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International Organization for Standardization
Международная Организация по Стандартизации



Our ref. TMB / NWIP

TO THE ISO MEMBER BODIES

Date 2012-10-26

New work item proposal – *Sustainable purchasing*

Dear Sir or Madam,

Please find attached a new work item proposal submitted by AFNOR (France) and ABNT (Brazil) on *Sustainable purchasing*. It should be noted that, if the NWIP is approved, the work is proposed to be carried out in a Project Committee.

You are kindly invited to complete the ballot form ([Form 05](#)) which could be downloaded at www.iso.org/forms and send it, preferably in Word format, to the Secretariat of the ISO Technical Management Board at tmb@iso.org before **26 January 2013**.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S. Clivio', written over a white background.

Sophie Clivio
Secretary to the Technical Management Board

Encl: Letter from AFNOR/ABNT
NWIP (Form 04)
Justification of purpose
Sustainable purchasing Part 1 – policy / strategy
Sustainable purchasing Part 2 – operational deployment



ASSOCIAÇÃO BRASILEIRA DE NORMAS TÉCNICAS
FORO NACIONAL DE NORMALIZAÇÃO
CERTIFICADORA DE PRODUTOS E SISTEMAS

AFNOR STANDARDIZATION
ABNT- Associação Brasileira de Normas Técnicas

Mrs Sophie Clivio

Secrétariat central ISO
1, chemin de la Voie-Creuse
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CH-1211 Genève 20

Subject :Form 4- Proposal for a new CEN/PC "Sustainable Purchasing"

Date : October, 19, 2012

Dear Sophie,

AFNOR and ABNT are pleased to submit the attached NWIP that includes a proposal for the creation of a new ISO/PC on "Sustainable Purchasing".

ISO 26000, providing universally recognized guidelines on social responsibility, is now available to organizations. The purchasing function may be considered as a key player and a real driver to implement social responsibility in the governance of the organizations.

Lots of barriers still exist to develop initiatives on sustainable purchasing, both organizational and strategic due to a lack of clear guidelines and tools. Therefore the need to have a shared framework showing good practices for sustainable purchasing is justified. Developing an international standard seems thus the most appropriate and efficient method to meet the needs of organizations.

This future International Standard will help them integrate the economic constraints and the principles and issues of social responsibility as described in ISO 26000 within the purchasing process. It provides principles and guidelines not only for Procurement Units and Top Managers but also for all stakeholders dealing with purchasing processes both internal and external (For instance : suppliers, contractors, procurements units, buyers, local authorities and society,).

It appears that this item does not fall into the scope of any existing ISO technical body and sustainable purchasing is required for all sectors or activities. The proposed Project Committee for sustainable purchasing will work with existing ISO technical committees to avoid both overlap and duplication of work and ensure this International Standard fits in the current port-folio of ISO standards. Should the proposed Project Committee be set up, AFNOR and ABNT are willing to share responsibilities in the framework of a twinning arrangement which currently being settled.

Sincerely yours, *& best regards*


Alain COSTES
Director Afnor Standardization


Eugenio Guilherme Tolstoy De Simone
ABNT Technical Director



NEW WORK ITEM PROPOSAL	
Closing date for voting	Reference number (to be given by the Secretariat)
Date of circulation	ISO/TC / SC N
Secretariat	<input checked="" type="checkbox"/> Proposal for new PC

A proposal for a new work item within the scope of an existing committee shall be submitted to the secretariat of that committee with a copy to the Central Secretariat and, in the case of a subcommittee, a copy to the secretariat of the parent technical committee. Proposals not within the scope of an existing committee shall be submitted to the secretariat of the ISO Technical Management Board.

The proposer of a new work item may be a member body of ISO, the secretariat itself, another technical committee or subcommittee, or organization in liaison, the Technical Management Board or one of the advisory groups, or the Secretary-General.

The proposal will be circulated to the P-members of the technical committee or subcommittee for voting, and to the O-members for information.

IMPORTANT NOTE: Proposals without adequate justification risk rejection or referral to originator.

Guidelines for proposing and justifying a new work item are contained in Annex C of the ISO/IEC Directives, Part 1.

Proposal (to be completed by the proposer)

<p>Title of the proposed deliverable. <i>(in the case of an amendment, revision or a new part of an existing document, show the reference number and current title)</i></p> <p>English title Sustainable Purchasing</p> <p>French title (if available) Achats Responsables</p>
<p>Scope of the proposed deliverable.</p> <p>The proposed International Standard is aimed at assisting organization in integrating the economic constraints and the principles and issues of social responsibility as described in ISO 26000 within the purchasing process, independently of their activity or size.</p> <p>This standard provides standardization of principles and guidelines not only for Procurement Units and Top Managers but also for all stakeholders dealing with purchasing processes both internally and externally ((For instance : suppliers, contractors, procurements units, buyers, local authorities and society,)).</p>
<p>If a draft is attached to this proposal,:</p> <p>Please select from one of the following options (note that if no option is selected, the default will be the first option):</p> <p><input type="checkbox"/> Draft document will be registered as new project in the committee's work programme (stage 20.00)</p> <p><input type="checkbox"/> Draft document can be registered as a Working Draft (WD – stage 20.20)</p> <p><input checked="" type="checkbox"/> Draft document can be registered as a Committee Draft (CD – stage 30.00)</p> <p><input type="checkbox"/> Draft document can be registered as a Draft International Standard (DIS – stage 40.00)</p>
<p>Is this a Management Systems Standard (MSS)?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>Indication(s) of the preferred type or types of deliverable(s) to be produced under the proposal.</p> <p><input checked="" type="checkbox"/> International Standard <input type="checkbox"/> Technical Specification <input type="checkbox"/> Publicly Available Specification <input type="checkbox"/> Technical Report</p>
<p>Proposed development track <input type="checkbox"/> 1 (24 months) <input checked="" type="checkbox"/> 2 (36 months - default) <input type="checkbox"/> 3 (48 months)</p>
<p>Known patented items (see ISO/IEC Directives, Part 1 for important guidance)</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", provide full information as annex</p>

A statement from the proposer as to how the proposed work may relate to or impact on existing work, especially existing ISO and IEC deliverables. The proposer should explain how the work differs from apparently similar work, or explain how duplication and conflict will be minimized.

This standard aims at helping the implementation of ISO 26000 within the purchasing function and is not intended to duplicate ISO 26000

A listing of relevant existing documents at the international, regional and national levels.

- NF X50-135 – 1:2012 : Purchasing function — Sustainable purchasing – Guide for the use of ISO 26000 — Part 1: Policy - Strategy

- NF X50-135 – 2 : 2012 : Purchasing function — Sustainable purchasing – Guide for the use of ISO 26000 — Part 2: Operational deployment

- ISO 26000 :2010 Guidance on social responsibility

- BS 8903 : 2010 Principles and framework for procuring sustainably - Guide

A simple and concise statement identifying and describing relevant affected stakeholder categories (including small and medium sized enterprises) and how they will each benefit from or be impacted by the proposed deliverable(s)

This International Standard provides principles and guidelines not only for Procurement Units and Top Managers but also for all stakeholders dealing with purchasing processes both internal and external (For instance : suppliers, contractors, procurements units, buyers, local governance and society,) in various sector :

- industry : environmental, transportation, construction industry
- services : insurance, buying group
- public sector : environmental public sector, university, ...
- consulting and support : environmental consulting, purchase consulting, audit
- non-governmental organization : environmental organization, buying association, consumer association

This distribution was analyzed in the French workgroup on sustainable purchasing.

.This standard about sustainable purchasing allows organizations to achieve the following :

- implement social responsibility in the organization's management
- improve the management of suppliers relations
- enhance competitiveness
- harmonize and improve global costs and purchasing performance at the long term
- profits

Liaisons:

A listing of relevant external international organizations or internal parties (other ISO and/or IEC committees) to be engaged as liaisons in the development of the deliverable(s).

Liaison may be established with the following bodies :

- ISO PC 259 « Outsourcing »
- ISO/TC 176/SC2 Quality Management and Quality Assurance”
- ISO 26000 Post Publication Organization

Joint/parallel work:

Possible joint/parallel work with:

- IEC (please specify committee ID)
- CEN (please specify committee ID)
- Other (please specify)

A listing of relevant countries which are not already P-members of the committee.

Preparatory work (at a minimum an outline should be included with the proposal)

A draft is attached An outline is attached An existing document to serve as initial basis

The proposer or the proposer's organization is prepared to undertake the preparatory work required Yes No


Proposed Project Leader (name and e-mail address)

Jacques SCHRAMM

Name of the Proposer (include contact information)



Alain Costes
AFNOR – Director Standardization



Eugenio Guilherme Tolstoy De Simone
ABNT – Technical Director

Supplementary information relating to the proposal

- This proposal relates to a new ISO document;
- This proposal relates to the amendment of existing ISO document
- This proposal is for the revision of an existing ISO document;
- This proposal relates to the adoption as an active project of an item currently registered as a Preliminary Work Item;
- This proposal relates to the re-establishment of a cancelled project as an active project.

Other: AFNOR and ABNT propose to create a Project Committee (PC) dedicated to developing this standard because sustainable purchasing is required for all sectors or activities. The proposed Project Committee for sustainable purchasing will work with existing ISO technical committees to avoid both overlap and duplication of work and ensure this International Standard fits in the current port-folio of ISO standards.

The proposed standard will help Procurement Units and Top Managers integrate the economic constraints and the principles and issues of social responsibility as described in ISO 26000 within the purchasing process.

The proposed standard does not establish requirements and is not intended to be used for certification purposes.

The proposed standard targets various issues and users. Needs and expectations are also diverse.

It would be divided into 2 parts :

- the first part, focusing on political and strategic aspects of the purchasing process, is addressed firstly to top managers and directors of the purchasing function;
- the second part, about the various stages of the purchasing process, is more operational and is addressed more particularly to the purchasing function, buyers and/or associated functions. It describes all steps of the purchasing process to facilitate implementation of social responsibility aspects into the purchasing function.

Should the proposed Project Committee be set up, AFNOR and ABNT are willing to share responsibilities in the framework of a twinning arrangement

Annex(es) are included with this proposal (give details)

- Justification and draft

Annexe 1 Justification and purpose

JUSTIFICATION

1. Implement social responsibility in the organization's management

ISO 26000, providing universally recognized guidelines on social responsibility, is now available to organizations. The purchasing function may be considered as a key player and a real driver to implement social responsibility in the governance of the organizations. It even offers a real opportunity to strengthen its strategic role, both internally and externally and thus fundamentally change the management in supplier relations and evaluation of the accurate global and sustainable performance.

A survey realized by ObsAR (a French association, think tank aiming to monitor sustainable purchasing) on 420 organizations in 2012 shows that:

- about 95% of these organizations integrate sustainable purchasing in their sustainable development report
- 60% consider sustainable purchasing as the second priority in the purchasing process

Additionally, the survey reveals a need to develop tools and methods to ensure appropriate implementation of sustainable purchasing at an operational level.

Lots of barriers still exist to develop initiatives on sustainable purchasing, both organizational and strategic. The above mentioned survey shows a lack of clear guidelines and tools to measure the benefits of implementing sustainable purchasing policies.

This need was also stressed in the conclusions of the European feasibility study about outsourcing conducted by the Netherlands in 17 countries targeting 125 large organizations in 2009. Globalization, open markets, often drives organizations to share the same concerns at international level. Therefore the need to have a shared framework showing good practices for sustainable purchasing is growing and justified. Developing an international standard seems thus the most appropriate and efficient method to meet the needs of organizations.

2. Social and environmental profits

Current and forthcoming energy situation, collective awareness of environmental impacts and their consequences, cause reactions which could be detrimental to the organization's image. This standard should include the various dimensions of social and environmental responsibility, involving all relevant stakeholders and more especially suppliers who thereby become main actors.

3. Economical benefits

The requirement for a standard offers the possibility to harmonize the purchasing function. Such a tool avoids dispersion and therefore economic loss. The inventory of the procurements contracts made by the Economic Observatory of the public purchase (EOAP) published in 2011 shows that not less than 102 246 procurement contracts were notified in

2010 for a 67 billion euros excluding taxes by French Government. An exhaustive analysis of the OECD countries considered that the total of the public expenses represented average 20 % of the GDP. The public purchases represent an average of 9 % of the GDP of the OECD countries. The figure below represents the volume of purchase of the public sector in percentage of the GDP (source: the environmental performance of procurement contracts in 2003).

Pays	Total of the expenses public (% of the GDP)	Public purchases without salary of worker (% of the GDP)
CANADA	26	11
US	19	9
AUSTRALIA	20	9
JAPAN	17	9
FRANCE	20	9
UK	25	13
GERMANY	18	7
KOREA	16	9
SWEDEN	33	15

The purchase is an important economic stake for public sector and organization, this standard should help them to avoid economic loss.

4. Improvement of global performance

This standard should improve the global performance of the purchasing function and harmonize purchasing practices allowing full costing and durability.

CONCLUSION

This transversal document will be a valuable tool to achieving the following main targets :

- Promote and value sustainable purchasing
- Improve communication between contractors and all stakeholders
- Promote mutually beneficial relationships
- Integrate in the purchasing function economic constraints and the different dimensions of social responsibility as described in ISO 26000
- Be global and applicable to any organization either public or private
- Facilitate the understanding of the concept " responsible purchasing", and make it accessible through a practical and operational approach

Sustainable Purchasing- Part 1 Policy - Strategy

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Foreword

This document was written by the "Responsible Purchasing" workgroup, which is part of the "Quality and management" standardization commission X542. It was written further to the work launched in 2008 on the theme of "*The integration of sustainable development issues in the Purchasing function*", in which the draft ISO 26000 standard was not chosen as input, as it was still under preparation. Consequently, this document extends the scope of the considerations in FD X 50-135 "*Management tool — Guidelines for the integration of sustainable development issues in the Purchasing function*" by introducing the concepts and recommendations found in ISO 26000:2010 "*Guidance on social responsibility*". It shares the same goal: to help and support the purchasing function to incorporate the SR (social responsibility) dimension in its scope of action.

The purchasing function represents a key player and a genuine lever for the introduction of this approach into organizations. This is indeed a real opportunity for the purchasing function to strengthen its strategic role, both inside and outside the organization, and in doing so, to bring about in-depth changes in the management of relations with suppliers and in the assessment of actual global and sustainable performance. A fact that is demonstrated by some of the characteristics of this working group, such as the level of interest raised by the topic, the enthusiasm of the players to join the group when it was set up, its relatively large size and the diversity of the categories of interests represented.

