THE NBF CODE OF PRACTICE
VERSION 4.0 2021

A SUMMARY

A rigorous, proactive Code of Practice which if audited and monitored in line with the stated requirements will instil consumer confidence in the market."
West Yorkshire Trading Standards Authority (and NBF Primary Authority Partner)

1. INTRODUCTION

The NBF Code of Practice Version 4.0 2021

The National Bed Federation launched its Code of Practice in 2013. It set out criteria for ensuring processes and procedures are in place for supply chain scrutiny and compliance with regulatory requirements and covered three areas: flammability, health & hygiene, and trade descriptions.

Membership of the NBF is dependent on compliance with the Code, and to achieve that compliance every NBF manufacturer member agrees to an independent audit against the Code's strict criteria, conducted by FIRA International Ltd, a major provider of independent certification, testing, inspection, and technical services.

The Code has been reviewed and awarded Assured Advice Status by the NBF's Primary Authority, West Yorkshire Trading Standards Service. Essentially this means it affords businesses a level of due diligence which they can rely on. All Trading Standards authorities in England must have regard to the Assured Advice while Wales, Scotland and Northern Ireland should consider it.

The purpose behind the Code was - and continues to be - to give retailers, specifiers, and consumers reassurance that they can buy from NBF Approved members with confidence, secure in the knowledge that what they buy is safe, clean and honest.

The Code has now been reviewed and updated, with additional requirements for compliance and a new approach to surveillance and sanctions for any non-compliances.

The NBF Code of Practice Version 4.0 2021 covers 10 key areas of business:

1. **Flammability**
2. **Cleanliness & Re-use**
3. **Trade descriptions**
4. **Labelling & composition of textile products**
5. **Timber legislation**

6. **Chemical legislation (REACH, POPs, Biocides)**
7. **Evidence of Health & safety compliance**
8. **Evidence of Process Controls / Procedures**
9. **Evidence of PAS 7100 – product safety incident plan**
10. **Evidence of reporting under Modern Slavery Act 2015 (where obligated)**

General observations of the workplace will also be made.

Approval demonstrates that an organisation has robust processes and procedures in place to ensure their products comply with regulatory requirements and is committed to continually improve standards and working practices.

Auditing against the Version 4 Code criteria began in April 2021, with the first full round of audits due to be completed by the end of 2022. The new Code criteria will also apply to all new applicants from April 2021.

The main objectives behind the Code of Practice are: -

- To encourage good practice within the industry, particularly by National Bed Federation members.
- To ensure all NBF members meet their obligations under the General Product Safety Regulations not to supply, possess for supply or offer to supply an unsafe product.
- To reassure customers (retailers, specifiers, consumers) that NBF members are independently assessed and comply with relevant regulatory requirements.
- To give National Bed Federation membership more credibility within the industry.
- To discourage bad practice.

2. WHY HAVE A CODE OF PRACTICE?

Sadly, not all traders are as scrupulous as we would hope and do not always take proper steps to comply with UK regulations.

Our customers - trade and consumer - deserve no less from their suppliers than that they meet UK regulations as a very minimum standard. With the introduction of this updated and extended version of its Code of Practice, the NBF reaffirms its commitment to ensuring its members understand and comply with relevant product regulatory requirements.

Unscrupulous traders undercut honest ones who go to the time and expense of doing the right thing.

The National Bed Federation feels it is right and proper, as the UK's trade association for bed manufacturers, to take the lead, make sure our own house is in order and send out a clear message of reassurance: -

'Buy from an Approved NBF Member with confidence, safe in the knowledge that what you buy is safe, clean and honest.'

3. THE NBF CODE OF PRACTICE VERSION 4.0 2021

The NBF Code of Practice Version 4.0/2021 audit specifically covers the following areas of business: -

- Compliance with BS 7177 for mattresses and bed bases
- Compliance with the Furniture & Furnishings (Fire) (Safety) Regulations 1988 (as amended)
- Compliance with BS 1425: Part 1: 1991 – Cleanliness of fillings and stuffings for bedding, upholstery, and other domestic articles. Specification for fillings and stuffings other than feather and /or down; or EN 12935:2001 – Feather and down – hygiene and cleanliness requirements
- Compliance with NBF policy on the sale of used and reconditioned mattresses, used components and materials.
- Compliance with the Consumer Rights Act 2015 (& Consumer Protection from Unfair Trading Regulations 2008 - CPRs), with particular regard to trade descriptions (TD would be covered by CPRs as the criminal element and CRA 'as described' element of civil law)
- Compliance with the Textile products (Labelling and Composition) Regulations 2012
- Compliance with the Timber and Timber Products **(**Placing on the Market) Regulations 2013
- Compliance with chemical legislation; Registration Evaluation, Authorisation & Restriction of Chemicals (REACH), Stockholm Convention (POPs) and the EU Biocides Regulation 528/2012
- Evidence of Health & Safety compliance
- Evidence of Process Controls / Procedures
- Evidence of PAS 7100 product safety incident plan
- Evidence of reporting under Modern Slavery Act 2015 (where obligated)

