



Appendix 5b

16.4 Review of Council Policies


CP013: Procurement

Ordinary Meeting of Council

Wednesday 27 October 2021 at 7:00pm

Via Videoconference (Zoom)

COUNCIL POLICY

Procurement	Adopted By Council:		XXX	
	Next Review Date:		XXXX	
	(*review subject to legislative changes)			
	Document No:		CP013	
	Directorate:			
	Responsible Officer:		Manager Finance & Corporate Services	

PURPOSE

The purpose of this policy is to provide guidance and direction on best practice principles, processes and procedures which must be applied to all purchases of goods, services and works by the Council, to enable consistency and control over the procurement activities of Council.

DEFINITIONS

Definitions of the key terms used in this policy are provided at the end of the policy.

POLICY

Overview

This Procurement Policy is made under Section 108 of the *Local Government Act 2020* (the Act). The Act requires each council to:

- Prepare and adopt a procurement policy which specifies the principles, processes and procedures applying in respect of the purchase of goods and services and carrying out of works by the Council; and
- Review its procurement policy at least once during each 4-year term of the Council.

All monetary values stated in this policy include GST except where specifically stated otherwise.

Applicability

This Policy applies to all contracting and procurement activities at the Council and is applicable to Councillors and Council Staff.

It is recognised this will enhance achievement of the Council's objectives such as sustainable and socially responsible procurement, supporting local economies and obtaining Value for Money, leading to a better result in the provision of goods, services and works for the benefit of the community.

This Policy provides direction on the conduct of procurement activities throughout the sourcing, management and disposal phases. It also covers the general procurement framework but does not extend to the related accounts payable processes.

The Council must comply with this Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works unless an exemption is applicable pursuant to this policy.

Objectives

This Policy is consistent with the requirements of section 108 of the Act and will:

- Promote open and fair competition and provide Value for Money;
- Provide clear guidelines to the Council to allow consistency and control over procurement activities;
- Demonstrate accountability to ratepayers and residents;
- Provide guidance on ethical behaviour in public sector procurement;
- Demonstrate the application of best practice in procurement activities;
- Demonstrate the consideration of sustainability in procurement with respect to social, economic and environmental factors;
- Increase the probability of obtaining the best outcome for the municipal community when procuring goods and services; and delivering works, and
- Promote collaborative procurement.

These objectives will be achieved by requiring that the Council's procurement and contract management activities:

- Support the Council's corporate strategies, aims and objectives;
- Span the whole life cycle of an acquisition and take sustainability considerations into account;
- Achieve demonstrable Value for Money;
- Are conducted in, and demonstrate, an impartial, fair and ethical manner;
- Seek continual improvement through innovative and technological initiatives, and
- Generate and support Local Business through inclusion wherever practicable.

1. Effective Legislative and Policy Compliance and Control

1.1 Ethics and Probity

The Council's procurement activities shall be performed in an open, transparent and ethical manner with demonstrated integrity, fairness and accountability that meets relevant legal requirements.

All tender processes shall be conducted in accordance with the requirements of this Procurement Policy and any associated procedures, relevant legislation and general law, relevant Australian Standards and the Act.

1.2 Conduct of Councillors and Council Staff

General

Councillors and Council Staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of confidential information and Commercial in Confidence information;
- present the highest standards of professionalism and Probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity;
- be able to account for all decisions and provide feedback on them;

- Council Staff who are responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising.
- query incidents, decisions or directions that appear to contradict or deviate from Council's standards of ethics or probity or established policies and procedures; and
- Ensure that this Procurement Policy and Council's Procurement guidelines are adhered to in relation to any expenditure of Council funds.

Members of Professional Bodies

Any Councillor or Council Staff member belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

1.3 Conflict of Interest

Councillors and Council Staff shall at all times avoid situations which may give rise to an actual or perceived conflict of interest. A conflict of interest may be a 'general' or a 'material' conflict of interest.

A member of Council Staff has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

A member of Council Staff has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit or loss may be direct or indirect and pecuniary or non-pecuniary. Affected persons include, among others, the member of Council Staff and their family members.

