

The University of Kent

Supplier Code of Conduct

Last updated September 2019

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Introduction

The University of Kent is the UK's European University. With over 20,000 students and over 3,000 members of staff, the University has recently been awarded gold - the highest rating - in the UK Government's Teaching Excellence Framework.

The University spends around £70m per annum on goods and services with external providers. It is a major economic force in the South East of England, generating over £900m for the region and supporting over 2,000 jobs through its expenditure.

We rely on our suppliers as key partners in the delivery of the highest quality research, provision of excellent education to our students, and ongoing engagement with our communities and the wider world. A contract underpins the relationship between the University and its suppliers, but it is important that the relationship is also built upon mutual trust and understanding.

This Code of Conduct therefore sets out how we expect our suppliers, their employees and their sub-contractors to behave in all interactions with the University, our staff, and students, both on and off-site.

Background

The University Plan sets out the vision and strategic objectives of the University of Kent. Our objective is to be internationally known for a transformative student experience and employability outcomes regardless of background. We expect all of our suppliers to familiarise themselves with the University Plan, which is available online here:

<https://www.kent.ac.uk/strategy/>

Our Procurement Strategy outlines the strategic intent of the Procurement Department at the University of Kent to 2021 in the form of ten strategy statements. Again, we expect all of our suppliers to familiarise themselves with our Procurement Strategy and it is available online here: <https://www.kent.ac.uk/finance/docs/procurement/UoK%20procurement%20strategy%202018%20External%20Publication.pdf>.

On our website, suppliers can access our standard Terms & Conditions:

<https://www.kent.ac.uk/finance/procurement/index.html?tab=terms-and-conditions>

The website also contains links to relevant policies, regulation and legislation, both internal and external: <https://www.kent.ac.uk/finance/procurement/index.html?tab=legislation> and <https://www.kent.ac.uk/governance/policies-and-procedures/index.html>

Contractors should ensure they agree and sign-up to the University of Kent Code of Safe Working Practises prior to undertaking any construction, maintenance or similar works. The code is available online here: https://www.kent.ac.uk/estates/files/contractors/safe_working_practices.pdf.

Values

In selecting suppliers, the University of Kent checks that it is 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 letter and spirit of a contract.

We expect our suppliers, their employees and their sub-contractors, to act in a manner that is compatible with the core Values when delivering goods and services to, or on behalf of the University of Kent.

Any activity that may cause actual, reputational, or financial damage, to the University will be counter to the aims and values of the University and be in breach of this Code.

People

The University of Kent celebrates equality, diversity and inclusivity in all of its activities. You should familiarise yourself with not only your own employers codes of conduct and practice, but also those of the University and be aware that the expectations of the University may be different from your employer.

At all times, the interactions of all suppliers and their staff should be respectful.

It does not tolerate any form of discrimination, harassment or victimisation from or towards any of its staff or students, and it expects the same standard of behaviour of its suppliers, including to their own employees.

This includes behaviours by employees at all times, recognising and respecting the wishes and privacy of all that you may come into contact with, including but not limited to staff and students at the University, and the public who may be onsite. This includes use of non-work channels to contact, or send or communicate inappropriate or unwanted content, intent and material, to anyone you may come into contact with at the University without explicit consent.

We believe it is essential that goods and services provided by suppliers to or on behalf of the university are always delivered in an accessible fashion as per our Accessibility Information linked below and the requirements of the Equality Act 2010 to ensure there is equality of access.

Suppliers are expected to comply with all relevant human rights and employment laws and to ensure that subcontractors in their supply chain also comply. The University will not tolerate any instances of Modern Slavery anywhere in its supply chains.

Where practicable and possible, suppliers should exceed the requirements of the legislation and meet best practice guidelines. Specific examples of this would include:

- No employees engaged under Zero Hours Contracts where possible
- Payment of subcontractors and suppliers within 30 days of invoicing in line with the Prompt Payment Policy found at : <https://www.gov.uk/guidance/prompt-payment-policy>
- Adhering to the Anti-Bribery and Corruption guidelines

Further information on our policies and statements relating to People can be found online:

- Equality, Diversity & Inclusivity: <https://www.kent.ac.uk/equality/>
- Disability policy: <https://www.kent.ac.uk/studentsupport/policies/DisabilityPolicy.docx>

- Modern Slavery statement: <https://www.kent.ac.uk/governance/modern-slavery-statement.html>
- Anti-Bribery and Corruption Guidance : <https://www.kent.ac.uk/estates/files/contractors/anti-bribery-and-corruption.pdf>
- Accessibility information at : <https://www.kent.ac.uk/studentssupport/accessibility/>

The University Of Kent reserves the right to investigate any circumstances relating to any potential breaches of any of the above, including the right to perform unannounced inspections and audits on or off the University Campus or at supplier sites as necessary.