All NBF members are responsible for demonstrating compliance with the three manufactured and (if relevant) two bought in models randomly chosen on the day. It is their responsibility to ensure that this compliance is rolled out to their entire production line before any product is placed on the market.

The audit process supporting the Code of Practice is not just a one-off exercise. A rolling programme of re-audits has been put in place, the frequency of which will depend on the level of compliance at the time of each audit but is not expected to be at more than circa two-yearly intervals. The expectation is that, after the initial audit, companies have a better understanding of what is required and will have rolled out practices across their entire production and product range – not just stopped at the specific products randomly selected at the time by the auditors.

However, the Code and audit process are also designed to encourage members towards best practice, to continually improve and so gain additional business benefit from signing up to the Code. To this effect, the audit takes note of members' understanding of and compliance with other relevant areas, such as Health & Safety. Auditors are instructed to notify members of possible issues and opportunities for improvement, highlighting potential concerns or weaknesses requiring further consideration.

4. MANAGEMENT OF THE CODE OF PRACTICE

The management of the Code of Practice is the responsibility of the National Bed Federation Ltd. Audits are conducted on the NBF's behalf by FIRA International Ltd. The scheme has been developed jointly by the NBF and FIRA International Ltd.

5. TERMS OF THE NBF CODE OF PRACTICE

Initial audit for NBF Member applicants

- All applicants for NBF membership must pay for and undergo an audit as part of the application process. Companies which do not pass the audit will not be accepted as NBF members.
- Supplier applicants will not be compulsorily audited but can opt into the scheme if the criteria of the Code apply.
- The initial audit fee for new member applicants is payable in advance and is non-refundable (for current cost see NBF membership application form).
- Payment is required before the audit is conducted.
- This initial onsite audit will be semi-announced with a two-week window provided for the audit to take place.
- All manufacturing sites are to be inspected (in the case of multi-site manufacturers, a sample of manufacturing sites may be audited during each cycle).

For existing members

- Auditing is a mandatory condition of National Bed Federation Membership for all manufacturers.
- A programme of re-audits will be determined by the NBF from time to time (usually at not more than two-year intervals). Members must agree to and arrange a re-audit within the time frame given.
- These audits will be semi-announced with a two-week window provided for the audit to take place.

  If it is not possible to conduct an onsite audit due to exceptional circumstances, such as global pandemics, it may be necessary to undertake a desktop audit conducted by the independent auditors, FIRA International Ltd, which may be followed up with an onsite visit by the NBF Technical Manager as and when the situation allows.
- More frequent auditing may be required of companies who present with several Non-Conformances (NCs) or other issues.
- The cost of audits or any contribution towards the cost of audits will be determined from time to time by the NBF Executive Board.
- Any necessary re-audits over and above the normal cycle of audit updates will be charged. These re-audits will be conducted as an unannounced audit where onsite visits are conducted.
- Auditing and compliance with the Code of Practice is not a requirement of membership for Suppliers but Suppliers may request to be audited at any time if they feel it is relevant to their business. Overseas sites may attract an additional fee to cover travel expenses.

6. CODE OF PRACTICE CRITERIA

For each of the following requirements, a separate guidance document has also been produced to give advice on how to demonstrate compliance. Please use the guidance documents in conjunction with this handbook to ensure you fully understand what is required,

A. Flammability

The company must be able to demonstrate that its products comply with the requirements of BS 7177 for mattresses, toppers, mattress pads, and divan bases; and be able to demonstrate compliance with the requirements of the Furniture & Furnishings (Fire) (Safety) Regulations 1988 (as amended) for all products, including upholstered headboards and upholstered bedsteads, filling materials etc.

Auditors will look for evidence including but not be limited to the following: -

- A testing programme to ensure product quality is consistent and product is compliant to the above requirements (including frequency of test in accordance with BS 7177).
- Correct product labelling in accordance with the requirements.
- Batch control of materials / finished product.