Introduction

ISO 26000 contains guidance on universal recommendations in the realm of social responsibility. Social responsibility enables organizations to optimize their contribution to sustainable development and to acknowledge the impacts of their decisions and activities. But this initiative is dependent on political will and cannot be dissociated from the strategic dimension of the organization. A global approach must be taken to the operational implementation of the initiative that must be in line with the organization's strategy, thereby reflecting the coherence of the initiative and the commitment of management at the very highest level. The SRO initiative (*Socially Responsible Organizations*), and the concepts it applies, inevitably brings about changes or developments in behavior, culture, approach, etc. that must be taken into consideration in the global governance of the organization.

Globalization, and the globalization of markets in particular, have resulted in organizations facing similar preoccupations and questions, many of which are international in scale. Therefore, it is in the common interest to converge towards good responsible purchasing practices that are universally recognized. Today, France belongs to the countries ahead of its peers with regard to these considerations and could subsequently act as the driving force to engage a process to extend these discussions on a European or international scale.

This document, intended for purchasing functions and all the internal and external stakeholders, is broken down into two parts, which are inseparable and complement one another:

— *Part 1: focuses on the "political and strategic" stage of the purchasing process. It is intended mainly for purchasing and general management.*

— *Part 2: covers the application to all the operational stages of the purchasing process. It is intended mainly for the people or functions involved in these stages.*

Since this document is intended to provide recommendations for implementation, it is the fruit of discussions that were initiated by the methodical identification of SRO impacts in the purchasing process. On the strength of this input, the risks, issues and recommendations were established for the most critical impacts. This document was written outside the context that is specific to each organization. It is intended to be used as an implementation aid and does not claim to exonerate organizations from completing these recommendations with input based on their own analyses and experience that takes the specifics of their activity, size, context, stakeholders, etc. into consideration. In this way, they can develop short-, medium- and long-term action plans that are specific to their own organization. Nevertheless, other initiatives from particular sectors or professions may also be useful and incorporated in this process.

Moreover, it should be noted that this standard is intended for economic players on the French market, of both French and international origin, with regard to two of their possible responsibilities:

Sustainable Purchasing- Part 1 Policy - Strategy

— the exercise of an activity in France;

— a role in the control and coordination of purchasing on an international scale.

In this respect, the term "local market" refers to the scope of the entire ecosystem of the organization, i.e. the market corresponding to the organization's territorial presence. Therefore, the market is made up of the territories impacted by all domestic and international activities.

For more information on this subject, refer to the experimental standard XP X 30-029 "*Methodology for the identification of the relevant and important fields of action in the social responsibility of an organization*".

1 Scope

This document can be used by all types of private and public organizations, irrespective of their activity or their size.

It contains the recommendations for purchasing management/departments and Senior Management, and for all of the stakeholders in the purchasing process, in order to facilitate the operational implementation of an SR initiative, and with a view to incorporating into economic considerations the various dimensions of social responsibility, as described in ISO 26000.

It is not intended to cover the assessment of the performance of the SR initiative, which is addressed by XP X 30-029 "*Methodology for the identification of the relevant and important fields of action in the social responsibility of an organization*".

2 Normative references

This document incorporates by dated or undated reference, provisions from other publications. These normative references are cited at the appropriate places in the text and the publications are listed hereafter. For dated references, subsequent amendments to or revisions of any of these publications apply to this document only when incorporated in it by amendment or revision. For undated references the latest edition of the publication referred to applies.

3 Stakeholders

While the purchasing function, with the support of senior management, may be directly responsible for the responsible purchasing initiative, the latter is part of the organization's global ecosystem and must establish constructive relations with the greatest number of internal and external stakeholders.

— Internally, all of the organization's functions must be involved: legal, HR (*Human Resources*), risk management, quality, sales and marketing, R&D (*Research and Development*), technical departments, finance, management control, etc. It is essential that the purchasing function is supported by senior management for the deployment of CSR policies and that it can call on other departments in the organization in the interests of collective success.

- By way of example, the deployment of a responsible purchasing policy must take the prevention of risks of pollution by the purchased products/services into consideration, a fact that requires collaboration with legal in order to abide by the existing regulations, with risk management in order to identify the degree of risks involved and with finance in order to assess the economic impacts of the risk prevention measures and of repairs in the event of pollution.

- The purchasing function must also be able to call on, for example, HR with regard to working conditions, or finance for the terms of payment.

- This internal network is a prerequisite, which will also make it easier to collaborate with external stakeholders.

— Externally, suppliers are the first stakeholders directly concerned. Amongst the suppliers, it is important to single out in particular the strategic and the level 1 suppliers, which are also responsible for their own subcontractors. In far broader terms, external stakeholders also include any party that may be impacted by the responsible

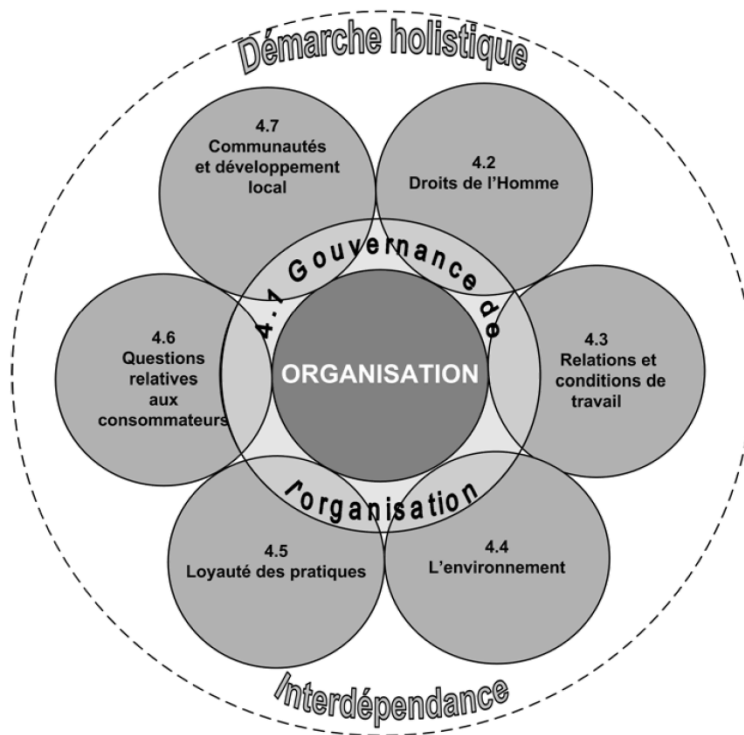
purchasing initiative: shareholders, consumers, purchasing authorities, employees, NGOs (*Non-Governmental Organizations*), public authorities, local authorities, associations, etc.

4 Principles to be respected when deploying a responsible purchasing policy

The purpose of this section is to describe the issues in a responsible purchasing policy and the corresponding recommendations, from the perspectives of the purchasing department and of senior management.

For greater readability, it is broken down into the seven core subjects found in ISO 26000:

- organizational governance;
- human rights;
- labor practices;
- environment;
- fair business practices;
- consumer issues;
- community involvement and local development.



Démarche holistique	The holistic approach
ORGANISATION	ORGANIZATION
4.1 Gouvernance de l'organisation	4.1 Organizational governance
4.2 Droits de l'Homme	4.2 Human rights
4.3 Relations et conditions de travail	4.3 Labor practices
4.4 L'environnement	4.4 environment
4.5 Loyauté des pratiques	4.5 Fair business practices
4.6 Questions relatives aux consommateurs	4.6 Consumer issues
4.7 Communautés et développement local	4.7 Community involvement and local development
Interdépendance	Interdependence

Figure 1 — after figure 3, §6 of ISO 26000

The issues and the general recommendations to be taken into consideration to structure and implement the responsible purchasing policy in the organization are described for each core subject.

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4.1 Organizational governance

4.1.1 Issues

According to ISO 26000, the governance of the organization is "the most important factor", and is essential for the definition, implementation and control of responsible purchasing.

The governance of responsible purchasing is the system by which an organization makes and implements decisions in pursuit of its objectives. It covers four fields of action:

- the responsible purchasing policy,
- its strategic integration, and in particular the broad outlines, objectives and the measurement of impacts,
- its operational implementation, and in particular the monitoring of process, measurement of progress and continuous improvement,
- responsible communications.

It is essential to structure the governance of a responsible purchasing initiative in order to reach the objectives and earn a return on the corresponding human and financial investment.

The opposite can result in:

- stakeholders calling senior management or the purchasing function into question,
- a degraded image, inside and outside the organization, depending on the visibility of the initiative and the communications.

4.1.2 General recommendations

The responsible purchasing policy is aligned with the organization's general policy and applies the general policy to the purchasing policy. By way of example, it may be based on the organization's system of values: quality of relations with suppliers, development of human resources as a criterion applied to key suppliers, etc.

Ideally, the responsible purchasing policy results in a formal document that should:

- be distributed internally and raise employee awareness in order to make sure that it is properly understood and respected by all the members of the purchasing function. Provide translations in local languages in globalized organizations;
- be released in order to establish dialog with suppliers and allow them to escalate any deviations between the principles and actual practices to the qualified contact.

The responsible purchasing policy must be implemented on a strategic level.

As a priority, it must set targets that incorporate the SRO criteria (*Socially Responsible Organizations*) at the same level as the trio of Quality / Cost / Timeline criteria:

— The concept of the **best offer**, including:

- the overall economic performance: take account, on the one hand, of value creation and additional income , and on the other, of the overall costs, including in particular logistics costs, the costs of achieving quality (or non-quality), costs incurred by risk management (or the consequences of proven risks), the costs related to the product's life cycle and the implementation or operation of the product or service, and, finally, indirect costs (e.g. administrative costs);

- the social or societal objectives: close attention must be paid to comply with the fundamental recommendations of the ILO – *International Labor Organization* (examples include health and safety, child labor, working conditions,

the combat against discriminations and all other actions creating social added value, with regard to the disabled or professional integration, etc.);

- environmental targets: prefer products and services that minimize negative impacts on the environment, eco-designed products, for example, eco-design that takes account of the analysis of the life cycle¹⁾

— **Mutually beneficial relations** between economic partners. In concrete terms, this point applies to the relations between the organization and suppliers / subcontractors and other external stakeholders (local and regional authorities, consumers, the State, etc.), as well as cross-functional relations between purchasing and other internal functions in the organization, which may be both customer and support functions. In the long term, these relations aim to favor:

- the creation of value, by encouraging suppliers to make their best possible offer, that satisfies the interests of both parties, and by consolidating the organization's capacity to create or enhance its competitive advantage in the value chain;

- financial equity, guaranteeing that commitments are honored in accordance with the negotiated conditions of sale and payment, and in particular in accordance with the French law on the modernization of the State;

- the improvement of collaboration with suppliers, by favoring the development of relations with strategic suppliers, without neglecting relations with secondary suppliers, and establishing closer dialog with small and medium-sized companies;

- the global capacity for innovation or co-innovation (processes, products, organization);

- participation in local development, corresponding to the local sphere of activity of the organization.

The purchasing policy must define **principles for decision-making** that call on:

— the responsibility of management ²

— a collegial approach that achieves greater objectivity and transparency in the decision-making process;

— a clear definition of the criteria used to qualify suppliers and assess proposals, conditions of exclusion, tolerances and limits, and the assessment criteria that apply in the course of the contract;

— where appropriate, granting priority to any credible testimony that will optimize the SRO impacts;

— where appropriate, purchasing eco-labeled products (NF-Environnement, European ecolabel, etc.), working with certified organizations (ISO 14001, EMAS, etc.) and paying particular attention to all other forms of certifications of reduced environmental impacts throughout the life cycle;

— a regular assessment of the global performance practices, and in particular of any malfunctions and disagreements that may have occurred in the organization or with stakeholders, and the subsequent action plans;

— consideration of the interests of the stakeholders, in a process to achieve continuous improvement. Since these interests can sometimes be in conflict, means of formal arbitration must be defined in the upstream processes.

The economic, legal, environmental and social **risks and opportunities** must be listed when defining a responsible purchasing policy. Risks affecting image, mobilization and the failure of the chain of players must also be considered to ensure that the purchasing process extends beyond the economic notions of cost, quality and time.

The organization must draw up a method to detect and process these risks in advance by referring to the stakeholders as early as possible.

This process also requires the members of the purchasing function to be **trained** in these new skills as part of the responsible purchasing policy and strategy.

In order to guarantee the proper **operational deployment** of the responsible purchasing policy, the organization must:

¹⁾ *In accordance with ISO 14040.*

²⁾ *According to the criteria of ISO 9001 and 9004*

Sustainable Purchasing- Part 1 Policy - Strategy

— set up a **strategy and an action plan** at each stage of the process described below, broken down into purchasing families, with specific practices and indicators for each family, and extend the approach to include control of the complete supply chain;

— **track** and make concrete measurements of the implementation, correct any deviations from the principles and errors using scorecards to assess the following criteria:

- capacity: technical, industrial and financial;

- economic: direct costs, breakdown of the global cost, impacts on the value chain;

- social and environmental (consumption of materials and energy, production of waste, employment, territorial development);

— make sure that the **suppliers in a privileged position** in terms of access to the customer's market (strategic suppliers, primary subcontractors, certified intermediaries, etc.) **act as relays in the downstream deployment of the responsible purchasing standards** to include their own suppliers and subcontractors tasked with exercising an activity;

— incorporate the social and environmental dimensions and the complete supply chain **in every stage of the purchasing process**, as conventionally defined in this standard, i.e., definition and analysis of the relevant need, purchasing specifications, market analysis of current and potential suppliers, supplier assessment and homologation criteria, means of tracking and control, RFPs and contracts, benchmarking and lookout for tools and good practices by sector;

— **guarantee the continuous improvement** of the implementation using several levers:

- transparent communications on the reasons behind the selection or rejection of suppliers' offers or their certification;

- assessment of the suppliers' performance and progress by measuring their results and acquiring in-depth knowledge of the suppliers;

- assessment of the efficiency and relevance of the workings of the policy through reporting, dialog with management and assessments by other stakeholders (shareholders, customers and purchasing authorities, functional departments).

Communication is a means of raising awareness of the values of responsible purchasing both inside and outside the organization. The organization must communicate transparently on its commitments, projects and results in terms of the policy and implementation of responsible purchasing, while protecting its interests against the competition.

The communications must be structured in order to meet the objectives in terms of:

— operational implementation with suppliers, which demands clear, comprehensive and consistent communication, whenever the organization interacts with its suppliers;

— image and conformity, in particular with the stakeholders (customers or consumers, NGOs, employees, their representatives and the unions, shareholders and rating agencies, etc.), in order to encourage dialog, involvement and mutual respect, but above all to identify their expectations and their misgivings;

— crisis management, which demands preliminary preparations based on the notions of precaution, responsibility and "polluter pays".

4.2 Human rights

4.2.1 Issues

The organization's policy must incorporate respect for human rights, the promotion of absolute rights and the control of risks to human rights. The incorporation of human rights into the purchasing policy consists in identifying, preventing and dealing with any impacts of the organization's activity, integrating parameters related to these impacts into the purchasing criteria and setting up systems for control and improvement.

