

## UNITED KINGDOM / ROYAUME-UNI

### A. Institutional Arrangements

The UK NCP is based in the Trade Negotiations and Development Unit of the Department of Trade & Industry (DTI). The full contact details are:

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Website: <http://www.dti.gov.uk/ewt/ukncp.htm>

The NCP is composed of DTI officials.

The NCP consults with, and draws on the experience and expertise of, other government departments, for example on promotional activities. Copies of the Guidelines and the UK NCP booklet are distributed to other government departments. The NCP works particularly closely with officials responsible for corporate social responsibility in DTI, the Foreign and Commonwealth Office, and Department for International Development. The NCP also participates in the Government-wide Inter-Departmental Group on Corporate Social Responsibility. Through these contacts the NCP ensures that the Guidelines feature prominently in wider UK policy on corporate social responsibility, for example in the context of helping to prevent/restrict conflict in Africa and at the World Summit on Sustainable Development (WSSD).

- *How does the NCP relate to social partners (business community and employee organisations) involved in the functioning of the National Contact Point?*

The NCP has held meetings with the Confederation of British Industry (CBI) and Trades Union Congress (TUC), for example it has met with the CBI International Investment Panel for an exchange of views on the Guidelines with leading UK-based companies of differing sizes and from a range of sectors. The NCP also has informal contacts with these organisations. These contacts have been of great benefit, particularly in promoting the Guidelines, and the NCP will continue to develop this fruitful relationship with social partners. The NCP holds regular multi-stakeholder roundtables hosted in the DTI to discuss progress on on-going cases and agree a process which the NCP will follow in the event of further complaints. The last of these roundtables was held in October 2005, we plan to hold another shortly.

- *How does the NCP relate to other interested parties, including non-governmental organisations (NGOs), involved in the functioning of the NCP?*

Again there is no formal role for NGOs or other interested parties in the functioning of the UK NCP. However, the NCP has discussed implementation issues with NGOs at meetings

and through informal contacts. As with the social partners, the NCP will continue to build on this contact. NGOs are of course part of the regular stakeholder meetings.

## **B. Information and Promotion**

- *How have the Guidelines been made available in your country (translation, creation of a webpage or website, etc.)?*

The Guidelines are readily accessible on the UK NCP webpages on the main DTI website which has direct links to the full text on the OECD site. The NCP also sends out copies of the text of the Guidelines and Commentaries (either electronically or hard copy) to enquirers on request. A hard copy of the Guidelines and Commentaries is included with the booklets that we distribute. The texts have also been deposited in the UK Parliamentary libraries.

- *How is co-operation with the business community, trade unions, NGOs and the interested public carried out, with respect to information on, and promotion of, the Guidelines (consultations, distribution of the Guidelines etc.)?*

The NCP has worked with the CBI, TUC and NGOs to publicise the existence of the Guidelines and the role of the NCP. Since the completion of the review of the Guidelines the CBI and TUC have continued to disseminate information to their members. For example, the CBI have publicised the UK NCP and its website to all their members including through an article in the CBI magazine Business Voice and through their own new CBI international website. The TUC are promoting the Guidelines in various fora inside and outside the trade union world, including WSSD. The TUC have also disseminated information about the Guidelines on their website and provided financial support for TUAC's work in promoting the Guidelines in non-adhering countries. The TUC have also published a booklet entitled Holding Multinationals To Account – Using The OECD Guidelines To Protect Workers Rights, which raises awareness and thus the profile of the Guidelines. In December 2005, the Secretary of State for Trade and Industry wrote to the FTSE 100 companies to promote the OECD Guidelines. A bound copy of the Guidelines was included with each letter.

OECD Watch also disseminates information about the Guidelines and the functioning of the NCPs. OECD Watch have a website, [www.oecdwatch.org](http://www.oecdwatch.org). RAID are the contact point in the UK for OECD Watch, their e-mail address is [raid.oxford@ntlworld.com](mailto:raid.oxford@ntlworld.com), but they do not have a website.

