provided to the CITB as soon as they become known, and we will work with you on the development of an improvement and/or rectification plan.