According to ISO 26000, eight major human rights issues must be taken into consideration in the organization's global sustainable development policy: due diligence, human rights risk situations, avoidance of complicity, resolving grievances, discrimination and vulnerable groups, civil and political rights, economic, social and cultural rights and fundamental principles and rights at work.

Neglecting the question of human rights essentially exposes the organization to risks of labor conflict, legal and financial risks, as well as risks in terms of reputation and image in the eyes of purchasing authorities and end customers.

Moreover, if the organization is not sufficiently informed about its suppliers, then it may find itself in a situation where its practices contradict its commitments. By way of example, the organization may directly or indirectly encourage or induce situations in contravention of human rights (subcontracting to blacklisted countries), whereas it publicizes its use of labels or its work with human rights organizations.

It will also be exposed to risks in terms of image (e.g. demonstrations or legal action by subcontractors' employees against the main customer) and to a possible contagious effect inside the organization by external social risks (e.g. union activity if the suppliers working on the organization's site do not benefit from the same treatment as the organization's own employees when it comes to human rights).

4.2.2 General recommendations

To encourage the respect of human rights in the responsible purchasing policy and practices, the responsible purchaser must:

- take internal and external preventive actions (stakeholders);
- take specific initiatives to promote human rights;
- take communications actions.

Risks to human rights are prevented mainly by incorporating human rights in the organization's general policy. Through its policy, the organization must confirm its wish to protect individuals and groups against any contraventions of human rights, and in particular to:

- respect and promote the "absolute rights" (civil and political, economic, social and cultural rights);
- combat all forms of discrimination, including discrimination against vulnerable groups,
- cease any practices of arbitrary or discriminatory hiring and firing, and pay particularly close attention to household workers and temporary staff;
- refrain from taking advantage of instances in which human rights are not protected and from establishing partnerships with suppliers or in countries that are likely to violate human rights;
- combat any attacks against physical and psychological integrity (corporal punishment, harassment, etc.). Preventing risks also demands:
 - an assessment of the implementation of this policy internally and externally (map of the suppliers, etc.);
 - a process to keep a look-out for internal and external alerts, including those published by domestic and international organizations, or other members of civil society (NGO networks, trades unions, etc.);
 - HR indicators that can be used to check that the human rights targets are met.

To this end, it is advisable that the organization joins proactive initiatives to promote human rights: signing the UN Global Compact or taking actions to increase awareness and support for human rights amongst the personnel, and the service providers intervening on the customer's site, suppliers and subcontractors, by implementing the

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organization's commitments and expectations, in particular through the creation of a sustainable development charter between the organization and its suppliers. Signing this type of commitment must be accompanied by the thorough implementation of management systems that guarantee the incorporation of the rules of good conduct in the organization's procedures, systems that continually measure the application of these rules and action plans for progress, whenever difficulties are encountered. The acquisition of labels, such as the diversity label in France, can help to demonstrate that these initiatives are well founded.

The means of dealing with the impacts are characterized by the creation of controls of the implementation of this policy, both internally and for suppliers and by measures and solutions that allow human rights to be respected, risks to be controlled and negative impacts of decisions on human rights to be corrected, including the duty to inform the competent authorities of any behaviors that may result in the violation of human rights.

The organization must take specific actions and, therefore, be sure to allocate the requisite budgets and resources.

- a) In collaboration with the supplier, the organization can identify the critical points of the supply chain with regard to human rights in order to define and track concrete actions for progress.
- b) It must strive to raise the awareness of strategic suppliers and level 1 subcontractors about this question and motivate them to take their responsibilities. The risk of a breach of human rights related to the activity must be controlled by the level 1 supplier all along the supply chain.
- c) The use of means of assessment and control, such as SD/SRO questionnaires and internal and external SD/SRO audits that cover human rights, is recommended, as it helps to raise awareness amongst the various players involved.
- d) The inclusion in the plans for progress of actions to resolve instances of non-conformity (severance of business relations or support for suppliers) and to evaluate and weight the human rights impacts in all purchasing decisions.

Finally, the organization must **communicate** on its policy, assess the strengths and weaknesses of its actions and inform the stakeholders (shareholders, suppliers, customers, NGOs, etc.) of its results. The organization must also communicate with the personnel on any changes and work with the personnel representatives in order to minimize the negative impacts of any planned changes in its activity.

4.3 Labor practices

4.3.1 Issues

The policy of a responsible organization must include a guarantee of satisfactory working conditions.

The application of this guarantee to the purchasing function consists in identifying, preventing and dealing with the impacts of the organization's purchases on employment, labor relations, working conditions, social protection, dialog with employees, health and safety at work and the development of human assets. This applies to both the organization itself, with regard to purchases that impact its employees, and, by extension, which affect its suppliers and subcontractors.

The incomplete consideration of the issue of working conditions in the purchasing policy can expose the organization to:

- legal and financial risks, due to poor knowledge of or the failure to respect applicable regulations, and, consequently, the application of financial penalties;
- operational risks, such as the breakdown of the supply chain, if the employees in partner organizations block production in order to demand better working conditions;
- social risks, in particular if the organization asks suppliers to work on the customer's site (e.g. temporary workers), and when the organization's treatment of these workers is significantly different, to the extent that it might prompt action by the personnel representatives;

— a risk in terms of image, if NGOs intervene through publications in the media or social networks.

4.3.2 General recommendations

In order to take account of the establishment of satisfactory working relations and conditions, both internally, and, above all, in the supply chain, a responsible purchasing organization must incorporate the means of guaranteeing decent working conditions for its suppliers' employees (and its suppliers' subcontractors' employees) in its policy and its practices:

- a balanced relationship between the supplier and its employees;
- the quality of the working conditions and a decent level of social protection for the suppliers' employees;
- guarantees covering the health and safety of the employees and the suppliers involved in the organization's activity.

The organization's responsible purchasing policy must establish or conserve **balanced relations between the supplier and its employees** in its purchasing function and must ensure that its partners respect this balance in the selection phase or as part of its business relations. This involves:

- the implementation of best practices designed to limit or avoid the social consequences for employees in the event of industrial restructuring or redundancies;
- the establishment of a medium- and long-term human resources management policy (career plans and skills development policy, long-term contracts, anticipation of future needs, etc.), which includes suppliers' and subcontractors' human resources;
- the promotion of diversity and equal opportunities along the customer's entire value chain.

With regard to **working conditions and social protection**, the purchasing function must:

- make sure that suppliers, and in particular strategic suppliers and level 1 subcontractors, have their own sustainable development / social responsibility policy or charter that covers working conditions and at least refers to the fundamental recommendations of the ILO on forced labor, social protection, remuneration and working hours, which apply to all the players in the supply chain;
- together with the HR department and senior management, check that working conditions comply with the legislation and national regulations and are compatible with the applicable international labor standards.

The organization's responsible purchasing policy must demand that its partners commit to implementing best practices and to going beyond local labor legislation, which is sometimes totally insufficient in comparison with international recommendations. These criteria must be taken into consideration when selecting and assessing suppliers and bids.

In terms of **occupational health and safety**, and still as part of the sustainable development / social responsibility policy, the purchasing policy must include at least the eight fundamental recommendations of the ILO, the guidelines applying to occupational health and safety management systems (ILO-OSH 18001) and define its scope.

4.4 Environment

4.4.1 Issues

Due to its importance and its scope of action inside and outside the organization (products, raw materials, customer-supplier relations, etc.), the purchasing function holds a major responsibility for the consideration of environmental issues. It must therefore identify the environmental impacts associated with the purchase of products and services: the use of raw materials, energy consumption, water consumption, the use of chemicals, the production of waste and the discharge of toxic substances into water, the air and the soil. The environmental consequences of an organization's purchasing activity may be in its immediate vicinity or more remote, depending on the location of its supply chain. The consequences of the pollution caused by its activity affect the population, local authorities and ecosystems (fauna and flora).

These issues must be taken into consideration in the purchasing policy by a firm commitment to prevent pollution, to make sustainable use of resources, to mitigate and to adapt to climate change, to protect the environment and to restore natural habitats, in accordance with the standard NF EN ISO 26000.

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The incorporation of the environment in the purchasing policy helps to limit the consumption of natural resources and to mitigate operational and financial risks, including ecological accidents and their impacts on human beings and the ecosystem.

The organization, and any of its supplier(s) involved, can be held legally liable in the event of breach of the regulations and/or environmental damage. The organization's liability may also be engaged if its commitments are not coherent with its communications on the environment, which has a direct impact on its image.

4.4.2 General recommendations

To incorporate the protection of the environment in its purchasing policy and practices, the responsible purchasing organization must deploy a system to:

- make sustainable use of resources;
- prevent pollution;
- mitigate climate change and adapt to it;
- protect the environment and restore natural habitats.

The purchasing policy can use a number of levers to contribute to the sustainable use of resources:

- the identification, measurement, recording and traceability of the resources used that help to improve energy efficiency, reduce water consumption and to generally improve the appropriate use of raw materials, recycling and the reuse of waste and end-of-life products;
- preference for the purchasing of products and service that do not consume many resources;
- inciting suppliers to set up their own environmental indicators and an environment management system (EMAS, ISO 14001, EnVol, etc.);
- the analysis of the life cycle of products and services in order to identify the associated environmental impacts and to initiate eco-design approaches that reduce these impacts at source;
- the optimization of logistics (geographical proximity, means of transport, intermediaries, etc.);
- an approach based on global costs that include the cost of the purchase, of use and of end of life, and the inclusion of external factors, such as pollution, greenhouse gases, etc..

The purchasing function can use these levers to make savings, in particular by taking both the economic and the environmental issues into consideration.

Responsible purchasers protect their environment in a balanced and durable manner and, therefore, must consider the prevention of pollution throughout the life cycle of the products or services that they buy. To this end, they prefer to:

- take part in the process to map out the environmental impacts and define and monitor the prevention plans;
- work with the engineering / research departments and with suppliers to look for alternative solutions that avoid the risk of pollution;
- in the classification of their suppliers, to apply criteria that take account of the prevention of pollution of all kinds: emissions into the air, discharge in water, waste management, soil pollution, control and disposal of toxic and hazardous chemicals and any other form of pollution;
- where appropriate, purchase eco-labeled products (NF-Environnement, European eco-label, etc.) to benefit from an approach that reduces environmental impacts throughout the life cycle and from controls by a third party.

Together with the stakeholders, responsible purchasers must take measures that help to mitigate climate change and to adapt to climate change by identifying the consequences (changes in temperature, rarefaction of water resources, etc.) in order to incorporate climate change objectives.

In addition to these actions, the purchasing function must also include reuse and the protection and restoration of biodiversity and ecosystems in its purchasing function, and work towards sound urban and rural development by integrating the sustainable use of soils and natural resources.

This action involves a preliminary phase to identify impacts both on the sites occupied by the organization and in places that are impacted by its activity and its purchases (procurement of raw materials, etc.).

The destruction of ecosystems, fauna and flora should be avoided along the entire supply chain. If sites are developed, preliminary impact studies must be conducted and measures taken to protect the existing ecosystems. The repair of any damages must also be included.

A global vision of the complete purchasing supply chain and collaboration with external stakeholders are necessary to take actions to protect and restore the environment.

4.5 Fair business practices

4.5.1 Issues

Responsible purchasing leads to the establishment of balanced relations between customers and suppliers, with a genuine general concern to respect the notions of ethics and good conduct. This approach requires the inclusion in the purchasing policy of a firm commitment to apply the ISO 26000 recommendations on fair operating practices, in terms of the fight against corruption, responsible political involvement, fair competition, promoting social responsibility in the value chain and respect for property rights.

Underestimating the issue of fair operating practices in the purchasing policy and procedures can:

- result in higher economic risks for suppliers, a fact that makes one of the links in the chain, and consequently the organization itself, more fragile;
- reduce economic efficiency, thereby destroying value and increasing hidden costs on both sides;
- increase the level of risks incurred by the organization, if a strategic supplier should default;
- result in possible financial penalties or legal sanctions if the regulations are breached (French laws on economic modernization —FLEM—, trading, tax, etc.), or the costs of a conflict, if the established contracts or agreed rules of partnership are not respected;
- damage the image of the customer and its supplier, if malpractice is made public;
- have an adverse effect on customer / consumer satisfaction and the corresponding income, if the quality of the service or the product deteriorates due to suppliers lower down the value chain.

4.5.2 General recommendations

Responsible purchasers must pay close attention to the following points in order to incorporate fair operating practices in their purchasing policy and practices:

- balanced and transparent business relations;
- equitable returns on the implementation on SRO practices;
- degree of customer / supplier dependency;
- property rights;
- fraud and corruption;
- incorporation of the principles of fair practice in an internal charter.

They must establish balanced business relations on a number of particularly sensitive points:

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— the price of the purchased services or products, by assessing the resulting impacts in terms of global costs and value creation both on their own organization and suppliers:

- they must pay particular attention to avoid creating hidden costs that penalize the supplier (storage costs, cash flow requirements, unnecessary over-investment, cost of risks transferred to the suppliers, etc.);
- suppliers must take care not to generate any surcharges for the organization (the cost of poor quality, induced risks for the customer, etc.);

— terms of payment for the supplier, which must approach the European standard (30 days – Directive dated February 16, 2001) and must comply with the terms defined in the French economic modernization law (60 and 45 days from the end of the month of the invoice);

— following the administrative processes that are part of a balanced and stable contractual relationship, while refraining from imposing unfair clauses applying to liability, guarantees, penalties, etc.

They favor the equitable distribution of the costs and benefits of the implementation of SRO practices all along the value chain, including suppliers and their subcontractors. They intervene to raise the awareness of suppliers and to encourage them to take SRO actions.

They discharge their duty of diligence in the correction of SRO-related risks.

The purchasing policy must also allow customer-supplier dependency to be reduced by introducing greater flexibility for small startups and developing companies.

The policy favors competition between suppliers and anti-trust and anti-dumping practices by defining accordingly the rules applying to the selection of suppliers.

These principles must be respected for all suppliers and close attention must be paid to treating micro, small and medium-sized companies in an equitable manner, in particular through:

- non-discriminatory access to certification, RFPs and the award of contracts;
- the appropriate allotment of contracts;
- the limitation of the administrative and pre-sales costs required to win a contract.

The selection criteria must be transparent, published inside and outside the organization and traceable, in readiness for subsequent controls and communications.

Purchasers must also make sure that the supplier's property rights are respected to avoid any privation of the supplier for its own profit, or for that of other suppliers, and to combat counterfeit and piracy.

The customer's SRO commitments in its purchasing processes must be aligned with the public policies that are beneficial to society in the long term (professional integration of the unemployed or the disabled, measures in favor of SMEs, non-discrimination, diversity, etc.), avoid manipulative or coercive behaviors and may go even further by encouraging exchanges on good practices. Ethical conduct can also be furthered by the creation of a system in the purchasing process that detects and corrects risks of corruption, both in the organization and amongst suppliers.

