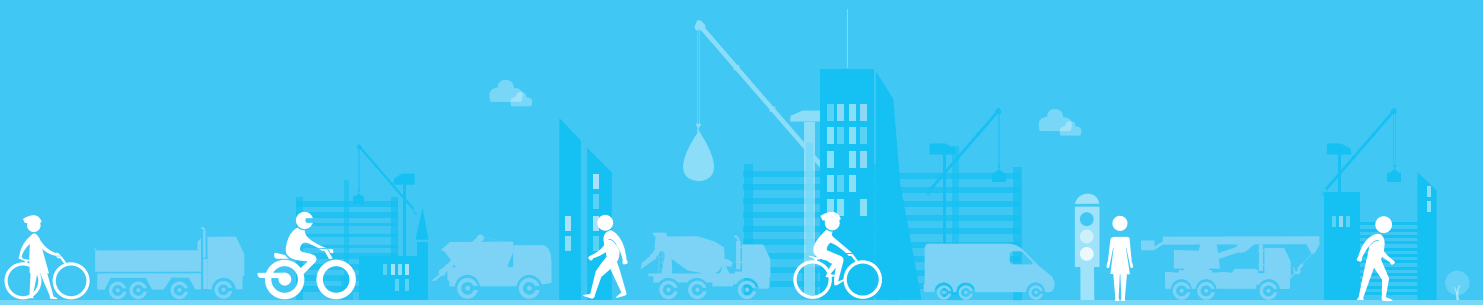


CLOCS Guide: Managing Supply Chain compliance



Construction
Logistics and
Community Safety



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Please note: the information in this document is for guidance purposes only and should not be regarded as a substitute for taking legal advice.

Terminology

CLOCS Standard - a national Standard that requires all stakeholders in construction to take responsibility for health & safety **within and beyond the hoardings**. Its mission - to ensure the safest construction vehicle journeys.

Primary goals:

- zero collisions between construction vehicles and the community
- improved air quality and reduced emissions
- fewer vehicle journeys - less congestion
- reduced reputational risk

Certain terms are used within the CLOCS Standard and in this guide:

Considerate Constructors Scheme (CCS) - a not-for-profit, independent organisation founded in 1997 to raise standards in the construction industry. The Scheme is concerned about any area of construction activity that may have a direct or indirect impact on the image of the industry as a whole.

CLOCS Champion - has co-invested in the programme and is responsible for actively implementing and ensuring compliance to the requirements within the CLOCS Standard. Where it is not possible to actively implement the CLOCS Standard straight away, the CLOCS Champion is responsible for communicating the organisation's intentions to implement together with related timescales and a dedicated point of contact.
Info: www.clocs.org.uk/page/Membership

CLOCS site monitoring - to improve site compliance and consequent safety, CLOCS Site Monitoring has been developed in partnership with CLOCS partner CCS.
Info: www.clocs.org.uk/page/site_monitoring

CLOCS Vox - an app that captures and collates (anonymous) driver feedback in real-time to inform sites on the following areas: route, time, gate team and ground conditions.

Construction Logistics Plan (CLP) - the CLP focuses specifically on construction supply chains and how their impact on the road network can be reduced. A CLP differs from a Construction Management Plan (CMP) or Construction and Environmental Management Plan (CEMP) in that CLPs are developed earlier in the planning process and focus specifically on logistics. The information and planned measures identified in the CLP can also be included in the CMP or CEMP.

Fleet Operator Recognition Scheme (FORS) - a voluntary accreditation scheme for fleet operators which aims to raise quality and demonstrate which operators are achieving exemplary levels of best practice. The CLOCS Standard requires fleet operations to meet the requirements described as Silver in the FORS Standard.

Site Access Traffic Marshals - are stationed at the site entrance. They are the primary and critical interface between the site, fleet operations and the public.

Stakeholders:

- **Regulator** - a transport, city or local authority that sets policies and planning conditions.
- **Client** - an organisation that procures the construction or operation of a site which requires commercial vehicle journeys; will typically employ a principal contractor to manage site operations.
- **Principal Contractor** - an organisation that is responsible for all site operations; will typically employ specialist sub-contractors.
- **Fleet Operator** - an organisation or part thereof which operates one or more commercial vehicle(s) to deliver procured services.