In addition, the auditors will be looking out for evidence of the following: -

- Testing frequency based on production / sales volumes.
- The requirement to test finished products to BS 7177
- Testing filling materials – how to test when using non-FR products as insulator pads (schedule 2 part 4).
- Testing and labelling of divan bases.

A checklist that details the evidence requirements that you need to demonstrate to the auditor compliance with the *Furniture & Furnishings (Fire) (Safety) Regulations 1988* will be issued to you by the auditor in advance of the audit. We would strongly advise you to analyse this closely and ensure that ALL evidence is ready in advance of the audit day.

[The NBF has also produced a series of posters to illustrate graphically the route to flammability compliance. Copies of the posters are available free of charge to all members. See Appendix A for copies].

B. Cleanliness & Re-use

You must be able to demonstrate that you are in control of your supply base and know where you are obtaining your filling materials from. In addition to new fillings purchased, you must declare if you are using any re-cycled or re-used materials within your products.

All fillings used within the product must comply with the requirements of BS 1425: Part 1: 1991 – Cleanliness of fillings and stuffing's for bedding, upholstery and other domestic articles. Specification for fillings and stuffing's other than feather and / or down or EN 12935:2001 – Feather and down – hygiene and cleanliness requirements.

It is not acceptable to use uncleaned second-hand materials for any part of a new mattress or base or headboard. Any evidence to the contrary would result in a Major Non-Conformance (NC).

Auditors will look for evidence including but not limited to the following: -

- Traceability of filling material back to supplier.
  For re-cycled or re-used materials – evidence of procedures for ensuring traceability.
- Evidence of compliance with NBF policy on the sale of used and reconditioned mattresses, used components and materials.
- Test certificates to show compliance with BS 1425, Part 1 or EN 12935: 2001 that are dated within 6 months*.

  * Exceptions to this will only be granted if the filling is being purchased from an 'NBF Approved' supplier who has been audited and given approved status under the Code of Practice scheme.

  'NBF Approved' suppliers may give a declaration to their customers that the materials supplied comply with these requirements.
- Procedures for control of returned / used items.

The NBF Policy on the sale of used and reconditioned mattresses, used components and materials can be found in Annex 2 of this document.

A checklist that details the evidence requirements that you need to demonstrate to the auditor compliance with *BS 1425: Part 1: 1991 – Cleanliness of fillings and stuffings for bedding, upholstery and other domestic articles. Specification for fillings and stuffings other than feather and / or down; or EN 12935:2001 – Feather and down – hygiene and cleanliness requirements* will be issued to you by the auditor in advance of the audit. We would strongly advise you to analyse this closely and ensure that ALL evidence is ready in advance of the audit day.

C. Trade descriptions

Generally speaking, product labelling and specifications should 'do what it says on the tin'.

The Consumer Protection from Unfair Trading Regulations 2008 prohibit **misleading actions and omissions** when describing products and services as well as **misleading prices.**

All products placed on the market should be as per the agreed specification and within the agreed tolerances with regards to: - type of mattress (MQ, tufted, etc.) fabric, fillings, spring unit type, gauge and spring count, labelling and size.

It is also illegal to sell second hand goods as new.
Items that have been sold before and haven't been used can be sold as new; but items that have been used cannot. For example, our understanding is that the use of an old spring unit is sufficiently material to be misleading if not identified as such to the customer. Similarly, any re-use of old fillings should be declared.

Auditors will look for evidence including but not be limited to the following: -

- Products being made and sold are actually as described (i.e., does it have the number of springs claimed or feature the materials as claimed?). Companies need to demonstrate compliance to product specifications and descriptions.
- Auditor to randomly select models and look for the evidence that the product is described correctly.

The auditors will be checking descriptions and claims made on: -

- Product labels
- Websites / online marketing
- Sales literature
- Other relevant areas where marketing claims are made

These claims will be checked against the product / specification / bill of material to ensure the claim made is correct.

To help members and our auditors, some areas have been identified as needing extra guidelines as follows: -

- In the case of encapsulated mattresses, it is acceptable to quote the equivalent spring count as if the mattress was all spring, as this is deemed common practice in the industry. However, it must be state the wording '**equivalent to'** xxxx pocket springs (in a king size / 150cm mattress) and must not mislead the customer to assume that it contains the full amount of pocket springs as would be expected in a non-encapsulated mattress.

- Where mattresses are named as Memory foam/ Latex types and the implication is that this material forms a major part of the product, there should be at least a full sheet of the relevant material covering the surface area of the mattress. If this is reduced to a strip or band of the material around or in the centre section this should be clearly stated.

