

PROCEDURE TITLE		DATE OF APPROVAL
NCG Code of Conduct for Suppliers and Subcontractors		July 2024
APPROVED BY	VERSION NO.	VALID UNTIL
Corporation	7	July 2027

OWNER	Head of Procurement		
GROUP EXECUTIVE LEAD	Chief Finance Officer		
DOCUMENT TYPE	Policy <input checked="" type="checkbox"/> Group Procedure <input type="checkbox"/> Local Procedure <input type="checkbox"/>		
PURPOSE	The aim of this Code of Conduct is to communicate clearly our expectations for organisations providing services to us.		
APPLICABLE TO	All NCG employees, as well as consultants, vendors, agency workers, contractors, service users, trainees/students, volunteers and/or any other parties who have a business relationship with NCG.		
EQUALITY ANALYSIS COMPLETED [POLICIES ONLY]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
KEY THINGS TO KNOW ABOUT THIS POLICY	<p>The Code of Conduct covers:</p> <ol style="list-style-type: none"> 1. Enhancing and protecting the standing of the profession. 2. Maintaining the highest standard of integrity in all business relationships. 3. Compliance with legal obligations and promoting the eradication of unethical business practices. 4. NCG's expectations and ways of working. 5. Innovation and continuous improvement. 6. Reporting concerns. 		
EXPECTED OUTCOME	Readers are expected to understand the organisational position on the code of Conduct, know their responsibilities in relation to the Code and comply with the terms.		

MISCELLANEOUS	
LINKED DOCUMENTS	N/A
KEYWORDS	<ul style="list-style-type: none"> • Code of Conduct • Subcontractors

	<ul style="list-style-type: none">• Suppliers
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Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT			
	Yes	No	Explanatory Note if required
EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in Section 2?	<input type="checkbox"/>	<input type="checkbox"/>	The answer to this must be YES
EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Disability / Difficulty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA4 - Does the policy/process discriminate or victimise any groups or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this must be NO
EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The answer to this could be yes or no as positive action is lawful. However, an explanation must be provided for clarity.
EIA 6 - How do you know that the above is correct?	This policy has been reviewed by the NCG Corporation Board.		

Introduction

NCG is one of the UK's leading providers of education and training, consisting of seven colleges, with around 2,400 staff nationally, which makes us one of the largest not for profit training groups in the UK.

We work with thousands of learners, employers, and apprentices each year, collaborating with businesses across the UK to help underpin their journey to success and future growth.

Our vision is to be the UK's leading college group recognised for our local impact, national influence and reach.

Our mission is to enable social mobility and economic prosperity through education. We will do this through six core pillars:

- **Quality:** Exceptional teaching, learner experience and outcomes
- **Curriculum:** Innovative, relevant courses and qualifications
- **People:** Ambitious and responsible educators, and leaders
- **Facilities:** Outstanding digital and physical learning environments
- **Finance:** Financial sustainability powering reinvestment
- **Reach:** Impactful external engagement and civic commitment.

We value and empower our people by:

- Being both **inclusive** and **diverse**.
- **Trusting** and **respecting** our communities.
- **Taking ownership** whilst working **collaboratively**.
- **Inspiring excellence** and **curiosity**.

We believe in procuring and working with like-minded suppliers who share our mission, vision and values. We value the people we engage with throughout our supply chain to assist the delivery of our vital work and at the right quality standards.

We believe that by working together we can add value and innovation to our mission and also generate ethical and economic public expenditure, which impacts positively in our communities, the environment and in assisting economic recovery.

In 2024-25, NCG intend to engage more widely with its supply chain and potential suppliers to ensure our procurement strategy is inclusive and reaches both smaller, local suppliers as well as national suppliers.

We will do this by:

- Reviewing our processes, documents, and systems to ensure they are simple and user friendly.
- Considering dividing contracts into smaller lots to attract more local SMEs to our supply chain.

The aim of this Code of Conduct is to communicate clearly our expectations for organisations providing services to us. The Code of Conduct covers:

7. Enhancing and protecting the standing of the profession.
8. Maintaining the highest standard of integrity in all business relationships.
9. Compliance with legal obligations and promoting the eradication of unethical business practices.
10. NCG's expectations and ways of working.
11. Innovation and continuous improvement.
12. Reporting concerns.

Enhancing and Protecting the Standing of the Procurement Profession

NCG's suppliers and all of their approved subcontractors must:

- Never engage in conduct, either professionally or personally, which would bring the Procurement profession into disrepute.
- Not offer any inducements or gifts to us or anyone employed by us.
- Not accept any inducements or gifts (other than any declared gifts of nominal value that have been sanctioned by you).

