

OUR VALUES:

Hercules strives to be a world class service provider, and to build synergetic supplier relationships developed on innovation, sustainability, and shared values. The Hercules Supplier Code of Conduct contains relevant portions of our code that apply to you as an important part of our supply chain. We encourage our suppliers to participate in constructive dialogue with us regarding our Supplier Code and our undertaking of business together.

Foundation of the Supplier Code

Hercules is committed to conducting business in a responsible, ethical and sustainable way. We require the same of our suppliers. Our supplier code is based on our core company values:



We foster a culture of inclusion, collaboration, and innovation throughout our organisation. By embedding initiatives such as Fairness, Inclusion and Respect (FIR) into our company culture and partnering with organisations to combat issues such as modern slavery and diversity in construction, we continue to demonstrate our commitment to improving the lives of our workforce.

As a business we are constantly pushing for change and progression and our team is passionate about doing things differently, aiming for continual improvement throughout our organisation and across our business divisions. Our attitude and approach ensure that we never stand still, that we are constantly striving to be innovative and that we are leading positive change, not just for our business for also for our workforce and the entire construction industry.

Document Name	DPF 100 – Supplier Code of Conduct	Date Created	22/11/2022
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WHO THE CODE APPLIES TO:

The Supplier Code applies to providers of goods and services – and their employees – in their work with Hercules through a contractual agreement. This includes suppliers, subcontractors, service providers, professional service providers, personal service companies, consultants, intermediaries, and agents. As a supplier you must ensure that the practices and principles outlined in the Hercules Supplier Code are cascaded throughout your supply chain.

Compliance with Laws and Regulations:

You are required to comply with all applicable laws and with our Supplier Code, including when our Supplier Code sets a higher standard than, but does not conflict with, legal requirements. Customs or local practices never take precedence over legal requirements. All relevant regulations must be adhered to.

All suppliers are required to have fulfilled their obligations to HMRC and adhere to all applicable labour legislation. All suppliers must be willing and prepared to demonstrate their compliance with all applicable regulations and legislation.

Reporting Misconduct:

Hercules believes in a robust ethical culture, and we are committed to investigating reports of suspected or known misconduct and taking appropriate action based on our findings. You (including your employees and your subsequent supply chain) are obligated to report to us suspected or known misconduct. Suspected or known misconduct should be reported to by speaking to the relevant Hercules manager or speakup@herculesplc.com

No Retaliation:

Hercules will not retaliate against anyone for submitting in good faith a report of suspected or known misconduct, nor do we tolerate others retaliating. Similarly, you must not retaliate or tolerate retaliation against anyone who, in good faith, reports suspected or known misconduct. We have a robust Whistleblowing Policy and support those who come forward to voice any concerns.

If you required confidential whistleblowing advice, please contact an organisation such as ‘Protect’ – www.protect.advice.org.uk

Auditing:

Hercules reserves the right to monitor and audit each supplier’s compliance with our Supplier Code. Accordingly, you must cooperate by providing relevant information that we request and by making individuals accessible so Hercules can conduct a meaningful audit. Similarly, you are required to evaluate your supply chain to ensure compliance with our Supplier Code, and to conduct audits of your supply chain when requested by Hercules. Any non-compliance by you or your supply chain must be effectively remediated both in a timely manner and at no additional cost to us or our customers. Breaches of the Supplier Code may negatively impact on your business relationship with Hercules. Potential consequences may include, but are not limited to, contract termination. This provision for Auditing does not relieve or limit a supplier’s obligations or responsibilities.

HEALTH, SAFETY & WELLBEING:

The health and safety of our workforce is our top priority, and we believe that all of our workforce should be safe in their workplace. We recognise that health, safety and well-being are intrinsically linked and that a healthy, happy workforce is a safer, more productive workforce. Safety culture is improving all the time across the industry, and we are proud that this is an area where we can take the lead in delivering positive change.



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What does this mean for our suppliers?