Council Staff involved in the procurement process, in particular preparing tender documentation, writing tender specifications, opening tenders, participating in tender evaluation panels, preparing a recommendation report, and Councillors and Council Staff awarding tenders must:

- **Avoid** conflicts of interest, whether material or general or actual, potential or perceived;
- **Declare** that they do not have a conflict of interest in respect of the procurement. Council Staff participating in tender evaluation panels must complete a Conflict of Interest declaration. Council Staff must declare any actual or perceived conflicts in line with Council's internal processes for reporting conflicts of interest; and
- **Observe** prevailing Council and Government guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

Any identified conflict of interest to be declared using the Conflict Of Interest (COI) declaration form (Appendix I).

1.4 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote. Impartiality must be maintained throughout the Procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected. Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to discounts, rebates, profit, manufacturing and product information.

1.5 Probity, Accountability and Transparency

Accountability in procurement means being able to justify and provide evidence of the process followed. An independent third party must be able to see clearly that a process has been followed and that the process was fair and reasonable.

Council Staff must be able to account for all procurement decisions and ensure all procurement activities leave an audit trail for monitoring and reporting purposes.

Therefore the processes by which all Procurement activities are conducted will be in accordance with the Council's Procurement policies and procedures as set out in this policy and related, relevant Council policies and procedures.

Additionally:

- all Council Staff must be able to account for all Procurement decisions made over the lifecycle of all goods, services and works purchased by the Council and provide feedback on them; and
- all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

1.6 Gifts and Hospitality

No Councillor or member of Council Staff shall, either directly or indirectly, solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which the Council is interested.

Councillors and Council Staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Councillors and Council Staff should also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the Chief Executive Officer (CEO). If the irregular approach is to the CEO it must be promptly brought to the attention of the Mayor.

Council Policy CP009: Gifts, Benefits & Hospitality, address the offer, received or declined, of gifts or hospitality to Councillors or to Council officers.

1.7 Disclosure of Information

Commercial in-confidence information received by the Council must not be disclosed and is to be stored in a secure location.

Councillors and Council Staff are to protect, by refusing to release or discuss the following:

- allocated Council budgets for proposed tenders;
- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Councillors and Council Staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised other than authorised pre-contract negotiations.

1.8 Complaints, Complaints Handling and Reporting Suspicious Activities

Members of the public and suppliers are encouraged to report known or suspected incidences of improper conduct to the CEO. Councillors and Council Staff will report and manage complaints in accordance with Council's internal policies and processes.

Reporting Suspicious Activities

All Councillors, Council Staff and Council suppliers are required at all times to act honestly and with integrity and to safeguard the public resources for which they are responsible. Council is committed to protecting all revenue, expenditure and assets from any attempt to gain illegal benefits (financial or otherwise).

Council will take all reasonable steps to protect those who assist Council by providing information about suspected fraud. This will include confidentiality of identity and protection from harassment, to the extent possible.

Suspected improper conduct, offers of bribes, commissions and any other irregular approaches from suppliers, prospective suppliers or other individuals will be investigated and reported in accordance with Council's internal policies and processes.

The CEO must notify IBAC of any matter they suspect on reasonable grounds to involve corrupt conduct occurring or having occurred in accordance with mandatory reporting requirements under the *Independent Broad-based Anti-corruption Commission Act 2011*.

2. Governance

2.1 Structure

Council has delegated a range of powers, duties and functions to the CEO in relation to procurement. The delegation aims to ensure that the Council's procurement structure operates according to processes that:

- Are flexible enough to procure in a timely manner the diverse range of goods, works and services required by Council;
- Guarantee that prospective contractors and suppliers are afforded an equal opportunity to tender or submit a quotation; and
- Encourage competition and collaboration.

2.2 Methods

The Council's standard methods for procuring goods, services and works shall be by any of the following:

- Purchase order following a quotation process from suppliers for goods or services that represent best Value for Money under the quotation thresholds adopted by the Council. An approved purchase order must be created prior to committing expenditure on behalf of Council for the provision of services, goods or works in accordance with the Council's procurement thresholds and guidelines;
- Under contract following a quotation or tender process;
- Using Collaborative Procurement Arrangements;
- Multi-stage tenders commencing with an EOI followed by a tender process;
- Under a sole-sourcing arrangement in line with the conditions contained in section 2.7 and

unless an exemption is applicable pursuant to this policy or other arrangements are authorised by Council (or under appropriate delegated authority) on an 'as needs' basis as required by abnormal circumstances such as emergencies.

