



Welcome from the Groceries Code Adjudicator

On 1 November the Competition and Markets Authority ([CMA](#)) [announced that it had designated two additional retailers](#) to be covered by the Code. I welcome this opportunity to build on the strong progress I have made for groceries suppliers since 2013. I have already held an introductory meeting to which the Code Compliance Officers (CCOs) of the additional designated retailers were invited. Next steps will be to work with them to ensure they understand my position on what the Code requires and are compliant with it.

I need suppliers to speak up and tell me about their experiences with these retailers so that I can raise any specific issues with them. Email me at Enquiries@GroceriesCode.gov.uk or call 020 3738 6537. You can also speak to me at events I attend over the coming months (details later in this newsletter). Any information I receive will be treated in full confidence. As with the original 10 designated retailers I encourage suppliers to raise issues directly with the relevant CCOs. You can find [details of how to contact the CCOs](#) on my website, as well as from the retailers themselves.

Following the progress made by the original 10 designated retailers and the designation of two more, I made a small change to my established pattern of business as usual engagement: during 2019 I will hold three rather than four meetings with each CCO. Please continue to look out for the published record of these meetings on my website.

The CMA will now consider designation on a yearly basis and I would encourage suppliers to contact the CMA directly if they believe there are other retailers that should come under the Code.

Meetings with audit chairs

I have just completed my annual meetings with the chairs of the audit committees of the original 10 designated retailers. I view these as a significant part of my work because making progress on Code-related issues has increasingly meant securing culture change supported from the top. These meetings have proved very valuable and I am pleased with the level of support I have received from the audit chairs who recognise the risk to their businesses if they are not compliant with the Code.

During these meetings I also shared themes that emerged from the 2017/18 annual compliance reports which the retailers produce. I am pleased that retailers are doing more to capture potential Code issues within their businesses and I continue to encourage them to be more open and transparent about all the work they do to ensure they comply with the Code by putting more information about it in the public domain.

Training

As we are nearing the end of 2018, I want to ask suppliers to make a resolution for 2019 to ensure they are well-trained in the Code. Becoming Code Confident by understanding the Code and how I interpret it is so important for groceries suppliers and yet there are still too many who have not undertaken training. It could prove to be one of your best investments next year. I publish [a list of all the training providers](#) I am aware of on my website.

Warmest wishes for a successful holiday season.

Christine Tacon

Top Issues

The GCA continues to monitor the progress being made by the original ten designated retailers on the issues of delay in payments, forecasting and promotions.

Retailers have done a lot of work in this area but delay in payments was still the issue most widely reported by suppliers in the last annual survey. The GCA has worked with retailers to implement changes required to meet the compliance standards set following the investigation into Tesco plc and has helped them to put in place systems and processes to minimise the risk of delay in payments arising from drop and drive. Other changes to systems and supply chain practices have been made based on confidential feedback the GCA has received from suppliers. The GCA needs to hear from suppliers whether these changes are making a difference or conversely, if they continue to experience difficulties.

In June this year [the GCA published a revised best practice statement on forecasting](#). This incorporated points relating to promotions, which is where forecasting most often causes problems for suppliers. The revised statement formalised the GCA's view that there will almost always be some circumstances in which compensation for inaccurate forecasting is appropriate, so a blanket exclusion in a supply agreement would be unlikely to be compliant with the Code. Retailers might as a result consider when to offer compensation, as few suppliers feel able to ask for it. The GCA has also made clear that the due care test is unlikely to have been met if a retailer did not provide any way for a supplier to contribute to forecasting. These points are all derived from experience that suppliers have shared with the GCA. Again, please let the GCA know how this best practice statement is being followed by the retailers.

The GCA will also be working with the additional designated retailers on all the Top Issues which she has considered.

Save the date

17 to 20 March 2019 – International Food & Drink Event at ExCel, London

The GCA will be attending the International Food and Drink Event at ExCel, London. Come and meet Christine Tacon and the team and hear Christine speak on 19 March. The programme is available on www.ife.co.uk.

20 to 21 March 2019 – TasteWales Conference in Newport

Members of the GCA team will attend the TasteWales Conference held at the Celtic Manor Resort in Newport on 20 and 21 March.

24 June 2019 - GCA Annual Conference in London

The GCA will present her annual report and new work programme at the 2019 conference at Church House in Westminster. As in previous years YouGov will announce the results of the GCA's annual survey. Further details including a registration form will be published on the GCA website in spring 2019.

Invite the Adjudicator and her team to your event

The Adjudicator is keen to attend as many supplier events as diaries allow. If your organisation is planning an event, then please contact Enquiries@GroceriesCode.gov.uk to discuss whether she or a member of her team can attend. It would be helpful if you could provide full details of the event including timing and location as well as participants or delegates. The GCA and her team prioritise events where they are able to hear from direct suppliers about retailer practices.

New email address

The GCA's email has changed. Please make sure you use the new address that ends in @GroceriesCode.gov.uk. Enquiries should be directed to Enquiries@GroceriesCode.gov.uk. After the end of 2018, emails sent to the old address will no longer be forwarded.
