

Ethics issues & regulations in the UK & Internationally

Headline	Issues / Offences	UK legislation / guidelines	International legislation / Guidelines	Other
Bribery	Bribing and being bribed, bribing foreign public officials, failing to prevent bribery	Bribery Act 2010 (UK) Covers both private & public activities. Click here for a guide on compliance with the Act published by UK Ministry of Justice	The OECD Anti Bribery Convention is the only legally binding instrument globally to focus primarily on the supply of bribes to foreign public officials in international business transactions.	Codes of conduct
Corruption	Includes bribery, overstating of budgets, manipulation of payment applications, collusion to share & divide the market		World Economic Forum Partnering Against Corruption Initiative Foreign Corrupt Practices Act (USA)	CIOB (2013) Corruption in the UK Construction Industry The Corruption Perceptions Index (CPI) scores and ranks how corrupt a country's public sector is perceived to be. It is the most widely used indicator of corruption worldwide Codes of conduct

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Fraud	<p>8 types of fraud were identified in Grant Thornton's global study, 'Time for a new direction: Fighting fraud in construction (2013) including billing fraud, bid/contract rigging, bribery / corruption, fictitious vendors, change order manipulation, theft or substitution of materials, false representation, money launder / tax avoidance.</p>	<p>Fraud Act 2006 (UK) came into force in January 2007 & created 3 ways of committing a new offence of fraud, fraud by false representation, fraud by failing to disclose information, fraud by abuse of position</p>	<p>Sarbanes-Oxley Act of 2002, passed by US Congress to protect shareholders & general public from accounting errors and fraudulent practices in the enterprise as well as improving accuracy of corporate disclosures</p>	Codes of conduct
Procurement / tender practices	<p>Anti-competitive behavior, cartel activity, collusion, abuse of market power</p>	<p>Competition Act 1998 prohibits agreements & practices to restrict UK competition & abuse of a dominant market position. The Enterprise Act 2002 introduced tougher sanctions on cartel activities</p> <p>Social Value Act 2013 (UK)</p> <p>Requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.</p>	<p>European Procurement Rules</p> <p>Construction Sector Transparency Initiative (CoST) was launched in May 2008 to tackle some of the problems endemic to public construction across the world – overcharging, excessive delays, low standards and theft.</p>	Codes of conduct

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Worker's rights	Modern slavery, bullying, discrimination	<p>Human Rights Act 1998 (UK) Incorporated</p> <p>Modern Slavery Act 2015 (UK) Sets out a range of measures on how modern slavery & human trafficking is dealt with in the UK. It requires businesses with an annual turnover above a £36million threshold to confirm steps being taken to ensure slavery & trafficking are not taking place in their business or supply chain.</p> <p>Immigration Act 2016 (UK) Introduces new sanctions on illegal employers. Provides better co-ordination of regulators that reinforce worker's rights. Prevents illegal migrants in the UK from accessing housing, driving licenses and bank accounts and introduces new measures to make it easier to enforce immigration laws and remove illegal migrants.</p> <p>Equality Act 2010 (UK) Ensures consistency in what employers and employees need to do to make their workplaces a fair environment to comply with the law</p>	<p>UN Guiding Principles on Business and Human Rights (2011)</p> <p>The Guiding Principles seek to provide an authoritative global standard for preventing and addressing the risk of adverse human rights impacts linked to business activity.</p> <p>International Labour Organisation Conventions</p> <p>Are legal instruments drawn up by the ILO's constituents (governments, employers and workers) and setting out basic principles and rights at work. They are either conventions, which are legally binding international treaties that may be ratified by member states, or recommendations, which serve as non-binding guidelines</p>	<p>CIOB (2015) Modern Slavery: The Dark Side of Construction</p> <p>CIOB (2016) Building a Fairer System: Tackling Modern Slavery in Construction Supply Chains</p> <p>Codes of conduct</p>