- You must ensure that your employees and others in your supply chain are adequately trained and provided with the proper equipment to safely carry out their work
- You must work together with Hercules and other suppliers to ensure a healthy and safe working environment
- You must recognise that all employees have the right and an obligation to stop unsafe work
- You shall report to Hercules all health and safety incidents related to our project sites and in our workplaces

MODERN SLAVERY:

Modern Slavery is a global problem and is surprisingly prevalent across industries in the UK and particularly in construction. We are passionate about doing everything we can to eradicate modern slavery, and we are proud to be working in partnership with Stronger Together to raise awareness of this huge issue and educate our workforce and the wider industry in the signs of modern slavery and the approaches to take to raise concerns. Through close relationships with our workforce, clients, organisations such as Stronger Together and the Modern Slavery Helpline, and the various top industry groups that we are a member of, we hope to eradicate this issue. We are working to offer rehabilitation and support options for former victims of modern slavery, demonstrating to all that construction is a modern, inclusive and rewarding industry to work in.



What does this mean for our suppliers?

- You must ensure you have a robust recruitment process, including conducting eligibility to work in the UK checks for all employees to safeguard against human trafficking or individuals being forced to work against their will.
- You must work together with Hercules and other suppliers to ensure modern slavery is not taking place within your workplace or supply chain.
- You should have a Modern Slavery Policy in place, a Transparency Statement for Modern Slavery if your business is eligible, and you should conduct Modern Slavery awareness training within your organisation.
- In compliance with the Modern Slavery Act 2015, you must ensure that no fees or costs for recruitment are passed on to your workers either directly or indirectly, in whole or in part.

EQUALITY, DIVERSITY & INCLUSION:

We are committed to promoting diversity and providing equal opportunities throughout our organisation, recognising that a diverse workforce is a more effective, efficient and happy workforce. Our aim is for our business to be a true representation of the local communities that we work in and we actively encourage people of all backgrounds to work with us, striving to ensure that everyone we work with shares our commitment and embraces their colleagues' backgrounds regardless of gender, ethnicity, religion, sexuality, disability or any other perceived difference.

We have embedded the principles of the excellent Fairness, Inclusion and Respect (FIR) toolkit throughout our organisation and have a large number of FIR ambassadors throughout our business, from Director level through to our Operatives working on projects across the country. By making Hercules a positive place to work and ensuring everyone we work with feels safe and supported, we believe that our people can achieve their maximum potential and will help to improve construction for future generations.

What does this mean for our suppliers?

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- You do not tolerate disrespectful behaviour, bullying, discrimination, harassment or unwanted sexual advances.
- You do not discriminate, and you provide equal treatment and opportunities for all employees, job applicants, contractors and affected third parties irrespective of their gender, sexual orientation, marital status, race, colour, nationality, ethnicity or national origin, religion, age, disability or union membership status.
- You embrace and promote a fair, inclusive and respectful culture.

CLIMATE, ENVIRONMENT & SUSTAINABILITY

We are committed to protecting the environment and to delivering sustainable business outcomes throughout our varied business activities. We take our Environmental commitments seriously and our Environmental Policy and supporting procedures have been ISO 14001 certified since 2017. We have our Carbon Reduction Plan in place which is measured via KPI's in line with PAS 2080 in order to effectively capture the data required to help us achieve our goal of reducing our carbon emissions, achieving Net Zero and creating a sustainable future for our business and the environment. The Hercules Sustainable Procurement Strategy has been developed to assist our business in delivering our quality, safety and environmental management systems and to promote procurement of more sustainable solutions, products and materials as well as the development of longer-term sustainable business relationships across our clients, our supply chain and external stakeholders.

What does this mean for our suppliers?

- You conduct your operations in an environmentally responsible manner and in accordance with applicable environmental laws.
- You should aim to work towards sustainable procurement.
- You should work towards reducing your carbon emissions and undertake sustainable practices.

PROTECTION OF ASSETS, PROPERTY AND EQUIPMENT:

We safeguard and protect our assets from damage, theft loss and misuse, as they are essential to our business. Assets are either tangible or intangible. Examples of tangible assets are raw materials, money, products, machines and equipment, computers and real estate. Examples of intangible assets are our brand, patents, trademarks, knowledge, trade secrets and copyrights.

What does this mean for our suppliers?