Section 1

Introduction

1.1 Purpose of this guide

The **CLOCS Standard** clearly sets out the requirements for compliance of each stakeholder, the cascading of those requirements and the obligation to act where non-compliance is identified.

This guide provides strategies to manage and monitor performance, signposts related documents and tools, and recommends actions to deal with non-compliance.

1.2 Who should read this guide and why?

This guide will help all stakeholders to understand how compliance should be managed:

Regulators - will understand that there are mechanisms in place throughout the supply chain to monitor and enforce compliance. Where CLOCS is implicit in local plans and policies this should provide confidence of the supportive framework in place to assist authorities.

Clients - will have confidence that their procurement processes requiring implementation of the **CLOCS Standard** are supported by robust monitoring and remedial action plans.

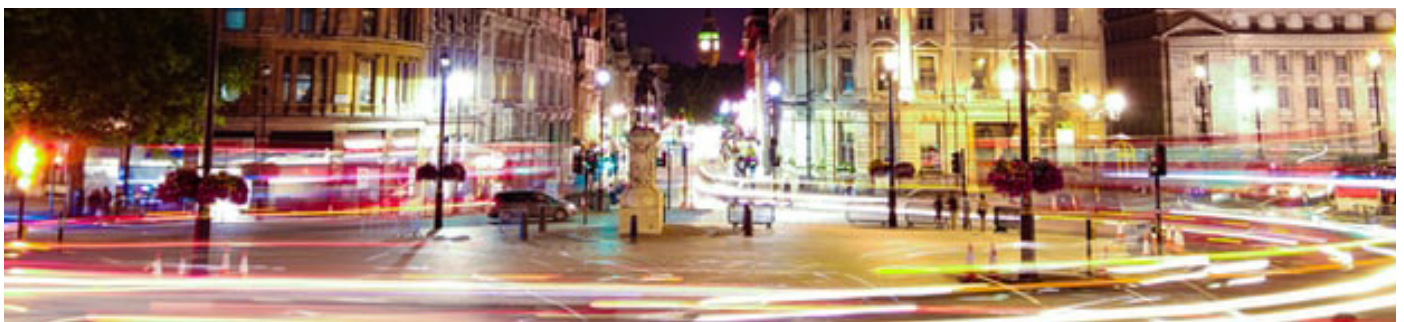
Principal contractors - will understand the tools they have for monitoring, managing, and reporting of compliance performance.

Fleet Operators - will understand their obligations and support available to ensure that any sub-contracted work also meets the **CLOCS Standard** and what to expect in circumstances of non-compliance.

