

Supplier Code of Conduct

Introduction

To a university like Wolverhampton which has a proud record of serving its communities going back over 180 years, the issues of Equality and Diversity are of paramount importance. As the University of Opportunity it is crucial that we do everything we can to enable all individuals to succeed. This is not simply giving everyone the identical opportunity but is more about recognising the different journeys people have in front of them, understanding and meeting their needs.

OUR MISSION

Maximising opportunity through generating knowledge, innovation and enterprise.

OUR AMBITION

To be a progressive and influential sector leader, championing diversity, growth, and creating life chances for all while enhancing economic impact and accelerating ambition across the entire University community.

OUR PILLARS

1. Students First
2. Skills and Knowledge for Economic and Social Transformation
3. Significant Influence and Impact

In delivering these commitments we must ensure adherence to the highest standards of ethical and professional behaviour, our relationships with our suppliers are critical to successful performance. This Supplier Code of Conduct sets out the matching behaviours that we expect of suppliers who are delivering services on behalf of our University. This code is based on the Government Commercial Function, Supplier Code of Conduct. As a statement of good practice it should be read both by current and aspiring suppliers to our University and by their subcontractors in the supply chain.

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

As procurements move into their delivery phase, we expect supplier performance should be in accordance with the spirit of a contract, as well as its letter. We expect our suppliers, wherever they operate across our Campuses, to act in a manner that is compatible with public service values (i.e. integrity, honesty, objectivity, impartiality), upholds the reputation of the University, promotes innovation and expertise, opens up the market to small and medium-sized enterprises, and contributes to growth and prosperity in the UK.

We expect our suppliers to communicate this code of conduct to employees, their parent company, subsidiaries and subcontractors. Any queries regarding this code should be referred to the University Procurement team (procurement@wlv.ac.uk).

1. Employees and Service Users

1.1 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 University Contract. We expect our suppliers to provide the same commitment, including to their own employees. The Equality Act 2010 protects against discrimination, harassment and victimisation.

1.2 Professional behaviour

We expect suppliers to be prepared to invest in their relationships with the University and establish trust with our staff and with other suppliers involved in delivery. We also expect suppliers to be able to speak out when University representatives, or other suppliers, are not upholding the values embedded in this Supplier Code of Conduct. We also expect suppliers to be able 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.

1.3 Meeting user needs

It is important that contracts with our suppliers meet the needs of service users. We will work together with suppliers 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 suppliers.

1.4 Vulnerable users

Some University contracts deliver services to service users (whether employees or students) with particular needs such as physical or mental disabilities, medical conditions or other factors that place them in a vulnerable position. Suppliers should ensure that these service users are treated at all times with courtesy and that their dignity, safety, security and well-being is treated as a priority concern.

1.5 Human rights and employment law

Suppliers must comply with all applicable human rights and employment laws in the jurisdictions in which they work and have robust means of ensuring that the subcontractors in their supply chain also comply. This includes complying with the provisions of the Modern Slavery Act 2015 (as amended). In addition, suppliers must have robust means of ensuring that the subcontractors in their supply chain also comply.

2. Business practices

2.1 Management of risk

We try to ensure that risk is placed with the party best able to manage it. This means requiring prime contractors not to flow risk inappropriately to subcontractors, and not to assert that they can manage risk that is in fact better managed by the University or main contractor. All parties should also 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 require suppliers of critical services to develop resolution plans, deployable in the event of a corporate insolvency to ensure that critical services continue.

2.2 Continuous improvement

We expect our suppliers to use recognised industry practices in the delivery of goods, services, or works to, or on behalf of, the University. We also expect suppliers to continuously improve on these activities and bring world-class innovation, ideas and expertise to help the University address its strategic challenges and to support growth and prosperity in the UK.

2.3 End-to-end Delivery

Some of the services that the University requires 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 the University to ensure that the right service outcomes are achieved. In order to achieve this, we expect suppliers to be aware of how they contribute to that overall delivery, and to work collaboratively with the University and other suppliers to manage mutual dependencies and ensure that their product or service is used effectively in the delivery of a high quality service. We also expect suppliers to behave in accordance with required standards and be forthcoming with information required where a contract is coming to an end and is in a transitional phase leading to contract exit.

2.4 Data Quality

A robust delivery model including its pricing structure is dependent on the quality of data on which it is based. The University will, where possible, 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, through the possible use of pilots. For the university to be able to do this, where a contract is being reprocured, 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 and updated as required, for example, during any transitional phase leading to transfer of the provision of the services.