- You respect the assets of Hercules and our stakeholders.
- You only use assets belonging to Hercules and others as and when appropriately authorised.
- You do not tolerate theft of assets.
- You shall preserve the confidentiality, integrity and availability of information.

Confidentiality:

We respect confidential information relating to Hercules and our stakeholders and take all reasonable measures to prevent confidential information from being disclosed to any person who does not have a right to that information in the course of their work.

What does this mean for our suppliers?

- You ensure the protection of confidential information entrusted to you by Hercules, our customers and others
- You do not act on confidential information received in error, whether it has come from Hercules, our clients or others. You should contact the sender and disclose the situation to Hercules.

Data Protection:

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Everyone has a right to the protection of their personal data and the right to their integrity in connection with the processing of personal data. We are committed to meeting our legal obligations as laid down by the Data Protection Act and the UK General Data Protection Regulations (GDPR)

What does this mean for our suppliers?

- You must ensure that all uses of personal data – such as collection, registration, comparison, storage and deletion, or a combination of these – take place in accordance with the Data Protection Act and UK General Data Protection Regulations (GDPR)
- You must meet your legal obligations as laid down by the Data Protection Act the UK General Data Protection Regulations.
- Your employees should be aware of their obligations under GDPR

Anti-corruption and anti-bribery:

Our policy is to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our dealings wherever we operate. We are also committed to implementing and enforcing effective systems to counter bribery.

What does this mean for our suppliers?

- You must comply with the Bribery Act 2010.
- You conduct business ethically and with integrity, and you do not tolerate any form of bribery or corruption.
- You do not request, accept, pay, offer or authorise bribes, either directly or indirectly, under any circumstances.
- You do not make, or accept, facilitation payments or ‘kickbacks’ of any kind.
- You ensure all reports, records and invoices are complete and accurate and not false or misleading.

Hospitality and gifts

We do not request, accept, offer, authorise or provide hospitality or gifts that may improperly influence our business decisions, or decisions by our customers or others which whom we work. Internally, all expense claims relating to hospitality, gifts or expenses incurred to third parties must go through approval prior to expenditure. All accounts, invoices, memoranda and other documents and records relating to third parties, such as clients, suppliers and business contacts, must be prepared and maintained with strict accuracy and completeness. No accounts must be kept ‘off-book’ to facilitate or conceal improper payments.

What does this mean for our suppliers?

- You do not offer or accept hospitality or gifts that may improperly influence your business decisions or those of Hercules, our customers or others.

Conflict of interest

A conflict of interest is a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity. Conflicts of interest happen whenever our personal interests, activities or relationships interfere with our objectivity or loyalty to the organisation we are employed by. We require our employees to avoid conflicts of interest, and not allow themselves to be put in a position where a conflict of interests arises. Decisions taken out of personal interest are unethical.

What does this mean for our suppliers?

- You should notify Hercules if you become aware of an actual or perceived conflict of interest in your work with Hercules.

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- You avoid situations that in your work with Hercules may present a conflict of interest or an appearance of a conflict of interest.

Fair Competition

Hercules is committed to fair competition and understands that this benefits our stakeholders and wider society as it drives improvement and innovation. Competition law ensures businesses are competing with one another and are protected from others acting unfairly. All businesses must comply with competition law and there can be serious consequences for businesses and individuals, including directors, for non-compliance.

What does this mean for our suppliers?

- You practice fair competition and are committed to complying with the law.
- You do not engage in cartel practices with competitors, such as dividing or allocating markets or customers or price fixing.
- You do not engage in bid-rigging, discussion of tenders, or any other mechanism which limits fair competition in tender situation.
- You do not tolerate any violation of antitrust laws, competition laws or related regulations.

HOW TO REPORT A CONCERN

You can report any concerns to the relevant Hercules manager, or by contacting the Human Resources Department at Head Office. Alternatively, you can submit your concern confidentially by to our 'speak up' email as detailed below:

Email: speakup@herculesplc.com

Tel: 01793 336851

Alternatively, for confidential whistleblowing advice, please contact an organisation such as 'Protect' – www.protect-advice.org.uk

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