Finally, attention must be paid to the risks of deviation caused by the use of transfer prices between entities of the same organization.

These recommendations must be shared and distributed, for example in the form of an **internal charter** defining expectations with regard to third parties and respect for ethical principles, in an effort to achieve transparency on the commitments made. Stakeholders must be made aware and trained: internally, through an appropriate human resources policy and, externally, through communications on the expected good practices.

4.6 Consumer issues

4.6.1 Issues

According to ISO 26000 this covers: protecting consumers' health and safety, sustainable consumption, consumer service, support, and complaint and dispute resolution, consumer data protection and privacy, access to essential services and education and awareness.

Purchasing functions that include these issues in their operating practices contribute to the long-term future of their activity and project a positive image of their organization.

The organization's purchasing policy must incorporate its concern for consumers. For a number of reasons:

- against a backdrop of globalization and widespread outsourcing, the purchasing function holds the important responsibility of guaranteeing that consumers receive reliable and relevant information, of providing traceability and of ensuring that the products and services on offer are safe to use;

- responsible purchasers protect the interests of consumers in a balanced and durable manner by applying this principle to the complete purchasing process.

Underestimating the issue of consumers in the purchasing policy and procedures can:

- result in the loss of markets or opportunities due to a poorly adapted offer and, consequently a loss of income and customers,

- _ result in the deterioration of the organization's reputation, both internally and with intermediate customers, purchasing authorities and end consumers, for example due to the poor quality of the product/service, causing damage that is made public in the media.

4.6.2 General recommendations

The relationship between the final consumer and the organization may be direct in a *B to C* model, in which the organization offers a finished product or service directly to the consumer (customer / user), or indirect in a *B to B* model, in which the organization is one of the links in the value chain.

In order to take consumers' rights into consideration in their purchasing policy and practices, purchasers must guarantee:

- that the health and safety of consumers is protected;

- that consumer service, support, and complaint and dispute resolution systems exist;

- that consumers can access essential services;

- that fair operating practices are employed for sales and marketing, information and contracts;

- that a possible channel is available to contact specialized internal functions (freephone number, customer complaints, etc.).

The purchasing function must take part in the workgroup that draws up the plans to analyze the risks related to **consumer health and safety** and must identify and share all the input in its possession.

This information must be sent as quickly as possible and in complete transparency. This information may come from a variety of sources (suppliers, external stakeholders, regulatory watch, etc.). The purchasing function must also respect the technical solutions chosen by the recognized "specialists" in the prevention of risks to consumers.

The purchasing function must remain in close contact with the engineering/research and development/marketing departments in order to **promote sustainable consumption** by working on the design of sustainable products and services and inputting its knowledge of the existing techniques and substitute products on the market.

If necessary, it must also call on its suppliers and subcontractors.

The purchasing function must control its supply chain and be in a position to process and provide all the necessary information, if the organization is to deliver **consumer service, support, and complaint and dispute resolution**. By way of example, this may require:

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- referring to suppliers in order to validate the traceability of their raw materials;
- checking the health safety of these raw materials in order to avoid dangerous substances and establish clear labeling, asking for a health assessment of new products and providing sufficient information for safe use;
- guaranteeing the relevance of the labeling by preferring official labels and labels that are controlled by regulatory and/or normative systems. It is also possible to prefer contracting with labeled suppliers;
- encouraging the purchase of products and services from businesses that make a contribution to sustainable development.

The purchasing function must inform suppliers of existing commitments to **access to essential services** (water, electricity, etc.). It must make sure that the suppliers guarantee this access and do not impede access to essential services by the population, even if this access is not protected in the country in question.

Finally, the purchasing function must promote fair operating practices in terms of **sales and marketing, information and contracts**.

It must take part in the organization of communications with consumers by deploying sound communications with the other departments (communications, marketing, environment, etc.), so that consumers receive reliable, authentic and relevant information.

4.7 Community involvement and local development

4.7.1 Issues

For companies and public organizations, purchasing constitutes one of the means of becoming involved in communities on their territory in order to contribute to their development. This approach requires the inclusion in the purchasing policy of a firm commitment to apply the ISO 26000 recommendations on community involvement and local development, in terms of involvement with the local population, job creation and skills development, education and culture and the development and transfer of technology.

Underestimating the issue of community involvement and local development in the purchasing policy and procedures can result in:

- making the economic and social fabric more fragile, especially if the customer organization has a significant impact on the local economy (examples include difficulties in recruiting, specialization in one type of agriculture to the detriment of the agriculture that meets local needs for food); ;
- the development of favoritism and bias;
- the deterioration of the organization's image and reputation, internally, locally and with purchasing authorities and consumers, for example if the organization fails to respect the fundamental principles applying to working conditions, the environment and public health.

4.7.2 General recommendations

In order to favor communities and local development in their purchasing policy and practices, responsible purchasers must:

- systematically assess the offer from local suppliers;
- set up a system to favor their access to contracts;
- guarantee the positive impacts of the purchases on the local fabric;
- set up a measurement system.

The responsible purchaser must analyze the offer available from local suppliers beforehand and assess their capacity to meet immediate and future needs at the right price, suitable levels of quality and a reasonable level of risk.

This process involves identifying the players, resources and the complete procurement capacity and the type of works and services proposed by the organizations, including SMEs and the sectors for integration through economic activity and for the disabled.

In this case, an approach based on the global cost, which includes the positive and negative factors of the purchased service or product and the duration of execution or use, is particularly relevant.

The purchasing function can also align its analysis with the organization's strategic plan and involve senior management.

Responsible purchasers must take certain measures intended to allow local suppliers to access its contracts, in order to protect the economic diversity of the territory and traditional skills and know-how and to help the entire sector to progress:

- allotting the contracts in an appropriate manner, favoring networking, encouraging joint bids from suppliers and subcontractors that are favorable to the formation of local productive groups or local activities;
- encouraging the creation of partnerships and other arrangements that allow for the constant and increased involvement of local suppliers in their professional sector;
- allowing for or encouraging technology transfers, training and the development of the digital economy;
- becoming involved in the development of organizations that promote integration through economic activity (the socially excluded), the sector for the integration of the disabled and, in certain purchasing sectors, products from fair trade.

The organization must make sure that its policy in favor of the local offer results in beneficial effects on the local social fabric and ecosystem. To this end, it must:

- make sure that local suppliers guarantee support for local employment, access to training and suitable and balanced remuneration and pay conditions;
- take account of the possible impacts of its purchases on health, education and culture.

To this end, the organization must train its buyers in sustainable development, so that they are able to properly assess the repercussions of their purchasing.

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Foreword

This second part completes the first part. While the first part focuses on purchasing policy and strategy, and is intended for purchasing and senior management, this second part looks at the other stages of the purchasing process. It has a more operational focus and is intended in particular for purchasing departments, purchasers and/or other associated functions. Therefore, the standard NF X 50-135 must be considered as the coherent whole of these two parts, which are separate but interdependent.

The applicable purchasing process is illustrated in the diagram below.

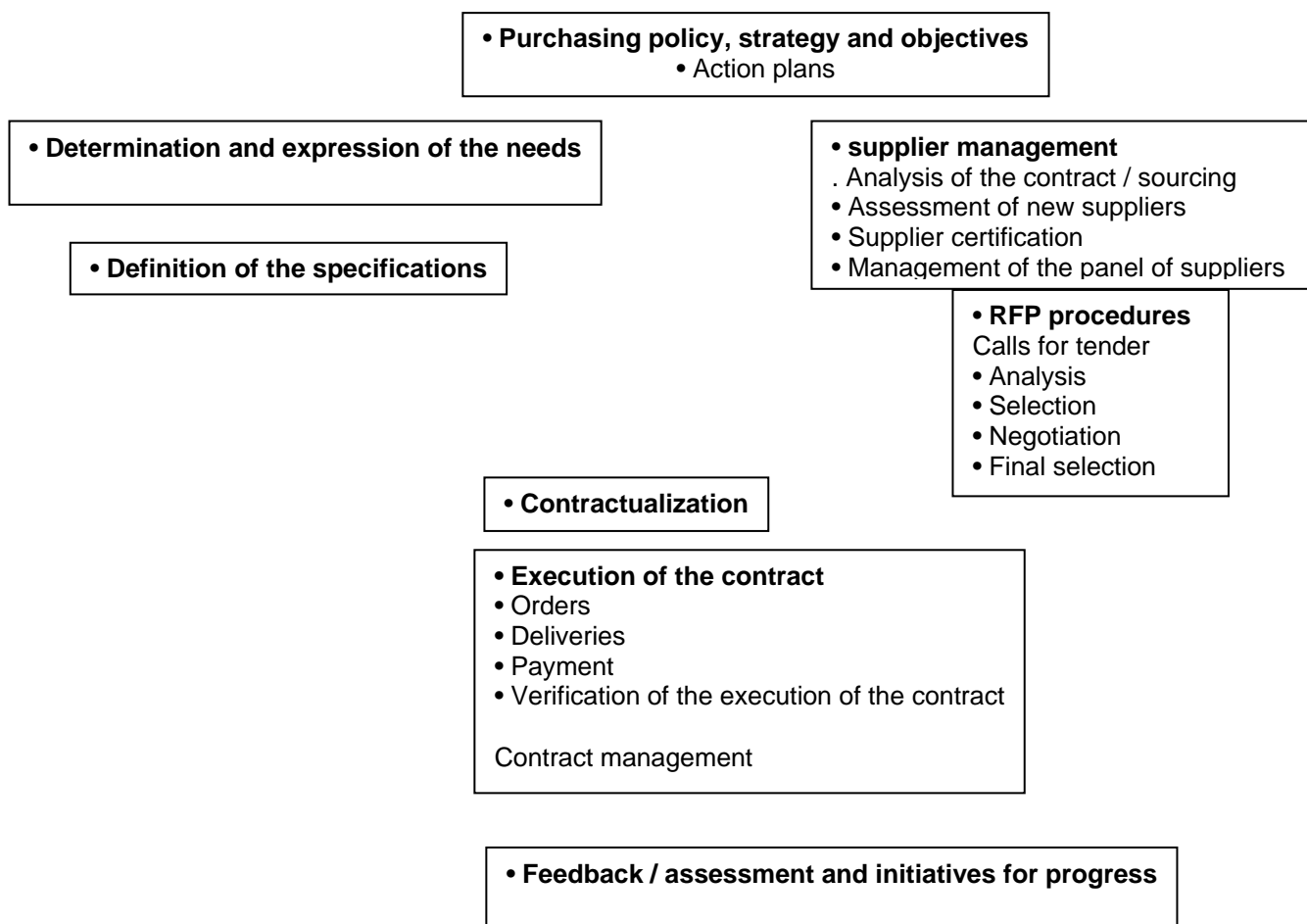


Figure 1

This initiative is taken as part of a pre-established management system. Therefore, this document does not aim to describe the principles or the good practices of purchasing management, which are taken for granted and are covered elsewhere in other normative documents. This document is intended to educate the readers and to enrich their management of the purchasing process with the data and concepts derived from the SRO initiative. The input and the added value provided by taking the principles related to social responsibility into consideration are explained for each stage, and points of differentiation are highlighted with proposals of recommendations for implementation.

The PDCA (*Plan-Do-Check-Act*) approach has been adopted to make this document easier to understand and implement. This approach is considered as a fundamental factor of the initiative and of the document itself. Unlike in Part 1, the recommendations are not organized and presented by core subject, but by stage in the process, in order to bring out the operational aspect of the issue.

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Note also, that in this second part, governance is essentially approached from the perspective of purchasing management or the purchasing function. In the operational implementation, the purchasing function acts in complete coherence and close liaison with the organization's strategy and priorities, as defined by senior management beforehand.

1 Scope

This document can be used by all types of private and public organizations, irrespective of their activity or their size.

It contains the recommendations for purchasing management/departments and Senior Management, and for all of the stakeholders in the purchasing process, in order to facilitate the operational implementation of an SR initiative, and with a view to incorporating the various dimensions of social responsibility, as described in ISO 26000, in economic considerations.

It is not intended to cover the assessment of the performance of the SR initiative, which is addressed by XP X 30-029 "*Methodology for the identification of the relevant and important fields of action in the social responsibility of an organization*".

2 Normative references

This document incorporates by dated or undated reference, provisions from other publications. These normative references are cited at the appropriate places in the text and the publications are listed hereafter. For dated references, subsequent amendments to or revisions of any of these publications apply to this document only when incorporated in it by amendment or revision. For undated references the latest edition of the publication referred to applies.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

3.1 total cost of ownership

the total cost of ownership (*TCO*) of the product or service, including the costs related to SRO impacts throughout the life cycle. It is used to measure savings, value creation and returns on investment generated by the product or service more completely and over time.

EXAMPLES

— Throughout the life cycle of the purchased product or service:

- Costs related to putting into service, operations, maintenance and end of life, especially for products with long life cycles. On the internal stakeholders (hidden costs and operational risks generated in internal processes by the non-quality of purchases).

— On the "extended enterprise", the ordering party's value chain:

- Hidden costs and risks created for suppliers, which destroy social value and the potential for co-performance between the customer and the supplier.

— On external SRO factors, potentially more costly in the short term, but beneficial in the long term:

- The employment integration and use of organic or fair trade products, shorter payment periods.

3.2 design for the environment

the design of a product, goods or a service that takes account of negative effects on the environment all along the life cycle, in order to reduce those effects, while conserving its qualities or performance

3.3 ecolabel

third-party recognition of more environmentally-friendly products and services. The criteria guarantee the usability of the products and reduced environmental impacts all along their life cycle

Erreur ! Source du renvoi introuvable.

3.4 level N supplier

an organization delivering a product or a service to a customer enterprise, which itself is a level N-1 supplier of the organization. The product/service is used to produce a product and/or service supplied to the organization by the level 1 supplier at the end of the chain

The organization entrusts another supplier and its potential subcontractors with part of its skill and expertise in the value chain, and transfers its responsibility, and in particular the responsibility for the responsible purchasing policy.

NOTE 1 to the article. In contractual situations, only level 1 suppliers can be called "contractors". The level N-1 supplier acts as the guarantor of the level N supplier, for which it takes responsibility. The level N supplier must make sure that the level N-1 supplier has understood what is required of it. More than a simple matter of administrative formalities (placing orders and raising invoices), this process also involves the transfer of control and responsibility.

NOTE 2 to the article. By way of example, the level N supplier may be a producer, distributor, importer, assembler, integrator or a service or financial organization. While it is usually outside the organization, it may also be part of the customer organization.