Copies of these policies are also available upon request.

Environment

The University of Kent is committed to embedding sustainability at the heart of all of its activities, and we expect our suppliers to do the same.

The University Environment Policy aims to promote sustainable procurement and we expect our suppliers to be aware of, and compliant with, all current environmental legislation, and to ensure this extends throughout the supply chain. Suppliers should be aiming to reduce unnecessary wastage and minimise environmental impact including carbon emissions wherever possible and these factors should always be considered when supplying and bidding to the University.

The University may expect reporting from suppliers around Environmental activity, Carbon reduction, and efficient use of limited resources.

Further information on our policies and guidance relating to the Environment can be found online:

- Environmental Policy: <https://www.kent.ac.uk/safety/env/documents/EMS-Policy.pdf>
- Safety, Health & Environment guidance: https://www.kent.ac.uk/safety/hs/pages/guidance_info.html

Business Practises & Standards of Behaviour

The University of Kent is committed to using its purchasing power to add Social Value for all stakeholders, including our staff, students, local residents & businesses in Canterbury, Medway and Kent more widely. This includes, where feasible and cost-effective, use of local supply chains and expertise to ensure reinvestment in the local economy.

We expect all representatives of the University, including our suppliers, to conduct themselves professionally and respectfully, including in relation to use of alcohol, drugs and substances.

The University is committed to conducting its business both ethically and transparently, to the highest standards of integrity, and in accordance with all legal requirements. To this end, the University will not tolerate any instances of (actual or attempted) bribery, fraud or corruption. We expect suppliers to adhere to anti-corruption laws, including but not limited to the Bribery Act 2010, and the Criminal Finance Act 2017, and anti-money laundering regulations. Decision making should be clear and transparent. Suppliers should not attempt to compromise this process, through hospitality or other behaviour, that either explicitly or in an inferred manner, may influence behaviour.

As laid out in the University's Terms and Conditions for the Purchase of Goods and Services, in consideration of the supply of Goods and /or Services, the University shall pay the invoiced amounts within 30 days of the date of invoice, and equally expects Suppliers to deal fairly with the subcontractors in their supply chain. Prime contractors should not inappropriately pass risk to their

subcontractors and delay payment beyond these 30 days, unless the invoices are in dispute. Subcontractors should not be placed at risk or jeopardy by the primary supplier unjustly withholding payment or extending payment terms in a fashion that may cause reputational or actual damage, or be viewed as an abusive market practice.

As a publicly funded institution, the University is expected to obtain value for money and to be transparent in being able to demonstrate this in all its dealings. This means that contracts should be priced to offer sustainable value throughout their life, including when changes are needed. Underpricing of actual costs to deliver - in order to win the contract - may be in breach of the code and may, in event of discovery, be subject to action by the University.

We expect suppliers to work in good faith to resolve any disputes promptly and fairly during the life of a contract, recognising the importance of a good working relationship. 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 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 taxpayer and supplier interests are rarely best served by protracted litigation.

In instances where suppliers or contractors are privy to sensitive or confidential information, the University expects that this will be safeguarded. 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. Suppliers are expected to comply with the terms of the Data Protection Act 1998 and the subsequent General Data Protection Regulations of 2016 that comes into effect in 2018.

Reputation

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. However, reputation can quickly be lost, for example, by, exaggerating the extent of benefits. Equally, we expect suppliers to be protective of The University of Kent's reputation, and ensure that neither they, nor any of their partners or subcontractors, bring any disrepute to any party by engaging in any act or omission which is reasonably likely to diminish that trust.

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.

Further information on our policies and procedures relating to Business Practices and Behaviours can be found online:

- Anti Bribery & Corruption policy:
<https://www.kent.ac.uk/governance/policies-and-procedures/bribery.html>
- Declaration of Interests policy:
<https://www.kent.ac.uk/governance/register-of-interests/Declaration-of-Interests-Policy.html>
- Whistleblowing & Fraud policy:
<https://www.kent.ac.uk/governance/policies-and-procedures/whistleblowing.html>
- UoK Terms & Conditions for the Purchase of Goods & Services:
<https://www.kent.ac.uk/finance/procurement/index.html?tab=terms-and-conditions>

Conclusion

This code is not all-inclusive and may be subject to amendment, updating and variation at any time as relevant and subject at all times to the requirements of the law, regulation, and legislative instruments that apply.

The University of Kent Procurement Team: September 2019