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# Supplier Code of Conduct

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# 1. Foreword

Ofcom recognises that we often rely on our suppliers and their supply chains to deliver important services that help us to meet our core objectives, so it is important to us that we are able to work collaboratively and constructively with them. This inaugural Supplier Code of Conduct is intended to provide a foundation to support this, setting out our expectations of our suppliers aligned to our corporate values. Through this, our aim is to assist both existing and potential future suppliers to understand these expectations and help us to continue to meet these commitments.

We expect all of our suppliers to behave ethically, treating others (whether it be their employees, Ofcom representative, supply chain members or other stakeholders) with dignity and respect. While compliance with legislation and regulation is always expected, we encourage our suppliers to go even further and exceed these requirements wherever possible. We also expect them to support key commercial policies including our commitment to delivering sustainable procurement practices through the Greening Government Commitments and delivering additional social value through our contracted services.

This code of conduct sets out the behaviour that we expect of our suppliers but, we also expect the same of our own employees and representatives. We would encourage any supplier who experiences anything that is not aligned with this code of conduct to report it to us in the spirit intended through this code of conduct to enable us to review and improve where we need to.

We are keen to embed and build upon this code of conduct in future years and as such we intend to review it on an annual basis going forward. While the code itself is not contractually binding, we hope that it will complement our contracts and procurement documents which will continue to take precedence.

Ellie Cowell  
Head of Commercial  
Ofcom

## 2. Introduction

### About Us

Ofcom exists to make communications work for everyone. We employ over 1200 people across the UK. Our corporate values are Respect, Excellence, Empowerment, Collaboration and Agility. These are central to our effectiveness, and they support the organisation we want to be, guiding us in how we work together to deliver our objectives including how we work with our suppliers.

Figure 1: Ofcom Values



### Objectives and Purpose

The overall objective of this Supplier Code of Conduct is to build trusting and open relationships between Ofcom and our suppliers to drive improved performance through supply chains. It is intended as a statement of good practice for both existing and potential suppliers and their supply chains and sets out the behaviours we expect of each other.

It is not intended to be legally enforceable, to create any legal obligations or rights or to undermine our contracts with suppliers or the rules we set out when we procure our supplies and services, which shall always take precedence.

## 3. Conduct and Behaviour

### Behaviour and communication

As the UK's communications regulator, Ofcom has a politically neutral stance and request that our supply chains refrain from any publicity that may have an adverse impact on our position.

We expect all parties to be mindful of the need to maintain public trust. They should ensure that neither they, nor any of their subcontractors, bring Ofcom into disrepute by engaging in any act or omission which is reasonably likely to diminish the trust that the public places in us. We expect suppliers to notify us of any situation which could be damaging to our reputation.

We will work constructively and collaboratively with our suppliers and expect all parties to treat one another with respect and dignity. We encourage honest communication when a service or project is unlikely to be successful or a contract is no longer fit for purpose. We expect suppliers to be prepared to invest in their relationships with our staff and, where appropriate, with other suppliers. We also expect suppliers to be able to speak out when our staff or other suppliers are not upholding the values embedded in this Code of Conduct.

Our [External Contact Policy](#) sets out how we will handle any unacceptable behaviour.

### Conflict of interest

All Ofcom employees are required to comply with our internal Conflicts of Interest policy for colleagues which requires employees to act with integrity, objectivity, diligence, and honesty at all times. Ofcom has stringent requirements that colleagues must adhere to when offered a gift or hospitality of any kind and we expect our suppliers to respect this and refrain from making any offers that could cause embarrassment for either party.

We also expect our suppliers to have similar policies in place to ensure proper conduct throughout our supply chains. This should involve checking that an employee or subcontractor does not have anything which could lead to an actual or perceived conflict with the work being assigned by Ofcom or affect Ofcom's independence and impartiality. We will ask suppliers to raise any interests at the earliest possible stage and require organisations or individuals to take additional steps to mitigate these.

Further information is included in Ofcom's procurement and contractual documents.

### Anti-bribery and Corruption

We demand that suppliers adhere to anti-corruption laws, including but not limited to the Bribery Act 2010, and anti-money laundering regulations in addition to having robust processes in place to ensure that any subcontractors in their supply chain also comply with these laws. We have zero tolerance of any form of corrupt practices, and we expect suppliers to be vigilant and proactively look for fraud, and the risk of fraud, in their business.

## 4. Key Policies

### Equality and diversity

We will not tolerate discrimination, harassment, or victimisation in the workplace or in connection with any service we provide. We expect our suppliers to provide the same commitment, including to their own employees demonstrated through their own corporate policies which conform, as a minimum, to the Equality Act 2010 which protects against discrimination, harassment, and victimisation.

### Human and labour rights

We require all our suppliers to have fair employment practices and written policies in place including robust grievance and whistleblowing policies and procedures to ensure that their employees can report any concerns and have confidence that these will be investigated fairly.

Ofcom sets the real living wage as a minimum for all of its employees, a voluntary rate of pay set by the Living Wage Foundation that is higher than the government minimum and based on the costs of living. We encourage our suppliers to do the same for any people employed in the delivery of our contracts.

