



## THE TILE ASSOCIATION

### CODE OF PRACTICE

*March 2022*

Members shall:

- Not conduct themselves in any manner liable to bring the industry or The Tile Association into disrepute and shall not operate their own business to the detriment of other members of The Tile Association, other than acceptable business practices.
- Take every reasonable precaution not to bring the trade or product into disrepute by, for example, offering an unsuitable or lesser product in a known set of circumstances in order to secure the order.
- Not knowingly bring about a breach of designer's copyright or sell a copy of a design either printed, by transfers or hand painted, under or over the glaze.
- Comply, in advertisements, with the British Code of Advertising Practice.
- Encourage their customers to purchase product from, and employ, accredited suppliers and contractors.
- Encourage proper training for all staff in their employ.
- Ensure that advertising and promotional copy is clear and unambiguous. If special offers are advertised which are conditional, the conditions must be clearly stated. The basis of any value quoted must also be defined in accordance with The Price Marking Order 2004.
- Ensure that all prices shown should comply with current price legislation.
- Ensure that all literature, brochures and catalogues given to clients should be up to date, as far as possible. If any major changes of specification are not noted, the customer should be informed.
- Ensure that all technical queries will be dealt with quickly, efficiently and accurately.
- Undertake to ensure that they and their staff will take all opportunities offered for instruction in their products and services and that all personnel involved in handling products and services, or informing customers about products and services, will have comprehensive and up-to-date product/service knowledge.
- In the event of a customer notifying a member of a complaint, whether verbally or in writing, the member will acknowledge the complaint in writing within five working days and will endeavour to resolve the matter quickly and efficiently.



- Undertake to ensure that all staff are trained in handling complaints with understanding and courtesy and are fully skilled in their respective occupations. All staff will be encouraged to attend relevant training courses and seminars.
- Agree to abide by The Tile Association's formal complaints procedure and its rulings, should a formal complaint be made against the member company.
- Comply with all current health and safety legislation and ensure that their staff receive appropriate health and safety training.
- Comply with all current employment and equal opportunities legislation.
- Carry all necessary insurance to comply with current legislation.

## **ADDITIONAL GUIDELINES FOR AGENTS**

- The agent is a self-employed intermediary who has continuing authority to negotiate the sale or purchase of goods on behalf of another person (the “Principal”), or to negotiate and conclude such transactions on behalf of, or in the name of that Principal.
- In performing their activities, a commercial agent must look after their Principal’s interests and act dutifully and in good faith. In compliance with their contractual obligations, including those implied by common law, they must ensure that any other parties acting on their behalf are similarly bound.
- In particular, a commercial agent must:
  - Make proper efforts to negotiate and, where appropriate, conclude the transactions they are instructed to take care of.
  - Communicate to their Principal all the necessary information available to them.
  - Comply with reasonable instructions given by their Principal.
- The agent should participate in the negotiation of any conditions applicable to an order that may be required by their Principal or the purchaser. If such agreement should exceed the limits of their authority, they should refer the decision to their Principal. Once an order is placed with agreed conditions, the agent should oversee their observance, and where appropriate, fulfil their part in that agreement.
- The agent should never make any claim about the quality, suitability, technical specification or other finite characteristic of a product that is not made in writing by its supplier.
- The agent has a responsibility to supervise all stages of the transaction between the vendor and the purchaser. Initially, the agent must see that the order is an accurate record of the purchaser’s requirements and where appropriate, they should check availability and endeavour to ensure that goods are despatched to the agreed schedule.
- In the event of a dispute between the vendor and the purchaser, the agent should see both points of view, and try to communicate the supplier’s view to the purchase and vice versa. The agent should endeavour to seek an outcome by advising both in an unbiased way.
- The agent should protect their Principal from late or unfilled payments. If a bill is unpaid on its due date, they should endeavour to obtain payment and pass it to the vendor.
- The agent should keep aware of developments in the commercial and technical aspects of the tile industry, and the aims and plans of The Tile Association.

## **ADDITIONAL GUIDELINES FOR DISTRIBUTORS**

- To act as a distributor of products between the manufacturer and the next purchaser.
- To distribute wall and floor and associated ancillary products of saleable quality.
- To protect and encourage the distribution chain and associated trade margins where possible.
- To honour negotiated areas of distribution on common ranges and those applied to exclusive ranges accepting that business practice may sometimes preclude this.
- To ensure that all display and merchandising stands are erected and maintained safely and all material on display is fixed and maintained safely.

## **ADDITIONAL GUIDELINES FOR MANUFACTURERS**

- The manufacturer should comply with all relevant standards and codes of practice laid down by British, European and/or ISO Standards and make their customers aware of any changes which may affect the market.
- A manufacturer should offer a complete technical backup system including a written complaints procedure.
- The manufacturer will aim to adopt best practice in quality assurance.
- The manufacturer will aim to comply with current relevant environmental legislation, where applicable.

