



THE INDEPENDENT VOICE OF TRUST

TIC Council Compliance Code Training Guide



Compliance Code Principles

- Integrity
- Conflicts of Interest
- Confidentiality and Data Protection
- Anti-bribery
- Fair Business Conduct
- Health and Safety
- Fair Labour



Compliance Code



- Is a core component of TIC Council membership and our industry
- Senior managers are required to make a written statement of compliance each year
- The Members' employees shall commit to comply with the Code and complete compulsory training on the Code



Compliance Code

- Should be audited internally by divisional quality and compliance personnel as part of the Quality Management System



Compliance Code

- Audited externally by 3rd party auditors
 - Documentary submission as per Guidelines Annex B
 - AUP as per Guidelines Annex C
- Member's Compliance Officer should prepare a summary report on annual basis covering:
 - Violations
 - New or renewed intermediaries, joint venture and franchises
 - Expenses
 - Health and Safety incidents



Compliance Code

- Breaches shall be investigated
- Abusers should face disciplinary action
- Fundamental to membership of TIC Council



Compliance Code Principles – Integrity

- Reports must reflect actual findings
- Tolerances must not be abused
- Correct methods applied
- Reports must not be improperly changed
- Reports must remain confidential



Compliance Code Principles – Confidentiality and Data Protection



The Member shall respect the confidentiality and privacy of client's information and ensure processes are in place to adequately protect such information



Compliance Code Principles – Conflict of Interest



Employees shall be free of Conflicts of Interest such as ownership or involvement in outside interests that could influence or adversely affect the employees' performance or Member's reputation

Care must be taken where divisions or subsidiaries of the Member share clients or work for each other



Compliance Code Principles – Anti-bribery



- Employees are prohibited from offering, soliciting, giving and receiving bribes
- All indirect routes for bribes are prohibited



Compliance Code Principles – Fair Business Conduct



The Member shall conduct itself with the highest standards of business ethics and integrity and shall not do anything which would bring its reputation, or the reputation of TIC Council or the TIC industry, into disrepute.



Compliance Code Principles – Health and Safety



The Member shall implement adequate training and procedures to protect the health and safety of employees, customers and third parties and shall monitor incidents with the view of minimising risks in the course of business operations.



Compliance Code Principles – Fair Labour



The member is aware of its social responsibility for its employees and the people, communities and environments in which it works and shall respect human rights.



TIC Council Member Guidance Notes for Training Staff



- How should Member's staff behave?



Your Part in Compliance

- Comply
- Report
 - If requested or pressured to breach
 - If you observe a breach
 - Where it is substantially likely that a breach could occur



Report Breaches

- To your superior – if you believe he/she is not involved
- To your Compliance Officer
(Insert Compliance Officer contact details here)
- To a member of senior management
- To an internal auditor



Report Breaches



- You may report anonymously on the secure email address or the independent telephone line
 - Please be specific – give dates, names, references
 - Do not make general accusations, they cannot be investigated
 - Your career should not suffer as a result of reporting!



Report Breaches

- Ensure you DO report breaches
- Do NOT make malicious reports
- Do report Personnel/Human Resource issues using the NORMAL channels



Compliance Code

- Breaches shall be investigated
- Abusers should face disciplinary action
- Fundamental to membership of TIC Council



What Happens After You Report?

- There will be an investigation
- If any individuals are found to have broken the Code, the Member should take action under its Zero Tolerance Policy



What Happens After You Report?

- If requested, your anonymity will be preserved, to the extent possible
- Your career should NOT be affected



Compliance Code – Application of the Principles



- Integrity
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Compliance Code – Application of the Principles – Penalties for Offenders



- Infractions of the Member Compliance Code should result in disciplinary action up to and including dismissal



Compliance Code – Application of the Principles – Implementation



Training guide for staff



Compliance Code – Application of the Principles



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Compliance Code – Application of the Principles – Integrity



- Report must reflect actual findings
- Tolerances must not be abused
- Correct methods must be applied
- Reports must not be improperly changed



Compliance Code – Application of the Principles – Integrity



When clients apply pressure:

Employees should politely decline to abuse tolerances or change findings at the request of clients and should immediately report the details of the communication to their manager



Compliance Code – Application of the Principles



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Compliance Code – Application of the Principles – Conflict of Interest



Employees shall be free of Conflicts of Interest such as ownership or involvement in outside interests that could influence or adversely affect the employees' performance or the Member's reputation



Compliance Code – Application of the Principles – Conflict of Interest



Care MUST be taken where divisions or subsidiaries of a Member share clients or work for each other