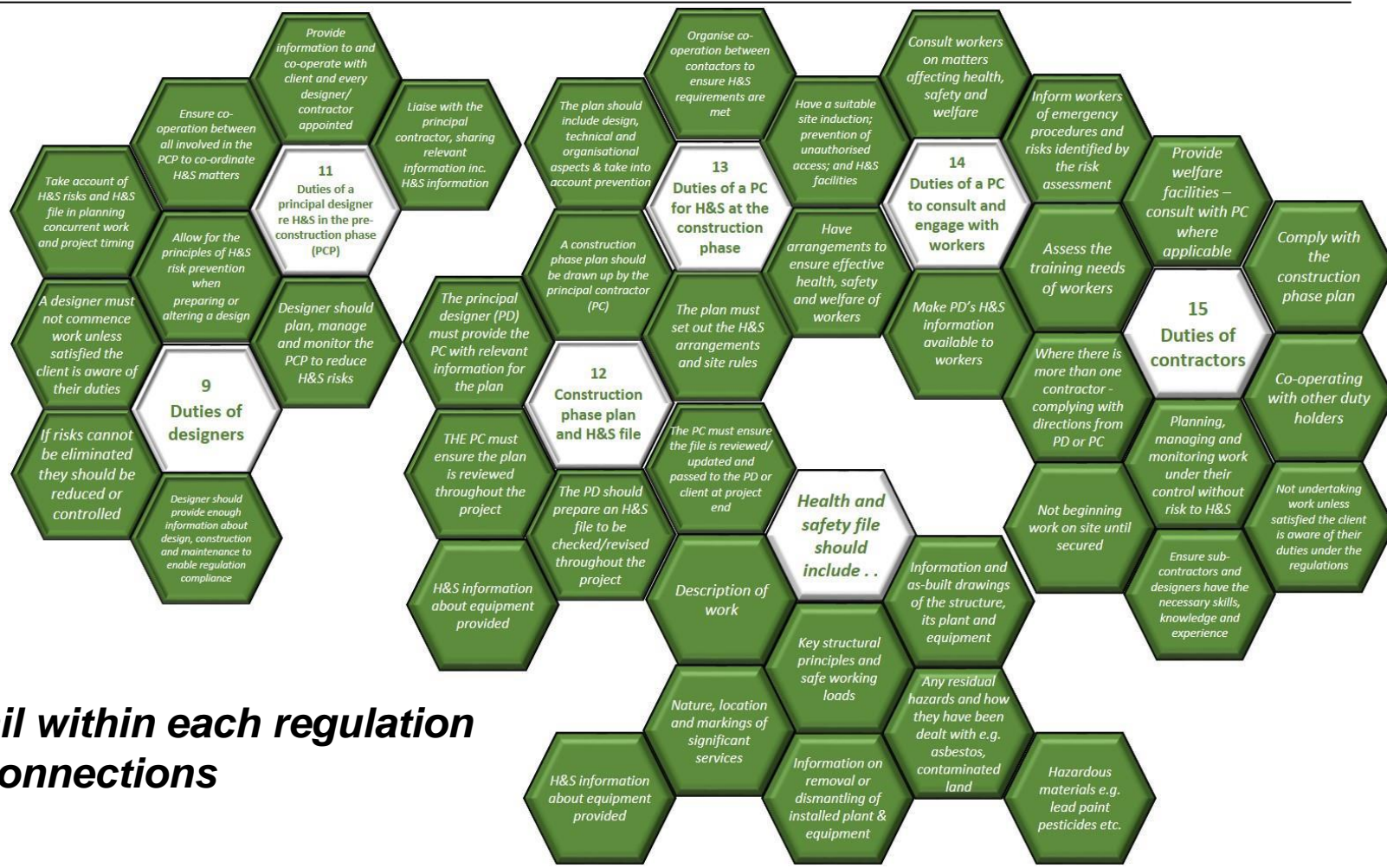
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Supply chain	Modern slavery, late payment, child labour, unsafe working conditions	Construction Supply Chain Payment Charter . By becoming a signatory to this Charter, an organisation agrees to apply the fair payment commitments in its dealings with its supply chain		Codes of conduct
Conflict of interest	Examples may be: Consultants using their position for financial gain. Clients awarding contracts to companies in which they hold interest. Government role is to deliver services; however, they are now in competition with the private sector through their business units. Awarding of contracts to former employees and friends. Maintaining impartiality when presenting to clients.			Codes of conduct

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Environment / Sustainability	Damage to environment, pollution, waste, use of water, habitat destruction, impact on biodiversity, community	<p>ISO 14001: 2015 sets out criteria for an environmental management system & can be certified to. It maps out a framework that a company or organization can follow to set up an effective environmental management system.</p> <p>Considerate Constructors Scheme a non-profit making, independent organisation founded in 1997 by the construction industry to improve its image. Three main areas of concern are general public, workforce and environment.</p>		Codes of practice
Quality	Poor quality control and quality of work.	ISO 9001: 2015 sets out criteria for a quality management system based on a number of quality management principles including strong customer focus, the motivation & implication of top management, the process approach & continual improvement		Codes of practice

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Health & Safety	Failure to protect public health, occupational health, safety and welfare	The Construction Design and Management (CDM) 2015 regulations describes the law that applies to the whole construction process on all construction projects from concept to completion and which duty holder must or should comply with the law to ensure projects are carried out in a way that secures health and safety (see further pages for an in-depth look at this area).		

