

Groceries Code Adjudicator

Record of the Groceries Code Adjudicator (GCA) Quarterly Meetings with Code Compliance Officers (CCO)	
Location	Purpose of meeting
GCA, Victoria House, Southampton Row, London	<i>Quarterly Meeting</i>
Attendees	
<p style="text-align: center;">GCA</p> <p style="text-align: center;">Angela Latta (AL)</p> <p style="text-align: center;">Helen Gordon-Lee (HGL)</p> <p style="text-align: center;">James Courtenay (JC) <i>All except Aldi Stores Limited</i></p> <p style="text-align: center;">Jenny Hendricks (JH) <i>All except Waitrose Limited and Wm Morrison Supermarkets plc</i></p>	<p><u>4 March 2015</u></p> <ul style="list-style-type: none"> • Lidl UK GmbH –Tim Belser <p><u>9 March 2015</u></p> <ul style="list-style-type: none"> • Marks and Spencer plc – Max Gillibrand and Rob Steadman • Tesco plc – David Ward and Emer Kelly <p><u>11 March 2015</u></p> <ul style="list-style-type: none"> • Aldi Stores Limited – Jonathan Ward • Iceland Foods Limited – Duncan Vaughan <p><u>16 March 2015</u></p> <ul style="list-style-type: none"> • Waitrose Limited – David Roberts and Damen Bennion • Wm Morrison Supermarkets plc – Steven Butts and Martyn Jones <p><u>18 March 2015</u></p> <ul style="list-style-type: none"> • Co-operative Group Limited – Phil Willsmer and John Lyden • J Sainsbury plc – Susannah Parden and Dafydd Pugh <p><u>20 April 2015</u></p> <ul style="list-style-type: none"> • Asda Stores Limited – Alex Simpson
Key Points Raised	
<p>GCA update on progress</p> <p><u>Investigation into Tesco plc</u></p> <p>The GCA launched an Investigation into Tesco plc on 5 February 2015. The notice and scope of the investigation and public call for evidence were published on the GCA website, with the call for evidence closing on 3 April 2015. During the course of the investigation the GCA does not intend to make any public statements or engage in open communications on any aspect of the investigation.</p> <p>The GCA has engaged the services of Fieldfisher solicitors for legal advice and support. Procurement of additional resources is being considered. Once information is received from Tesco plc and other sources it will be reviewed, and then the Adjudicator will decide on the</p>	

next steps.

Protocols around evidence and disclosure are in the process of being established, and will be retained and used for any future investigations. The plan is to complete the investigation within the next 6-9 months, and certainly by the end of this year.

The investigation will not be an agenda item for future quarterly meetings.

Investigations and the collaborative approach

The GCA has produced guidance which explains how the GCA will continue to apply the collaborative approach when working with retailers on GCA business as usual while one or more investigations are ongoing. It details how the GCA will: approach business as usual functions, act on information received not related to the investigation(s) and communicate with retailers both under and not under investigation. This will be circulated to all the Code Compliance Officers and published on the GCA website.

Post meeting note: Published on GCA website 2 April 2015.

The collaborative approach will continue for business as usual and the GCA will work with all CCOs in the same way, irrespective of which retailer(s) may be under investigation. Quarterly meetings will proceed as usual, and the progress of any investigation will not be discussed with CCOs during meetings. The GCA will make a clear distinction between business as usual discussions under the collaborative approach and conversations about the issues being investigated. Investigation specific meetings will be arranged as required.

GCA survey

The contract to conduct the GCA survey has been awarded to YouGov for both 2015 and 2016. This year's survey will be launched on 23 March 2015, and the question set is broadly the same as last year's in order to assist with benchmarking, and make year to year comparison easier. The GCA is in the process of finalising the contents of the survey.

The survey will be circulated to those who completed it last year, and the GCA is also looking to obtain press coverage to widen the pool of respondents and asking retailers to circulate it to their direct suppliers. Questions on the GCA's Top 5 issues have been included; there are more open text boxes; buyer specific questions and a question on position within the company of the person completing the survey. The survey will allow the GCA to review whether the survey has been completed as a composite or individual return.

A number of retailers agreed to send the GCA survey link to their suppliers.

The Survey will close 1 May 2015, with initial feedback being given to retailers during the week commencing 8 June 2015.

After the conference the GCA will provide retailers with their own retailer specific survey results packs.

GCA conference

The GCA annual conference will take place on 22 June at Church House, Westminster. This is a shorter conference than last year, and will run from 10:00 am to 3:30 pm, with private surgery sessions with the GCA available to suppliers at the end of the day.

The results of the GCA Survey will be presented and the Annual Report will be launched. The external speakers for the day are yet to be confirmed. There are plans to have a trade association and the GCA hopes to have a ministerial keynote speaker, together with a GCA forward look delivered by the Adjudicator.

Online booking will open shortly, and retailers are encouraged to invite colleagues from teams within the business for whom it would be useful to hear directly from the GCA, e.g. buyers or other members of commercial teams.

Post meeting note: Registration for the GCA 2015 conference opened on 23 April 2015.

Helping the GCA to better understand retailers

Feedback on forecasting and consumer complaints

The GCA has received retailer responses to the recent request for information and is in the process of analysing them. The GCA may request clarification of some of the responses and will provide feedback and decide on next steps in due course.

Top 5 issues

Drop and drive has been removed from the Top 5 as an item in its own right and now forms part of the wider Top 5 issues of delays in payments. After having discussed drop and drive with several suppliers and having arranged a presentation on it at the last group CCO meeting, the GCA is now stepping back from the issue to allow for industry-led solutions. The GCA is aware that some of the retailers have taken this piece of work forward after meeting with groups of suppliers through their consultant.

Design and packaging - information is still being gathered from suppliers, but no clear pattern has yet emerged. This will remain on the Top 5 issues for now.

There were no updates on the remaining Top 5 issues at this meeting.

CCO quarterly report update:

CCOs provided hard copies of their quarterly compliance progress reports, which covered the following areas in accordance with the agenda:

- Progress since the previous meeting on issues raised and kept under review by the GCA (in particular, the 'Top 5 issues');
- Any training or compliance issues arising since the previous meeting;
- Any upcoming retailer-supplier initiatives that were likely to generate enquiries to the GCA; and
- Any Code-related issues that had been raised with the CCO since the previous meeting.

The reports were reviewed and discussed.