1.3 How do I get started?

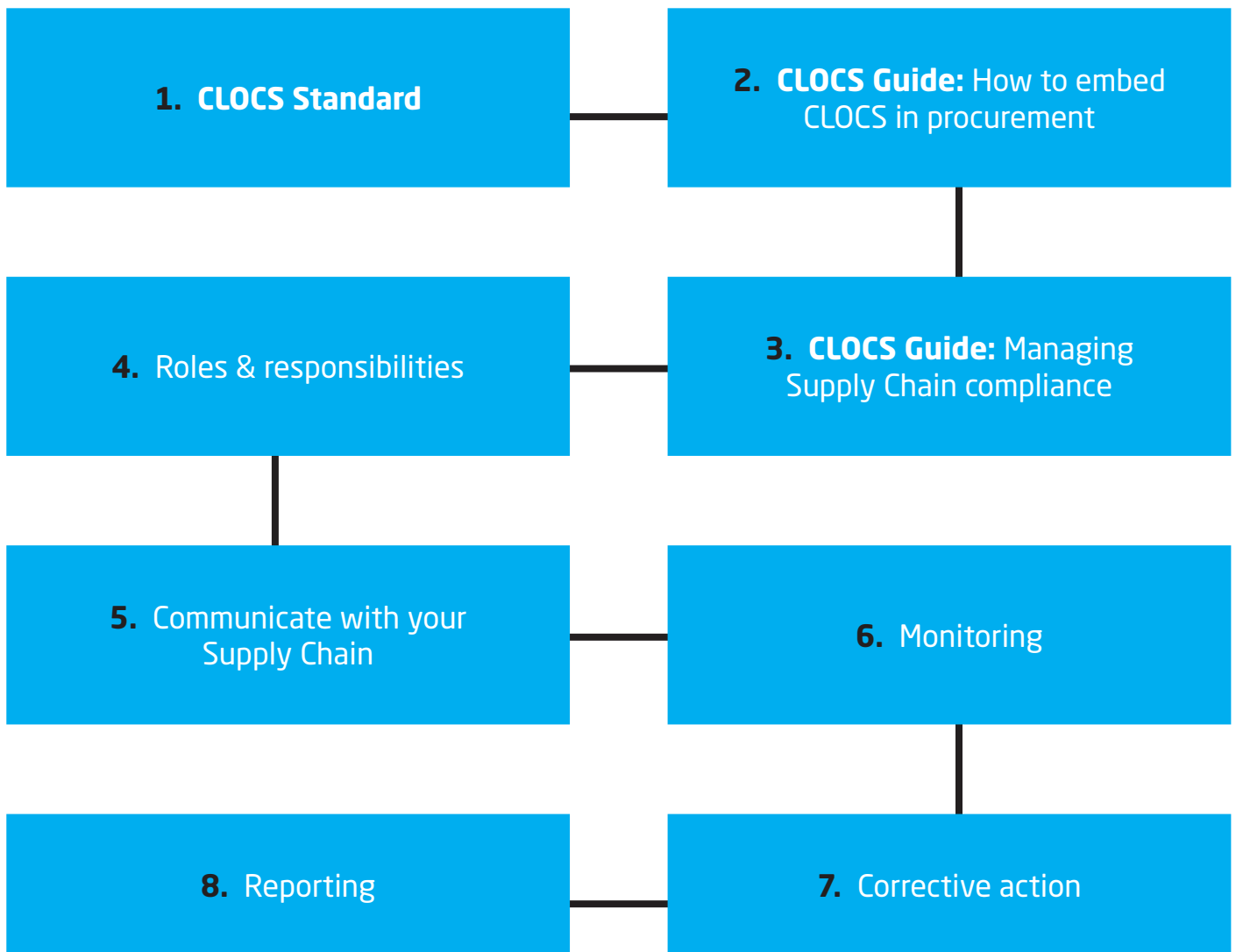
1. Read the **CLOCS Standard**.
2. Read **CLOCS Guide: How to embed CLOCS in procurement**.

Once CLOCS is embedded into your contracts and you have clearly communicated with your supply chain, allowing them the opportunity to adequately plan and resource, then you shall be monitoring and enforcing the requirements.



Supply chain compliance

2.1 Steps to supply chain compliance





2.2 Communicate expectations for supply chain compliance

You should keep your supply chain well informed about your expectations and requirements for supply chain compliance.

It is important to make clear within contracts the standards your contractors and their sub-contractors must meet.

- Unless otherwise stated, the **CLOCS Standard** applies to all sites and all vehicle operations (specifically commercial vehicles over 3.5 tonnes and their drivers).

A client may extend the scope to vehicles under 3.5 tonnes and their drivers but this needs to be clearly communicated and would not be within the scope of the CLOCS Standard.

- You should also set out the roles and responsibilities of your contractor(s) in checking and monitoring compliance to the **CLOCS Standard** at your sites and premises, and when dealing with any of their sub-contractors.
- Plans for addressing non-compliance should also be clearly laid out in the contract. You should make clear whether contractors are empowered to take appropriate agreed action in relation to non-compliance on your behalf.
- You should also make clear the reporting requirements expected of your contractor(s).

By using this approach, contractors will have the opportunity to include any costs of compliance into their bids, and ensure all parties are clear on their responsibilities. It should also allow swift resolution to any subsequent commercial disputes that may arise in relation to this.