- Not offer hospitality that could influence or be perceived to influence our business decisions.

Maintaining the Highest Standard of Integrity in all Business Relationships

NCG's suppliers and their approved subcontractors must:

- Reject any business practice, which might reasonably be deemed improper or perceived that you make a personal financial gain.
- At any time during the procurement process – or if successful, during the contract life – declare any personal interest that might affect or be seen by others to affect the decision-making process or management of any successful contract.
- Pay all suppliers within 30 days of receipt of undisputed invoices.
- Adhere to and flow down any Procurement Policy Notes (PPN) to any NCG approved subcontractors within their supply chain, whereby NCG has applied the PPN to the goods and services provided by the Supplier to NCG.

Compliance with Legal Obligations and Promoting the Eradication of Unethical Business Practices

NCG's suppliers and their approved subcontractors must:

- Always work within the laws of their country.
- Comply with tax legislation and guidance issued by local governing bodies and complete the necessary returns to their local governing body.
- Notify us of any non-compliance of the laws of the supplier's country, this Code of Conduct or the terms and conditions in place with NCG within 5 working days of becoming aware of the non-compliance.
- Hold the necessary licences to undertake the supply of goods, services or works, e.g. SIA, GLA, etc. Copies of which must be available on request.

- Provide on request all such information required by NCG to enable us to complete our due diligence and remain compliant with the laws and regulations within the UK, e.g. compliance with the HMRC Labour Providers Guidance.

Employment Conditions

NCG's suppliers and their approved subcontractors must:

- Establish recognised employment relationships with their employees that are in accordance with their national law and good practice.
- Provide employees with an easy to read contract of employment, in their main or first language and in a suitable format, if requested, to assist those with a disability e.g. braille, large print or audio, with particular clarity in relation to wages, working hours, and employment conditions.
- In the event that employees are unable to read, the contract of employment must be read and explained to them by a union representative or another appropriate third party.
- Not seek to avoid providing employees with their legal or contractual rights.
- Provide migrant workers with their employment contract prior to deployment.
- Not require migrant workers to lodge deposits or security payments at any time.
- Not prevent or discourage employees from joining trade unions.
- Allow employees to be able to carry out reasonable representative functions in the workplace.
- Not discriminate against employees carrying out representative functions.
- Facilitate alternative means of representation, where the law restricts freedom of association and collective bargaining.

- Hire employees direct whenever possible. When the subcontracting of recruitment and hiring is necessary, suppliers shall ensure their labour agencies have proper controls in place to ensure that they prevent modern slavery or human trafficking. They must not engage in fraudulent behaviour that places the employee at risk of forced labour or trafficking for exploitation (e.g. checking bank accounts to identify unrelated workers paid into one account, or where the worker's address come from high occupancy of particular houses)
- Comply with the national laws or industry standards when specifying the working hours, and for employees in the UK, not expect employees to work more than 48 hours per week on a regular basis (40-hours per week if they are aged 16-18) in accordance with the Working Time Directive (sometimes referred to as the Working Time Regulations)
- Allow employees to take at least the statutory minimum number of days holiday per annum (currently 28 days including bank holidays)
- Comply with the Equality Act 2010 and have a policy for equality, diversity and inclusion embedded within the workplace which ensure fairly, equally, and inclusively treatment of their workforce, customers, and suppliers.
- Not discriminate on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- Not abuse or intimidate, in any fashion, employees.
- Record any disciplinary measures.
- Have a grievance/appeal and whistle blowing procedure that is clear, easy to understand and must be given to the employee in writing in the event that Suppliers' employees are unable to read, the grievance/appeal procedure must be read and explained to them by a union representative or another appropriate third party.

Remuneration

NCG's suppliers and their approved subcontractors must:

- At least meet industry benchmarks or national legal standards for wages and benefits, e.g. in the UK, pay the National Minimum Wage for those aged 20 and under, and the National Living Wage for those 21 and over, other than where a contract specifies that the Real Living Wage must apply for third party contracted staff.
- Not make deductions from wages unless permitted by national law or with the permission (without duress) of the employee, e.g. auto-enrolment in to the company's pension scheme and deduction of employee contributions.
- Comply as a minimum with pension auto-enrolment.
- Always pay in cash (via BACS through the company's payroll) and not in kind, e.g. goods, vouchers.
- Make payments at regular intervals, directly to employees and shall not be delayed, deferred, or withheld. Only deductions, advances or loans authorised by national law are permitted with the full consent of the employee. Clear and transparent information shall be provided to employees about hours worked, rates of pay and the calculation of legal deductions. All employees must retain full and complete control over their earnings. Wage deductions must not be used as a disciplinary measure or to keep employees tied to their employer or their jobs.
- Not charge any fees or costs for recruitment, including costs associated with travel, processing official documentation and work visas in both home and host countries to employees. Overseas employees may however be responsible for obtaining and funding their own DBS check and certificate.

