

BearingPoint®

# Supplier Code of Business Ethics



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# 1. Introduction

The business of BearingPoint is based upon the trust which clients, shareholders, employees and public opinion have in the performance and integrity of the BearingPoint group.

To protect this trust, BearingPoint aims to contract with business partners who share our corporate values and conduct business in an ethical manner.

We are fully aware of our responsibilities as Good Corporate Citizens and have summarized our business principles in the Code of Business Ethics. This Supplier Code of Business Ethics (the “Code”) reflects those rules and sets out the minimum standards that BearingPoint expects its Suppliers to comply with.

In addition to any specific procurement guidelines, general or contractual terms, we require our Suppliers to comply with this Supplier Code of Business Ethics even if it refers to higher standards than required by applicable local law.

If compliance with any provision of the Code would result in a legal or regulatory violation, Suppliers must follow the law. Otherwise failure to comply with the principles of this Code may result in discontinuance of the business relationship and termination of the contract.

## 2. Scope

A Supplier is any third party, firm or individual that provides a product or service to BearingPoint or assists us otherwise, including its owners or individuals representing them (“Supplier”)<sup>1</sup>.

Any reference in this code which relates to a Supplier’s own supply chain, does not apply to any individuals supporting us in the standard consultancy, managed service and software development operations.

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1) Including but not limited to suppliers, vendors, consultants, agents, contractors, sub-contractors, advisors, temporary workers, and any third party working on behalf of BearingPoint and the owners, officers, directors, employees, consultants, affiliates, contractors and subcontractors of these organizations and entities.

# 3. Key Principles

## 3.1 Legal and Ethical Standards

As a minimum, the Supplier shall comply with all law and regulations which are applicable to its business, but also specifically in relation to its activities for or with BearingPoint. In addition, there are certain international standards, such as the principles of the United Nations Global Compact, the UN Universal Declaration of Human Rights and the International Labor Organization as well as all international standards on the combatting of corruption and bribery, money laundering and other financial improprieties.

Suppliers must hold any required registrations and licenses relevant to the service or product provided to BearingPoint prior to conducting any business in connection with us.

## 3.2 Respect for People, Human Rights and Working Conditions

BearingPoint believes that employees are the most valuable asset a company can have. A safe and healthy workplace environment, which fosters respect and inclusiveness, ensures their well-being.

### Human Rights Obligations

The Supplier shall adhere to all the principles regarding human rights as listed in the UN Guiding Principles on Business and Human Rights<sup>2</sup> and the UN Global Compact<sup>3</sup>.

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2) <http://www.un.org/en/rights>

3) <https://www.unglobalcompact.org/>

## **Safe and Healthy Work Environment**

BearingPoint expects that people working for our Suppliers to be provided with a safe and healthy workplace in compliance with international standards and national laws. Specifically, any Supplier from whom we procure a product, we also expect that reasonable efforts are made to enforce international standards throughout its own supply chain, in particular in countries with either no or with insufficient national laws. In these cases, we expect the Supplier to regularly assess the working environment and provide BearingPoint with relevant documentation and information on request. Workers should be adequately trained on health and safety issues.

## **Non-Discrimination**

BearingPoint encourages an inclusive and supportive working environment free from harassment and intimidation, where all employees are valued and empowered to succeed, and be supported with their career development throughout their working lives and enhancing their skills and development. Suppliers are required to ensure that the personal dignity, privacy and personal rights of every individual are respected.

All of BearingPoint's Suppliers must commit to creating and helping to promote through its supply chain a fair work environment and to abide by all applicable local laws respecting international human right standards.

The Supplier shall not discriminate or tolerate discrimination based on characteristics such as race, color, gender identity, age, family status, marital status, religion, disability, national origin, sexual orientation, trade union affiliation or other legally protected status. This shall be ensured across all employment practices, including those relating to recruitment, promotion, training, remuneration and benefits.

