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Beakerstield is a large manufacturing company with diverse supply chains across several countries. Below are details of four suppliers, the ethical issues posed by each and Beakersfield's proposed tactic to mitigate the risk.

Supplier 1: Beakersfield believes that child labour may be used in one of Supplier 1's factories. It is considering employing a 3^{rd} party to fly to the factory to complete an inspection.

Supplier 2: Supplier 2 is the only provider of a certain raw material in the marketplace. It has been using its position of power to artificially inflate the price of product. This is in violation of Beakersfield's CSR Policy and a face-to-face meeting has been arranged to address the issue.

Supplier 3: Supplier 3 has submitted false financial information as part of a tender which makes the company seem more financially stable than it is. This was caught during the tender process after Procurement Professionals completed background checks which were recommended by a company document.

Supplier 4: Supplier 4 has been found to pay some workers a higher wage than others based on their immigration status. Beakersfield has communicated with the supplier to ensure they understand the principles of Human Rights and that this is applied to their business practices.

Complete the table below identifying the ethical issue posed by each supplier and Beakersfield's response to mitigate the risk. Each response should only be used once: equality, fraud, corruption, modern slavery, education and training, risk assessments, clear communication, independent auditing.

| | Ethical Issue | Company Response | |
|------------|---------------|------------------|--|
| Supplier 1 | 1 | 5 | |
| Supplier 2 | 2 | 6 | |
| Supplier 3 | 3 | 7 | |
| Supplier 4 | 4 | 8 | |

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CIPS L5M5 Exam Syllabus Topics:

| Topic | Details |
|---------|---|
| Topic 1 | Understand the impact of ESG (Environmental, Social, and Governance) considerations on ethical and sustainable supply chains: This section of the exam measures the skills of Procurement Managers and covers how ESG principles are applied to secure ethical and sustainable supply chains. It looks at the role of environmental, social, and governance factors in procurement decisions, alongside risks and benefits of ESG adoption. Learners also explore issues such as modern slavery, bribery, and human rights, as well as the importance of diversity, inclusion, and stakeholder management. The section highlights how globalization, culture, and labour practices shape supply strategies and examines potential conflicts that may arise when balancing ESG priorities with business demands. |
| Topic 2 | Understand initiatives and standards related to ESG (Environmental, Social, and Governance) that support ethical and sustainable procurement and supply: This section of the exam measures the skills of Procurement Leaders and covers the global frameworks and standards that shape ethical supply practices. It explores international labour standards set by organizations such as the UN and ILO, and labour codes like the Ethical Trading Initiative and SA800. Candidates also examine external environmental frameworks, industry accreditations, and their role in meeting ESG goals. Finally, this section addresses fair trade principles, organizations such as WFTO and Fairtrade International, and the need to align internal governance with global standards. |
| Topic 3 | Understand the importance of compliance with ESG (Environmental, Social, and Governance) factors to achieve ethical and sustainable procurement and supply arrangements: This section of the exam measures skills of Supply Chain Specialists and covers methods to ensure compliance with ESG standards in procurement. It includes the use of supply chain mapping, risk management, stakeholder engagement, and contractual terms to secure sustainable practices. Candidates also learn how to monitor supplier performance, handle non-compliance, and utilize third-party auditors to maintain ethical standards. Relationship management strategies, corrective actions, and escalation processes are emphasized as part of ensuring suppliers meet ESG expectations. |

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CIPS Managing Ethical Procurement and Supply (L5M5) Sample Questions (Q11-Q16):

NEW QUESTION #11

Liam, a Procurement Officer at Zenith Corp, oversees a contract with Apex Supplies, a key supplier of essential manufacturing components. After identifying a critical issue in Apex Supplies' delivery process, which TWO documents should Liam complete?

- A. SWOT Analysis and KPIs
- B. Corrective Action Plan and SWOT Analysis
- C. KPI's and Root Cause Analysis
- D. Root Cause Analysis and Corrective Action Plan

Answer: D

Explanation:

Choice B- Root Cause Analysis (RCA):This document identifies the underlying reasons for the issue in Spades Ltd's conduct. Conducting a thorough RCA ensures Ruby understands the cause of the problem, enabling effective solutions.

Choice A- While Key Performance Indicators (KPIs) are useful for tracking performance, they do not directly address or resolve specific issues..

Corrective Action Plan (CAP): Once the root cause is identified, a CAP outlines specific steps Spades Ltd must take to address and resolve the issue. It also ensures that measures are put in place to prevent recurrence. Therefore option B is the answer.

Choice C- A SWOT analysis is more strategic, focusing on strengths, weaknesses, opportunities, and threats, rather than resolving specific conduct issues.

Choice D- Neither of these documents directly addresses identifying or fixing a conduct issue.

