



Groceries Code
Adjudicator

News from the Adjudicator

Edition 9

Welcome from the Groceries Code Adjudicator



Welcome back to everyone after the summer months. The coming weeks at the GCA are going to be busy as my consultation on payments to secure better positioning ends and I continue with business as usual.

I want to urge as many suppliers as possible to take part in the consultation before it ends on September 19th. I am very keen to collect a broad range of views and especially to hear from small suppliers about their experience of practices that may amount to indirect requirements for payment to secure better positioning of goods or increased shelf space within a store.

Your responses will help me understand how widespread these practices are among the 10 retailers regulated by the Code, what forms they take, their impact on suppliers and their effect on competition and consumer choice. They will help me clarify how paragraph 12 of the Code relating to payments for better positioning should be interpreted. You can access the consultation document [here](#) and respond online or download a pdf version, complete and submit by email. Alternatively, send me a letter stating your views via enquiries@gca.gsi.gov.uk.

Encouraging suppliers to take up training in the Code remains one of my priority messages for this year.

The 2016 GCA survey showed some improvement in the number of suppliers undertaking training - up from 29% to 35%. But this is still a poor figure in comparison with the 100% of retailer buyers trained in the Code - as the law requires. And the proportion of micro/small suppliers and medium-sized suppliers trained in the Code remains below one-third.

I can't say it often enough but training is vital if direct suppliers are to understand the Code fully, to know how I interpret areas such as delay in payments and to learn how they might challenge any requests which may breach the Code made during negotiations with buyers. One supplier told a trainer that it had been the best value for money training he had ever done: he made a phone call during the training course and a request for over £100k went away.

Suppliers cited a number of reasons for not being trained – including lack of time (19%) and cost (10%) – but by far the largest reason at 56% (net of duplication) was low awareness of training: “I didn't know there was any training on the Code” was the reason given by 39% and another 31% said they didn't know how to access training or who provided it.

I have decided to respond to these findings by publishing on the GCA website a directory of trainers that I am aware of, with details of how to contact them. You can access the list [here](#).

Publishing this list does not mean I am endorsing these courses or commenting on the quality of any of them but my survey made it clear that helping to create better awareness of what is available in the open market is important. Suppliers should obviously contact trainers directly for more information about what each course involves and whether it is right for them.

If there are other organisations or individuals providing relevant training who are not included on the list please contact enquiries@gca.gsi.gov.uk to be added to the Directory. For those already providing training or considering developing a course, the GCA survey provided interesting information on the kind of training that suppliers would find useful: 63% said they would find online tutorials useful and 42% wanted classroom-based training (in-house or external). Training on how to use the Code and practical examples (71%) was more popular than training on what the Code means.

Christine Tacon.

Christine Tacon

Progress on the Top 5 – Delay in payments

Suppliers have raised a number of issues relating to delay in payments and this was the main focus of the investigation into Tesco plc. It remains one of my **Top 5 issues**. As well as making recommendations for Tesco, the investigation report states clearly for the benefit of all in the sector, including the other regulated retailers, how I will interpret the practices I found. I will shortly make a statement about Tesco's implementation of the recommendations.

In October, I will be meeting all the retailers' Code Compliance Officers together. I am expecting an update on how they are all ensuring they comply with my clear statement on what is and is not Code-compliant behaviour.

But I also need to hear from suppliers if the processes retailers have in place are not providing positive results. As I have said before, it is important that suppliers contact me if they have concerns about, or want to discuss, a retailer's compliance with the Code. Please contact me at enquiries@gca.gsi.gov.uk or 020 3738 6537. Any information provided will be treated confidentially.

Supplementary guidance on delisting relating to fresh produce

In August the GCA published supplementary guidance on delisting relating to the fresh produce sector. Read the guidance [here](#). It supplements interpretive guidance on delisting practice published in November 2014 and will be used by the Adjudicator to inform her approach in any relevant arbitration or other regulatory activity.

Annual Conference

Save the date

The GCA will be holding the 2017 Annual Conference at Church House, Westminster on June 26th. Details of how to register and a full programme will be published on the GCA website nearer the time.

Meet the CCO

Sarah Dickson introduces herself as the new Code Compliance Officer for Asda. Read [here](#) how in her previous roles she has been inspired by investing time building successful relationships with suppliers.

Contact details for Sarah

Email: codecomplianceofficer@asda.co.uk