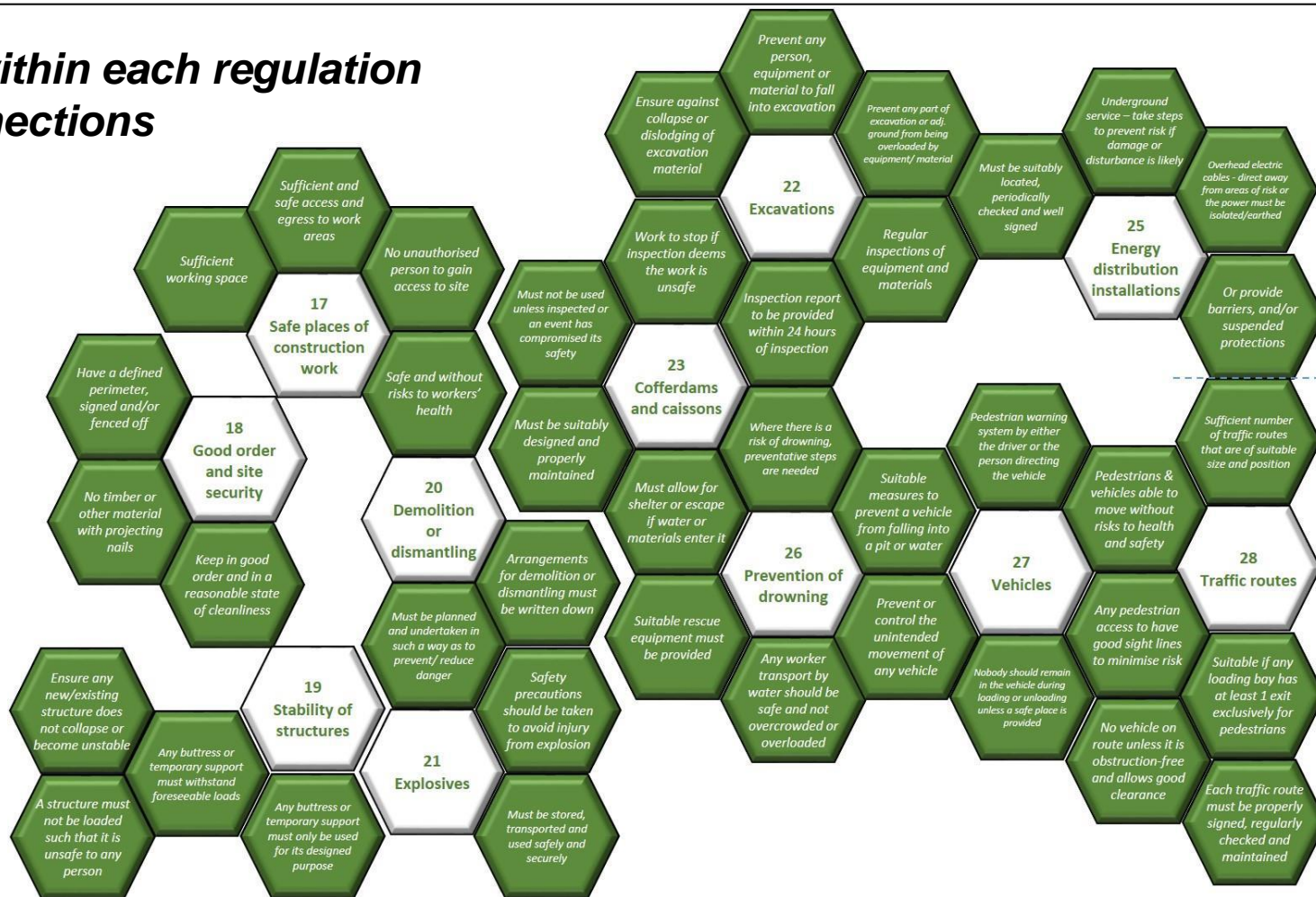
CDM Regulations





**The detail within each regulation
& their connections**

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