Petty cash and corporate credit cards are available for use only when the purchase order system, contract or purchasing arrangements are not readily accessible.

In all instances, guidelines mentioned in this policy (and other associated policies and standard operating procedures) need to be followed unless they otherwise fall within exemptions under the Act or any other Local Government regulation.

Petty Cash

Scope of Use

Petty cash may be used to make purchases for Borough of Queenscliffe under the value of \$100.

Use of Form:

- a) An entry for each purchase is to be made on the Petty Cash Reimbursement Claim Form. This entry must be signed by the person receiving the petty cash.
- b) All purchases must have a receipt or proof of purchase and be counter signed by the claimer's manager or another manager to authorise reimbursement. Receipts must be attached to the Petty Cash Reimbursement Claim Form in order of purchase. *Authority:*
- c) Any staff member may claim petty cash.
- d) Authorised petty cash claims may be reimbursed by staff who hold delegated responsibility under their position description.
- e) Finance staff will review and process all reconciliations and recoupments of petty cash funds.

Corporate Credit Cards

Corporate credit cards may be used as a means to purchase goods, works or services for the Borough of Queenscliffe only when the standard methods for purchasing goods works and services are not readily accessible. Corporate credit cards must be used in accordance with the Borough's credit cards standing operating procedure and are never to be used for personal use. Personal credit cards are not to be used in any circumstance to purchase goods and services for the Borough.

2.3 Responsible Financial Management

The principle of responsible financial management shall be applied to all Procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any Procurement action for the supply of goods, services or works.

Council Staff must not authorise the expenditure of funds in excess of their financial delegations.

Council Staff must not disclose allocated tender budgets to suppliers.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the Procurement process without compromising any of the Procurement principles set out in this Policy.

2.4 Procurement Principles

Council will apply the following fundamental best practice principles to procurement, irrespective of the value and complexity of that procurement:

- Value for Money;

- Sustainability (social, economic and environmental);
- Open and fair competition;
- Accountability;
- Risk management, and
- Probity and transparency.

2.5 Minimum Spend Competition Thresholds

Section 108 of the Act details that each Council will set the public tender threshold above which tenders or expressions of interest (EOI) for contracts must be publicly invited.

A public tender process (which may include a two-step public EOI process / invitation to tender) must be used for all procurements valued at \$200,000 and above (incl. GST) for goods, services or works.

For procurements valued under \$200,000 (incl. GST), the procurement methodology and thresholds detailed below will apply as a minimum requirement.

Up to \$1,000 #	>\$1,001 to \$5,000 #	> \$5,001 to \$20,000 #	> \$20,001 to \$75,000 #	> \$75,001 to \$200,000 #
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Quotations Required				
Obtain at least one (1) verbal or written quotation.	Obtain at least one (1) written quotation	Obtain at least two(2) written quotations	Obtain at least three (3) written quotations	Obtain at least five (5) written quotations
A written quote is preferable for verification purposes.	If less than the minimum quotations are to be sought or were received, then the purchase is not to proceed unless the reasons for proceeding with the purchase are approved by the Chief Executive Officer and placed on the relevant file in the Council's Records system.			

- Items with a Total Value up to \$1,000 – Request for Quotation.
 - A minimum of one verbal or written quotation must be obtained and the details recorded before placing an order (similar details must be recorded where more than one supplier has quoted) and documented in the Council's procurement system.
- Items with a Total Value \$1,001 to \$5,000 – Request for Quotation.
 - Council will receive a minimum of one email or written quotation which must be recorded on Council's procurement system.
- Items with a Total Value \$5,001 to \$20,000 – Request for Quotation.
 - Council will receive a minimum of two email or written quotations which must be recorded on Council's procurement system; and
 - the quotation offering the best Value for Money must be confirmed by the supplier on company letterhead / formal business email address and the order placed with that firm.
- Items with a Total Value \$20,001 to \$75,000 – Request for Quotation.
 - Council will receive a minimum of three email or written quotations which must be recorded on Council's procurement system; advertising is not required; and

- quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best Value for Money outcome.
- Items with a Total Value \$75,001 to \$200,000 – Request for Quotation.
 - Council will obtain a minimum of five written quotations by issuing a written Request for Quotation; Public advertising is not required; and
 - quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best Value for Money outcome, which must be recorded on Council's procurement system.

