Ministry of Finance

Business Etiquette

Rules of conduct for suppliers

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Introduction

The Ministry of Finance would like to take advantage of the knowledge and innovative power available in the market. This applies both to the Tax and Customs Administration and to the Ministry's core department. That is why we are working with you, the supplier. You therefore play an essential part in this cooperation.

Impartiality and transparency are important to us. For this reason, we have drawn up rules of conduct: our Business Etiquette. We trust that you will respect these rules.

This brochure contains the rules with regard to tendering, orders, private contacts with employees, presenting gifts and invitations, temporary workers, and publications and references.

The government intends its procurement process to be sustainable and in conformity with the principles of corporate social responsibility. Our cooperation with the market will be based on that vision.

The Chairman of the Management Team of the Tax and Customs Administration/Facilities Service Centre, Procurement Manager for the Tax and Customs Administration

The Director of Operational Management of the core department of the Ministry of Finance

1 Tendering procedure

The contracts awarded by the Ministry of Finance are often large in size. As a government party, the Ministry of Finance has to abide by European regulations. This formal procedure offers the certainty that all tenders will receive careful consideration and equal treatment. Potential suppliers are therefore given equal chances of obtaining a contract.

1.1. Procurement

Procurement is the desk where the employees of the core department and the Tax and Customs Administration can purchase products and services from suppliers. Procurement establishes and maintains the contacts with suppliers throughout the tendering procedure. This creates clarity for you as a supplier: you have insight into the tendering procedure and you know whom to contact should you have any questions.

1.2. Project team and temporary staff

During the exploratory phase, we gather information about the nature and size of a procurement process. When we decide during the exploratory phase that a procurement process will be started, we put together a project team. This project team will lead the tendering process until the aftercare phase. The exploratory phase ends with the publication of a descriptive document, the specifications. You submit your offer on the basis of this document.

In principle, the project team should not contain any temporary staff. Should this nevertheless happen, the supplier involved may not make a bid in the tendering process. When a supplier is aware of the fact that an invitation to tender is forthcoming, temporary staff cannot (continue to) participate in the project.

1.3. Information protocol

We do not want information to leak in advance during a tendering procedure. For this reason, the relevant project team members must be expressly aware of their responsibility. To this end, we have drawn up an information protocol. We provide this protocol to every project officer involved in the tendering process. Penalties will be imposed if an employee does not observe the conditions incorporated in this protocol.

1.4. Radio silence

From the moment when the project team is put together (exploratory phase), absolute ‘radio silence’ is maintained. This applies both to our employees and to you, the supplier. From this moment onwards, you may only communicate with Procurement (the project team) about the tendering process. As such, you should be aware that you are not permitted to talk to other persons in our organisation about the product or service put out to tender. This also means that you may not elicit any statements about the tendering process, not even unintended. When a supplier or employee does not respect the principle of radio silence, this will have immediate consequences for both.

1.5. Aftercare phase

The conclusion of a contract is followed by the aftercare phase. Either Procurement or the contract manager will see to the administrative procedures, progress and delivery reports, and all other operational matters directly relating to the contract. You as a supplier are expected to fulfil your obligations to our satisfaction. You will provide adequate after-sales support. In addition, you will inform us in a timely fashion of matters that could affect the performance of the contract.

2 Procurement requests (orders)

Suppliers will receive procurement requests from specially designated order agents. These requests (orders) are placed in accordance with the (master) agreements drawn up by Procurement.*

We make arrangements with the supplier about the manner in which we dispatch procurement requests. This can be done in one of three ways:

- online (with an XML file)
- by e-mail from the SAP SRM procurement system
- by post or by fax

Irrespective of the manner in which it has been dispatched, the procurement request must bear a procurement reference number. This may be a SAP procurement request number, E-size number or contract number. You always have to state this reference number on your packing slips and invoices. We need this information in order to complete the financial accounting process in an adequate manner.

* At local level, 'small purchases' may occasionally be made without an agreement.

3 Private contacts with employees

Since we are all human beings, it is always possible that an employee of a supplier and one of our employees come to appreciate each other so much that they develop a private relationship. There is no doubt that private contacts can disrupt an objective business relationship. Suppliers that find themselves in such a situation have to report this to Procurement. Likewise, the employee of the Ministry of Finance has to notify his or her line manager of any special involvement.

Does the supplier employ a friend or relative of one of our employees? Is there a special relationship with the supplier, or is such a relationship developing? If so, this employee may not be involved in any way in the commercial decisions relating to this supplier.