- Ensuring that model names used are not misleading e.g., Pocket spring mattress labelled as 'Luxury1500' could draw assumptions from consumers that the mattress has 1500 pocket springs' when it doesn't.

- Where a treatment or addition has been made to the mattress fabric in order to promote a specific selling feature e.g., Aloe Vera or Coolmax, the auditors will look for verification e.g.: evidence/certification such as a test report supplied with the material by the supplier.

- All fillings quoted as contained within the mattress should be checked and verified to ensure compliance. Individual fibres in pad or loose form can be checked physically but if there is a mix of fibres within one pad or loose filling e.g. a wool filling containing cashmere this cashmere should be at least 10% of the wool (not of the total product filling!) this would need either a test certificate from a recognised test house giving the percentages of constituents; or, if the supplier has been given 'NBF Approved' supplier status following an audit, this verification can take the form of a certificate of conformity or as wording on the supply documentation (e.g. invoice) referring to a product code and specification which the customer will hold on record.

A checklist that details the evidence requirements that you need to demonstrate to the auditor with regards to compliance with the Consumer Rights Act 2015 with particular regard to product descriptions will be issued to you by the auditor in advance of the audit.

We would strongly advise you to analyse this closely and ensure that ALL evidence is ready in advance of the audit day.

D. Compliance with the Textile Products (Labelling and Composition) Regulations 2012

Mattresses must be labelled with the fibre content of the outer cover (the ticking). The regulations do not currently apply to divan bases or headboards.

Fibre content for textiles used within the product must be labelled as laid down in the Textile Products (Labelling and Fibre Composition) Regulations 2012.

The label must include information on the main fibre types used and their percentages - for example wool 80%, cotton 20%. The information given must be understandable by a consumer in the market into which you are selling – for example it is not sufficient to use labels only in English if the product is being exported to the EU.

Auditors will look for evidence including but not limited to the following: -

- Textile products (as defined by the EU Regulation) that are made available on the market are labelled, marked or accompanied by commercial documents.
- If textile products are sold to the consumer then they must be labelled in a durable, legible, visible and accessible way to indicate their fibre composition.
- For products containing two or more textile components not having the same fibre composition, each component's composition should appear.
- Non-textile parts of animal origin in textile products are clearly labelled.
- The terms '100 %', 'pure' or 'all' are limited to textile products composed of a single textile fibre.

A checklist that details the evidence requirements that you need to demonstrate to the auditor with regards to compliance with the Textile Products (Labelling and Composition) Regulations 2012 will be issued to you by the auditor in advance of the audit. We would strongly advise you to analyse this closely and ensure that ALL evidence is ready in advance of the audit day.

E. Compliance with the Timber and Timber Products (**Placing on the Market) Regulations 2013**

Products that contain timber and timber products must be without risk of illegality. In this aspect, businesses that first place these products on the UK / EU market have various legal obligations to meet including the duty to exercise due diligence.

You will either be classed as an 'operator' or a 'trader'.

- **Operators** are those who either harvest timber, import timber to use or sell or import timber to use for their own operations and are the first person to place the timber on the market in the country of sale.

- **Traders** are those who sell or buy timber or timber products from operators or other traders who have already placed the timber on the market in the country of sale.

Timber and timber products include materials such as wood, cardboard, MDF, chipboard. Please ensure you consider all elements from the timber frame to cardboard toppers and corner card to drawers and headboards etc…

Auditors will look for evidence including but not be limited to the following: -

- The organisation shows that they have assessed their duties as an operator or trader.
- If the organisation is a trader, lists of their suppliers and B2B customers.
- If the organisation is an operator, lists of timber suppliers and timber species used in the products including those in composite materials (e.g. veneers).
- If the organisation is an operator, proof of the country and region of harvest for the timber and timber products.
- If the organisation is an operator, supporting documentation that verifies the legality of the timber and timber products.
- If the organisation is an operator, evidence of a due diligence system that covers information gathering, risk assessment and risk mitigation.

A checklist that details the evidence requirements that you need to demonstrate to the auditor with regards to compliance with the Timber Regulations will be issued to you by the auditor in advance of the audit. We would strongly advise you to analyse this closely and ensure that ALL evidence is ready in advance of the audit day.

F. Compliance with Chemical Legislation (REACH, POPs, Biocides)

Chemicals are present in many materials supplied to a business and can also be found in products used within the manufacturing process. The three key areas for compliance are: -

- **REACH (Registration, Evaluation, Authorisation of Chemicals)**
- **POPs (Persistent Organic Pollutants, Stockholm Convention)**
- **BIOCIDES (Biocidal Products Regulations)**

The organisation should be able to demonstrate an understanding of the chemicals used within their products and have evidence from the supply chain that the materials comply with the requirements of the above three pieces of legislation.