2.6 Exemptions from Publicly Advertised Tender, Quotations and Expression of Interest Requirements

The following circumstances are exempt from the general publicly advertised tender, quotations and expression of interest requirements:

Exemption Name	Explanation, limitations, responsibilities and approvals
1. A contract made because of genuine emergency or hardship	<ul style="list-style-type: none"> • Where the Council has resolved that the contract must be entered into because of an emergency (e.g. to provide immediate response to a natural disaster, declared emergency, etc.)
2. A contract made with, or a purchase from a contract made by, another government entity, government-owned entity or other approved third party by Council	<ul style="list-style-type: none"> • This general exemption allows engagements: <ul style="list-style-type: none"> ○ With another government entity or government owned entity. For example, Federal, State or Local Government or an entity owned by the Federal, State or Local Government; and/or ○ In reliance on contracts and arrangements established by another government entity, local authority or local government group purchasing scheme, Municipal Association of Victoria (MAV) or National Procurement network members (e.g. Local Buy), Procurement Australia (PA).
3. Extension of contracts while Council is at market	<ul style="list-style-type: none"> • Allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the tender process or negotiations will take or are taking longer than expected. • This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.
4. Professional services unsuitable for tendering	<ul style="list-style-type: none"> • Legal Services. • Insurance.
5. Novated Contracts	<ul style="list-style-type: none"> • Where the initial contract was entered into in compliance with the Act and due diligence has been undertaken in respect to the new party.
6. Information technology resellers and software developers	<ul style="list-style-type: none"> • Allows Council to renew software licenses and maintenance and support, or upgrade existing systems, where there is only one supplier of the software who holds the intellectual property rights to the software.

Exemption Name	Explanation, limitations, responsibilities and approvals
7. Regional Waste and Resource Recovery Groups	<ul style="list-style-type: none"> Situations where a Regional Waste and Resource Recovery Group constituted under the <i>Environment Protection Act 2017</i> had already conducted a public tender for and on behalf of its member councils.
8. Statutory Compulsory Monopoly Insurance Schemes	<ul style="list-style-type: none"> Motor vehicle compulsory third party WorkCover
9. Operating Leases	<ul style="list-style-type: none"> Where a lessor leases an asset (generally a vehicle or plant and equipment) to the Council and assumes the residual value risk of the vehicle.
10. Other specific Council exemptions	<ul style="list-style-type: none"> As defined in Appendix II Specific Council exemptions will be reviewed and updated in Appendix II from time to time, as per the Policy Review Process

Council may approve any extraordinary exemptions to the requirements of this policy via a formal resolution of Council.

2.7 Public Tender Requirements

All public tenders invited by the Council will be published via Council's tendering Portal and may be advertised in the media.

Information regarding current tenders and closed tenders will be published on Council's website.

Any competitive tendering process must be managed in accordance with the Borough's "Competitive Tendering" standing operating procedure.

Tender Evaluation Panel

A tender evaluation panel will be established to evaluate each tender submission against the tender's selection criteria. Tender evaluation panels can include external personnel in order to ensure the best outcome for a procurement activity. Tenders above the public tender threshold amount must be comprised of at least three persons including a chairperson. Tenders for procurement under the tender threshold must be comprised of at least two panel members.

A tender evaluation panel may also include a non-voting member for the purpose of providing expert advice.