4 Presenting gifts and invitations

Our aim is that the interaction with our suppliers should be as impartial as possible. Therefore our employees are not allowed to accept gifts, and we kindly request you not to offer them.

Employees of the Ministry of Finance cannot accept invitations to gatherings either. We have to avoid the impression of being biased at all times.

4.1. Educational meetings

By arrangement, an exception can be made for educational meetings. Such meetings have to be purely informative in nature and should make a demonstrable contribution to the employee's knowledge and expertise. Examples include a conference, seminar or study day. Procurement may request the supplier to submit a list of our participants. We will pay for travel and accommodation expenses.

4.2. Lunches and business dinners

Business dinners or lunches may be useful in certain cases. Their informal nature may contribute to the objectives of both parties, although the emphasis must always be on the business aspect. The venue and the meal have to be modest, while the bill will be paid on the basis of reciprocity.

4.3. Company visits

Visits to suppliers' offices, units or factories may be important during a tendering procedure. They help us obtain the most objective picture possible, which in turn enables us to better assess your product or service. We would prefer it if you, the supplier, should not play a facilitating role in this. In order to underline the neutral nature of the visit, we will pay for all the expenses incurred by our employees.

4.4. User group

On account of their profession, our employees may take part in a user group. Members of this group will exchange technical and organisational information about your products and services. If you intend to arrange a meeting in this context, the emphasis has to be on exchanging knowledge and experience. Our express aim is to ensure a proper balance in our dealings with suppliers, so as to prevent dependency.

5 Temporary staff

We regularly need external staff, for example in order to absorb a temporary additional workload or because we need specific knowledge. A temporary employee occupies a special position within the Ministry of Finance. On the one hand, this employee functions within the 'closed environment' of our organisation. On the other hand, he or she is employed by the supplier. As this may entail a number of integrity risks, only staff with a sound reputation may work for us.

5.1. Confidentiality

All employees working for the Ministry of Finance have a duty of confidentiality. This also applies to temporary staff. Accordingly, they have to observe secrecy in respect of information on matters such as the organisation, equipment operation, documentation, files and software. This concerns any information that could harm either party.

Every temporary employee has to sign a statement of confidentiality. This must be done before the employee concerned starts his or her activities. Confidentiality does not end when the contract is terminated. Strict confidentiality is of vital importance to our organisation. Failure to maintain confidentiality will therefore result in severe disciplinary measures. When a temporary employee nevertheless discloses confidential information, the hiring agreement will be terminated with immediate effect.

5.2. Revolving door construction

When an employee of the Ministry of Finance resigns, he or she may not work for us as an external expert for a period of two years. This so-called 'revolving door construction' is forbidden, because it may create the impression of nepotism, unfair competition or a conflict of interest.

In case our former employee joined a (consultancy) firm that secured a Ministry of Finance contract, this employee may not be involved in the performance of the contract. This rule applies until two years after the date of discharge. Deviation from this rule is only possible if arrangements have been made with the employee in advance to the effect that he or she can still work for us after leaving the Ministry. In such cases, the arrangement will concern a particular, predetermined period. Such arrangements can be made in order to facilitate the employee's transfer to a new position outside the Ministry of Finance.

5.3. Working without a contract

Temporary staff cannot work for us before a contract has been signed. When an employee is nevertheless asked to do so, please contact Procurement immediately. It is impossible to charge for activities performed by temporary employees before the contract is signed.

5.4. Recruitment by temporary staff

Our aim is to fill vacancies in an objective and transparent manner. A 'temporary' manager is therefore not allowed to select new temporary staff. In this way, the integrity, reliability and reputation of the temporary manager and the Ministry of Finance will not be compromised.

5.5. Timesheets

The timesheets of a temporary employee may not be approved by a temporary manager working hired from same firm.

6 Publications and references

Should you intend to use the name of the Ministry of Finance in publications, advertisements or references, you will need Procurement's prior written consent. Likewise, you may not disclose agreements you have concluded with us to third parties without our consent.

The Ministry of Finance is very careful about providing references. As a rule, however, we do render this service with regard to government tenders.

7 Correspondence by e-mail

We ask that you refrain from sending us unsolicited newsletters, offers and suchlike. The Ministry of Finance regards such materials as spam. You are kindly requested to restrict your e-mail correspondence to business matters only.

Further information

Should you have any (further) questions in respect of the Business Etiquette, please do not hesitate to contact the Procurement Unit of the Tax and Customs Administration or the core department of the Ministry of Finance.

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