## **Child and Forced Labor**

BearingPoint will not use involuntary labor, bonded, forced or child labor nor any form of modern slavery or let anyone do so on our behalf. Suppliers must comply with internationally recognized standards such as the guidelines of UNICEF, and the International Labor Organization<sup>4</sup>, as well as local legislation and offer appropriate remuneration and comply with relevant national minimum wage legislation or standards. If a minimum age is not defined in the country of the Suppliers operation or the country where its product is produced, the minimum age shall be 15 years (13 for light work) and the minimum age for hazardous work 18 years (16 under certain strict conditions).

We absolutely condemn any inhuman or discriminatory treatment or threat thereof, resulting in physical harm or sexual harassment, abuse or any physical disciplinary measures.

## **Freedom of Association**

BearingPoint expects its Suppliers to respect and uphold their employee's freedom of association involving trade unions or similar external representative organizations, the right to collective bargaining in accordance with applicable laws and regulations, as well as the right for employees to elect not to join a trade union or other representative body.

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<sup>4</sup>) <https://www.ilo.org/global/standards/lang-len/index.htm>

### **3.3 Ethics and Business Integrity**

#### **Bribery and Corruption**

BearingPoint does not tolerate bribery or corruption in any form and expects its Suppliers to uphold the highest standards of business ethics, to respect local laws and regulations and not to engage in any form of corruption, bribery, fraud, facilitation payments, or extortion. Suppliers are required to comply at any time with the principles of the U.S. Foreign Corrupt Practices Act, the UK Bribery Act, the French Sapin II and all applicable international and national anti-bribery laws.

#### **Business Gifts and Entertainment**

The provision of business courtesies can be misinterpreted or suggest the appearance of an improper exchange. Suppliers should use discretion and care to ensure that any business courtesy (i.e., gifts, meals or entertainment) offered to or received by any BearingPoint employee is in the ordinary and proper course of business and could not reasonably be construed as a bribe or improper inducement.

#### **Prevention of Money Laundering, Terrorist Financing, Sanctions breaches of Illegal Activities**

BearingPoint will not tolerate its Suppliers engaging in, supporting or condoning any activity in connection with BearingPoint which infringes or circumvents applicable laws against money laundering or terror financing, applicable sanctions or which otherwise could be interpreted as illegal activity in any location on its behalf. BearingPoint prohibits the trade with any Supplier of services or products which (a) is located in any country subject to comprehensive economic sanctions<sup>5</sup> (or acting on behalf of

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<sup>5</sup>) Applicable Anti - Boycott laws will be taken into consideration



persons or entities located in such countries) or (b) appears on the lists of restricted or prohibited persons maintained by the United Nations, U.S., EU or any other country involved in the business relationship between us and the Supplier. Suppliers will keep - and provide to BearingPoint upon request – accurate records of all matters related to the supplier’s business with BearingPoint and shall not engage in any form of money laundering and shall never knowingly accept funds acquired through illicit means.

## **Fair Competition**

BearingPoint strictly prohibits anti-competitive agreements or conduct, including, amongst others, fixing prices, restricting the supply of goods or services, bid rigging and market sharing. We require our Suppliers to be committed to free and fair competition and to abide by relevant competition laws and regulations. Antitrust or competition laws vary from country to country, but generally, such laws prohibit agreements or actions that unreasonably restrain trade, are deceptive or misleading, or unreasonably reduce competition.

## **Conflict of Interest**

Suppliers will avoid any interaction with a BearingPoint employee or representative that may conflict, or appear to conflict (e.g. personal relationships or financial interests), with that employee acting in the best interests of BearingPoint. Any actual or perceived conflict between the Supplier and BearingPoint or for a specific project BearingPoint’s client, such as family relationships, must be disclosed to [compliance@bearingpoint.com](mailto:compliance@bearingpoint.com).

### 3.4 Environment, Corporate and Social Responsibility

BearingPoint's Supplier selection and referencing of its Suppliers takes into consideration ecological criteria in order to be an actor of sustainability and to support Suppliers who are acting in accordance.

Supplier is expected to operate in compliance with all applicable laws and regulations addressing environmental protection. Supplier should conduct operations through its supply chain in a manner that protects the environment by making reasonable efforts to meet industry best practices and standards with respect to the reduction of energy use, greenhouse gas emissions, waste and water use.