Useful resources (available on the CLOCS website):



CLOCS Guide: How to embed CLOCS in procurement

CLOCS Compliance toolkit:

- Example contract clauses
- Example letter to suppliers



2.3 Understand roles and responsibilities through the supply chain

1. Developing and implementing a supply chain compliance strategy:

Client / Developer	Principal Contractor	Fleet Operator
<ol style="list-style-type: none"> 1. Include the CLOCS Standard in contracts, defining the scope and specific requirements for CLOCS implementation. 2. Ensure the project team develops and implements a suitable CLP. 3. Clarify whether the contractor is empowered to act on the client's behalf. 4. Request regular reports to monitor compliance and the actions taken to address issues around non-compliance. 5. Ensure all collisions resulting in harm that occur on journeys associated with the project are quickly investigated and actions taken to prevent recurrence. 	<ol style="list-style-type: none"> 1. Comply with the requirements as detailed in the CLOCS Standard. 2. Develop and/or implement the agreed CLP and ensure it is kept up to date. 3. Include the CLOCS Standard in contracts, including provision for the procurement of headline collision information. 4. Ensure effective monitoring of site operations and provide the client with regular reports. 5. Carry out gate checks to ensure compliance of fleet operators. 6. Collect data and analyse level of compliance. 7. Review information on all collisions resulting in harm that occur on journeys associated with the project and ensure they are quickly investigated and actions taken to prevent recurrence. Report to client. 	<ol style="list-style-type: none"> 1. Demonstrate compliance by providing evidence of external audits. e.g. FORS 2. Respond to requests for information in a timely manner. 3. Ensure any sub-contracted work is carried out in accordance with the CLOCS Standard.

2. Implementing a sanction and enforcement regime:

Client / Developer	Principal Contractor	Fleet Operator
<ol style="list-style-type: none"> 1. Define the rules covering sanctions, enforcement, and consequences of non-compliance. 2. Communicate a clear plan and respond to non-compliance. 3. Apply sanctions and enforcement, consistently and fairly. 4. Implement corrective and preventive actions to prevent recurrences of non-compliance. 	<ol style="list-style-type: none"> 1. Define the rules covering sanctions, enforcement, and consequences of non-compliance. 2. Respond to requests for information from the client in a timely manner. 3. Communicate a clear plan, respond to non-compliance, and report trends with sanctions where required. 4. Apply sanctions and enforcement consistently and fairly as per client requirements. 5. Accept sanctions. Implement corrective and preventive actions to prevent recurrence. 	<ol style="list-style-type: none"> 1. Respond to requests for information in a timely manner. 2. Apply sanctions to sub-contractors. Work with sub-contractors to understand and address reasons for non-compliance. 3. Accept sanctions. Implement corrective and preventive actions to prevent recurrence.



Section 3

Monitoring

Monitoring compliance of site operations and fleet operations against the **CLOCS Standard** is critical to ensure all parties consistently meet that national standard and, where necessary, take appropriate corrective action where an organisation falls short of that standard to prevent recurrence.

3.1 CLOCS Site Monitoring

To understand and improve site compliance and consequently safety, CLOCS Site Monitoring has been developed in partnership with Considerate Constructors Scheme (CCS).

There are 3 mechanisms available to support effective site monitoring:

- 1. A formal site visit by the CLOCS team:** together with submission of the 'self-assessment' checklist, this provides a site score and a detailed report capturing good practice and recommendations for improvement.
- 2. An advisory site visit by the CLOCS team:** together with submission of the 'self-assessment' checklist, this provides a detailed report capturing good practice and recommendations for improvement.
- 3. Self-assessment checklist.**

Self-assessment checklist: reflects the requirements of the **CLOCS Standard**, as they apply to the site. The questions look to establish compliance and capture performance beyond minimum requirements as they seek detail on all elements described as - mandatory, recommended and optional. This checklist helps principal contractors to understand their level of compliance.

As well as looking to establish whether the Standard is being met, the assessment and monitoring process aims to recognise best practice and raise standards across the industry. The CLOCS Site Monitoring team provides a detailed report containing helpful advice on areas for improvement and provides scores in 11 key areas.

Overall scores and reports can be used as evidence to regulators and clients of compliance.



For more info: www.clocs.org.uk/page/site_monitoring

3.2 Monitoring of fleet operations

The CLOCS site monitoring process above ensures that site operators are actively monitoring the fleet operations of all their suppliers. Gate checks are integral to ensuring fleet operations, vehicles and drivers are compliant with the **CLOCS Standard**.

The **CLOCS compliance toolkit** includes a number of documents to support the Site Access Traffic Marshal's role of ensuring only authorised vehicles and people enter the site and to record and take action should non-compliance occur. It includes:

- CLOCS gate check poster
- Compliance and monitoring process (gate check)
- Compliance checking and monitoring process diagram (gate check)
- Driver non-conformance notification (gate check)
- Compliance check form and non-conformance report (gate check)



Available on CLOCS website: CLOCS Resources section

CLOCS has also developed CLOCS-approved **Site Access Traffic Marshal training** to ensure those undertaking this vital role are equipped with specific skills and attitudes and acquire confidence to effectively implement CLOCS at the gate.

