

Appendix A – Details of changes to the Supplier Code of Conduct.

Current	New
<p>Introduction</p> <p>Leicestershire County Council (the Council) is committed to operating ethically and complying with all applicable laws and regulatory requirements, including the requirements of the Equality Act 2010. As part of this commitment the Council requires Suppliers and Companies (the Supplier/s) who do business with us to operate in full compliance with the laws, rules and regulations of the countries in which they operate and to seek similar commitments across their own supply chain. References in this Code of Conduct to “the Council” also apply to ESPO.1 Through Leicestershire County Council and in accordance with an agreement between the member authorities (the “Consortium Agreement”) ESPO procures services and goods which it supplies to member authorities (which include the Council) and other contracting authorities, as defined in the Public Contracts Regulations 2015. This Supplier Code of Conduct sets out the main principles which the Council expects Suppliers to adhere to, as follows.</p>	<p>Introduction</p> <p>Leicestershire County Council (the “Council”) commissions suppliers to provide a wide variety of goods and services. Unsurprisingly, it is important that the Council can procure goods and services of suitable quality which represent good value for money. However, securing goods and services on economically advantageous terms is not the Council’s sole criteria.</p> <p>The Council also has a wide range of responsibilities on environmental, social and governance (abbreviated to “ESG”) matters. Some of those responsibilities arise from the Council’s own legal duties. For example, public bodies are required to proportionately consider how a procurement might improve the economic, social and environmental well-being of their area. However, many of the Council’s commitments on ESG matters are rooted in its own public service values.</p> <p>The Council recognises that suppliers may have many different obligations (including to promote the success of their businesses for the benefit of their owners). However, where this code sets out explicit obligations on suppliers, the Council will expect those obligations to be met in full.</p> <p>The starting point is that the Council expects all of its contracting partners to comply with all laws, rules and regulations (particularly regarding human rights) in the countries in which they operate and seek similar commitments across their supply chains. Secondly, the Council expects suppliers to behave ethically in respect of ESG matters and ensure that the Council does not suffer reputational harm from its commercial relationship with the supplier.</p> <p>Thirdly, the Council will expect reasonable co-operation on ESG matters. This may include sharing information on ESG issues (particularly regarding the environmental sustainability of supply chains).</p> <p>References in this Code of Conduct to “the Council” also apply to ESPO.1 Through</p>

Appendix A – Details of changes to the Supplier Code of Conduct.

	<p>Leicestershire County Council and in accordance with an agreement between the member authorities (the “Consortium Agreement”) ESPO procures services and goods which it supplies to member authorities (which include the Council) and other contracting authorities, as defined in the Public Contracts Regulations 2015.</p> <p>This Supplier Code of Conduct sets out the main principles which the Council expects Suppliers to adhere to, as follows.</p>
<p>Unlawful discrimination of Customers/Service users should not take place</p> <p>Suppliers should always consider the requirements of equality law (in the UK the Equality Act 2010) in their supply of goods or services to customers and service users, and ensure that goods and services are supplied without discrimination according to the law. Suppliers should ensure their staff are trained in/aware of these requirements and act accordingly.</p>	<p>Unlawful discrimination of Customers/Service users should not take place</p> <p>Suppliers should always comply with the requirements of equality law (in the UK the Equality Act 2010) in their respect of the supply of goods or services to customers and service users,</p> <p>Organisations wishing to provide services on the Council’s behalf must be able to demonstrate that all reasonably practical steps are taken to allow fair access for all service users.</p> <p>Some public contracts deliver services to service users with particular needs such as physical or mental disabilities, medical conditions or other factors that place them in a vulnerable position. Suppliers should in any event ensure that these service users are treated at all times with courtesy and respect ensuring that their wellbeing is always treated as a priority concern.</p> <p>Public Sector Equality Duties Suppliers should recognise that the Council has an obligation to comply with the ‘public sector equality duty’ (PSED). The PSED requires public authorities to have due regard to the need to:</p> <p>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.</p> <p>Advance equality of opportunity between people who share a protected characteristic and those who do not, and</p>

Appendix A – Details of changes to the Supplier Code of Conduct.

	<p>Foster good relations between people who share a protected characteristic and those who do not.</p> <p>The Council’s PSED is non-delegable (this means that the duty will always remain the Council’s responsibility). The Supplier can accordingly expect equalities issues to be closely supervised.</p> <p>However, private sector bodies will themselves become subject to the PSED in their own right where they “perform services of a public nature” Accordingly, where a Supplier is delivering a public facing contract, the Supplier should be able to explain how, at an appropriate time, it conscientiously considered ways of complying with its PSED.</p>
<p>Employment is freely chosen</p> <p>There is no forced, bonded or involuntary prison labour.</p> <p>Workers are not required to lodge “deposits” or their identity papers with their employer and are free to leave their employer after reasonable notice</p>	<p>Employment is freely chosen</p> <p>There shall be no forced, bonded or involuntary prison labour or human trafficking in connection with the provision of any goods or services to the Council, its customers or service users</p> <p>Workers should not be required to deposit their identity papers with their employer (other than for checking following which papers should be promptly returned) and should be free to leave their employer after reasonable notice</p> <p>Suppliers shall maintain employment records to enable them to provide the Council with any information needed to publish an annual supply chain transparency statement (see Section 54 of the Modern Slavery Act 2015).</p>
<p>Child labour shall not be used</p> <p>There shall be no recruitment of child labour – the Supplier will comply with laws and regulations related to minimum working age. No employee of any age, including apprentices or vocational students, may be employed in breach of local regulations governing the minimum age of work or the compulsory age</p>	<p>Child labour shall not be used</p> <p>There shall be no recruitment of child labour – the Supplier will comply with laws and regulations related to minimum working age.</p> <p>No employee of any age, including apprentices or vocational students, may be employed in breach of local regulations governing the minimum age of work or the compulsory age</p>

Appendix A – Details of changes to the Supplier Code of Conduct.

