

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	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.	Fraud Act 2006 (UK) came into force in January 2007 & created 3 ways of committing a new office of fraud, fraud by false representation, fraud by failing to disclose information, fraud by abuse of position	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	Codes of conduct
Procurement / tender practices	Anti-competitive behavior, cartel activity, collusion, abuse of market power	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 activates Social Value Act 2013 (UK) Requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits.	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.	Codes of conduct



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



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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

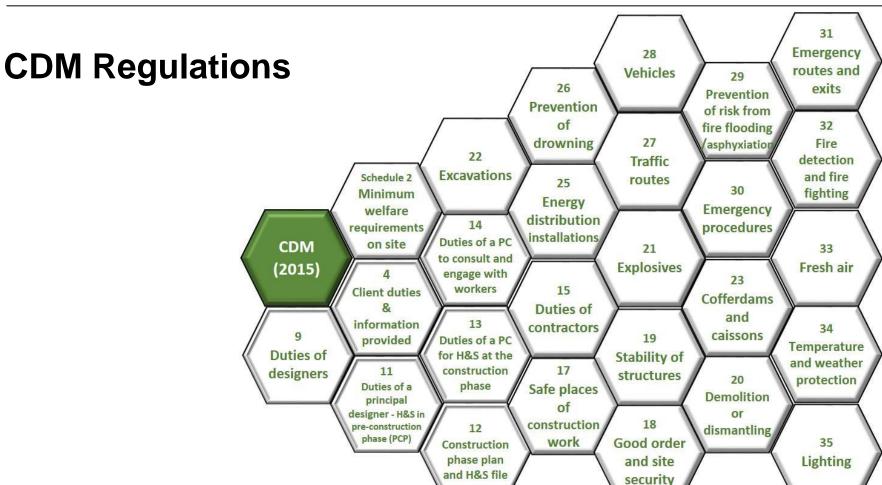


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Environment / Sustainability	Damage to environment, pollution, waste, use of water, habitat destruction, impact on biodiversity, community	ISO 14001: 2015 sets out criteria for an environmental management system & can be certified to. It maps out a framework that a company or organization can follow to set up an effective environmental management system. 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.		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

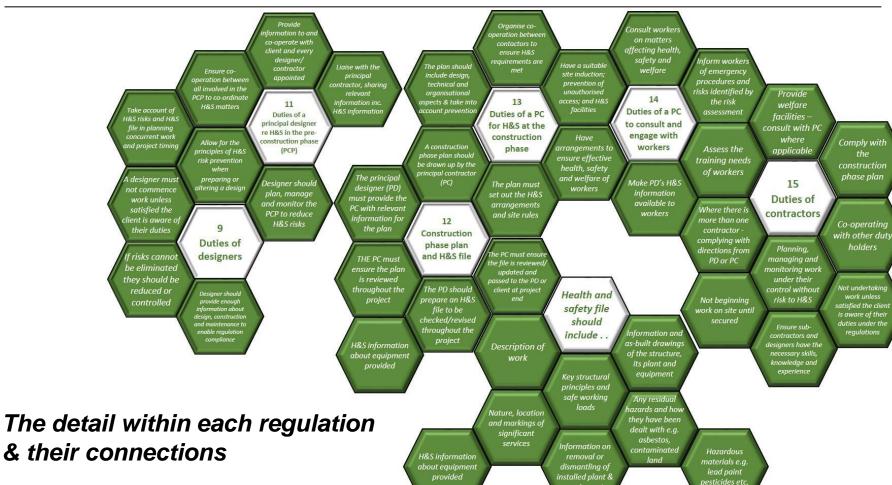


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Health & Safety	Failure to protect public health, occupational health, safety and welfare	The Construction Design and Management (CDM) 2015 regulations describes the law that applies to the whole construction process on all construction projects from 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).		



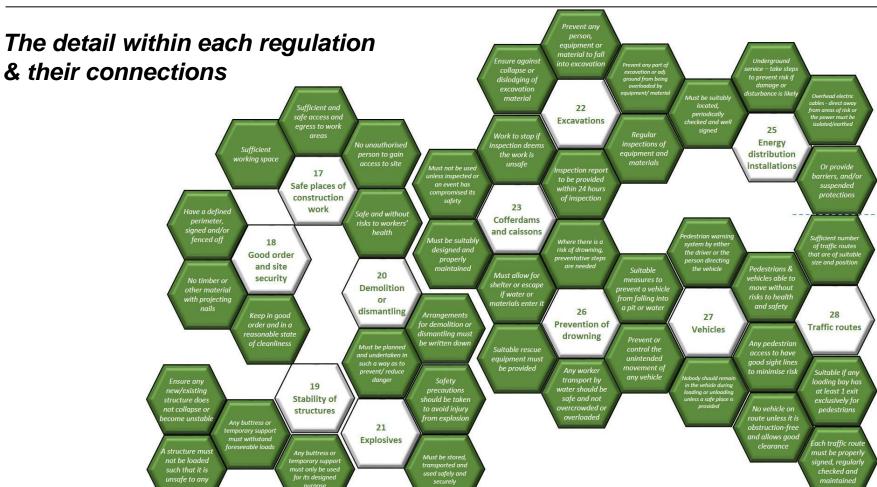






equipment







The detail within each regulation

34 & their connections 33 **Temperature** Fresh air and weather Each site and its approach should have sufficient **Procedures** Any plant used to fresh/purified air Take steps to should relate to provide fresh air prevent the risk should have a work type, site, of injury from visible or audible equipment and fire or explosion Each emergency materials' warning of Ability to deal route should lead failure Take steps to with a as directly as prevent the risk of foreseeable possible to a safe injury from flooding 29 emergency Enouah Prevention of 30 35 routes to allow risk from fire Emergency Lighting people to access flooding or All should be Suitable and procedures revent the risk 31 a safe area sufficient aware of the asphyxiation of injury from procedures. Emergency secondary any substance which should be lighting routes and likely to cause tested at anywhere there Sufficient fire asphyxiation exits Any artificial intervals is a health risk Each emeraency fighting iahtina should not route should be equipment, fire adversely affect the clearly signed detection and perception of any Fire fighting sign/signal alarm systems Each emergency Fire fiahtina equipment, fire route should be detection and eauipment must alarm systems kept clear of be indicated by 32 must be regularly obstruction suitable sians inspected Fire detection

protection **Ensure** temperature of an indoor construction site Provide is reasonable protective clothing or work equipment for adverse weather Suitable and sufficient lighting for site approach and traffic routes

Provide protection

from adverse weather where



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Where there is a high risk of fire, the worker must be suitably

instructed

be instructed in

and fire fighting

the correct use of the equipment

fire fiahtina eauipment must be easily accessible

Non-automatic