



médiateur

DES RELATIONS
INTER-ENTREPRISES
INDUSTRIELLES
ET DE LA SOUS-TRAITANCE



The Business Relations Mediation Scheme

September 2011



The Business Relations Mediation Scheme

- The Mediation scheme is a governmental scheme that aims to promote **sustainable & healthy client-supplier relations**
- The Mediation scheme is open to any company experiencing difficulties (contractual or otherwise) with their client/ supplier
- The Mediation scheme is an easy, free and totally confidential process

The Business Relations Mediation Scheme

Background :

- The Credit Mediation Scheme discovered that certain financial difficulties experienced by SMEs were due to poor client- supplier relations
- The Retailleau report recommended a more responsible approach to client -supplier relations
- The 2010 Industrial Consultative Assembly (EGI) called for the set up of a mediation scheme to help redress a perceived imbalance in client - supplier relationships
- Jean-Claude VOLOT was named national Mediator for Business relations in April 2010

The Business Relations Mediation Scheme

The Mediation scheme's philosophy:

- Rhumanise client -supplier relations
- underline the strategic importance of SME independance
- Promote the growth of corporate responsibility practices

The Business Relations Mediation Scheme

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- A national team based at Bercy (Ministry of Finance) :
 - A national Mediator, Jean-Claude VOLOT
 - A deputy director general, Clarisse REILLE
 - A team of legal experts and buyers
 - A communications/ press team
 - 12 nation Delegate Mediators
 - 30 Regional Mediators (civil servants & ex commercial court judges)

The Business Relations Mediation Scheme

- A code of good conduct « la charte des bonnes pratiques » :
 - 153 adhering member companies & public services
- The Volot report on the legal framework governing business and service provider relations :
 - 36 illegal practices brought to light
- Guide for client-supplier contractual relations:
 - List of regular illegal practices in 6 major areas and a reminder of the law

Activity

The « Top Ten » reasons for contacting the mediation:

- ✓ Sudden breaches of contract
- ✓ Failure to respect verbal contracts
- ✓ Unreasonable commercial contracts
- ✓ Late payments
- ✓ Purposefully withholding payment during a dispute
- ✓ Unilateral changing of the terms / conditions of a contract
- ✓ Failure to respect the rates of expected orders
- ✓ Failure to inform the supplier in the case of a dispute
- ✓ Dispute despite conform delivery
- ✓ Various other linked to ordering information

Performance

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- Over 200 cases received since the launch of the mediation scheme
 - 12 944 companies involved, of which
 - + 143 individual mediations
 - 12 801 companies in collective mediation
 - 442 000 jobs involved
 - 85% success rate

Purchasing standards : works in progress...

- Planned revision of ISO 9001 for 2015 : setting up an audit to measure supplier satisfaction. An online public survey was carried out in February 2011.
- ISO 26000 published in November 2010 : a French task force for « Responsible purchasing practises » is currently working on a standard that should be published before the end of 2011.
- A new ISO initiative for an standard on Outsourcing was launched at the end of 2010 (duration of work: 3 years). A national task force met for the first time in February 2011.

How to contact the Business Relations Mediation scheme

- Contact the Mediator:
 - **individually** or
 - **collectively** (a group of companies or a professional federation)
- Contact the Mediator by filling out an online request form on the Business Relations Mediation web site :
www.mediateur.industrie.gouv.fr
- Or
- Call **0810 00 12 10** (price of a local call) for more information