Off Payroll Working Rules (IR35)

Whereby suppliers are providing personal services to NCG, NCG shall assess each engagement in accordance with NCG's Off-Payroll Policy.

Furthermore, NCG's suppliers and their approved subcontractors must comply with the Off-Payroll Working Rules (IR35) whereby, they are providing to or procuring personal services on behalf NCG.

Suppliers of on-payroll services, such as recruitment agencies, must pay all employees through their company's payroll and deduct tax and national insurance at source in accordance with the Off Payroll Working Rules (IR35).

Sole traders, self-employed workers and individuals providing services through a personal service company, and to whom NCG has determined that the Off-Payroll Working Rules do not apply, are responsible for declaring all income earned and paying the respective income tax and national insurance contributions as part of their statutory self-assessment requirements each year to HMRC.

Modern Slavery and Child Labour

NCG's suppliers and their approved subcontractors must:

- Adhere to all relevant laws, regulations, conventions, and organisations on modern slavery, including but not limited to The Modern Slavery Act 2015, The European Convention of Human Rights, The United Nations Universal Declaration of Human Rights, The Fundamental Convention of the International Labour Organisation.
- Train their staff to be aware of and look out for signs of exploitation within the supply chain.
- Apply due diligence to ensure business supply chains are slavery free to protect against, child labour, forced labour and human trafficking, gross human rights violations such as widespread sexual violence, or other health and safety risks to workers.
- Not charge employees any fees or costs for recruitment, directly or indirectly, in whole or in part, including costs associated with travel, processing official documents and work visas in both home and host countries.
- Not confiscate or withhold employee's identity or other valuable items, including work permits and travel documents (e.g. passports).

This is strictly prohibited. The retention of personal documentation shall not be used as a means to bind employees to employment or to restrict their freedom of movement.

- When the subcontracting of recruitment and hiring is necessary, companies shall ensure that recruitment agencies they engage operate legally, are certified, or licensed by the competent authority, and do not engage in fraudulent behaviour that places workers at risk of forced labour or trafficking for labour exploitation.
- Employees should be free to choose to work for the supplier, i.e. their employer, be free to leave the supplier without penalty, having given the appropriate statutory or contractual notice to their employer and not be subject to any forms of cohesion.
- Ensure that their employees have a mechanism to report grievances and that facilitates open communication between management and employees.

NCG's suppliers and their approved subcontractors shall comply with the following (in this context "child" refers to any persons less than 15 years of age, unless local legislation on the minimum age stipulates a higher age for work or mandatory schooling, in which case the higher age shall apply. "Young person" refers to any employee over the age of a child, as defined above, under the age of 18):

- No use of child labour. Nobody shall be employed under the minimum age. Subject to the overriding prohibition on the use of child labour, if workers under the age of 18 are employed then particular care shall be taken as to the duties that they carry out and the conditions in which they are required to work to ensure that they come to no physical, mental or other harm as a direct or indirect result of their work or working conditions.
- Children and young persons under age 18 must not be employed at night or in hazardous conditions.
- Conforming to the provisions of ILO Convention 138 and be consistent with the United Nation's Convention on the Rights of the Child.

- Ask their subcontractors if they have adequate provisions for mitigation of child labour, particularly if you are high risk suppliers.

Safeguarding

NCG's suppliers and their approved subcontractors must:

- Comply at all times and in all respects with any law, enactment, order or regulation relating to the safeguarding of children, young persons and vulnerable adults.
- Maintain and operate a safeguarding policy which complies in all respects with the relevant legislation and offers at least the same protection as NCG's safeguarding policy and must include the requirements for centralised records of Disclosure and Barring Services checks to be maintained, safeguarding self-assessment requirements, records of designated safeguarding officers requirements and records of such officer's training requirements) which shall be updated as often as is necessary and at least annually.
- Carry out such risk assessments as are necessary from time to time.
- At all times comply with such procedures as NCG may from time to time require for the reporting, investigation and referring of suspicions, allegations or cases of abuse of children, young persons, or vulnerable adults.
- Notify us immediately in the event that a Prevent referral is made to a Channel panel or where a safeguarding referral or concern arises that results in a police investigation being conducted in relation to that safeguarding referral or concern.
- Ensure that all staff providing services to NCG receive relevant and appropriate safeguarding training, including updates or refresher training where necessary or appropriate.
- Appoint a senior person who as a designated safeguarding officer.