We do not tolerate any form of modern slavery or human trafficking and take the issue extremely seriously. In addition to complying with the Modern Slavery Act 2015, we expect our suppliers to take a proactive approach to understanding their own supply chains and where any instances of modern slavery are identified to notify us and work with us to put in place clear steps to address this. Suppliers should make relevant staff and supply chain partners aware of the need to report any concerns to the Modern Slavery Helpline on 08000 121 700 or online at: [www.modernslaveryhelpline.org](http://www.modernslaveryhelpline.org).

### Health and safety

We are committed to providing a safe and healthy working environment for all employees, visitors, and contractors. We expect our suppliers to support this and comply with our Health and Safety Policy and health and safety legislation. Suppliers should take a preventative approach to avoid health and safety incidents, ensuring that their employees and contractors are properly trained and supervised as necessary to secure their health and safety, and that of others who may be affected by their actions.

### Social Value

While our overriding commercial objective is to achieve value for money through our third-party contracts, we support and encourage our suppliers in the delivery of additional outcomes linked to social value through our contracts which produces social, economic, and environmental benefits for the local communities within which the contract is being delivered. Ofcom voluntarily adopts the Cabinet Office policy ([PPN 06/20 - taking account of social value in the award of central government](#)

contracts) to apply award criteria relating to social value to all procurement activity that is advertised on the Find a Tender Service. We expect our suppliers to be aware of and support us to comply with this.

## **Environmental Management**

We are committed to the Greening Government Commitments including adoption of the Government Buying Standards where applicable to support us to reduce our environmental impact. We encourage our suppliers to use their expertise to support us in meeting our targets to reduce our carbon footprint, water consumption and waste, and help us identify opportunities for improvement. Where waste is unavoidable, we strive to re-use or recycle as much as possible.

We are working towards eliminating single use plastics within our organisation and welcome suppliers' proposals on how they can support us to meet this objective.

Where appropriate, we will set out our requirements at the outset in invitation to tender document although, we always welcome suggestions from suppliers, as part of their tenders or continuous improvement activity within existing contracts, on how we can go further. For contracts over £5 million per year, we will assess suppliers' carbon reduction plans as part of the procurement process. We also encourage our suppliers to review their own environmental footprint more generally and strive to reduce this as far as reasonably possible.

## **Information and cyber security**

It is essential that suppliers safeguard the security, integrity and privacy of their systems and our data by complying with all relevant legislation, policies, and standards. This may include seeking relevant accreditation where appropriate. We expect suppliers to proactively monitor their systems and notify us of any security incidents that affect or have the potential to affect Ofcom data or information.

## 5. Supply Chain Management

### Risk management

Our suppliers are required to comply with all relevant legislation and regulation as a minimum to ensure the highest standards are maintained. Depending on our requirements, we may ask suppliers to evidence their compliance either during the tendering process or through regular contract management activity.

We encourage our suppliers to proactively identify and manage risks and communicate with us promptly in the event of any issues that could impact on delivery of our contracts. Risks should be managed by the party that is best placed to do so. We don't expect suppliers to unfairly pass risk down their supply chain.

### Managing diverse supply chains

Ofcom endeavours to maintain a diverse supplier base. To support this, we advertise opportunities to supply goods and services to us through a range of appropriate channels including the Find a Tender Service and Contracts Finder websites. We are also committed to minimising the barriers to competing for opportunities and working with us for example, through use of technology such as our e-procurement portal and standardised documentation to streamline processes where it is practical to do so.

To support this, we expect our suppliers:

- to advertise opportunities where feasible and appropriate to do so and take steps to ensure they are accessible to a wide range of potential suppliers,
- have oversight of and deal fairly with the subcontractors and suppliers in their supply chain,
- seek to reduce barriers to the use of small- and medium-sized enterprises, including those owned by under-represented groups, who are qualified to provide goods or services; and
- encourage innovation in their supply chains to increase the value or quality of supply.

We expect our suppliers to work with us honestly and openly to investigate complaints made against them or their employees, including notifying Ofcom of any relevant complaints that they receive directly. We will work with suppliers to understand the circumstances and details of any complaint and, where appropriate, agree action to resolve the problem and avoid any recurrence.

### Prompt Payment

We are committed to pay all valid invoices promptly within 30 days. We require our suppliers to pass this commitment down to subcontractors via our standard terms and conditions.

## 6. Concerns and complaints

We encourage suppliers to feedback to us directly and report any instances of non-compliance with this code of conduct. We will discuss any issues and agree an appropriate action plan if required.

We expect suppliers to have their own complaints process and for them to engage constructively with subcontractors and supply chain partners who raise any issues. However, if any member of the supply chain considers that an issue has not been successfully addressed, they may raise it with us directly. While we are unlikely to have any contractual right to intervene, we are happy to broker a discussion between parties with a view to reaching a mutually acceptable outcome.

Any concerns or complaints should be raised in the first instance via email by contacting: [procurement@ofcom.org.uk](mailto:procurement@ofcom.org.uk).

Where anyone feels that their complaint has not been addressed in line with Ofcom's policies, including this code of conduct, they may escalate it to the Corporation Secretary. Further details on this process are available on [our website](#).

Alternatively, organisations may wish to report issues via [Crown Commercial Service's Public Procurement Review Service](#).