<p>for schooling, consistent with ILO Minimum Age Convention No. 138.</p> <p>Policies and programmes developed by the Supplier regarding child labour shall conform to the provisions of the relevant ILO standards.</p>	<p>for schooling, consistent with ILO Minimum Age Convention No. 138.</p> <p>Whilst the ILO minimum Age Convention permits children as young as 13 years to be employed (to undertake light duties), the Council requires that:-</p> <p>(a) children must not be recruited before they have reached the age of completion of compulsory schooling, and</p> <p>(b) in any case not before the age of 15 years old; and</p> <p>(c) those under 18 must not be required to perform hazardous duties</p> <p>Policies and programmes developed by the Supplier regarding child labour shall conform to the provisions of the relevant ILO standards.</p>
<p>Suppliers are required to observe the spirit of the Modern Slavery Act 2015.</p> <p>Suppliers shall ensure they are not directly engaged in slavery, servitude, forced or compulsory labour or human trafficking.</p> <p>Suppliers shall take reasonable and proportionate steps, having regard to the nature of their business, to identify potential high and medium risks of slavery, servitude, forced and compulsory labour or human trafficking in their supply chains. To the extent it is commercially practicable suppliers should use their buying power to influence their suppliers from such prohibited activities.</p> <p>Suppliers shall be prepared to provide to the Council names and geographical locations of their own suppliers, to the extent that these are the source of products supplied to the Council.</p> <p>Suppliers shall permit any of the Council’s staff, consultants acting on its behalf or similar, to inspect the supplier’s premises and interact with workers without notice at any reasonable time.</p>	<p>Suppliers are required to observe both the letter and spirit of the Modern Slavery Act 2015.</p> <p>Suppliers shall ensure they and their contractors are not directly engaged in slavery, holding any persons in servitude, forced or compulsory labour or human trafficking.</p> <p>Suppliers shall take reasonable and proportionate steps, having regard to the nature of their business, to identify potential high and medium risks of slavery, servitude, forced and compulsory labour or human trafficking in their supply chains. To the extent it is commercially practicable suppliers should use their buying power to influence their sub-contractors from such prohibited activities.</p> <p>Suppliers shall be prepared to provide to the Council names and geographical locations of their own suppliers, to the extent that these are the source of products supplied to the Council or its service users.</p> <p>Suppliers shall permit any of the Council’s staff, consultants acting on its behalf or similar, to inspect the supplier’s premises</p>

Appendix A – Details of changes to the Supplier Code of Conduct.

	<p>and interact with workers without notice at any reasonable time.</p> <p>Employees should not be restricted as to where they can source their own accommodation, food or other necessities as a condition of their employment. The Council would for example generally consider it to be exploitative if employees were required to spend their wages in an employer's shop and have the costs of such items deducted from their pay.</p>
	<p>Supply of products</p> <p>Suppliers should ensure that any goods supplied to the Council, its customers or service users are safe.</p> <p>Product Safety Suppliers should ensure that all goods supplied under its contracts are:-</p> <ul style="list-style-type: none"> • of merchantable quality, • lawful for sale in the United Kingdom • safe for use • suitably labelled • Fit for purpose
	<p>Information Management</p> <p>The Council expects Suppliers to deal with information shared by the Council (particularly personal information) responsibly.</p> <p>Suppliers are expected to comply with their duties under data protection legislation.</p> <p>The Council expects Suppliers (and sub-contractors) to discharge their responsibilities as data controllers and properly manage the personal information of staff and service users.</p> <p>Unless otherwise agreed, personal information supplied by the Council in relation to service users should be treated as confidential. Suppliers should co-operate on information sharing</p>

Appendix A – Details of changes to the Supplier Code of Conduct.

	<p>Suppliers should co-operate with the Council in respect of its responsibilities under information governance legislation.</p> <p>Cyber Security It is essential that suppliers safeguard the integrity and security of their IT systems and comply with relevant government standards and guidance.</p> <p>Suppliers should share information on security and any breaches that occur.</p>
	<p>Artificial Intelligence</p> <p>The Council expects Suppliers to adopt responsible and ethical practices in relation to their use of Artificial Intelligence (AI).</p> <p>Use of AI in the provision of goods or services:</p> <p>Suppliers shall give the Council as much advance notice as possible if it proposes to use an artificial intelligence (AI) system to provide goods or services to the Council. This applies to the Supplier's use of AI systems to directly provide goods services, and not to use of AI systems as part of the Supplier's internal management.</p> <p>Responsible and ethical practices in use of AI systems:</p> <p>Suppliers shall implement and adhere to responsible and ethical practices when designing, implementing, monitoring, training, testing, deploying, or otherwise developing or using AI systems. This includes adhering to all applicable:</p> <ul style="list-style-type: none"> (a) laws and regulations; (b) industry requirements and standards; (c) guidance and codes of practice issued by a relevant regulatory authority <p>Use of Council data to train or input into an AI system:</p>

Appendix A – Details of changes to the Supplier Code of Conduct.

	<p>Suppliers must not use or retain the Council’s data or confidential information for the purposes of training or inputting into any AI system or model without prior written approval of the Council.</p> <p>Where Suppliers uses third-party providers to develop an AI system, they must implement appropriate risk management and supervision measures to ensure that such third-party provider adheres to the standards set out in this code of conduct.</p>
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