

Appendix B

CODE OF PRACTICE ETHICAL EMPLOYMENT IN SUPPLY CHAINS ACTION PLAN

CODE OF PRACTICE COMMITMENTS

NO.	COMMITMENT	AUTHORITY'S ACTION
1.	<p>Produce a written policy on ethical employment within our own organisation and our supply chains. Once produced we will communicate the policy throughout our organisation and we will review it annually and monitor its effectiveness.</p> <p>As part of this we will:</p> <p>1.1 Appoint an Anti-Slavery and Ethical Employment Champion.</p>	<p>Agreed.</p> <p>Deputy Leader Cllr Clive Lloyd</p>
2.	<p>Produce a written policy on whistle-blowing to empower staff to raise suspicions of unlawful and unethical employment practices, and which places a responsibility on staff to report criminal activity taking place within our own organisation and our supply chains. Once produced we will communicate the policy throughout our organisation. We will review the policy annually and monitor its effectiveness. We will:</p> <p>2.1 Provide a mechanism for people outside our organisation to raise suspicions of unlawful and unethical employment practices.</p>	<p>The Council already have a Whistleblowing Policy which will be amended to include appropriate references.</p> <p>To review a process flow and to link in with existing systems/procedures.</p>
3.	<p>Ensure that those involved in buying/ procurement and the recruitment and deployment of workers, receive training on modern slavery and ethical employment practices, and keep a record of those that have been trained.</p>	<p>Welsh Government are developing an e-learning module, this will be rolled out to all procurement and buying staff.</p>

NO.	COMMITMENT	AUTHORITY'S ACTION
4.	<p>Ensure that employment practices are considered as part of the procurement process. We will also:</p> <p>4.1 Include a copy of our Policy on ethical employment (Commitment 1) in all procurement documentation.</p> <p>4.2 Include appropriate questions on ethical employment in tenders and assess the responses provided.</p> <p>4.3 Incorporate, where appropriate, elements of the Code as conditions of contract.</p> <p>4.4 Ask bidders to explain the impact that low costs may have on their workers each time an abnormally low quote or tender is received.</p>	<p>Agreed.</p> <p>Agreed</p> <p>Agreed</p> <p>Agreed</p> <p>Procurement, Social Services and Place directorate to address this.</p>
5.	<p>Ensure that the way in which we work with our suppliers does not contribute to the use of illegal or unethical employment practices within the supply chain. We will:</p> <p>5.1 Ensure that undue cost and time pressures are not applied to any of our suppliers if this is likely to result in unethical treatment of workers.</p> <p>5.2 Ensure suppliers are paid on time – within 30 days of receipt of a valid invoice.</p>	<p>Procurement – will look to enhance our current clauses in ITT on the basis of what's reasonable.</p> <p>Procurement - will look to enhance our current clauses in ITT.</p> <p>Agreed.</p>
6.	<p>Expect our suppliers to sign up to this Code of Practice to help ensure that ethical employment practices are carried out throughout the supply chain.</p>	<p>This will be reviewed with our current supply base and to potentially work with our top 20 suppliers in the first instance.</p>

NO.	COMMITMENT	AUTHORITY'S ACTION
7.	<p>Assess our expenditure to identify and address issues of modern slavery, human rights abuses and unethical employment practice. We will:</p> <p>7.1 Carry out regular reviews of expenditure and undertake a risk assessment on the findings, to identify products and/or services where there is a risk of modern slavery and/or illegal or unethical employment practices within the UK and overseas.</p> <p>7.2 Investigate any suppliers identified as high risk, by direct engagement with workers wherever possible.</p> <p>7.3 Work with our suppliers to rectify any issues of illegal or unethical employment practice.</p> <p>7.4 Monitor the employment practices of our high risk suppliers, making this a standard agenda item for all contract management meetings/reviews.</p>	<p>We need to seek further guidance from Welsh Government on this. Procurement – linked to 4.4.</p> <p>As above.</p> <p>As above.</p> <p>As above.</p> <p>As above.</p>
8.	<p>Ensure that false self-employment is not undertaken and that umbrella schemes and zero hours contracts are not used unfairly or as a means to:</p> <p>8.1 Avoid, or facilitate avoidance of, the payment of Tax and National Insurance contributions and the relevant minimum wages.</p> <p>8.2 Unduly disadvantage workers in terms of pay and employment rights, job security and career opportunities.</p> <p>8.3 Avoid Health and Safety responsibilities.</p>	<p>Agreed but processes need to determine how we will do this and check with our current suppliers as to any adverse effect this would have on their workforce.</p> <p>As above.</p> <p>As above.</p> <p>As above.</p>

NO.	COMMITMENT	AUTHORITY'S ACTION
9.	<p>Ensure that workers are free to join a Trade Union or collective agreement and to undertake any related activity and raise worker concerns without risk of discrimination. We will:</p> <p>9.1 Not make use of blacklists/prohibited lists.</p> <p>9.2 Ensure that our suppliers do not make use of blacklists/prohibited lists.</p> <p>9.3 Not contract with any supplier that has made use of a blacklist/prohibited list and failed to take steps to put matters right.</p> <p>9.4 Expect our suppliers to ensure that Trade Union Representatives can access members and contracted workers.</p>	<p>Agreed.</p> <p>Agreed.</p> <p>Agreed. Already within standard documents.</p> <p>Agreed. Already within standard documents.</p> <p>Agreed. Seek legal advice on how we can include this within our terms and conditions.</p>
10.	<p>Consider paying all staff the Living Wage Foundation's Living Wage as a minimum and encourage our suppliers to do the same. We will also:</p> <p>10.1 Consider paying at least the Living Wage Foundations Living Wage to all our staff in the UK.</p> <p>10.2 Consider becoming an accredited Living Wage Employer</p> <p>10.3 Encourage our suppliers based overseas to pay a fair wage to all staff, and to ensure that staff working in the UK are paid at least the minimum wage.</p>	<p>Agree to explore options. This ties in with the Poverty Strategy & Unison's Ethical Care Charter to which there is a political commitment to sign up to within the life of the current administration. We need to look at the financial/budgetary implications of paying the Living Wage Foundation rate of pay.</p> <p>As above.</p> <p>As above.</p> <p>As above.</p>

NO.	COMMITMENT	AUTHORITY'S RESPONSE
11.	<p>Produce an annual written statement outlining the steps taken during the financial year, and plans for future actions, to ensure that slavery and human trafficking are not taking place in any part of our organisation and its supply chains. We will:</p> <p>11.1 Ensure that the statement is signed off at Senior Management/Board level.</p> <p>11.2 Publish the statement on our website. If this is not possible, we will provide a copy to anyone within 30 days of a request being made.</p>	<p>Agreed. Check the implication of this on our suppliers.</p> <p>Agreed</p> <p>Agreed</p>
For Public sector to whom the Code of Practice on Workforce Matters (2014) applies		
12.	<p>Ensure all those undertaking work on an outsourced contract are treated fairly and equally.</p> <p>12.1 Ensure that public sector staff who are transferred as part of a public service which is outsourced to a third party retain their terms and conditions of employment.</p> <p>12.2 Ensure that other staff working on an outsourced public service are employed on terms and conditions that are comparable to the transferred public sector staff.</p>	<p>TUPE issues – bidders to demonstrate. Eg Culture commissioning review. Conjunction with Cabinet and Trade Unions. As part of the Tender Process on case by case basis. See reverse IT TUPE.</p> <p>Complete</p> <p>As above and TUPE plus. Complete</p> <p>As above and TUPE plus. Complete</p>