3.5 strategic suppliers

strategic suppliers have a direct and critical impact on the activity of the enterprise and customers. In other words, suppliers:

- whose default could have a direct impact on the organization's end customer;
- whose know-how adds significant value to the organization;
- which account for a significant proportion of the total amount of purchases;
- which enable the organization to grow on new markets in the long term (innovative suppliers);
- which have a strong and direct impact on the customer and the consumer;
- without which, the organization would have difficulty in developing;
- whose financial balance is deemed to be risky, etc.

3.6 life cycle analysis (LCA)

the global analysis of environmental impacts throughout the life cycle of a product or a service, from the extraction of raw materials to production, distribution, use, transportation and end-of-life processing (see ISO 14040)

NOTE This tool only covers the environment. In a responsible purchasing initiative, the analysis must be extended to include the socio-economic impacts of the product or service on all of the stakeholders in its ecosystem.

4 Determination and expression of the need

In the process to express the need, the purchasing function acts as the interface between the organization and its suppliers, by inputting its knowledge of the suppliers and the potential for innovation on the market, informing the users and purchasing authorities of the available options and guiding the definition of the needs so that it is adapted to the opportunities in the organization's environment and to the purchasing strategy established for the segment.

The purchaser refines the need with the purchasing authority and validates the right need, while taking the organization's value chain and the life cycle of the purchased product / services into consideration. In accordance with European directives¹⁾, article 5 of the French law on public contracts stipulates that the nature and the scope of the needs must be precisely determined, while taking sustainable development objectives into consideration.

The purpose of this chapter is to highlight the importance of the role of the purchasing function in respecting SRO criteria right from the needs definition phase.

¹⁾ Directives 2004-17 and 2004-18 of the European Parliament and Council, March 31, 2004.

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Beforehand, purchasing management must make sure that the internal purchasing authorities and experts (marketing, legal, R&D, etc.) involved in the needs expression phase have been informed of the responsible purchasing policy, so that the needs are expressed in a manner that is coherent with this policy.

The external stakeholders must be involved right from the needs expression phase, so that they are able to take the organization's expectations in terms of SRO into consideration as early as possible and are, consequently, in a position to propose suitable solutions.

In this pre-purchasing phase, dialog with the users may require the purchases to be realigned more closely with the identified needs, thereby making significant economic and environmental gains (for example, less paper if documents are duplex, resize a vehicle fleet, etc.).

Alternative solutions to the acquisition of goods or services must be examined at this stage:

- sharing: shared use, for example, of a photocopier (the number of users, the volume of copies, the extent of dematerialization, the possible networking the photocopier, etc. must all be known);
- hire: hiring can be a good alternative to buying, for example for certain goods or services that require maintenance;
- internal / external service providers (cleaning, maintenance, etc.).

In the needs expression phase, the purchaser and the purchasing authority must **take the economic and ethical aspects and fair competition practices into consideration, in particular by:**

- **favoring competition**, multiple bids and the emergence of alternative offers;
- **allowing all enterprises of any size, status or positioning** to make a proposal;
- applying the **principle of reciprocity**, i.e. by asking suppliers to meet the conditions that the organization imposes on itself;
- preferring the best suppliers and the offers with regard to the organization's activity.

When determining the need, they must take the local context, impacts on employment and the local economy into consideration and, for example:

- allow local companies and service providers from the social and solidarity-based economy to make bids (examples include suitable contract allotment, groups of suppliers, subcontracting, etc.);
- include local players (local authorities, NGOs, consular chambers, etc.) and experts in the purchasing family in the process;
- share their needs with other organizations with a view to developing a durable and efficient local activity (local network), pool information, dematerialize the procedure and documents, share controls;
- analyze the potential impact of the planned purchasing on employment (match between the sector of activity and the capacities of the companies in the territory), the proportion of labor in the required service, the required levels of qualifications, etc.

They must also incorporate the notion of life cycle of the products and services in order to reduce environmental impacts, from the design to the disposal of the product. The value chain of the product can be improved by limiting the needs for resources and energy. By way of example, this may involve:

- analyzing the environmental characteristics of the products, services and processes in terms of pollution prevention, design for the environment and consumption of resources and energy;
- proposing alternatives that limit impacts in terms of pollution, consumption of resources and energy and greenhouse gas emissions;
- avoiding any production processes of the products and services that are harmful to the health of the persons involved;

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— making sure that the purchased products and services do not have any harmful effects in the population and ecosystems.

They must apply the notion of the life cycle to the calculation of the total cost of ownership (*TCO*) and analyze the ROI in order to define the best possible choice in the needs expression process.

In addition to the applicable regulations, they can also incorporate external SRO concepts in their analysis, such as:

a) Human rights:

- analyze the potential impacts on the freedom of association and collective bargaining, equal opportunities and non-discrimination, child labor, protection and promotion of vulnerable groups;
- identify criteria that go beyond the ILO's eight fundamental conventions;
- identify and correct any purchasing practices that could incur risks to the respect of human rights or limit improvements of these aspects;
- favor access to employment for populations that usually have difficulty in finding work: the unemployed, senior citizens, unqualified young people, disabled, etc.

b) Labor practices:

- list the health and safety risks specific to the activity in each purchasing family;
- identify whether any general measures must be taken to protect occupational health, when the activity so requires (supplier visits, etc.).

c) Consumer rights. With regard to this question, they should:

- draw up the complete list of components, their source and any associated recommendations (compatibility);
- respect all the applicable domestic and international regulations;
- identify all the regulatory information that the company must pass on the consumer and/or user;
- identify the countries where the product or service will be marketed;
- if the implementation of the required solution may have an impact on essential services, check that access to these services is not impeded.

To this end, the organization must incite its purchasers to become familiar with the content of the SRO policy, its application by purchasing family and the types of responsible purchasing suppliers. In doing so, they will improve the technology watch of the market, gain better knowledge of responsible purchasing standards and good practices and improve their capacity to implement the policy in response to the need.

5 Definition of the specifications

The specifications specify the expressed needs. Therefore, in addition to the technical criteria of the product / service they describe, the specifications must introduce the social and environmental requirements, in accordance with the responsible purchasing strategy in the segment in question. These requirements must be precisely formulated and include the criteria applying to the product's characteristics, the associated services and the conditions of execution of the contract.

The purpose of this chapter is to describe:

- how the document must be written within a responsible purchasing process;
- the requirements that the organization must make known to its supplier, for example in the form of questionnaires, and which must include:

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- the various themes of the responsible purchasing standard, adapted to the needs and the type of supplier/prospect in question (strategic/non-strategic);
- the stages of the lifecycle.

At this stage, close attention must be paid to respecting **the underlying economic and ethical aspects** and, therefore, **fair competition practices**. A number of points are critical in this respect:

- **allowing all enterprises of any size, status or positioning to make a proposal**, thereby favoring the potential for multiple responses and, at the same time, securing future purchases;
- defining the need **without any risk of bias** or connivance;
- comparing the various proposals and solutions with the specified requirements.

Moreover, with regard to the SRO specifications defined below (needs analysis that takes account of the LCA), the SRO requirements that the organization applies to its suppliers must meet a number of principles:

- **reciprocity**: ask the suppliers to meet the conditions that the organization imposes on itself. Caution is necessary in the requirements when the customer is at fault itself or is making progress, and the actual capacities of the suppliers must also be taken into consideration;
- **economic rewards for particular SRO efforts**:
 - prefer the best suppliers and the offers with regard to the activity of the organization or of other suppliers;
 - reward the SRO efforts made by the suppliers in terms of prices, terms of payment, contractual conditions, etc.;
- **reciprocal requirements in preferred business relations**: stringent SRO demands on certified or strategic suppliers, so that the latter act as sincere and efficient relays in the deployment of the SRO policy;
- **simplification or streamlining of procedures for non-certified suppliers with a limited activity and/or small suppliers**:
 - support from the organization, in particular for small suppliers that do not always have the means of investing in or paying the specific costs of certain SRO measures.

Thorough knowledge of the offer and its technical characteristics is an essential prerequisite, which can be met by interacting with producers and keeping up a watch on the offer.

5.1 Preparation

From the organization's perspective, the specifications must be prepared according to a number of principles, such as:

- a) Conformity with the SRO criteria, as defined in the responsible purchasing policy and the incorporation of the objectives and the criteria relating to the concepts described previously.
- b) Conformity with all domestic labor legislation, the ILO recommendations and international standards of behavior applicable to organizations and to the specific sectors in which the supplier operates. If possible, the organization must set up a regulatory watch on SRO subjects that are compatible with the suppliers' sectors of activity.
- c) The fact that the specifications must act as a lever to inform and make aware internal stakeholders of the introduction of non-economic clauses in the specifications in order to make them aware of the existing risks that are raised as part of the responsible purchasing policy.
- d) Communications on the specifications in accordance with the rules of publication stipulated by law.

On a more operational level, and in order to guarantee fair and equitable practices, the process must achieve transparency by:

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— producing specifications that are sufficiently clear, precise and operational with regard to the SRO objectives pursued by the purchasing policy;

— involving all the internal stakeholders in the preparation of the specifications in a process of self-checks and the prevention of corruption. For example:

- include a clause to refuse incentives that exercise an influence on the business relationship;

- detect any technical requirements that are overly specific and bear no real relation to the need, as they could favor an individual supplier (vigilance);

— making the selection criteria known to the suppliers in a sincere and transparent manner;

— using a process and a vocabulary that can be readily accessed and understood by all.

When the nature of the contracts so permits, the organization must structure the content of the specifications so that they allow for:

— suitable allotting:

- access by local suppliers, while taking the local labor legislation and customs into consideration.

— job creation and skills development:

- include a social dimension to promote the integration, employment and training of persons in insecure situations or the disabled (the selection criteria and conditions must be made known);

- incite suppliers to propose innovative solutions (products and services);

- allow for variants and groupings conducive to the best adapted offers;

- favor the development and transfer of technology and the progress of local players;

- produce specifications that are functional (development of innovative proposals) and commercially flexible (allotting, groupings, etc.).

— the protection of education and culture and the economic diversity of the territory, and its traditional and ancestral know-how.

5.2 Content of the specifications incorporating SRO

Respect of standards (laws, international standards, local regulations applying to sustainable development issues) is a prerequisite.

In general terms, the specifications must indicate the deliverables and the guarantees expected of the supplier.

This requires asking the supplier to provide proof of:

a) in terms of environmental protection:

— the source of the raw materials: control of the supply chain and compliance with regulated activities;

— the use of recycled materials, reduced consumption of energy, water and raw materials;

— the guarantee that the nature of the activities does not harm biodiversity (extinction of species, attacks against biotopes, etc.);

— as a path of improvement of the suppliers, the plans (wherever possible) to replace non-renewable resources with other renewable resources with a limited environmental impact;

— definition of the functional specifications and the conditions of execution relating to the sustainable use of the associated resources;

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- control of sources of greenhouse gas emissions and their impact on health and the ecosystems;
- in the specifications, formal definition of the targets for the reduction of greenhouse gas emissions and their impact on health and ecosystems in the suppliers' plans for progress: verification of the product's carbon footprint, logistics flows indicators (payload, transportation, packaging, etc.), selection of the means of transport (air, sea, rail, multimodal platforms) etc.;
- preference, according to the type of products and services, and whenever the market conditions so permit, for:
 - ecolabeled products and services (European ecolabels, NF environnement or equivalent, that meet the requirements of the European regulation N° 880/92 or ISO 14024);
 - suppliers that can provide proof of the proper management of the environmental impacts of their activity by an EMAS registration (in accordance with European regulation N° 1221/2009) or an ISO 14001 type environmental certification.
- b) in terms of respect for human rights:
 - a commitment to respect the eight fundamental conventions of the ILO and the domestic regulations in the countries where they are present;
 - the deployment of a management system that takes account of the respect for fundamental social rights by the supplier and its supply chain;
 - the traceability of products, and in particular the location of the sites of production of their product and its component parts;
 - respect of the rules for employee protection (collective and individual protective equipment, etc.) applicable to their activity.
- c) in terms of respect for working conditions:
 - the implementation of an HR policy that abides by the domestic regulations and meets the international standards applying to workers' rights;
 - respect for the regulations and international standards applying to behavior in the field of labor relations (health and safety committees, staff representatives, unions, annual bargaining rounds, etc.);
 - the implementation of a health and safety policy that abides by the domestic regulations and meets the international standards applying to workers' rights;
 - keeping records of health and safety risks to employees and subcontractors on the supplier's sites (example: single document);
 - respect for laws governing the right to training;
 - commitment to respecting legislation and standards applying to illegal working;
 - the fact that it reports any convictions by a legal authority (industrial tribunal, administrative tribunal) for HR offences (unlawful dismissal, illegal working, etc.);
 - the application of all the health and safety measures specific to the sector required by domestic regulations or international standards;
 - respect for sector-specific collective agreements. At the very least, the specifications shall state that the supplier must provide proof of the establishment of this type of agreement.
- d) - in terms of consumer protection.
 - all the information demonstrating that its offer (product or service) complies with the domestic legislation in the distributing country and with the applicable international standards;

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- all the information required by the minimal regulatory communications for consumers in the appropriate languages;
- the fact that the supplier is capable of taking initiatives to protect individuals (and in particular data and consumer privacy), in accordance with the applicable regulatory requirements;
- the complete list of components, their source and any corresponding recommendations (compatibility), plus proof of their conformity with the domestic regulations in the distributor's country and with the applicable international standards;
- labels and/or certification demonstrating compliance with the international laws and standards applying to behavior;
- a clear description of its traceability system with regard to compliance with the international regulations and standards applying to the product supplied;
- analyses of risks to users, in accordance with the domestic regulations in the distributor's country and international standards of behavior;
- the fact that the supply of its offer will not impede the delivery of services that are recognized as essential in the domestic regulations and international standards of behavior.

The competitiveness of the suppliers will be judged according to these same criteria. The organization shall **incite and support the suppliers** so that they meet the following criteria:

a) protection of the environment;

- use of indicators to measure consumption and leaks;
- optimized use of resources under problematic climatic conditions;
- design for the environment and recycling capacity;
- traceability of the raw materials;
- optimization of transport and logistics, etc.

b) respect for human rights:

- all labels or certifications guaranteeing respect for fundamental social rights and the capacity of the suppliers to regularly organize audits of this point;
- actions that favor the integration of vulnerable populations;
- the completeness of information on traceability, in particular with regard to the production locations;
- draw up a list of the countries in which the organization does not want its suppliers to work due to excessive risks to human rights, whenever monitoring and continuous improvement initiatives are made impossible by the situation in the country;
- for reference purposes, define the business rules in the specifications (suspension of the contract, reduction of turnover, etc.) that shall prevail if plans for progress / corrective actions are requested on the question of human rights;
- go beyond the eight fundamental ILO conventions, and take issues of health insurance/pensions, welfare funds and the health and safety of workers, etc. into consideration.

c) respect for labor practices:

- accidents at work (seriousness, frequency);

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- employee training intensity;
 - proof of the exemplarity of the HR and/or health and safety policy;
 - measures in favor of personnel fulfillment and respect for their privacy (organization of working hours, etc.).
- d) consumer protection:
- the comprehensive nature of the information sent to users/consumers;
 - the deployment of a reliable traceability system;
 - the presence of labels applicable to the requested product/service;
 - the implementation of an effective consumer service in order to improve consumer satisfaction and to reduce the number of complaints by offering quality products and services;
 - the length of the guarantee;
 - the environmental, social and societal performance of the purchased goods and services;
 - assessments of total costs, including the sustainable development impacts ;
 - detailed, costed offers;
 - LCAs that determine and, if possible, evaluate the sustainable development impacts;
 - to behave proactively with regard to the replacement of substances deemed to be hazardous to users.
- /

In this way, the specifications leverage the reduction of supplier risks by improving the knowledge of the latter. This also allows for the collection of information about the product or the supplier (after-sales, etc.) that is useful and necessary for the consumer.