An element of checking may also take place remotely at the desktop, for example checking FORS accreditation and driver training competencies on the FORS website. This should be done before any vehicles and drivers are booked in to the site.





Section 4

Corrective action

One way of targeting corrective action is to develop an escalation procedure. This can be invoked by the procurement or contract manager at their discretion in the event of the contractor / sub-contractor failing to comply with the **CLOCS Standard**.

An example of an escalation procedure is shown in table 1 (p11).

The purpose of an escalation procedure is to provide a structured framework within which the parties can resolve grievances against timescales and deliverable targets.

It is important to recognise that any corrective action or sanctions taken to address non-compliance / non-conformance shall be proportionate and do not inadvertently create a bigger risk.

Example: turning away a vehicle that does not fully meet the safety equipment requirements would create an additional trip to the site. For a first-time occurrence, this may be deemed a level 1 non-compliance, resulting in a warning letter, rather than refusing the vehicle access to the site. However, where a more serious issue is detected, for example an unlicensed or untrained driver, it would be acceptable for the site to refuse entry and for the appropriate authorities to be notified.

The escalation approach needs to be clear in the contract, and events that may warrant a certain level of escalation clearly defined.

Example: some clients may view non-compliance for any or some of the required vehicle safety equipment to be worthy of higher escalation levels at the time of a first occurrence than others.



Table 1 Example of action required at each level of non-conformance

Level	Action required		Result
	Client / Principal Contractor role	Contractor / Supplier role	
1	<p>Send written notice to supplier detailing:</p> <ol style="list-style-type: none"> 1. Action required by supplier 2. Rectification period 3. All level 1 non-conformances will be reviewed every accounting period or as may be appropriate at senior manager level meetings to prevent reoccurrence 	<p>Submit level 1 non-conformance report to relevant contract manager within five working days of service of the notice.</p> <p>Non-conformance report to include:</p> <ol style="list-style-type: none"> 1. Confirmation of date and details of the non-conformance 2. Action supplier will take to rectify non-conformance 3. The timeframe in which action is to be completed which shall not be more than the level 1 rectification period 4. Evidence that action has been taken 	<p>Satisfactory: Stop</p> <p>Unsatisfactory: ↳ Level 2</p>
2	<p>Send written notice to supplier as per Level 1 except:</p> <ol style="list-style-type: none"> 3. All level 2 non-conformances will be reviewed every accounting period or as may be appropriate at senior manager level meetings to prevent reoccurrence 	<p>Submit level 2 non-conformance report as per Level 1 except:</p> <ol style="list-style-type: none"> 3. The timeframe in which action is to be completed which shall not be more than the level 2 rectification period 	<p>Satisfactory: Stop</p> <p>Unsatisfactory: ↳ Level 3</p>
3	<p>Send written notice to supplier detailing:</p> <ol style="list-style-type: none"> 1. Action required by supplier 2. Deadline for report to be submitted 3. All level 3 non-conformances will be reviewed every accounting period or as may be appropriate at director / senior management meetings 4. List of all companies at level 3 or above to be sent to site managers at regular intervals 	<p>Submit level 3 non-conformance report to relevant contract manager within 2 months from the time of occurrence</p> <p>Non-conformance report to include:</p> <ol style="list-style-type: none"> 1. Confirmation of date and details of the non-conformance 2. Action supplier has taken, or will take, to rectify non-conformance 3. Evidence that action has been taken 	<p>Unsatisfactory: ↳ Level 4</p> <p>Satisfactory: Stop</p>
4	<p>Formal contractual action may be taken. This may include a monetary sanction or termination of contract (subject to the ability to do this within existing contract T&Cs).</p>	<p>Formal contractual action may be taken. This may include termination of contract (subject to the ability to do this within existing contract T&Cs).</p>	<p>Potential loss of contract</p>

Please note: each level represents a further incidence of non-conformance, demonstrating consistent failure to meet the requirements of the **CLOCS Standard** and therefore safety condition infringements that must be addressed.



