



News from the Adjudicator

Edition 10

Welcome from the Groceries Code Adjudicator



This final newsletter of 2016 brings readers up to date on a number of developments.

First, I want to say that I am very grateful to all of you who took the time to respond to my consultation on paragraph 12 of the Code: Payments for better positioning of goods. I received a range of responses from suppliers of different products and of varying business size. On top of that I held a useful workshop with suppliers on the issue at my 2016 annual conference and with trade associations in the summer. The ten regulated retailers and one trade association contributed formal written responses.

I have been analysing all responses very closely and am drawing together my conclusions. I intend to publish a full response in early 2017.

The issue of payment for better positioning came out of my investigation into Tesco plc. On 19 September I published my view on [progress by Tesco](#) towards following my recommendations. I am content that Tesco has either met my recommendations or has appropriate systems in place to follow them. I am no longer requiring Tesco to report formally to me against the recommendations, but I am still monitoring progress and have asked Tesco to continue to provide information in the course of their regular engagement with me.

While Tesco has been following its implementation plan in response to my recommendations, other retailers have now had almost a year to review their processes and to ensure that they are Code-compliant. I recently reminded all the retailers' Code Compliance Officers (CCOs) that my interpretation of delay in payments as set out in the report of the investigation is binding on all regulated retailers and the issue remains current while I ensure this is reflected in their business practices.

A particular aspect of delay in payments where I want to see retailers making more and faster progress is drop and drive. This was first raised as an issue in November 2013 and I have continued to monitor it since then. It is important that I hear from suppliers about their concerns in relation to drop and drive. I will never identify a supplier who provides me with information unless they say I may do so, but the evidence that is provided to me is crucial in supporting my engagement with retailers on this and other issues.

To provide more clarity for retailers and suppliers I have recently changed the way I categorise my Top 5 issues. They will now be described as **current, monitored or previous** and the graphic below shows what basket each issue falls into.

Now and in the future those issues I classify as current will be my main focus at any one time, whether because I need to understand more about them or because they reflect significant on-going work. The monitored category includes those issues where I no longer need to do substantial information gathering, but I will continue to monitor progress by retailers and I still want to receive feedback from suppliers. For example

in early 2017 I will be monitoring the progress retailers have made towards the GCA best practice statement on forecasting.



Where an issue is classified as previous it means that I have closed it as an issue in its own right, although like drop and drive, it may remain very much in my sights as an example of delay in payments.

Shortly after the Christmas holiday the [BEIS review](#) of the GCA and the [call for evidence](#) to extend the GCA's remit will close. Please let BEIS know your views about what the GCA has achieved by the January 10 deadline. I have responded to the review and you can read my letter [here](#).

As my next newsletter will be published in 2017, let me wish you all a successful and enjoyable Christmas and New Year.

Christine Tacon

Christine Tacon

Progress on the Top 5

The GCA is continuing work on all the current Top 5 issues and making progress with CCOs on a quarterly basis. The Adjudicator welcomes feedback from suppliers on these areas. Two areas below have now been categorised as previous.



The GCA announced a best practice statement on consumer complaints at the 2015 conference. Since then the Adjudicator has been closely monitoring this issue and CCOs were asked to report back at the September quarterly meetings on what improvements they had made.

Following this monitoring, the Adjudicator has confirmed that retailers' practices are broadly in line with the best practice statement and the issue is now categorised as previous.



This first became a Top 5 issue because of supplier concern over charges. Following a review of the issue, the Adjudicator noted that all retailers were taking steps to bring their practices and charges closer to the principles of being reasonable, predictable and transparent for suppliers. The GCA's review did not identify any breach of the Code and the issue is now categorised as previous.

Meet the CCO

David Ward, CCO for Tesco writes about his pride in the work done at the retailer to implement the GCA's recommendations following her investigation. Read [here](#) about what he hopes to achieve in 2017.

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Annual Conference



The GCA will be holding the 2017 Annual Conference at Church House, Westminster on 26 June. Details of how to register and a full programme will be published on the GCA website nearer the time. As in previous years YouGov will release the details of the GCA's annual sector survey. Look out for details of the survey and how to take part in March 2017.