6 Supplier management

The purpose of this chapter is to highlight the recommendations, for each stage, that are intended to approach the usual supplier management practices from a responsible purchasing perspective.

The supplier management phase can be broken down into several stages:

- market analysis;
- homologation;
- referencing/de-referencing;
- panel management.

A number of limitations and precautions relating to the referencing stage are worth noting:

- the principle of open access to public orders does not always allow for the referencing of suppliers, depending on the nature of the public organizations.

In the various stages of the supplier management phase that may, or may not, facilitate suppliers' access to the market, particular close attention must be paid to any selection or pre-selection criteria that are potentially discriminatory, in accordance with the principle of free competition. From an SRO perspective, the capacity of the suppliers to deliver a quality and economically competitive proposal must be assessed, while making sure that they are not penalized by certain criteria, such as the size of the supplier.

Since these stages require the purchasing function to collect information from the suppliers, the purchasing function must make sure that the data collection operations respect the SRO principles, by refraining from imposing

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excessively high induced costs on the suppliers due to the pointless multiplication of redundant, disproportionate or risky measures. To this end, the investigative initiatives must be scaled according to:

- the size of the suppliers and their strategic importance for the customer;
- voluntary initiatives taken by certain suppliers (labels, certifications, the sharing of data, etc.);
- the potential for the sharing of certain audit measures or data with other customers, if possible, using information in the possession of a trusted third partner (e.g., the State) that can be accessed with the supplier's permission;
- the nature of the required data, which may be confidential.

6.1 Market analysis

The market analysis reviews the suppliers' offers in terms of quantity (volume, price, deadlines, etc.) and of quality (the quality of the suppliers, procurement capacity, SRO maturity, etc.).

Most of the issues in terms of responsible purchasing lie in guaranteeing a thorough analysis incorporating the SRO criteria that may result in changes to the supplier panel and, where appropriate, the list of referenced suppliers. Therefore, responsible purchasers must base their examination on a sufficiently broad vision of the suppliers on the market.

In particular, purchasers must check that the suppliers themselves, and the subcontractors that they use, take the following SRO initiatives:

- commitments in favor of sustainable development and CSR, plus the quality of the system used to manage these commitments;
- environmental protection and consideration of environmental impacts, control of consumption and the promotion of renewable resources, recycled products and water management;
- local development, which promotes cooperative behavior and the creation of activity, plus initiatives in favor of the development of employment and training;
- control of risks to human rights related to the activity and the situation in the country in question and the influence to be brought to bear in order to incite the suppliers in question to progress;
- the integration of the unemployed and/or the disabled;
- respect for working relations and conditions, including numerous issues related to labor legislation and international standards of behavior;
- command of the regulatory watch process with regard to consumer health and safety.

6.2 Homologation

Homologation is a procedure that contributes to the creation of a panel of suppliers meeting the prioritized selection criteria and in accordance with the objectives defined in the organization's strategy.

The purchasing function must complete its analysis with the capacity of the supplier to contribute to the objectives of the customer's responsible purchasing policy by:

- innovating;
- contributing to or taking control initiatives, for example on the basis of questionnaires and satisfaction surveys, or through independent and accredited organizations;
- providing the corresponding guarantees in the form of labels, certifications, approvals or other forms of proof;
- providing information on traceability, in particular with regard to the location of production, proposing alternative solutions in the event of non-conformity (e.g., the use of components that are hazardous or identified as hazardous).

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The homologation procedure results in a list of suppliers included in the panel that are likely to work with the customer organization. The following types of suppliers may be included:

- referenced suppliers, which receive preferential treatment inasmuch as they are systematically consulted for certain purchasing families;
- non-certified suppliers, who may be consulted occasionally;
- potential suppliers, who have not yet been consulted.

6.3 Referencing and de-referencing

The referencing or de-referencing phase consists in drawing up the list of suppliers being authorized to submit bids, i.e. that are capable of meeting the organization's needs in the segment for which they are certified.

There may be a number of benefits for the organization:

- economic, by reducing the number of suppliers and making mass purchases;
- greater incentive to favor mutually beneficial customer-supplier relations;
- better control of expectations related to the SRO criteria established in the organization's assessment standard, since these suppliers are often strategic, and since they benefit from higher levels of activity, it is only logical to expect them to achieve higher levels of exemplarity with regard to SRO.

This system is also beneficial to the referenced suppliers, since it allows them to secure a part of their activity more easily. They can also make progress in terms of SRO more easily, since they benefit from the customer's support.

In the certification system, the responsible purchasing function must:

- regularly capitalize on the panel, which is based on good market analysis and homologation practices;
- always consult all the suppliers that are referenced for a given need;
- define and publish transparent, qualitative and quantitative, relevant and justifiable assessment criteria;
- limit risks of dependency (measure the level of dependency and take appropriate action);
- periodically re-assess and renew the referencing, while taking the specifics of the customer organization's sector into consideration.

Special attention must be paid to the notion of equitable treatment of the suppliers and mutually beneficial relations, in particular with regard to non-referenced suppliers or suppliers that systematically are not awarded contracts, even if they are referenced:

- since the former are deprived of access to the customer's contracts or suffer from severely limited access;
- since the latter must pay the cost of certification, without benefiting from the activity that they should logically receive.

In this respect, a number of practices should be developed, such as:

- a pool of pre-referenced suppliers, made up of suppliers that are included in the panel and can be tested and help to stimulate competition that usually exists between the certified suppliers;
- sufficient contract size thresholds that allow non-referenced suppliers to compete and demonstrate their quality, with a view to being referenced in the future or to supporting them in their plans for progress;
- individual support from the purchasing function for referenced suppliers with a limited activity and/or small suppliers;

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6.4 Management of the panel

Panel management consists in keeping track of internal developments (new needs, changes in industrial processes, organizational changes, changes of ownership, etc.) and changes in the market (technological, normative, regulatory, suppliers, etc.).

Panel management also leverages support of the organization's responsible purchasing policy in several ways. This stage of the process deserves to be coordinated by the purchasing function and must favor initiatives to make SRO progress by suppliers and in the organization through continuous dialog and by collectively setting quantified objectives.

Responsible panel management must be conducive to allowing the suppliers to progress, so that the customer organization benefits from this progress by:

- identifying good business practices in the supplier market watch in order to encourage the suppliers in the panel to improve;
- defining and tracking a plan for progress;
- allowing the suppliers the time to adapt: regular progress, the importance of training and teaching the suppliers;
- whenever necessary, looking for the ways and means to allow the suppliers to progress towards the organization's SRO objectives: collective bargaining, institutional and industry-specific communications, etc.;
- drawing the consequences from feedback as part of the plan for progress.

Responsible panel management must also pay attention to the internal risks related to ethics and internal controls. Consequently, an effort should be made to limit risks of discrimination and favoritism between the players in the purchasing chain and the suppliers, or recurrent purchases by overly complacent customers or internal buyers. To this end, the purchasing function must:

- make in-depth checks, if it notices that certain suppliers are chosen very (too) often;
- limit relations between buyers and suppliers to professional circumstances;
- respect the supplier's intellectual property rights that may come to the customer's notice and that must be withheld from the other members of the panel;
- publish the supplier selection criteria internally and externally. This will help the supplier to improve future bids;
- identify the processes, roles and responsibilities and publish them internally and externally.

If a supplier, and in particular a strategic supplier, fails to respect certain SRO principles and certain aspects of the organization's responsible purchasing policy, then the organization is advised to refrain from excluding the supplier from the panel and the certification outright, but to define the ways and means of correcting the situation. In this case, several options are open:

- pursue the relationship while the supplier attempts to correct its policy;
- temporarily suspend the relationship while the supplier takes the corrective measures;
- exclusion may be considered as a last resort (consideration of the SRO criteria on the same level as other "conventional" criteria applied to supplier panel management: economic, business, etc.).

Finally, it may be helpful, from both the customer's and the supplier's perspective, to use supplier relationship management (SRM) software or a database to manage suppliers as efficiently as possible.

7 RFP procedure

The request for proposal procedure can be broken down into several stages:

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- preparation: formal definition of a selection matrix adapted to the nature of the supplier and the quality of the product or service described in the specifications;
- distribution to a selection of suppliers;
- analysis and assessment of the bids on the basis of a reference standard;
- one or several negotiation and selection phases.

The purpose of this chapter is to highlight the approach the usual RFP practices from a responsible purchasing perspective: preparation, distribution of the RFP, analysis of the bids, selection and negotiation.

7.1 Preparation of the request for proposal

Purchasing management must be in a position to define a responsible purchasing reference standard in its RFP procedure in close cooperation with the internal functions in question: business (operational activities) and support (legal, HR, sustainable development, etc.).

The specifications are used to assess the bids received in response to the RFP according to criteria that favor the promotion of sustainable development in the value chain (response to the requirements of the pillars of SRO: economic, social/societal and environmental). The criteria used to select and reject suppliers must be clearly and explicitly established.

There are two potential and complementary courses of action:

- the nature and the quality of the supplier:
 - responsible purchasers seek to promote suppliers that respect SRO principles;
- the quality of the product or service, while accepting innovations and variants:
 - responsible purchasers define criteria to select the offers that are coherent with the principles and applies weighting that increases the chances of offers that are more virtuous from the SRO perspective.

Criteria used to assess the quality of the supplier

Responsible purchasers must give importance to the criteria that favor suppliers whose characteristics contribute to the development of SRO in their value chain. At the very least, it is essential to avoid all forms of discrimination against these suppliers. In particular, this applies to:

- micro, small and medium-sized companies (SMEs ²⁾), that are known to be sources of significant long-term employment (avoid criteria such as minimum required turnover and minimum number of references, especially over short periods of time);
- innovative companies;
- companies located in economically sensitive zones;
- companies that are socially responsible (e.g. with diversity type labels) and more respectful of the environment;
- companies that help the underprivileged and the disabled or specialists in the integration of the unemployed.

The organization must also exercise due diligence, for example in the shape of specific audits, certifications or labels, to check that its suppliers effectively apply the SRO principles. The organization must make sure that its suppliers:

- a) abide by business law, are in order with the tax and labor authorities and respect the ethical codes that, for example, are defined by their trade federation;
- b) meet the regulatory requirements (the laws and international standards that favor the social responsibility of organizations):

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— in terms of human rights and "absolute rights" (civil and political rights, economic, social and cultural rights and fundamental labor legislation), of the prevention of discrimination, in particular against vulnerable groups, of respect for the requirements of the International Labor Organization (ILO), and in particular its eight fundamental conventions (freedom of association and protection of the right to organize, right to organize and collective bargaining, forced labor, abolition of forced labor, minimum age, worst forms of child labor, equal remuneration, discrimination) and conventions related to the demands for occupational health and safety;

— in terms of respect for the requirements derived from domestic legislation and other laws, regulations and international standards of behavior applying to consumer relations, product traceability and the control of health risks, the protection of persons and the transparency and reliability of information supplied to consumers;

The customer organization must also check that the suppliers take socially responsible, ethical and equitable initiatives, in accordance with best practices by:

- precisely drafting and including relevant and suitable integration clauses;

- indicating the possible means of response open to suppliers (direct hiring of persons in the course of integration, supply of personnel by an organization for integration by economic activity, co-contracting or subcontracting with an organization for integration by economic activity (*SIAE*), a company for employees with special needs (*CESN*) or an establishment for the employment of the disabled (*ESAT*) that are competent in the field of activity) and the sources of information providing help in developing an adapted offer;

- describing the corresponding criteria used to select the offers (number of integration hours, quality of social support and training or tutorship) and their weighting;

- including selection criteria based on social progress targets and, for equivalent offers, applying a specific criterion to assess the involvement of suppliers in local public social and health policies, in the offer of fair trade products and services, etc.

c) seek to favor initiatives to protect the environment, for example:

— pollution prevention;

— waste reduction;

— the mitigation of and adaptation to climate change;

— the rational use of natural resources;

— the protection of the environment and restoration of natural habitats;

— etc.

In general, this examination also covers the promotion of the supplier's initiatives and projects, for itself and for its subcontractors, intended to make sure that the complete value chain meets the expectations in terms of SRO.

Criteria used to assess the offer

From an economic perspective, the responsible purchaser must take great care to assess the suppliers' bids according to the fundamental criteria of total cost of ownership and value creation, through two complementary measuring factors:

a) the incorporation of the "positive" aspects in the assessment of the price of the service:

- the value added by the supplier;

- the potential to generate income, potential returns in terms of innovation, of a more responsible brand image or of greater customer satisfaction (e.g. through outsourced services);

- the indirect costs incurred by the supplier's efforts to address sustainable development issues.

b) the limitation of hidden costs:

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- examples for the supplier: for example, limiting excessive costs incurred to place an order, the costs of poor quality caused by the supplier that will increase the costs of its operational processes, the risk of product defects borne by consumers;

- examples for the customer: reduction of storage costs or over-investments initiated by the instructing party, or financial costs due to late payment.

This measurement-based approach must apply financial methods that are coherent with SRO, in terms of total cost of ownership, by focusing on a thorough analysis of SRO-related issues:

— measurements taken in collaboration with internal departments (internal business units, management control, risk management, etc.) and with suppliers (in an approach that defines what is "just enough");

— specific measurements of external SRO factors (economic effects on external stakeholders): the economic effects of the integration measures, pollution risks, etc., while incorporating surcharges and savings.

The ways and means of establishing proof (declarations, documents, certificates, test results, product samples for tests, etc.) and the relative weighting of each of the criteria must be specified.

The purchaser must define and apply a responsible pricing policy that allows the supplier to make a contribution to the achievement of the objectives of the various pillars of the responsible purchasing policy (economic: acquire medium-term visibility of business, achieve sufficient profitability; social: treat employees and subcontractors properly; environmental actions).