Section 5

Reporting

The **CLOCS Standard** requires regular reports to monitor compliance. The flow of information through a structured feedback loop is fundamental to improving performance.

It is for the 'client' to require and the 'principal contractor' to provide evidence of effective monitoring of all elements described in the **CLOCS self-assessment checklist**.

5.1 Reporting data

Reporting data should cover the following as a minimum:

Monthly:

1. Completed CLOCS self-assessment checklist or overall site score

Extracted information for:

- Status of CLP
- Number of vehicle movements
- Number of vehicles checked
- Number found non-compliant
- Details of any non-compliance

2. Monthly report from CLOCS Vox (driver feedback of site experience)

3. Details of any fatal/serious injury collisions on journeys to/from site and immediate actions to prevent recurrence

Quarterly:

1. Compliance performance data and trends for site operations and fleet operations

2. Update on serious/fatal collisions - mitigation actions to prevent recurrence

Six monthly (approximately):

An independent assessment by the CLOCS Site Monitoring team



5.2 Data collection and analysis

It is important that you have a system to facilitate the collation of monitoring data that permits the analysis of trends. Different data systems can be used, with both technical and non-technical solutions. Mobile phone and tablet applications have proved particularly successful for gate checks. Site monitoring scores can be effective for monitoring improvements within sites and between company locations.

You can then analyse trends to identify:

- Most common areas of non-compliance
- Split across areas/reasons for non-compliance
- Non-compliance across particular contractors/operators
- What support is needed to get the contractor or sub-contractor up to the required standard

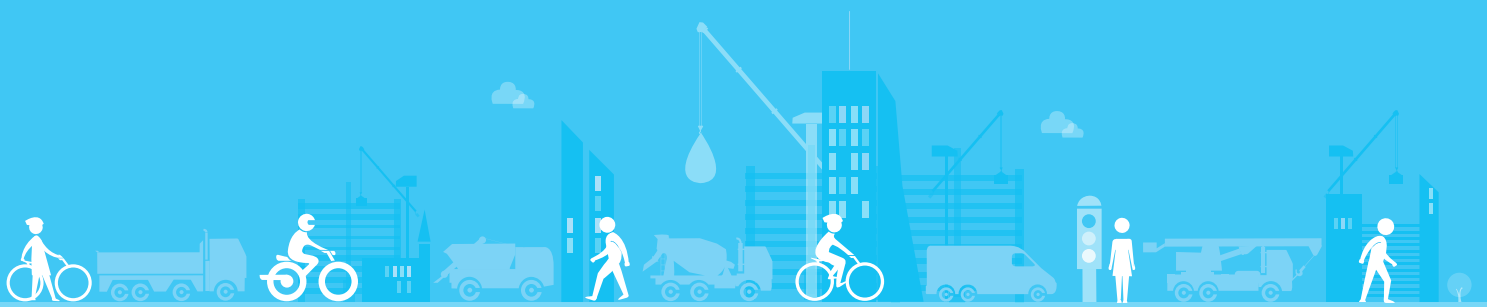


The **CLOCS Compliance Toolkit** is available on the CLOCS website and includes documents to support your supply chain compliance activity. It includes:

- Example contract clauses
- Example letter to suppliers
- CLOCS gate check poster
- Compliance check form and non-conformance report (gate check)
- Compliance checking and monitoring process (gate check)
- Compliance checking and monitoring process diagram (gate check)
- Driver non-conformance notification (gate check)
- Collision Reporting - requirements of client and principal contractor

Supply Chain compliance checklist:

1. Ensure that all the requirements for monitoring and reporting are understood and processes agreed
2. Clearly communicate your requirements in all your selection and tender documents
3. Ensure contractors have understood the requirements for compliance and that they will be checked
4. Establish your corporate policy regarding sanctions to ensure consistency
5. Remind contractors of the sanctions for non-compliance
6. Ensure that sanctions are applied across the board and in a fair manner, including the withholding of any revenue at risk or administration and monitoring of driver or sub-contractor bans
7. Make it clear to sub-contractors that they are expected to audit their own supply chain
8. Remind contractors that sanctions for non-compliance will be applied whether the supplier is first, second or third tier
9. Monitor trends and implement any preventive and corrective actions to avoid future non-compliance recurring



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