Reference:

LO-2.2; Page 202-203; Methods to correct non-compliance and create and monitor action plans

NEW QUESTION #12

A Letter of Intent (LOI), also known as a Memorandum of Understanding (MOU), constitutes legally binding contractual terms in a commercial contract.

Is this statement true?

- A. Yes. Because a letter of intent is a legally binding contractual term and a condition of contract
- B. No. Because a letter of intent is used for contract management part only
- C. No, because a letter of intent is document used during negotiation but not a term of contract always
- D. Yes. Because a letter of intent is used for every contract as a contractual term

Answer: C

Explanation:

Choice C- A letter of intent (LOI) or memorandum of understanding (MOU) is typically used during the negotiation phase of a commercial contract. It is not always legally binding unless explicitly stated in the document or depending on jurisdiction and the intention of the parties. The LOI is primarily used to outline preliminary agreements, confirm mutual interest, and define the framework for future negotiations, but it does not necessarily become a contractual term.

Incorrect answer:

Choice A- A letter of intent is not limited to contract management; it plays a role in negotiations.

Choice B- A letter of intent is not inherently a legally binding term of a contract unless specified.

Choice D- A letter of intent is not required for every contract and does not automatically become a contractual term. Reference:

LO-2.2; Page 188; Monitoring Contract Performance

NEW QUESTION #13

ABC Construction is in a contract with DEF Developers to deliver 40 houses. The contract includes a "Payment is of the Essence" clause. DEF fails to pay for completed work. ABC stops work. Are they allowed to do this?

- A. No as long as payment is made eventually, ABC must keep working
- B. No the contract has not been completed, so ABC must continue working
- C. Yes it is a legal requirement to pay construction firms regularly
- D. Yes ABC have the right to stop work as non-payment is a breach of contract

Answer: D

Explanation:

Comprehensive and Detailed Explanation From Exact Extract of Documents:

The correct answer is Yes, ABC can stop work. The L5M5 study guide (p.189) explains that where a clause states "of the essence," it means the condition is fundamental to the contract. Non-payment under a "Payment is of the Essence" clause is considered a material breach of contract. This allows the injured party (ABC) to terminate the agreement and/or claim damages. In construction contracts, timely payments are essential because they enable contractors to pay subcontractors. Historically, "pay when paid" clauses caused major problems for smaller firms, leading to reforms and the introduction of stricter "essence" clauses to protect them. Thus, DEF Developers' failure to pay entitles ABC to stop work legally.

Reference: Managing Ethical Procurement and Supply (L5M5) Study Guide, p.189

NEW QUESTION #14

Which TWO of the following statements are TRUE regarding the adjudication method of dispute resolution?

- A. It is faster than resolving disputes through the courts
- B. The process is not confidential
- C. It is more expensive than litigation
- D. It is a more formal process than litigation
- E. A decision must be made within 28 days

Answer: A,E

Explanation:

Choice B-This is true. According to typical adjudication rules, decisions must be rendered quickly, usually within 28 days of the referral.

Choice D- This is true, adjudication is designed to resolve disputes swiftly compared to court proceedings.

Incorrect answer:

Choice A-This is false, adjudication is generally a confidential process.

Choice C- This is false, adjudication is less formal than litigation.

Choice E-This is false, adjudication is typically less costly than litigation.

Reference:

LO-2.4; Page 238; Escalating non-compliance and making exit arrangements

NEW QUESTION #15

Which of the following is a requirement for an Environmental Management System (EMS) according to ISO 14001?

- A. Setting recycling targets
- B. A sustainability policy statement
- C. An environmental policy statement
- D. Periodic reviews conducted by external auditors

Answer: C

Explanation:

Choice B - Under ISO 14001: Environmental Management System (EMS), an organization is required to establish, implement, and maintain an environmental policy statement that reflects its commitment to environmental protection, regulatory compliance, and continuous improvement.

Incorrect answer:

Choice A - While sustainability is important, ISO 14001 specifically requires an environmental policy statement, not a sustainability

policy. Sustainability encompasses a broader scope, including social and economic factors, whereas ISO 14001 focuses primarily on environmental aspects.

Choice C - ISO 14001 does not mandate specific recycling targets. Instead, it requires organizations to identify their environmental aspects and impacts, set environmental objectives, and develop action plans. Recycling may be one of the objectives, but it is not a mandatory requirement.

Choice D- While ISO 14001 requires periodic reviews (such as internal audits and management reviews), external audits are not mandatory unless the organization seeks ISO 14001 certification. Certification audits are conducted by third-party auditors, but internal audits and management reviews are the primary monitoring mechanisms required by the standard.

Reference:

LO-3.2; Page 284-285; Role of industry standards and frameworks used by organizations in securing ESG considerations and ethical standards

NEW QUESTION #16

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