2.5 Value

Students expect the University to obtain value for money. This means that contracts should be priced to offer sustainable value throughout their life, including when changes are needed. Whilst we accept our suppliers make a profit margin in return for the risk they are accepting, we expect suppliers not to exploit an incumbent or monopoly position, an urgent situation or an asymmetry of capability or information to impose opportunistic pricing.

We will engage constructively with suppliers in relation to any required changes and we expect suppliers to reciprocate this. We expect suppliers 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 the University and supplier interests are rarely best served by protracted litigation.

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

2.6 Reputation and Public Trust

We want to work with suppliers who are proud of their reputation for fair dealing and quality delivery. We also want working with the University to be seen as reputation enhancing for the supplier. We expect all parties to be mindful of the need to maintain public trust and protective of the University's reputation, and ensure that neither they, nor any of their partners or subcontractors, bring the University into disrepute by engaging in any act or omission which is reasonably likely to diminish the trust that the public places in the University. This is not intended to limit any supplier's legal obligations, or constrain whistleblowing or their ability to fairly criticise the Institution or its policies.

2.7 Cyber Security

It is essential that suppliers safeguard the integrity and security of their systems and comply with the relevant University standards and guidance. Suppliers must inform the University Secretary Directorate (governance@wlv.ac.uk) if they become aware of any cyber security incident that affects or has the potential to affect University data.

2.8 Sustainable Procurement

We expect our suppliers to be aware of, and support the University in, complying with its legal and contractual obligations under social value legislation. We expect our suppliers to assist the University in the understanding and reduction of supply chain impacts on our environment, and risks related to the security of raw material supply. We expect suppliers to be open and transparent in assisting the University in reporting publicly on product or service utilisation and any environmental impacts.

2.9 Confidentiality

Suppliers are expected to comply with the provisions in their contracts and any legal requirements to protect sensitive information. Suppliers to the University may also be party to confidential information that is necessary for them 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 in the supplier's own organisation. Notwithstanding this mutual understanding, suppliers should recognise that this does not prevent us from disclosing information where we are compelled to do so, for example, by law (Freedom of Information requests etc.).

2.10 Conflicts of Interest

We expect suppliers to mitigate appropriately against any real or perceived conflict of interest through their work with the University. 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. Standards of Behaviour

3.1 Ethical behaviour

We expect the highest standards of business ethics from suppliers and their agents in the supply of goods and services funded by the public purse. We expect suppliers to be explicit about the standards they demand of executives, employees, partners and subcontractors and to have the governance and audit processes to monitor and enforce these standards.

3.2 Counter Fraud 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. We expect suppliers to have robust processes to ensure that the subcontractors in their 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 suppliers to be vigilant and proactively look for fraud, and the risk of fraud, in their business. Suppliers should immediately notify the University where fraudulent practice is suspected or uncovered and disclose any interests that might impact their decision making or the advice that they give to the University.

3.3 Transparency

We expect suppliers to be open and honest in their dealings with the University. In addition, where contractually required, we expect full and prompt disclosure of cost, revenue and margin information (“Open Book Accounting and Open Book Contract Management”) in line with published guidance and the terms of the contract. Suppliers 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’ mechanism have been fairly implemented.

3.4 Treatment of Subcontractors/Supply Chain

We expect our suppliers to deal fairly with the subcontractors and suppliers in their supply chain, observing the principles of the Prompt Payment Code. We expect suppliers to avoid flowing unreasonable levels of risk to subcontractors who cannot reasonably be expected to manage or carry these risks. We expect suppliers 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 their supply chains to increase the value or quality of supply.

3.5 Prompt Payment

We expect both government and suppliers to be fair and reasonable in their payment practices. Suppliers should pay subcontractors within 30 days on government contracts and comply with the standards set out in the Prompt Payment Code on all other contracts.

3.6 Corporate Social Responsibility

We expect our suppliers to be good corporate citizens; by upholding the values of this code and supporting key corporate social responsibility policy areas, such as diversity and inclusion, sustainability, prompt payment, apprenticeships and skills development.

4. Compliance

The overall objective of this Supplier Code of Conduct is to drive improved performance throughout University supply chains, by building trusting and open relationships with our supply base. Suppliers who provide goods, services or works, to or on behalf of the University, are expected to comply with all aspects of this code.

Suppliers should be open and transparent with the University in relation to breaches or suspected breaches of this Supplier Code of Conduct and should promptly notify the University of any such breach. If non-compliance with the requirements of this code is reported or alleged, the first step is for the University to discuss it with the supplier.

By supplying goods, services or works to the University you agree to abide by this Code of Conduct.