- Ensure that it has in place appropriate controls and/or measures to ensure the safe recruitment and selection of staff.
- Ensure all staff based on any of our sites, must hold a clean enhanced DBS check, irrespective of any other licences they may hold, and provide the DBS number and a copy of such Enhanced DBS check on request.

Health and Safety

NCG's suppliers and their approved subcontractors must:

- Adhere to UK Health Security Agency guidelines in the prevention of Covid-19, and other Communicable diseases.
- Assess the risks of work activities through identification of specific hazards and commensurate control measures for your workforce, our colleagues, and members of the public.
- Provide all employees with a safe and healthy environment.
- Be readily able to demonstrate that you are competent based upon the risk and the complexity of the work or undertaken.
- Provide and evidence appropriate health and safety policies, procedures, and arrangements.
- Ensure that all employees are trained, qualified, and competent to undertake their work.
- Have suitable and sufficient arrangements for managing the work including how the work will be supervised, checks on equipment and materials, and compliance monitoring, etc.
- When using subcontractors, have processes to check they are competent and operate in a safe manner.
- Provide employees (at the Supplier's expense) with any necessary health and safety equipment, e.g. Personal Protective Equipment, Respiratory protective equipment and safety devices fitted and operational on all work equipment.

- Ensure you have both adequate Employers and Public Liability Insurance and also Professional Indemnity Insurance as appropriate or directed.
- Ensure that all plant and equipment is maintained, serviced, and operates in accordance with codes of practice and manufacturer's instructions.
- Where providing welfare facilities that these are appropriate for the nature and duration of the activity in accordance with the Workplace Health Safety and Welfare Regulations or if sourcing from outside the UK or EU that your supply chain adheres to International Labour Standards on Occupational Safety and Health.
- Develop and present suitable and sufficient risk assessments and method statements to ensure an activity is to be carried out in a safe manner and without risks to health to allow the activity to be properly planned and resourced.
- Have arrangements to co-operate and co-ordinate your activities, to make sure the work can be done safely and without risks to health.
- Ensure there are arrangements to consult with the workforce.
- Where required by law or deemed necessary by NCG, must comply with the Construction Industry Scheme, and hold a suitable accreditation for the work being carried out.

Environmental Sustainability

NCG's suppliers and their approved subcontractors must:

- Adhere to all environmental legislation, regulations, and all local laws to facilitate the protection of the environment.
- Have a process that ensures conformity to local regulations, including those relating to the handling, recycling and the elimination and disposal of dangerous materials.

Data Protection and Security

NCG's suppliers and their approved subcontractors must:

- Comply with all relevant data protection legislation.
- Be able to demonstrate their compliance with all Data Protection Principles in the UK GDPR.
- Co-operate fully with NCG's assurance processes for data protection and security.
- Report all relevant data security breaches to NCG promptly abide by all contractual clauses agreed between NCG and the supplier with relation to data protection and security.

NCG's Expectations and Ways of Working

NCG's expect its suppliers and their approved subcontractors to share our values and be working towards similar or comparable strands within NCG's Strategy Towards 2030.

Employment Terms and Conditions

NCG discourages the use of zero-hour contracts by suppliers and their approved subcontractors in the following circumstances:

- Ineffective business planning.
- Used as a permanent arrangement, whereby the employee will work regular hours over a continuous period of time.
- Whereby the employee receives reduced or limited employment rights.
- Whereby the supplier, or their approved subcontractors, cancel work at short notice, or when an employee has turned up at the workplace to commence their shift.
- Whereby the supplier, or their approved subcontractors prohibits the employee from undertaking work for a competitor or other legitimate business.

Equality, Diversity, and Inclusion

We are committed to ensuring that our students, our staff and all of our stakeholders' study and work in environments that embed the principles and practices of equality, diversity and inclusion. We do not tolerate racism or discrimination in any form. Recent world events highlight the need to look even more closely at what we do and how we do it, and make sure we know we are doing everything we can and should do to tackle racism and all other forms of discrimination and prejudice.

We are dedicated to our mission in pursuit of social mobility, in an inclusive and diverse learning community, and we know that great organisations really listen to stakeholders without defensiveness, or being distracted, or making excuses. We expect our suppliers to share the same ethos as we do to tackle racism and other forms of discrimination and prejudice.