REACH Enforcement Regulations 2008 (as amended)

Businesses that use chemicals in the manufacture of their products (i.e., flame retardants, dyes & colourants and plasticisers) should comply fully with the REACH Regulations, stay abreast with the changes to the candidate list and understand their position in the user stream.

Auditors will look for evidence including but not be limited to the following.

- Organisations show an awareness of the REACH regulations and how different products are managed through that process using documented obligations.

- Organisations demonstrate component control and communications to downstream users where a component contains a SVHC (Substance of Very High Concern) in concentrations of over 0.1% w/w, including safe handling and use instructions.

- Organisation can demonstrate where an SVHC (Substance of Very High Concern) in concentrations of over 0.1% w/w and in volumes totalling over 1 tonne, that there is evidence that ECHA (European Chemicals Agency) has been notified.

- Compliance with article 33 of the REACH Regulations that require the organisation to be able to provide free of charge, when requested, information on whether a product contains SVHC (Substance of Very High Concern) within 45 days from the date of request.

Persistent Organic Pollutants (POPs) Stockholm Convention

Businesses that use chemicals in the manufacture of their products should fully comply with the requirements of the Stockholm Convention on POPs regulations

Auditors will look for evidence including but not limited to the following: -

- Organisation shows an awareness of the POPs Regulation and whether they have assessed their incoming raw materials and manufacturing processes for the presence of POPs.
- Organisations should obtain a declaration from their suppliers that the material supplied to them does not contain any POPs or any chemicals proposed for listing under the convention.

A list of chemicals classed as POPs can be found using the link below: -
http://chm.pops.int/TheConvention/ThePOPs/TheNewPOPs/tabid/2511/Default.aspx

Chemicals most likely to be listed as POPs are flame retardant chemicals such as Deca-Bde which are widely used on textiles for use in upholstery items.

Biocidal Product Regulations

Following the end of the Transition Period on 31 December 2020, Great Britain is no longer part of the EU scheme for regulating biocides.

The existing EU Biocidal Products Regulation (EU BPR) has been copied into GB law and amended to enable it to operate effectively in GB. This means that most aspects of EU BPR will continue in the same way under the new stand-alone regime – the GB Biocidal Products Regulation (GB BPR) came into force at 11pm on 31 December 2020.

SEE- https://www.hse.gov.uk/biocides/brexit.htm

GB Biocidal Products Regulation (GB BPR)

Consolidated versions of the GB biocides laws are not currently available.

To assist our stakeholders in complying with their duties, the pages of the HSE biocides website outline the provisions and duties of GB biocides law.

https://www.hse.gov.uk/biocides/information.htm#the-law

Businesses that use biocidal products (i.e., products that control harmful or unwanted organisms through chemical or biological means) or manufacture treated products (i.e., any substance, mixture or article which has been treated with, or intentionally incorporates, one or more biocidal products) should comply with requirements of the EU Biocides Regulation.

Examples of this can include (but not limited to) timber treated with preservative, materials with an anti-bacterial / anti-microbial function etc.

Auditors will look for evidence including but not limited to the following: -

- Organisation shows an awareness of the Biocidal Products Regulation and whether they have assessed their manufacturing processes for the presence of biocidal products or treated articles.
- Organisations that make available to the market any treated article (whether claim made or not) can demonstrate due diligence in checking the approved status of the active substance(s) and have records of completed diligence check(s).
- Organisations that place treated articles on the market to have put labels on them that meet the requirements of the Biocides Regulation.
- Organisations that place treated articles on the market to be able to provide free of charge when requested, information on the biocidal treatment of the treated article within 45 days.

A checklist that details the evidence requirements that you need to demonstrate to the auditor compliance with the Biocides Regulation will be issued to you by the auditor in advance of the audit. We would strongly advise you to analyse this closely and ensure that ALL evidence is ready in advance of the audit day.

G. Evidence of Health & Safety Compliance

Businesses will be asked to demonstrate evidence of basic health and safety compliance during the audit.

Auditors will look for evidence including but not limited to the following: -

- Health and Safety policy communicated to all employees.
- Employees liability insurance.
- Clearly marked and unobstructed aisles and exit routes.
- An emergency evacuation procedure.
- Evidence of fire drill conducted.
- Fire extinguishers / equipment regularly serviced (within 12 months).
- Risk assessments and provision of PPE (personal protective equipment) where identified as required - issued free of charge.
- Trained first aiders.
- First aid box and accident record book.