Once the reference standard has been defined, the purchasing organization must weigh the assessment criteria by according sufficient importance to the SRO criteria to make a difference in the pre-selection of the suppliers and the final allocation of the contract.

7.2 Distribution of the request for proposal

The request for proposal must be sent to enough suppliers to avoid ineffectual or overly restrictive procedures (e.g., RFPs that are only or too often open to strategic suppliers only) and to extend the pool of suppliers. Moreover, this approach is conducive to diverse offers and innovation.

This stage of the RFP procedure can leverage the promotion of social responsibility, provided that the purchasing function:

— allows suppliers that meet the SRO criteria to access the request for proposal;

— encourages the expansion of its panel of suppliers through the transparency of its procedures and equitable, non-discriminatory rules.

The distribution of the RFP must allow the instructing party to deter its suppliers from attempting to practice any form of fraud or corruption. To this end, the organization must have a charter explaining its anti-corruption policy, which is distributed to the suppliers. This policy, which comprises programs of anti-corruption measures, internal control programs and the application of sanctions, must be visibly and explicitly supported by the very highest levels of company management. This policy must be implemented in the organization in collaboration with the instances representing the personnel.

7.3 Analysis and assessment

The purchasers must ensure that the efforts made by the suppliers that respond to the RFP to promote the SRO principles can be taken into consideration when assessing the bid.

In the phase during which the responses to the RFP are analyzed and the best bid is selected, the purchasing function and the other departments involved must make sure that the proposals meet the expectations according to the technical, methodological and SRO criteria. With regard to the SRO criteria in particular, the purchasing department must:

— check that the total cost of ownership is under control in the value chain;

— check the guarantees or establish a relationship based on proven trust with the suppliers;

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— disqualify the supplier, if it does not provide any guarantees or proof of trust. The guarantees are deemed to be sufficient if a formal action plan exists;

— measure, together with the internal departments in question (business units, finance, risk management, HR or SRO) where appropriate, any possible economic impacts on the TCO, in particular in order to obtain support and come up with solutions;

— where appropriate, negotiate a corrective plan with the suppliers if certain requirements are not met (shortcomings that are insufficient to disqualify the supplier).

In order to measure the relevance of the suppliers' responses according to certain criteria in certain specific fields of sustainable development, it may be necessary, for example, to:

— use the results of the supplier assessment (questionnaires, audits, etc.) and other sources of information (extra-financial rating agencies, NGOs, other stakeholders, etc.), in a complete or targeted manner;

— assess any certifications of responsible management of human rights, working relations and conditions and respect for the environment.

Care must be taken to avoid generating extra overheads for the suppliers, and in particular for small suppliers, due to procedures that may be overly restrictive.

7.4 Negotiation and support

The final selection and negotiation phases must also allow the organization to initiate a virtuous process with the suppliers and to make them aware of the issues raised by responsible purchasing:

— the purchasing function must always give the reasons for the non-selection of a supplier, with details of the criteria that are not met, in order to allow disqualified suppliers to achieve the required levels;

— in order to encourage fair competition, the purchasing function must also inform all the suppliers of those suppliers that are selected and the reasons why;

— responsible purchasing must be addressed specifically in the negotiations, in order to emphasize the importance of the subject to the suppliers and the internal stakeholders;

— in the course of its dealings with the suppliers, the organization must take the opportunity to explain the reasons and the added value of its quest for the best bid and the definition of SRO requirements;

— discussions with the suppliers must be open and transparent. The goal is not to mete out sanctions, but to address both the strong points as well as points that need to be improved, while bearing in mind the need for balanced requirements between the instructing party and the supplier;

— address the question of the resources required to take corrective actions. Sometimes, the instructing party must provide a part of these resources and can support the supplier.

Since the final negotiations may take place during the contracting phase, care must be taken to make sure that the contractual clauses finalizing the negotiations are properly balanced. This point is addressed in greater detail in the following chapter.

8 Contractualization

Contractualization consists in formally defining the clauses that allow the internal and external requirements applying to the parties for a given purchase to be respected. This phase is particularly sensitive, since one of the parties may be weakened if the clauses are too restrictive, unfair, impossible to respect, etc.

The contractualization phases starts when the supplier is selected, ends with the signing of the contract. It encompasses the phases in which draft contracts are exchanged and the final particular points of the agreement are discussed and negotiated. Even if a contract in writing may not be necessary for a contractual agreement to be valid, the responsible approach recommends a written agreement, either in the shape of a contract signed by both parties, or of an order raised by the customer and accepted by the supplier. A good contract minimizes the risk of litigation due to the interpretation of the expectations and obligations of the parties. The wording must formally

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define all the clauses that are considered to be essential with regard to the exchanges that took place in the course of the purchasing process (e.g. the specifications, the RFP, negotiations, etc.), without imposing any excessive restrictions on either party and while ensuring that the clauses are balanced, mutually beneficial and geared to an initiative for progress. In this respect, adhesion contracts do not fit in with a responsible approach. Close attention must be paid to the following clauses:

- required guarantees;
- deadlines and penalties;
- intellectual and industrial property rights;
- settlement of disputes.

The purpose of this article is to define the recommendations for the wording of contracts drawn up within the framework of a responsible purchasing policy.

8.1 Principles

With the support of an internal or external legal function (lawyer), the purchasing function must make sure that the contracts are coherent with the responsible purchasing policy.

A number of reference documents are necessary to draw up the contracts, from legal texts and essential regulatory texts, to industry-specific documents, charters already implemented by the parties (e.g. charters of mediation between industrial companies, the SME pact charter, sustainable development charters, etc.), advice and recommendations of business practices commissions (the CEPC in France) and these recommendations.

In general terms, the spirit and the wording of the contract must reflect the notion of balanced relations. The purchasing function must ensure:

- that the law or international standards of behavior, in countries that do not have any domestic business laws, are respected;
- that fair practices are employed (see NF EN ISO 26000, section 6.6).

The contract must be a means of setting joint targets for progress and value creation and formally defining the necessary procedures for support.

8.2 Contractual clauses

Primarily, the phase in which the contract is formally defined must be based on the following input in order to adopt a responsible purchasing approach:

- the precise definition of the parties' obligations in relation to the purchasing process engaged in the preceding stages: the obligatory clauses for the supplier and the corresponding commitments for the organization;
- the social, societal and environmental clauses that commit the parties to providing resources and achieving results;
- explicit mention of the reference texts, declarations and conventions (e.g. the ILO's fundamental conventions, conventions on requirements for occupational health and safety, reference conventions on consumer relations, the Global Compact, the GRI (*Global Reporting Initiative*), OECD guidelines (*Organization for Economic Cooperation and Development*) and reference standards related to the core subjects of ISO 26000);
- the incorporation of good professional and industry-specific practices;
- where necessary, the definition of reachable and measurable objectives, and the consequences of failing to achieve them. The organization must make sure that the commitments of the parties are based on their real capacities;
- means of control, reporting, sanctions or rewards adapted to each party involved.

When drawing up the clauses, means of assessment or of verifying conformity that are adapted to the issues and the nature of the stakeholders should also be taken into consideration:

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- self-declaration based on the supplier's reference standard;
- self-declaration based on an external reference standard;
- declaration established by a third party;
- labels;
- etc.

9 Execution of the contract

The contract execution phase consists of the operational execution of the service/delivery of the product. In this phase, the customer and supplier organizations need in particular to build efficient structures combining the internal and external stakeholders involved: the instructing party, the finance, accounts and legal departments, the purchasing function and the suppliers' sales and technical functions. The customer and supplier organizations share clear and, where possible, formal operating rules that achieve certain objectives with regard to fair operating practices: the securing of purchases for the customer and terms of payment for the supplier.

In more general terms, the various processes in this operation are supplemented by the consideration of notions of social responsibility.

Primarily, this results in the consideration of the organization's responsible purchasing objectives in each phase. By way of example, the purchasing function, or any other function designated for this purpose, must make sure that the order and the subsequent fulfillment phases include the social and environmental criteria laid down in the contractualization stage.

Moreover, respect for notions such as "transparency" and "accountability" leads to the intervention of several stakeholders, including the parties concerned by each phase of the operation, in addition to the customer organization and its direct partners (suppliers and subcontractors). Consequently, the verification phase may also involve the intervention of independent third-party organizations. This monitoring process of the execution phase may be accompanied by a continuous improvement initiative and open dialog with the supplier in order to anticipate regulations and incorporate innovations.

The content of each phase adapted to a responsible purchasing approach is explained below in a number of recommendations and best practices intended for the organization, its suppliers and subcontractors, and in terms of the means of implementation.

Responsible purchasing does not change the structure of this stage, which is broken down into five phases:

- the order;
- execution of the service / delivery;
- verification of the execution;
- payment;
- contract management.

9.1 The order

The customer must execute the contract by raising one or several orders, while making sure that the supplier can start to deliver the service in a timely manner. If this is not the case, the internal customers (instructing party, users) benefiting from the service will be penalized. This approach allows the objectives of ISO 26000, and in particular those relating to fair operating practices, to be reached:

- a) hidden costs for the customer or supplier due to the late start of the execution, in the event of excessive administrative delays (orders raised late);

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- b) legal risks, to the detriment of the customer (e.g., non-conformity of the product or service) or the supplier (e.g., late payment), that may result from starting to execute the contract too early, when the contractualization phase has not been finalized or the order has not yet been raised.

Certain situations, in which a volume of orders is placed for a given period, may also be a source of risk for the customer or the supplier:

- a) the customer organization should make its business forecasts visible to its supplier. This requires the customer organization to draw up purchasing forecasts that allow the supplier to increase or reduce its capacity accordingly;
- b) in return, suppliers that benefit from recurrent volumes of business with the customer, must always avoid any internal risks that may have an adverse effect on its customer by adapting its production cycles or schedules to its global backlog.

9.2 Execution / delivery

This phases involves honoring the reciprocal contractual obligations:

- the customer organization's obligations (in accordance with the contract, deployment of internal resources, expected validations and arbitrations, established timetable, etc.);
- the supplier organization's obligations (conformity of the product or service with the order, delivery conditions as per the contract).

The SRO issues must lead the supplier organization to guarantee the following to its customer:

- the conformity of the products or services supplied with the order and/or contract, from an economic perspective, but also according to the social, societal and environmental criteria, if commitments were made and written into the contract with the supplier and its subcontractors;
- where appropriate, and if the previously defined purchasing process so requires, the conformity of the SRO commitments made by the supplier organization, with the customer organization's responsible purchasing policy.

Each party must deploy sufficient and necessary resources for the subsequent verification phase.

9.3 Verification of the execution of the contract

On the basis of the procedures defined in the contract, in accordance with its internal procedures and with the help of control indicators, the customer organization must:

- check that the specifications and all the formal clauses are respected;
- check the proper execution of the contract in terms of various aspects related to the conformity of the product or service and make sure that commitments contracted with the supplier are honored;
- guarantee the fairness of its operating practices with its partners, suppliers and subcontractors.

With regard to respect for human rights, the customer organization must make sure that, in the execution of the contract, fundamental rights are respected, and in particular that no form of torture and other punishments or cruel, inhuman or degrading treatment are committed, that no forced disappearances occur, that labor legislation and the privacy of employees, suppliers and subcontractors are respected (legal working, organization of working hours, mobility, respect for faiths and customs, etc.), that all discriminatory practices are banned from the HR processes (hiring, assessment, training, remuneration, promotion, firing, etc.) and that the personnel is monitored, and in particular household or temporary staff. It must make sure that all the parties to the contract are aware of their rights and responsibilities, that proper practices are used in the event of restructuring (social support measures, assistance for retraining, training, advice) and that human resources are managed in a suitable manner (career planning and skills development, anticipation of needs, suitability of training, etc.).

In terms of labor practices, the customer organization must make sure that, in the course of the execution of the contract, its suppliers and subcontractors comply with domestic legislation and regulations and are compatible with the applicable international labor standards. It must verify the following points, according to the levels of risk to the respect of the clauses (which may be reinforced): pay, working hours, social protection, labor relations [freedom, regulations, collective bargaining, election of staff representatives, informing and consulting the personnel

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(satisfaction surveys)], forced labor, health and safety (risk management, collective and individual protective equipment, safety equipment, accidents, psycho-social risks, communications, training and awareness), etc.

In terms of environment, the customer organization must assess and monitor the environmental impacts due to the manufacture of the product or the delivery of the service. These assessments, checks and measurements may apply to emissions into the air (greenhouse gases due to the production, transportation, use and end of life of the product, etc.), discharges into water, soil pollution, waste management, the use of raw materials and recycled materials, the use of renewable energy sources, consumption of water and fossil fuels, the use of chemicals and hazardous products and all impacts on the environment.

With regard to the respect for consumers' rights, the customer organization must check that the information communicated to consumers is complete, precise and understandable in the official languages of the point of sale, that the health risks related to the purchased products or services have been identified and controlled, that the users have been warned and that the consumers have been informed. It must verify the traceability of the data and products and the nature of the information provided, in particular on the use of products that are hazardous or identified as hazardous (hazardous substances, labeling, health assessment of new products, reliability of the traceability, etc.). It must make sure that the consumer's approval is obtained whenever data about them is sent to the suppliers.

In terms of local development and employment, the customer organization must make sure that integration initiatives are effective and monitor the execution of the social clause. It should also make sure that its suppliers, and in particular its strategic suppliers, pay close attention to the impacts of their subcontracting decisions on the development of isolated or socially underprivileged territories, etc.

To make sure that all of the above points are respected, the customer organization should proceed with assessments, checks and reinforced checks in the field and audits of its subcontractors and suppliers, either using its internal resources or a qualified, independent third-party organization. Further to these checks and audits, meetings should be held to review or resolve any difficulties encountered, in order to jointly define continuous improvement targets. The customer organization must take and, where appropriate, enforce (subcontractors and suppliers) measures to respect the regulations and the various SRO requirements and to manage risks, in the shape of curative, corrective and preventive action plans with support for the suppliers (awareness, dialog), including the duty to alert and the protection of individuals and groups against any violation of human rights.

The organization must ensure:

— that its own verification systems comply with the applicable regulations. By way of example, collecting individual data on the nationality of the supplier's employees may violate certain legal conditions that the supplier must meet with regard to its employees, intended to protect the confidential nature of information on sensitive personnel.

— that the verification procedures imposed on its suppliers take the size, the strategic or non-strategic nature of the supplier in the activity and the risk generated by the supplier in the activity into consideration, with a view to minimizing the hidden costs incurred by small suppliers that are not strategic and usually represent a limited risk, etc.

Along the same lines, the organization must seek to share verification methods between customer organizations, so that suppliers are not faced with a multitude of different or redundant verification procedures that are inevitably costly at the end of the line. Its approach must also take account of the specific efforts made by those suppliers that are most respectful of the principles of SRO and voluntarily choose to comply with advanced standards or labels (e.g., diversity and equality labels in France), by cutting the induced costs of verifying SRO or facilitating access to contracts.