NCG's suppliers and their approved subcontractors are encouraged to:

- Improve gender equality at all levels of the organisation.
- Improve equality for people with disabilities in the organisation.
- Improve social inclusion and social mobility.
- Continuously improve racial equality.
- Ensure that migrant workers benefit from conditions of work (including but not limited to wages, benefits, and accommodation) no less favourable than those available to country nationals.
- Not threaten with denunciation / disclosure to authorities Employees (or their family members) to coerce them into taking up or maintaining employment.

Health and Safety

We are committed to ensuring that our students, our staff and all of our stakeholders' study and work in safe and healthy environments.

NCG has pledged its commitment to staff and students by signing up to a national mental health and wellbeing charter, providing appropriate mental health training for staff and providing targeted, individual mental health support where appropriate.

NCG's suppliers and their approved subcontractors are encouraged to provide comparable assistance to support their workforce's mental health and wellbeing.

Environmental Sustainability

NCG has declared a Climate Emergency and has an Environment Strategy which can be located [here](#).

NCG will consult with its suppliers and their approved subcontractors to locate ways in which we can work together to enable NCG to achieve its Environmental Strategy targets highlighted below:

Scope	Target	Due Date
Energy (Gas and Electricity)	50% reduction in CO ₂ related activities	2030
Travel	50% reduction in CO ₂ related activities	2030
Eco Campus	Platinum Award	2025
Water	10% Reduction in water usage	2030
Waste	Zero to landfill and year on year reduction in waste	2030
Curriculum	Environmental awareness course to be available to all NCG students including those supported by NCG's subcontractors	2022
Food	50% reduction in food waste	2030
Biodiversity	5% Increase in biodiversity	2030

NCG will continue to assess the environmental performance of Suppliers as part of its procurement processes, such as tenders.

NCG's suppliers and their approved subcontractors are encouraged to:

- Work in partnership with NCG to assist the delivery of the NCG Environmental Strategy e.g. in assisting NCG reduce its carbon footprint and waste in line with the environmental strategy.
- Have concern for the environment and an action plan to reduce the Company's impact (e.g. to reduce carbon emissions, energy usage, waste, and recycling)
- Work actively to improve the environment and proactively to pursue any initiatives that bring about that improvement.
- Measure the impact on the environment and set targets to reduce that impact/improve performance.

NCG have commenced measurement of our Scope 3 (indirect emissions) from suppliers.

Corporate Social Responsibility with NCG

NCG's suppliers and their approved subcontractors are encouraged to engage in Corporate Social Responsibility. In terms of NCG, this includes where possible, to support NCG's Colleges through:

- Assisting NCG in its carbon footprint and waste minimisation plans (see paragraph 4.3 above).
- To recruit and train their staff via an apprenticeship and / or further and higher education qualifications with NCG (all levels from level 2 to level 7).
- Supporting NCG by offering work / industry placements.
- Sponsoring NCG organised campaigns or events for learners, employers, and staff.

- Contribute to NCG's themed Industry Talks, to prepare our students for future employment and career development.
- Supporting NCG to ensure "No lives are forgotten" through its Digital Challenge Fund, and / or alternative funds and scholarships NCG develops.

Whilst NCG is exempt from the Public Sector Apprenticeship Targets Regulations 2017, we actively encourage suppliers to partake in Apprenticeships, and recommend that suppliers incorporate into their recruitment plan to endeavour to recruit at least 0.5% of their full-time equivalent staff as new apprentice starts.

Innovation & Continuous Improvement

NCG strive to continuously improve our programmes of education to enable social mobility and economic prosperity in civic society. Likewise, we are eager to work with companies who strive to look for new and improve ways of doing things.

We expect our suppliers to use recognised industry practices in the delivery of goods and services to. We also expect suppliers to continuously improve these goods and services and bring innovation, ideas, and expertise to help outcomes and excellence at NCG.

We will endeavour to create the right conditions to allow suppliers to innovate both during the procurement process and the life of a contract and where appropriate we will inform suppliers of our innovation requirements during the procurement process.

Reporting Concerns

Any person concerned about a breach of this Code must report their concerns to NCG in accordance with our Whistleblowing and Disclosure policy. We commit to investigate allegations as thoroughly as possible and to take the necessary remedial action. Contractors and suppliers must publicise the NCG's Financial Regulations and Whistleblowing Policy to their staff.

Review date: July 2024

Approved date: July 2024