



NCG's CODE OF CONDUCT FOR SUPPLIERS AND CONTRACTORS

Introduction

NCG is one of the UK's leading providers of education and training. NCG consists of seven colleges, with around 2,500 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 communities and the environment.

In response, we have created this Code of Conduct to communicate clearly our expectations for organisations providing services to us. The Code of Conduct covers:

1. Enhancing and protecting the standing of the profession
2. Maintaining the highest standard of integrity in all business relationships
3. Promoting the eradication of unethical business practices and Corporate Social Responsibility
4. Ensuring full compliance with local laws and regulations – including, but not limited to, Health and Safety, Safeguarding, Environmental Sustainability, Equality & Diversity, and Modern Slavery
5. Innovation and Continuous Improvement
6. Reporting Concerns

1. 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 any one employed by us
- not accept any inducements or gifts (other than any declared gifts of nominal value which have been sanctioned by you)
- not offer hospitality which could influence or perceive to influence our business decisions.

2. 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.

3. Promoting the eradication of unethical business practices

3.1. No Forced Labour

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

- 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
- not be subject to any forms of coercion.

3.2. Employment Relationships

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)
- Make a commitment to preventing Modern Slavery.

3.3. Suppliers' Employees Working Hours

NCG's suppliers and their approved subcontractors must:

- comply with the national laws or industry standards when specify the working hours.
- 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)
- not pressuring employees into working overtime. Overtime must be voluntary and not demanded on a regular basis; where overtime is requested by the employer it must be reimbursed at an appropriate rate and must not exceed 12 hours in any week.
- for employees who work in the UK, employees must be allowed to take the statutory minimum time away from the workplace (currently 11 hours minimum rest break between shifts and longer if this is a young worker (restricted to working 8-hours per day with a minimum 12 hours break)
- allow employees to take at least the statutory minimum number of days holiday per annum (currently 28 days including bank holidays).

3.4. Treatment of Employees

NCG's suppliers and their approved subcontractors must:

- 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
- confiscating or withholding employee's identity or other valuable items, including work permits and travel documents (e.g. passports) 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.

3.5. Living Wages

In 2019/20 NCG committed to continuing to pay its workforce the Real Living Wage. As part of our annual pay review, we will review annually our commitment to pay the Real Living Wage to our staff, so long as it is financially sustainable. Furthermore, we have committed to the trade unions that as part of this year's pay review, we will also consider

expanding this to include our outsourced services, such as catering, cleaning, and security personnel, so long as it is financially sustainable.

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 24 and under, and the National Living Wage for those 25 and over
- pay all employees through the company's payroll and deduct tax and national insurance at source in accordance with the Off Payroll Working Rules (IR35)
- 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.

3.6. Child Labour

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.

3.7. Corporate Social Responsibility with NCG

NCG requires all its suppliers and their approved subcontractors to engage in Corporate Social Responsibility. In terms of NCG this includes:

- actively engaging in the UK Government's apprenticeship strategy and where possible through one of NCG's Colleges to:

- recruit and train their staff via an apprenticeship (all levels from level 2 to level 7)
- where possible, sponsor NCG organised events for learners, employers and staff
- assist NCG to reduce its carbon footprint and waste minimisation.

4. Ensuring full compliance with laws and regulations

NCG's suppliers and their approved subcontractors must:

- always work within the laws of their country
- comply with local tax legislation and complete the necessary returns to local governing body
- 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
- ensure all staff based on any of our sites, must hold a clean enhanced DBS check, irrespective of any other licences they may hold
- 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
- 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.

NCG's suppliers, where required by law or deemed necessary by NCG, must comply with the Construction Industry Scheme, and be a Gold member.

4.1. Health and Safety

NCG's suppliers and their approved subcontractors must:

- 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.

4.2. 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.

4.3. 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
- have concern for the environment and an action plan to reduce the Company's impact (e.g. energy reduction programme, waste stream management 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.

4.4. Equality & Diversity

NCG's suppliers and their approved subcontractors must:

- have a policy of equality for all in the workplace with no discrimination on the basis of race, caste, religion, nationality, age, gender, marital status, sexual orientation, disability, union membership or political affiliation
- be treated fairly and equally
- be working to improve gender equality at all levels of the organisation
- be working to improve equality for people with disabilities in the organisation
- be working to improve social inclusion and social mobility
- 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.

4.5. Modern Slavery

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 your 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 charged 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 an employee's identity documents or other valuable items, including work permits and travel documentation (e.g. passports) must to occur
- not require migrant workers to lodge deposits or security payments at any time
- hire migrant workers directly, whenever possible. When the subcontracting of recruitment and hiring is necessary, companies shall ensure that the labour 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
- ensure that their employees have a mechanism to report grievances and that facilitates open communication between management and employees.

5. 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.

6. 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.

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