

December 2016 Quarterly CCO meetings

Record of the Groceries Code Adjudicator (GCA) Quarterly Meetings with Code Compliance Officers (CCO)	
Location	Purpose of meeting
GCA, Victoria House, Southampton Row, London	Quarterly progress meetings
Attendees	
<p style="text-align: center;">GCA</p> <p>Christine Tacon (the GCA)</p> <p>Helen Gordon-Lee (HGL) <i>All except Lidl</i></p> <p>Matthew Sabourin (MS)</p>	<p><u>5 December 2016</u></p> <ul style="list-style-type: none"> • Co-operative Group Limited – Saleem Chowdhery, Phil Willsmer, John Leyden and Peter Fenton • Marks and Spencer plc – Max Gillibrand and Robert Steadman • Asda Stores Limited – Sarah Dickson and Alex Simpson <p><u>6 December 2016</u></p> <ul style="list-style-type: none"> • Lidl UK GmbH – Tim Belser <p><u>12 December 2016</u></p> <ul style="list-style-type: none"> • Wm Morrison Supermarkets plc – Steven Butts, Denise Harris, and Andrew Clappen • J Sainsbury plc – Susannah Parden and Dafydd Pugh <p><u>14 December 2016</u></p> <ul style="list-style-type: none"> • Waitrose Limited – David Roberts, Sarah Tomsett, Keith Hubber, Charlotte Farrell • Iceland Foods Limited – Duncan Vaughan • Tesco plc – David Berry and Emer Kelly • Aldi Stores Limited – Jonathan Ward and Chris Young
Key Points Raised	
<p>GCA update</p> <p><u>Consultation – paragraph 12 of the Code: No Payments for better positioning of goods</u></p> <p>The GCA explained that she had completed her analysis of the responses to her consultation on paragraph 12 of the Code: No Payments for better positioning of goods. Detailed consideration had been given to the responses received. A consultation response would be published some time in the new year.</p> <p><u>BEIS review of the GCA and call for evidence</u></p> <p>The GCA had written her response to the BEIS review and published this on her website. The GCA would not be responding to the call for evidence on remit extension of the GCA.</p> <p>CCO progress report</p> <p>CCOs provided hard copies of their quarterly compliance progress reports, which covered the areas on the agenda. The reports were reviewed and discussed.</p>	

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Key discussion items

Delay in payments (specifically drop and drive)

The GCA made clear that delay in payments remained one of her current Top 5 issues and that unilateral deductions from current invoices made as a result of drop and drive came under this. The GCA reminded all retailers that she had set out clearly in the report of the investigation into Tesco plc how she would interpret delay in payments.

The GCA reviewed progress at each of those retailers which make use of drop and drive practices. The GCA emphasised that while many retailers were progressing with plans to make improvements in relation to drop and drive, there needed to be effective dispute resolution processes in place to resolve supplier concerns promptly when they were raised.

The GCA would continue to monitor progress on this issue and consider whether further regulatory action was required.

Margin maintenance

Margin maintenance remained one of the GCA's Top 5 issues. The GCA had set out some scenarios where it was understood that margin maintenance came into play in suppliers' dealings with retailers. The GCA received comments from each retailer and would consider their responses further.

Pay to stay

Pay to stay remained one of the GCA's Top 5 issues. The GCA had set out some scenarios based on what suppliers had told her they considered to be pay to stay. The GCA received comments from each retailer and would consider their responses further.

Overseas suppliers

The GCA heard from retailers what steps they had taken to increase awareness of the Groceries Supply Code of Practice (the Code) among their direct suppliers based overseas and the importance of getting trained in the Code.