- Identification of hazardous substances and appropriate storage facilities.
- Operatives conducting high risk activities trained and hold the appropriate licences (e.g. forklift truck operatives etc…).

H. Evidence of Process Controls / Procedures

Businesses should be able to demonstrate control over tools used during manufacture that could pose a safety risk if found in the product - such as sharp objects and broken needles.

Auditors will look for evidence including but not limited to the following: -

- Identification of critical control points within the manufacturing process
- A procedure that covers.

  - A register of all sharp objects within the manufacturing areas (including warehousing / packing).
  - the issue of sharp objects and needles to the operative.
  - the return of sharp objects at the end of the production shift.
  - a record of broken needle pieces to demonstrate all the pieces were found. This must be completed and returned to the supervising staff before a new needle can be issued to the operative.
  - a means of quarantining the goods if a sharp object / broken needle is found to be missing.
  - a means of disposal of the goods if the sharp object / broken needle cannot be located.

I. Evidence of PAS 7100 Product Safety Incident Plan (PSIP)

In March 2018, BEIS new Office for Product Safety & Standards launched PAS 7100 – Code of Practice for Effective Product Safety Related Recalls and Other Corrective Actions. This PAS 7100 gives a framework on how to identify and conduct corrective actions that may be required if the product was found to be faulty after it has been sold. It requires the organisation to prepare and implement a Product Safety Incident Plan so that it is in place ready to use in the event of any potential issues.

Auditors will look for evidence including but not limited to the following: -
Organisation now has a PSIP in place that covers the required elements of PAS 7100:-

- Product and customer traceability plan
- Product safety monitoring plan
- Legal notification plan (where applicable)
- Risk assessment plan
- Corrective action decision plan – including product recall procedures
- Communications plan
- Training plan
- Testing Plan
- Review Plan

The PSIP should set out responsibilities and actions (who, what, where, when, and how) in respect of each of the above.

If you wish to obtain a copy of PAS 7100 it is available to purchase as a hard copy or download free of charge as a PDF document for SME's from the BSI shop –

Please use the following link: -
https://shop.bsigroup.com/forms/PASs/PAS7100-download/

J. Evidence of reporting under Modern Slavery Act (where obligated)

The modern slavery act was introduced as law in March 2015.

Organisations that supply goods and services and have a total turnover of greater than £36m are obligated under the Modern Slavery Act to publish an annual statement detailing the measures taken to ensure that slavery and human trafficking is not taking place within any of its supply chain or in any part of its own business.

Smaller Organisations

Organisations which do not meet the requirements in the Act, for example by having a turnover below £36m, can still choose to voluntarily produce a 'slavery and human trafficking statement'.

Smaller organisations may be asked by those they are supplying goods or services to if they have a statement or policy setting out their approach to tackling modern slavery, especially if they are bidding for contracts with larger businesses above the threshold.

Therefore, smaller organisations may find it helpful to voluntarily produce a statement as a means of managing these requests and providing a level of assurance to their customers.

Even if the legislation does not apply, we would encourage all businesses to be open and transparent about their recruitment practices, policies and procedures in relation to modern slavery and to take steps that are consistent and proportionate with their sector, size and operational reach.

Auditors will look for evidence including but not limited to the following: -

- Organisation to demonstrate an understanding of the Modern Slavery Act and whether their business is obligated with a turnover of greater than £36m.
- If obligated, evidence of an annual statement. If the company has a website the statement must be published on their website in a prominent position.

K General

The purpose of this section of the audit is to assist the NBF in gaining an understanding of areas where members may need additional support / information or assistance to fully understand other requirements that affect the business. For these areas, the information will be recorded for information purposes and will not contribute to the report in terms of non-compliance issues. However, observations may be raised to indicate areas where there is an opportunity for improvement.

7. THE AUDIT PROCESS

- Members will be contacted in advance by the 3rd party assessment body, FIRA International Ltd, which will inform members/applicant members of their upcoming audit. An auditor will be issued with the member/applicant member's contact details/audit documentation and will contact the member/applicant member directly to arrange the audit.

  For initial audits against V4 of the Code of Practice the audit will be semi-announced with a two-week window provided.

  For re-audits outside of the normal audit schedule, the audit will be unannounced.

- The auditor will forward an audit plan briefly outlining details of the proposed structure of the audit, timetable, documentation, and any key personnel (manufacturing personnel, managers, etc.) required to be present. This will speed up the audit process and allow the auditor to concentrate on specific areas. Auditors are trained to spot any inconsistencies in working practices, procedures, and processes.