- *Have other information and promotion activities been held or planned (seminars and/or conferences on the Guidelines in general or on specific subjects, informative publications, co-operation with investment promotion agencies, departments of education, business schools, etc.)?*

The NCP has given presentations at a number of events including the Commercial Officers from British Embassies as part of their induction/refresher course (held every 6 weeks). The NCP has also had a dialogue with individual companies seeking input into their CSR strategies – this is something we are keen to build on.

The NCP gave Guidelines presentations to the Whitehall CSR Interdepartmental Group and to a group consisting of government officials, NGOs, academics and companies, as part of a public CSR consultation.

The NCP participated and at the request of the Dutch NCP host, gave a presentation at an EU CSR conference in Maastricht in November 2004. The NCP also attended an OECD anti-corruption/CSR event in Addis Ababa in March 2005.

The NCP team were represented and participated at an OECD Watch organised conference on the Guidelines in Brussels in April 2005.

UK NCP has kept its webpages updated and, since the last Annual Report, they have received an average of 940 hits per month (compared to an average of 920 hits per month the previous year). They are also used to seek views from interested parties on the Guidelines and NCP. The NCP has also received many e-mails to its dedicated e-mail account.

The UK NCP has continued to distribute its explanatory booklet aimed at providing an introduction to the Guidelines and the role of the NCP in promoting and implementing them. In addition the booklet is available electronically on the UK NCP web pages and had been downloaded 5252 times by the end of April 2005. This booklet will be updated in the next few months.

Other promotional measures include:

- to help raise awareness among inward investors to the UK, a hyper-link with the U.K. Trade and Investment (the UK government's investment promotion agency) website together with a one-page summary of the guidelines and their relevance to inward investors;
- to help reach companies seeking overseas investment insurance from the UK government, a hyper-link with the Export Credit Guarantees Department website;
- ECGD to examine compliance against environment, employment, combating bribery and transparency chapters.
- to raise awareness amongst UK overseas investors, information and a hyper-link from the UK Trade Partners UK website;
- information on the Guidelines was available on the DTI stand at the annual CBI Conference.

The NCP has declared its willingness, on the UK NCP webpages and in the booklet, to discuss any aspects of the Guidelines or NCP's role, particularly in respect of promoting them.

- *Have enquiries been received from (a) other NCPs; (b) the business community, employee organisations, other non-governmental organisations, or the public; or (c) governments of non-adhering countries?*

The UK NCP has regular contact with other NCPs through meetings at the OECD, supplemented by informal contacts. In particular there has been close cooperation and exchange of information with the Belgian NCP over the issue of the UN Expert Panel report on the Democratic Republic of Congo.

The UK NCP has received a number of enquiries, the majority of which have been from the business community (particularly investment funds), but the NCP has also received enquiries from NGOs, academics and members of the public and corporate lawyers.

The UK NCP gave a presentation on the Guidelines to the Human Rights training course run by the Matrix Chamber (barristers specialising in human rights law). This will be repeated in the next few months. Matrix were keen to give this presentation to the Bar Council at their annual conference at a date to be arranged.

The UK NCP has received no official enquiries from the governments of non-adhering countries but has discussed issues with a representative from the government of the Democratic Republic of Congo.

An All Party Parliamentary Group on the Great Lakes published a report on the OECD Guidelines and the Democratic Republic of Congo. An official response to this report has been delayed by the recent election but will be published shortly.

### **C. Implementation in specific instances**

- *Have procedures been put in place to deal with specific instances?*

Outline procedures have been put in place and publicised in the booklet and in the UK NCP web pages. The UK NCP has a process flowchart which gives broad guidance and timescales and the expected progress of any case. The purpose of this flowchart is to preserve confidentiality but increase transparency of the process. It was always intended that this would be amended as best practice was established.

- *Have specific instances been brought to the attention of your National Contact Point? By whom (business, labour, NGO, other NCPs, others)?*

Yes. We currently have seven cases, one of these potentially involves other NCPs. Additionally, the NCP has been dealing with issues arising from the UN Expert Panel's report. This has led to the NCP issuing another statement in addition to the one issued last year. It is anticipated that another four Statements (two involving the UN Panel's report) will follow shortly.