Supplier must also ensure that potential impacts to community health, safety and security – such as accidents, impacts on natural resources or wild animals, exposure to pollution or other community issues – that may arise from business operations are appropriately mitigated and managed.

We do not tolerate any behavior that actively promotes or causes a negative impact on any conversation efforts, nor do we tolerate any Supplier who has gained its licenses or registrations through illicit means, including but not limited through corrupt behavior.

We encourage our Suppliers to actively contribute to local corporate social and environmental activities or community programs and encourage their employees to travel to work using environmentally friendly modes of transport such as public transport, car sharing, cycling, group shuttles, etc.

We prefer any Supplier who actively strives to support the goals and principles stated in the Paris Agreement<sup>6</sup> and can provide us with adequate documentation, e.g. based on Communication of Progress in the context of the UN Global Compact<sup>7</sup>.

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6) <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

7) <https://www.unglobalcompact.org/>

### **3.5 Data & Information Protection and Confidentiality**

#### **Confidential Information & Privacy**

BearingPoint is dedicated to protecting confidential and personal information entrusted to us. Suppliers must implement technical and organization measures to ensure adequate protection, strictly limit, delete when required and safeguard the data and information belonging to BearingPoint and any related third party, e.g. BearingPoint's clients, including any information created, received or learned by Supplier whilst engaged by BearingPoint.

To ensure any trade secret requirements the Supplier must always apply the relevant classification level for data and information and related security measures for their protection as provided by BearingPoint during the engagement.

More generally Suppliers are expected to comply with all applicable laws and regulations governing the protection, use and disclosure of BearingPoint proprietary, confidential, and personal information, such as the GDPR.

# 4. Compliance, Audit and Review

At all times, our goal is to work collaboratively with our Suppliers. We expect suppliers to maintain at any time accurate and appropriate records to demonstrate compliance with applicable laws and regulations and this Code and must inform us, when any situation develops that causes, or could cause the Supplier to operate ( relating to the provision of service or products for BearingPoint) in violation of this Code, via **[compliance@bearingpoint.com](mailto:compliance@bearingpoint.com)**.

During the selection process Suppliers may be asked to provide supporting documentation and confirmations on how they ensure compliance with the mentioned key principles .

As a minimum, we expect all our Suppliers to self-monitor compliance with these principles and if required provide us with a right for reasonable audits to confirm your ongoing compliance with them.

The Supplier shall cooperate and shall ensure that its subcontractors cooperate, make available and give access to all information required to conduct the assessment and assist with all reasonable efforts as deemed necessary. We will notify the Supplier in writing, outlining the scope and timeline, giving reasonable notice.

Each party will bear their own costs, including any cost for third party contractors required to conduct the assessment. If the results reveal that the Supplier is in breach of any material principle of this Code and does not make reasonable efforts in remediating the finding, the Supplier shall bear the cost of that assessment.



## About BearingPoint

BearingPoint is an independent management and technology consultancy with European roots and a global reach. The company operates in four units: Consulting, Solutions, Business Services, and Ventures. Consulting covers the advisory business; Solutions provides the tools for successful digital transformation, advanced analytics and regulatory requirements; Business Services provides managed services beyond SaaS; Ventures drives the financing and development of start-ups. BearingPoint's clients include many of the world's leading companies and organizations. The firm has a global consulting network with more than 10,000 people and supports clients in over 75 countries, engaging with them to achieve measurable and sustainable success.

For more information, please visit:

Homepage: [www.bearingpoint.com](http://www.bearingpoint.com)

LinkedIn: [www.linkedin.com/company/bearingpoint](https://www.linkedin.com/company/bearingpoint)

Twitter: [@BearingPoint](https://twitter.com/BearingPoint)

An aerial photograph of a coastline. The top half of the image shows the dark, textured surface of the ocean. The bottom half shows the white, foamy waves of a beach breaking against the shore. The sky is a pale, hazy blue.

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