- In the majority of cases audits will be conducted in one day, the exceptions being for larger or multi-site organisations or organisations a long distance from the auditor appointed.

  If a member/applicant member has a number of Non-Conformances raised, which diverts the auditor from the audit plan, making it impossible to complete the audit in one day, the audit may also be extended into a second day at the member's /applicant's expense. Larger organisations, multi-site or distant organisations will be informed of the number of days required prior to commencement of a scheduled audit.

- We will endeavour to conduct all audits as an on-site physical audit. However, unforeseen circumstances (such as global pandemics) may mean this is not possible.

- If it is not physically possible for the auditor to conduct an onsite audit, the NBF may decide to offer a remote desktop-based audit that will cover as much as the content as is practically possible. This desktop audit will be rated in the normal manner; however, this will be followed up whenever physically possible with a site visit by the NBF Technical Manager to verify / validate the rating allocated.

  This possibility is only available for existing members as they have been subject to an onsite audit previously. This is not available for new member applicants or for members who are re-joining the NBF after a period of enforced absence due to suspension related to Code of Practice results.

8. ENFORCING THE NBF CODE OF PRACTICE VERSION 4.0 2021

All sites must ensure the supply of safe, legal products in accordance with the NBF Code of Practice Version 4.0 2021.

Any prospective member must be audited and gain approval against the Code of Practice. All approved sites will then be subject to an ongoing maintenance audit programme.

A. Non-Conformance types

Any Non-Conformances (NCs) found during an audit will be classed as either:

- **Major** – One or more products identified which are not compliant with statutory or NBF Code of Practice requirements or lack of ability to demonstrate suitable due diligence. Any significant practices identified which are liable to bring the NBF Code of Practice into disrepute.
- **Minor**– A deficiency which requires prompt attention to prevent a potential product safety failure or legal issue from arising. A major Non-Conformance (NC) may be raised where a number of closely related minor NCs are identified, indicating a general lack of control in any area.
- **Observation** – An issue which does not warrant a major or minor NC but which would require attention in order to demonstrate good practice in any area (not necessarily restricted to those covered by the Code of Practice).

B. Audit results

The audit result is based on the number and severity of non-conformances (NCs). The result of an audit can be: A (Preferred), B (Approved) or C (Not Approved).

Result/rating	Meaning	Non-conformances
A	**Preferred**	- No major NCs - No more than 5 minor NCs
B	**Approved**	- No more than 1 major NC - No more than 10 minor NCs - Maximum 10 NC's in total
C	**Not Approved**	- 2 or more major NCs - 11 or more minor NCs - Maximum 11 NCs where at least 1 is a major

Non-Conformance close outs must include all relevant evidence. ALL NCs **MUST** be closed within a timescale agreed with the auditor (normally no longer than 4 weeks but may be longer in some cases) Failure to close out NCs within the timescale agreed may result in a downgrading of the Audit result/rating.

Some major NCs may need to be closed out with a return visit to review corrective actions. The approval auditor is required to make it clear whether a return visit is needed. This will typically be a ½ to 1 day revisit to verify the close out of identified NCs. Costs for revisits will be at the expense of the company being audited.

Examples of some major NCs which would need a revisit include:

- Product which doesn't pass when tested to BS 7177 or BS 1425
- Where there is a significant absence of evidence to demonstrate compliance against the 'Code of Practice' which requires a significant upgrade and/or re-training of site personnel to effectively implement

In the event that an Approval Audit cannot be completed (for example through lack of available documentary evidence or available personnel) a return, semi-announced visit should be organised within 4 weeks to complete the process using the same auditor.

If this timescale cannot be achieved, then a completely new approval audit will be required. Costs of any extended audit are to be met by the company being audited.

C. Frequency of Maintenance Audits

All member companies are subject to maintenance audits against the Code of Practice. The frequency for maintenance audits is based on the previous audit result.

For Members rated A (Preferred) the next maintenance audit will be scheduled two years. This audit will be conducted as a semi-announced audit and a two-week window will be provided.

For Members rated B (Approved) A Corrective Action Plan must be agreed with the auditor to close out any NCs identified at the time (normally no more than four weeks, but in some cases may be longer).