- *If applicable, how did your National Contact Point assist in solving these specific instances? What was the outcome?*

On the statement, the NCP met with the company several times and studied the documentation provided by the UN. Full details of the statement are available from [www.dti.gov.uk/ewt/avient.doc](http://www.dti.gov.uk/ewt/avient.doc)

- *Have any specific instances arisen in non-adhering economies? What procedures were followed by the NCP? What was the outcome?*

Yes. All cases are in non-adhering countries. We are following the U.K. Guidelines implementation procedures.

### **D. Other**

- *How have the core criteria for the operation of NCPs (visibility, accessibility, transparency, and accountability) been applied in your country to further the effectiveness of guidelines implementation? Please provide examples that illustrate this.*

*Visibility:* The NCP has proactively promoted the Guidelines and its role through, for example, presentations to interested parties, the distribution of booklets, through webpages, and inclusion in publications of other government departments. The NCP has attempted to mainstream the Guidelines into other related areas of UK CSR policy, notably with ECGD.

*Accessibility:* The UK NCP has widely advertised its telephone, fax and e-mail details, for example in the UK NCP booklet. The UK NCP has its own e-mail account (uk.ncp@dti.gsi.gov.uk) so that it can be accessed by those working in the NCP rather than just one individual. Our average response time is less than two working days.

*Transparency:* The UK NCP has provided details of its activities on its webpages, to other NCPs at OECD meetings in Paris, and in discussions with business, trade unions, NGOs and other interested parties.

*Accountability:* The UK NCP has kept UK Ministers and the UK Parliament informed of its activities, for example by answering Parliamentary Questions and providing copies of the UK NCP Annual Reports to Parliament and posting them on the UK NCP webpages. The NCP has always taken the opportunity to update fellow NCPs on its activities at relevant OECD meetings.

The UN Panel's report on the Democratic Republic of Congo has brought new challenges. Given the level of interest from civil society and parliament, there has been a good deal of Ministerial involvement in the process, particularly in the last year from the All Party Parliamentary Group on the Great Lakes.

- *Do you wish to provide any other information on the nature and results of NCP activities, including on any useful experiences and/or difficulties encountered in carrying out the duties of the NCP?*
  - (i) On the promotion side the NCP has used a variety of ways of raising business awareness of the Guidelines directly, for example by participating in CBI events and stakeholder events organised by individual companies; by promoting the Guidelines as a useful tool for investment funds to judge the commitment of companies to ethical behaviour, an important component in risk management; and by including positive references to the Guidelines in high-profile UK initiatives such as those concerning Africa. In adopting this strategy of high-level statements and practical discussions the NCP hopes to increase the use and awareness of the Guidelines.
  - (ii) Establishing where the Guidelines 'fit in' with other international and national initiatives in the burgeoning area of corporate social responsibility continues to be a challenge. The NCP has promoted the Guidelines as making a fairly unique contribution given their Government endorsement, involvement of business, trade unions and NGOs, implementation mechanism, and comprehensive nature. The NCP has also taken care, though, not to 'oversell' the Guidelines: It is important that people know what they can and cannot do. In this respect the NCP has highlighted the positive uses that the Guidelines have such as benchmarking individual codes of conduct and facilitating dialogue, rather than the 'powers' that NCPs have in the event of an unresolved specific instance.
  - (iii) When including references to the importance of the Guidelines, for example in UK initiatives on the international stage, one of the natural ideas for promoting their use is

to encourage other countries to adhere to them. The link between the Guidelines and other parts of the OECD Investment Declaration, i.e. they come as a package, has proved an obstacle, because the UK NCP knows that the vast majority of non-adhering countries would not be able to adhere to the Declaration as a whole, and cannot adhere only to the Guidelines. One of the recommendations of the recent Commission for Africa was that African countries establish a National Contact Point of their own. The NCP looks forward to working with all countries involved to find a solution to this issue.

- (iv) Areas where the Guidelines could be revised to be more relevant to the ‘real world’ are now beginning to emerge, particularly in the areas of human rights and conflict zones. These will need to be properly discussed during any future revision but this should be in the context of increased specificity rather than expanding into new areas.