Consequently, the assessments and checks may take the form of self-declarations (indicators), technical data sheets, tests and reports of tests made on site or by independent laboratories, feedback from customers or end users, environmental analyses or LCAs, etc.

9.4 Payment

The principle of equitable contractual execution must prevail in a responsible purchasing policy. In this phase, the customer organization must exercise fair and balanced operating practices with its partners, suppliers and subcontractors, excluding any abuse of a position of force and favorable to the support and development of the supplier's activity (cash flow, health and social impacts, etc.).

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Consequently, the supplier organization must set up procedures that meet these objectives by:

- achieving financial equity with suppliers, in particular by verifying deliveries quickly in order to avoid any delays in the payment process;
- respecting the recommendations and standards of European instances with regard to terms of payment: approach the European 30-day standard (Directive 2011/7/EU, February 16, 2011) and, at the very least, respect the legal terms of payment in France (60 and 45 days from the end of the month of the invoice, according to the French law on economic modernization —FLEM—, August 4, 2008);
- refraining from using minor, uncorrected deviations from the requirements for the product or the supplier's performance as an excuse to excessively delay the payment of invoices, or to demand additional deliverables that were not originally specified, at the supplier's expense;
- if the execution of the order can be broken down into packages, of which only a small proportion is non-compliant, paying for the part of the order that was executed in accordance with the contract and quickly enter negotiations or find an amicable settlement for the non-compliant part, in order to avoid any claims procedures by the supplier. Refrain from making unjustified complaints or renegeing on existing commitments, which would unjustly delay payment.

The responsibility for improving performance is, above all, shared. The customer and the suppliers must internally control the respect for the terms of payment agreed in the contract, correct any shortcomings in their own internal processes, inform the other party of any anomalies, correct the anomalies and improve the corresponding process.

Since it is the customer that owns the payment process, its responsibility in this respect is particularly important. Therefore, the customer organization should self-assess its performance on a regular basis, and its progress with regard to respecting the terms of payment in comparison with the applicable regulations (e.g. the law on economic modernization in France) or to its own SRO objectives that may be more ambitious within the framework of the responsible purchasing policy.

The customer's ethical code must require that all due sums be paid to its suppliers, even if they do not issue any reminders, and that the customer advises its suppliers to respect certain procedures in order to optimize and guarantee respect of the terms of payment.

9.5 Contract management

9.5.1 Amendments

Additional requests that were not specified in the original contract are subject to amendments to the initial contract:

- the supplier organization must be able to benefit from additional resources in cases for which it was not originally responsible: new needs expressed by the customer organization, failure by the customer to honor a contractual obligation, customer risk borne by the supplier, acts of God, etc.;
- in the course of the execution of the contract, the customer organization must be receptive to any proposals that the supplier makes with a view to making changes to the specifications in order to improve the deliverable and measure the added value of this suggestion to obtain just remuneration;
- if successive amendments are made that extend the contract inappropriately, the purchasing function should hold a contract management review meeting with the various parties involved (instructing party, users, suppliers).

9.5.2 Disputes

The customers and supplier must:

- pay attention to quality and risk management in the execution phase in order to avoid disputes;
- in the event of dissatisfaction, discuss points requiring improvement (technical and SRO) and establish constructive dialog with a view to resolving potential conflicts;
- attempt to find rapid and equitable solutions to any differences regarding the execution or interpretation of the contract and payments;
- in the event of persistent disagreement, prefer encourage the use of mediation (internal or inter-company).

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9.5.3 Operational management of the contract

Since the execution of the contract may last for a long period, a suitable management system should be set up:

- develop suitable procedures on both sides, train and equip the players to effectively resolve recurrent breaches of obligations by one of the parties;
- make sure that the SRO criteria are effectively met by the products and services supplied. Be in a position to check that the suppliers meet the technical and SRO criteria according to which they were selected;
- set up management indicators and keep track of corrective actions;
- in the event of recurrent conflicts with a supplier, prefer dialog and mediation.

10 Feedback / Assessment and initiatives for progress

In general terms, and in accordance with the PDCA approach, the management of any process consists in permanently assessing it (*check*) in order to improve it (*act*). This approach is particularly well suited to responsible purchasing, which involves a complex series of assessment criteria. By way of example, self-assessment and/or supplier audits (*check*) are both means of engaging corrective actions (*act*).

10.1 Assessment of suppliers and internal processes

It is impossible to achieve progress in the responsible purchasing initiative without feedback and assessments. Therefore, the implementation of this kind of initiative involves setting up measurement indicators in order to make sure that it complies with the organization's global SRO strategy.

Consequently, the purchasing organization must call on indicators that are developed and implemented beforehand in order to assess the strengths and weaknesses of its activity. These indicators must cover both the economic dimension and the social responsibility of the organization in order to come into line with the responsible purchasing policy.

They must assess the commitments that are specific to the implementation of the policy in the organization, as well as those made by suppliers and external stakeholders.

10.1.1 Assessment of respect of the organization's commitments

This assessment can be made at various levels and by various instances:

- internally, by management, by the control and audit instances that report to senior management and shareholders, by staff representation instances;
- externally, by independent certification organizations, statutory auditors, participative guarantee systems (peers and stakeholders).

The stakeholders in the assessment of the initiative should be closely involved. A formal feedback process and an iterative process between the final assessment and the purchasing policy (selection, maintenance, exclusion or inclusion) with regard to the achievement of the SRO objectives appear to be necessary.

The nature of the indicators depends on the objectives and the activity being measured, but the organization must always identify indicators that measure, at the very least, two dimensions:

- an indication of resources, e.g. the percentage of buyers trained in SRO, of suppliers assessed according to their SRO performance;
- an indication of results, e.g. the percentage of purchases from local suppliers or socially responsible organizations.

Since the organization's implementation and performance in terms of responsible purchasing practices must be checked and measured, all of the fields of sustainable development applicable to the responsible purchasing policy must be covered.

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The organization must audit its purchasing process in order to check that the selection, certification, de-certification, service assessment and payment practices are ethically correct in terms of fair competition. The process must include activity and performance indicators showing that the practices encourage competition and are transparent. The assessments can be shared, with the agreement of the stakeholders in question and in an effort to reduce the associated constraints.

It must also identify the factors of the risk of corruption in the purchasing function (remuneration, conflicting interests) and cooperate with the control instances. It must be in a position to measure the impact of the purchase on job creation. This involves keeping track of the resource and results indicators as "dynamic output" in terms of durable employment, fixed-term employment or training and the continuation of integration programs.

The organization must keep track of the relevant environmental indicators. For example:

- the proportion of ecolabeled products, fossil fuels, water, raw materials, recycling;
- energy and greenhouse gas savings (example: average CO₂ emissions of the vehicle fleet);
- impacts on ecosystems and biodiversity in the zone of influence (significant sources of air and water pollution, production of waste, noise, smells, etc.);
- environmental accidents (provide an emergency plan covering this type of risk).

In order to conduct the most comprehensive review possible, purchasing management must assess respect of local and international law, regulations and standards applying to human rights, consumer protection and labor practices.

The organization, and in particular the purchasing function, must be assessed by the other stakeholders. The above-mentioned principle of dialog and comparison also applies to the other stakeholders in the purchasing process, i.e.:

- the shareholders that validated the organization's SRO report, which includes the commitments in the sphere of purchasing;
- the users and the instructing parties of the purchased products and services, who must voice their satisfaction or remarks;
- the impacted functional departments (example: HR, with regard to the main suppliers' and subcontractors' social practices).

While these practices may significantly enhance the purchasers' mission, they can also make the functional processes more complex. Consequently, it is advisable to implement these practices carefully and gradually, according to the organization's specific priorities, as confirmed by the measurement system and the opinions voiced by the stakeholders.

This dialog produces a shared vision of the organization amongst the various stakeholders.

Without going into all the indicators in detail, the purchasing function is regularly assessed (frequency to be defined) by the management committee in order to:

- the suitability of the overall workings, according to the organizational reference standard (see the examples in paragraph 1.4), the SRO policy or, where appropriate, the code of conduct;
- its effectiveness and/or efficiency in terms of economic and social performance.

10.1.2 Assessment of the products and services and the suppliers

The purchasing function must assess the suppliers using various types of indicators:

- the intrinsic characteristics of the company: identity, profile, know-how, financial health, etc.;
- "Quality, Cost, Time" performances of the products supplied, by contract or in recurrent deliveries;
- control of economic, social, societal and environmental impacts;

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- overall progress according to all the above criteria;
- the supplier's capacity to innovate.

The supplier assessment must not act as an obstacle to development or as a risk of deterioration in the customer-supplier relationship:

- the organization and its suppliers must agree on these indicators;
- all the stakeholders are informed of them;
- the organization must take the supplier's point of view into consideration in its assessment;
- the organization must prefer participative assessment methods that favor the co-construction and future implementation of the recommendations.

Similarly to its self-assessment, the organization must have tools capable to assess its suppliers. The organization must possess the sufficient resources for its responsible purchasing policy, that are coherent with the resources deployed and the decisions taken in the various stages of the purchasing process.

The organization must make sure that the SRO requirements demanded on the suppliers are taken into consideration. It must also make sure that each supplier proceeds likewise with its own subcontractors.

The organization must distribute the assessment to the suppliers, while supporting them in the initiative:

- inform the suppliers of any means of improving their production, their pre-sales practices and their competitive performance in general;
- question the supplier on the conditions required to improve the initiative, at intervals and using methods adapted to each supplier (size, issues, etc.).

The organization must also take the comments made by the suppliers on its own performance into consideration to provide input for its continuous improvement process. This involves organizing regular surveys to measure their opinion of their relations with the customer organization.

10.2 Continuous improvement

The organization must take steps to improve its performance or the performance of its suppliers with regards to the commitments in its responsible purchasing policy.

As part of the process to continuously improve its own purchasing practices, the organization must first and foremost assess all the data on its balance sheet, i.e. compare the actual results with the targets set in the responsible purchasing policy:

- by keeping track of certifications and managing the panel of suppliers;
- practices used to define the need and the specifications;
- RFP practices;
- the conclusions of the execution of the contract;
- etc.

To take things even further, the organization must also permanently review its assessment criteria and take breakaway measures: drop one indicator in favor of another, call into question scorecards that are too complex, etc. At this point, the notion of the scale of these practices and the overall effectiveness of the information collection system appears:

- how many manageable indicators?
- how often should meetings be held with this or that stakeholder?

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— access to information (e.g., for the application of human rights by distant suppliers and their subcontractors, etc.). The ISO management system standards can be used to "ensure that processes are implemented and regularly improved".

This approach helps to identify corrective actions and set up plans for improvement that are necessary to progress on points of non-compliance:

- make adjustments to the specifications (needs, levels);
- identify the purchasing families in which the objectives are not met or can be improved;
- assess the tools that the organization uses in its supplier relations.

Depending on the changes made due to the assessment and the plan for improvement, the organization must then revise:

- the various policies and commitments (sustainable development/social responsibility charter, sustainable development/social responsibility clauses, purchasing policy) and their application by priority purchasing family;
- the indicators used to keep track of impacts;
- supplier assessments (supplier assessment forms, etc.);
- the risks map;
- the supplier panel, by incorporating the supplier assessments and categorizing the sources (suppliers, countries, other) and partnerships (suppliers, subcontractors, consortia, purchasing groups, other) and by taking measures for those partnerships that are considered to be non-compliant with the policy;
- the structure of the alert network.

It is essential to involve the various stakeholders in the improvement initiative (satisfaction surveys, etc.), to communicate with the external and internal players on the conclusions of the assessment and the actions taken and to encourage exchanges, which are a means of overcoming difficulties, reacting quickly to any form of slippage and boosting the purchasing performance. In parallel to the internal initiative, the organization must also apply the drive for continuous improvement to its expectations of its suppliers. To this effect, it must:

- be able to assess the system used to check the respect of the SRO commitments by the suppliers, the management system;
- regularly review its communications policy with suppliers and internal customers;
- ensure that mutually beneficial technological progress plans with strategic local suppliers are integrated and managed on the basis of objectives and indicators that are shared with the other local economic and governmental players;
- as part of the established dialog, inform the stakeholders in these initiatives for progress, and in particular consumer associations, NGOs and unions, of the requested measures for improvement, the deployed corrective plans, results and decisions;
- anticipate changes in the activity and technological developments and incite the supplier to remain alert and proactive with its customers with regard to any improvements that can be made to the products and services;
- develop supplier relations according to the efforts made.

Annex A

(informative)

Glossary

A.1 Acronyms

LCA	Life Cycle Analysis
B to B	Business to Business
B to C	Business to Consumer or Business to Customer
SD	Sustainable Development
CESN	Company for employees with special needs
CPE	Collective protective equipment
IPE	Individual protective equipment
EED	Establishment for the employment of the disabled
SSE	Social and solidarity economy
SDS	Safety data sheet
GHG	Greenhouse Gas
GRI	Global Reporting Initiative
IEA	Integration by economic activity
FLEM	French law on economic modernization
NER	New economic regulation
OECD	Organization for Economic Cooperation and Development
ILO	International Labor Organization
NGO	Non-governmental organization
SME	Micro, small and medium-sized companies
R&D	Research and Development
HR	Human Resources
MBR	Mutually Beneficial Relations
SR	Social Responsibility
CSR	Corporate Social Responsibility
SRO	Socially Responsible Organizations
OIEA	Organization for integration by economic activity
TCO	Total Cost of Ownership

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A.2 Expressions

— Social and solidarity economy: The social economy comprises the associations, mutual companies, cooperatives, foundations and groupings of persons organized on the basis of the values of democracy, freedom and solidarity. It is also defined as all the enterprises that are neither joint stock companies nor public enterprises, in which case it is called the Third Sector. The expression "social economy" has existed since the 19th century, but it fell into oblivion, before being resuscitated at the end of the 1970s. The expression was officially recognized in France in 1981.

In the 1980s, the concept of the social economy emerged as a means of combating the devastating social consequences of the economic crisis. Shortly after that, companies in the social economy took new issues on board, such as the environment and fair trade. The social economy covers a very broad selection of actions: integration through work, sustainable development, social responsibility and caring services. Almost all the organizations in the solidarity economy have adopted the statuses of the social economy (associations, foundations or cooperatives). This is why we increasingly refer to the social and solidarity economy.

— "The best bid": unlike the "cheapest bid", which only takes the price of the product or service into consideration, the best bid criterion takes account of a combination of numerous criteria covering quality, price, technical value, aesthetic and functional factors, performance in terms of environmental protection, performance in terms of the integration of populations in difficulty, the total cost of use, profitability, innovation, after-sales service and technical assistance, the delivery date, the time taken to deliver or execute, etc. The criteria in this combination may be weighed in order to facilitate the assessment and selection of the best offer.

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