- A re-audit will be scheduled within approximately nine months and not more than 12 months. This audit will be a full audit on all aspects of the Code of Practice, not just a review of any NCs previously identified
- This audit will be fully unannounced.
- This audit must be paid for by the member.
- An A rating must be achieved.
- Failure to achieve an A rating at this follow up audit FOR ANY REASON will result in the member Automatically Being Suspended for a 12-MONTH PERIOD from the date of the follow up audit. *See section 8.E. for further details about suspension.*
- Any repeat minor NCs from the initial compliance audit will be upgraded to major NCs
- Any repeat Observations from the initial compliance audit will be upgraded to minor NCs

For Members rated C (Not Approved)

- A Corrective Action Plan must be agreed with the auditor.
- A re-audit must be undertaken within approximately three months and not more than six months. This audit will be a full audit on all aspects of the Code of Practice, not just a review of any NCs previously identified.
- This audit will be fully unannounced.
- This audit must be paid for by the member.
- An A rating must be achieved.
- Failure to achieve an A rating at this follow up audit FOR ANY REASON will result in the member AUTOMATICALLY BEING SUSPENDED FOR A 12-MONTH PERIOD from the date of the follow up audit. *See section 8.E. for further details about suspension.*

- Any repeat minor NCs from the initial compliance audit will be upgraded to major NCs
- Any repeat Observations from the initial compliance audit will be upgraded to minor NCs

If the auditors feel it is necessary* to ensure compliance, further unannounced partial audits may also be undertaken

**e.g. if the issue is frequency of testing which might be based on a six monthly cycle.*

In addition (where applicable):

- Any product found to be legally non-compliant in a manner which represents a safety hazard to the consumer must be withdrawn and/or recalled.
- Where non-conformances result from lack of training or knowledge on the part of company personnel, appropriate training must be undertaken from a credible and qualified provider. The NBF may be able to advise on suitable training providers if required.

Dependant on the nature and severity of the issue, the NBF Executive Board also reserves the right to decide if the offence is to be reported to trading standards if there is a blatant breach of compliance

D. New Applicants

If an Applicant is audited as C (Not Approved), their application with be suspended for 12 months. A further Approval Audit can be applied for after 12 months (at their expense) and they must achieve an A result.

Applicants audited as A or B will attain membership on the same terms as for existing Members rated A or B.

E. Suspension Terms

The 12-month suspension for failure to meet the requirements of the Code of Practice is not negotiable.

No refunds of any outstanding subscriptions, fees, or other monies already paid for any other NBF service or benefits shall be made.

It is not the intention of the NBF to penalise any member for more than 12 months. If the timing of a suspension is likely to mean potential exclusion more than once from an NBF event or activity, such as the Bed Show, the NBF will put in place appropriate measures to avoid this (subject to the member achieving the required A rating when its re-audit takes place).

A suspended member will be identified as such on the member listings on the NBF website. A statement to the members will be made stating only that the Member has been suspended according to the terms of the Code of Practice – no specific details will be given. The same statement will be issued to the press only upon enquiry.

Any obstruction to the NBF's appointed auditors carrying out their appointed tasks under the terms of the Code of Practice, if upheld, will automatically result in a 12-month suspension.

The NBF takes very seriously any threat or suggestion of harassment to any member of its staff or those contracted by the NBF to carry out any service on behalf of the NBF. In such cases, the Member will immediately be suspended subject to a further investigation. If the claim is upheld, membership will immediately be terminated. No refunds of any outstanding subscriptions, fees, or other monies already paid for any other NBF service or benefits shall be made.

Complaints and Appeals

If a company has an issue with an auditor or the findings of an audit, this must be raised with the auditors which will use their internal processes to investigate.

If the complaint cannot be resolved at this stage either the member or the auditor may request the NBF to step in and arbitrate on the findings of each party. The decision of the NBF will be final and binding on both parties.

11. COMPLAINTS AND APPEALS PROCESS

- Any issue raised by individual members will initially be dealt with by the auditor, if the issue cannot be resolved the member has the right to formally submit their complaint in writing to FIRA International Ltd (see details below), which will follow its internal process to resolve it.
- If the complaint cannot be resolved FIRA International Ltd will escalate it to the NBF which will in turn, follow its internal process.
- Re any complaint forwarded by FIRA International Ltd, the NBF will follow its own internal complaints process as detailed in the Rules of Membership (copies of which are available on request or via the NBF website).
- If a member raises a complaint directly to the NBF, the NBF will investigate/seek evidence from FIRA International Ltd and follow the process as outlined in the Rules of Membership.

12. CONTACTS

National Bed Federation (NBF)

For Administrative and NBF matters: -

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NBF Executive Director

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For Technical queries: -

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FIRA International Ltd

For General Audit queries: -
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