- Employees may not break the Code within their division under pressure from a client or colleague to preserve a client relationship in another division or subsidiary
- Any such pressure should be reported to your manager or, if they are involved, to your business stream Compliance Officer



Compliance Code – Application of the Principles – Conflict of Interest



Employees

- Must NOT own an interest, or have a position in:
 - a client
 - a supplier OR
 - a competitor
- Not directly
- Not indirectly through any intermediary



Compliance Code – Application of the Principles – Conflict of Interest



Employees

The exception is where the holding is through a stock exchange

BUT

The holding must not either:

- grant significant influence OR
- create undue dependence



Compliance Code – Application of the Principles – Conflict of Interest



Employees

- Employees are prohibited from directly conducting business with:
 - their family OR
 - any organization with which their family is associated



Compliance Code – Application of the Principles – Conflict of Interest



Employees

- Where the Member conducts business with an entity or person related to an employee, the employee shall not be directly involved and the entity shall be subject to no preferential treatment by virtue of the connection
- Employees may not recruit members of their own family unless with prior approval from their senior manager



Compliance Code – Application of the Principles



- Integrity
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Compliance Code – Application of the Principles – Confidentiality and Data Protection



You have signed a non-disclosure agreement as part of the Code sign-off document

“The Member shall respect the confidentiality and privacy of client’s information and ensure processes are in place to adequately protect such information”



Compliance Code – Application of the Principles – Confidentiality and Data Protection



- Authorised access
- Stored in designated areas
- Disposed of securely



Compliance Code – Application of the Principles



- Integrity
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- **Anti-bribery**
- Fair Business Conduct
- Health and Safety
- Fair Labour



Compliance Code – Application of the Principles – Anti-bribery



- Employees are prohibited from offering, soliciting, giving and receiving bribes
- All indirect routes for bribes are prohibited
- Offers of bribes must be reported



Compliance Code – Application of the Principles – Anti-bribery



Gifts, Hospitality and Expenses

Shall not:

- Influence or appear to influence a contractual or materials transaction
- Serve or appear to serve as an inducement to act improperly



Compliance Code – Application of the Principles – Anti-bribery



Gifts, Hospitality and Expenses – Received or Offered

The Rules

- Made for the right reasons
- Without obligation
- Without expectation
- Made openly
- With regard to the perception of other involved parties

Compliance Code – Application of the Principles – Anti-bribery



Gifts, Hospitality and Expenses – Received or Offered

The Rules

- Reported
- Reasonable in value
- In compliance with the Code
- Infrequent



Compliance Code – Application of the Principles – Anti-bribery



Hospitality and Entertaining

When providing or receiving hospitality employees shall act reasonably. As a guideline, the value of entertainment should not generally exceed an amount that would be considered acceptable by the Member for subsistence when on business



Compliance Code – Application of the Principles – Anti-bribery



Accounting

- Must be accurate and unambiguous
- Off-books accounting is prohibited



Compliance Code – Application of the Principles



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Compliance Code – Application of the Principles – Fair Business Conduct



- Employees are prohibited to:
 - Make untrue statements about competitors, their operations, services or service offerings
 - Conduct activities contrary to rules for fair competition, anti-trust or tendering
 - Incite, induce or encourage any person to breach its contractual obligations
 - Achieve a competitive advantage through commercial espionage and/or data theft



Compliance Code – Application of the Principles – Fair Business Conduct



- Guidelines should be provided to employees, agents and intermediaries
- Ensure that they understand and adhere to these principles
- Member network, affiliations, resources and services provided must be presented:
 - Accurately and
 - Unambiguously



Compliance Code – Application of the Principles



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Compliance Code – Application of the Principles – Health and Safety



- Implement procedures that meet all legal requirements
- Provide training to employees specific to their activity
- Encourage employees to report any incidents
 - Record
 - Investigate
 - And take corrective measures where appropriate



Compliance Code – Application of the Principles



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Compliance Code – Application of the Principles – Fair Labour



- Maintain a policy with the following statements:
 - Compliance with at least minimum wage legislation and other applicable wage and working time laws
 - Prohibition of child labour
 - Prohibition of forced and compulsory labour
 - Respect of equal opportunities in the workplace
 - Prohibition of abuse, bullying or harassment in the workplace



To Summarise – Your Part in Compliance

- Comply
- Report:
 - If requested or pressured to breach
 - If you observe a breach
 - Where it is substantially likely that a breach may occur



If you are in doubt about the Compliance Code



Please enquire on the email help line:

(insert member email help line contact details here)



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Testing, inspection and certification

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