## **ADDITIONAL GUIDELINES FOR RETAILERS**

- Retailers shall display sufficient information to assist their customers in making the correct choice and purchase, for example, number of tiles per square metre, price per tile, PEI rating, suitability of use, and opening hours. In addition, information on adhesives, grouts and accessories should be displayed.
- Retailers shall display a written policy on customer care, returns and conditions of sale.
- Retailers will maintain technical and health and safety information on the products held in stock.
- Retailers will ensure that all display and merchandising stands are erected and maintained safely and all material on display is fixed and maintained safely.
- Retailers will endeavour to offer:
  - An estimating or calculation of quantities service.
  - A cutting service and/or tiling tool hire service.
  - A delivery service.
  - A fixing service and/or keep a list of The Tile Association's registered tiler fixers.
  - Public services such as customer toilets or seating area.
  - The ability to load or unload deliveries efficiently to assist customers and suppliers.
  - An efficient ordering and invoicing system. Customer order details to be kept on file. Payments to suppliers (home and abroad) properly controlled.
  - Up to date methods of payment, for example, credit cards.

## **ADDITIONAL GUIDELINES FOR CONTRACTORS**

Members shall:

- Endeavour to undertake the tile fixing works in accordance with current British, European and International Standards.
- Support the payment of fair and just wages to employees and trained craftsmen.
- Encourage tile fixers in their employ to become registered operatives under the Construction Skills Certification Scheme.
- Ensure that they liaise with suppliers to ensure that they are fully conversant with the technical qualities and suitability of the products to be used.
- Endeavour to comply with specifications of materials, where noted.

## **ADDITIONAL GUIDELINES FOR FREIGHT COMPANIES**

Most companies involved in International Trade will require the use of an intermediary such as a Freight Forwarder, Road Transport Operator, Air Freight Agent or similar company. For the sake of simplicity, the term Freight Services Operator (FSO) will be used.

- The FSO member offers a service to transport goods between a vendor and a purchaser, and all that this entails. The FSO member should understand and always try to observe the commercial needs of both, whilst remembering that the primary duty of care is to the party that the FSO contracts with to move goods.
- The FSO must comply with any contractual obligations, not only those implied in common law, but to those specified by trading conditions of trade organisations such as British International Freight Association. The FSO should ensure that any sub-contractor acting on its behalf is similarly bound. A copy of the FSO's conditions should be made available to clients by the FSO.
- The FSO should attempt to ensure that its client appreciates the contractual implications which may directly affect the client and should explain any measures that may minimise any possible risk that may result because of these implications. When required, the FSO should advise on the cost implications of buying goods on the most commonly used terms of purchase i.e., Ex Works, F.O.B., C+F., C.I.F. The FSO should also be prepared to offer advice on the suitability of any of these terms for any particular market.
- Once an order has been received in writing, the FSO has a responsibility for all the stages of the transaction. The FSO member shall perform its duties with a responsible degree of care, diligence, skill and judgement. If required, it must check availability of goods, and despatch as soon as possible after goods are made ready for collection by the manufacturer. If any specific deadline has been given by its client, the FSO should make its client aware of any problem that may jeopardise compliance with this deadline, whether this be non-availability of goods, breakdown of equipment, severe weather, or failure for whatever reason. Except under special arrangements previously made and mutually agreed and confirmed in writing by the FSO member, the member accepts no responsibility for the departure or arrival date and time of goods, nevertheless all parties have a responsibility to keep each other informed about developments which affect the safe and timely delivery of goods.
- The FSO has no responsibility for the quality, suitability, technical specification or other characteristics of the product being transported. The FSO member is not responsible for claims arising out of goods not being properly and suitably prepared, packaged, labelled or marked. Consignments defined by colour, size or marque alone are unacceptable. In the case of full container loads, whether from one or more factories, the loading, the stowage and the count of the contents is the responsibility of the party loading the container and not the FSO member.
- Due to the complex nature of shipping and transportation, the FSO member should always be prepared to offer advice on matters directly relating to the client's business. The FSO must appreciate that its role is not only to transport goods from one point to





another, but also accept that it is an expert in its own field, and therefore must be prepared to offer free and informed advice on all matters relating to shipping and transportation, especially those matters which have a direct relevance to ceramic tiles.

- The FSO member shall be paid, by the party contracted with, all sums immediately when due without deduction of deferment on account of any claim, counterclaim or set-off.
- The FSO must ensure that it understands and complies with The Tile Association Code of Practice. It should also keep aware of the aims and plans of The Tile Association.