

# Market Generation Services Limited

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## **NON COMPETE POLICY**

As a national company with a strong emphasis on the construction industry and its allied trades Market Generation Services Limited ("MGS") find ourselves serving many companies operating in the same industry sector with similar opportunity appetites. It is possible that some of these clients may have a common interest in a particular type of tender from a similar source.

Accordingly MGS feel it is necessary to have in place, and to rigidly enforce, the following policy to ensure that no employee serves two companies in competition with each other at the same time and so that there should be no opportunity for the transference of client sensitive data via the offices or officers of MGS. Thereby ensuring that appropriate Chinese walls exist and function effectively:

- MGS will not assign two clients in direct competition with each other to the same marketer. This can sometimes mean a new client having to wait up to one month for a start date if an appropriate marketer is not immediately available but this will be explained to the new client when a mutually agreeable start date is set down with the Business Development Manager.
- MGS will never take a marketer out of a company and place that individual directly into another company involved in the same trade and industry sector as the company they are coming out of. Where ever possible we strive for marketers to work with a variety of trades that will bring a market synergy to each client respectively.
- Each database of prospects developed by MGS marketers is bespoke, built up to the individual client's specifications. MGS will never supply a ready made database of prospects obtained from another company that has previously been a client.
- MGS will never sell ready made databases of contacts or lists of opportunities (I.E. Planning leads / Contracts let information) or make available such information to a third party.
- MGS does not provide a call centre service and does "buy in" data intended to be shared between clients.
- Direct contact between marketers is discouraged. All marketers are under contract to MGS on a per client assignment basis and report to either the Operations Director or the Managing Director based in our Milton Keynes office to ensure there is no transference of client confidential information through other personnel. (IE. Marketers do not move freely within the company, they always work at the client's premises or when weather conditions dictate from their residence – all communication is through their Director or the Business Development Manager responsible for the account.

Accordingly apart from bi annual training sessions and the company annual conference marketers have little or no opportunity to exchange client sensitive market knowledge amongst themselves).

- When the MGS marketer is required to work from his / her own notebook computer this is with the express permission of the client. If the client is unhappy about details of his opportunities, albeit already in the public domain, being removed from their premises we will respect this and work sole on the client's own equipment.
- At the end of each day worked the MGS marketer will ensure that the up to date database is copied on to the clients own computer – unless the client requests otherwise. (By having the database on both the clients computer and the marketers notebook computer we can be assured that in the event of somebody wiping out the database when the marketer is not present at the clients premises, a virus entering the clients computer, the client's servers being down on the day of our marketer visits, or the clients computer being stolen, or any other unforeseen circumstances that might destroy or prevent access to weeks, months or sometimes years, of work can quickly be repaired or the marketer can continue his work detached from the client's system to avoid any opportunity loss. At the same time if a marketer is unable to attend a clients premises due to inclement weather then the days marketing can still go ahead, without loss of opportunity to the client, by enabling the marketer work from home and forward, reports, database updates and letters by electronic means at the end of day).
- When a client assignment finishes the database of prospects developed by the marketer is removed from their computer, along with copies of all letters and reports and is forwarded on a CD-Rom to the Milton Keynes office of MGS where it is sealed. It is forbidden, and would be treated as an act of gross misconduct, for a marketer to retain such information on their computer when their assignment ends. (This data is only accessed by the Operations Director or Managing Director in the event of a dispute over settlement of the client's final account – to review the standard of service provided or should the client choose to revive the services of MGS several months / years later. In such a circumstance if the client has lost or corrupted the database and supporting documentation left with them when the previous assignment finished, we can restore it to the last point at we which our marketer worked on it – it not necessarily being possible to assign the same marketer).
- Marketers working on their own notebook computers will carry two re-rewriteable CD-Roms or Memory Sticks for the purpose of making daily back ups of the databases they are maintaining. One Disk should have today's back up; made before commencing the days work at the client's premises. The second disk will contain the previous day's start of day back up. (This older disk will be tomorrows new back up - in case something should accidentally wipe out the database on the note book computer and old CD-Rom during the back up process). Accordingly, should anything happen to both the marketer's notebook computer and the client's system simultaneously (normally as a result of the marketer being invited to connect to the client's network) only the work completed so far that day is therefore lost and the database can be quickly restored to ensure continuity of service.
- All marketers should be willing to discuss a client's concerns as to the enforcement of this policy at either their morning or later afternoon meeting, or at any time during the day if it approached by the client.

Jonathan Worth  
Managing Director