Evaluation Criteria

The Council may include the following evaluation criteria categories to determine whether a proposed contract provides Value for Money:

- Tendered price;
- Resources, technical and financial capabilities. Capacity to complete works within required timeframe;
- Experience on similar projects. Standing, skill and experience within the industry.
- Quality of work. Management and quality procedures. Occupational Health and Safety (OHS) records; and

- Value to Council (economic contribution made to the local economy).
- Methodology
- Innovation
- Ability to provide added value
- Environmental sustainability

Shortlisting and Negotiations

Council may conduct a shortlisting process during EOI and tender processes. Shortlisting can be based on any criterion or criteria but only in pursuit of the most advantageous outcome for Council.

Shortlisted tenderers may be invited by the Council to submit a best and final offer in relation to all or certain aspects of their respective tenders.

Once one or more preferred tenderers are selected, negotiations can be conducted in order to obtain the optimal solution and commercial arrangements within the original scope and intent of the tender. Probity requirements apply to all negotiations.

2.8 Contract Management

The purpose of Contract Management is to ensure that the Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the Contract by:

- establishing a system monitoring and achieving the responsibilities and obligations of both parties' under the Contract;
- providing a means for the early recognition of issues and performance problems and the identification of solutions; and
- adhering to Council's risk management framework and adhering to relevant occupational health and safety contractor compliance procedures.

All Council Contracts are to include Contract Management requirements. Furthermore, Contracts are to be proactively managed by the member of Council Staff responsible for the delivery of the contracted goods, services or works to ensure the Council receives Value for Money.

Council awards some contracts that are strategically critical and of relatively high value. Council will provide additional senior oversight to the management of such significant contracts.

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be obtained from the appropriate member of Council Staff listed in the Council delegations. A request for such an approval should be supported with Procurement and legal advice as relevant.

To protect the best interests of the Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose the Council to risk and thus must be authorised by the appropriate member of Council Staff listed in the Council delegations.

Contract Variations

All contract variations must be assessed to determine whether they are properly characterised as variations, or whether they are in effect a new contract. This will depend on factors like:

- The monetary value of the proposed variation,
 - a. If the term of the contract is two years or less, the value of the variation in the context of the thresholds fixed by the Procurement Policy; or

- b. If the term of the contract is more than two years, the value of the variation (excluding the value of work carried out under provisional sum) is more than the 30% of the original contract sum; and
- The subject matter of the proposed variation, and whether it is consistent with the scope of the original contract.

For variations that have been properly characterised as variations, approval of expenditure must be undertaken in accordance with the schedule of financial delegations. If the value of a variation plus the contract sum exceeds the delegation mechanism used for awarding the contract, the variation must then be approved in accordance with the delegated financial authority for the revised contract sum inclusive of the proposed variation cost (eg. for a contract signed under the CEO delegation for an original contract sum of \$190,000 a variation of \$10,001 or more would require resolution of Council).

Dispute Resolution

Where relevant, all Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes escalating to legal action.

All new contracts need to be assessed by a member of the Financial Services team to assess any potential implications of AASB 16 – Leases.

2.9 Probity Advisor

A formal probity plan should be developed, and a probity advisor appointed in the following circumstances:

- Where the proposed Total Contract Sum exceeds \$3.5 million over the life of the contract or over two years for multi-year contracts for provision of service/s (e.g. waste collection service / roads, parks and reserves maintenance services) or for a lesser value set by Council from time to time; or
- Where a proposed contract is considered by Council or the CEO to be particularly complex, of a high risk or controversial nature, and requiring a high level of public confidence.

A probity advisor may be appointed to any tender evaluation panel and may be appointed to oversee the evaluation process (even evaluation of quotations below the tender threshold).

2.10 Collaborative Procurement

Council Officers will seek to use Collaborative Procurement Arrangements with other Councils and public bodies when procuring goods, services and works in order to take advantage of economies of scale in accordance with section 108(3)(c) of the Act.

When a report for a procurement is presented to Council for approval, it will include information relating to any collaborative arrangement opportunities that were explored as part of the procurement process.

When collaborating with other Councils, the Council will do so in accordance with the following:

- Review and explore opportunities for contracts which, due to the subject matter, nature or scope, are likely to deliver operational efficiencies if procured in collaboration with the other organisations;
- Council Officers commit to regularly reviewing the contracts register to determine whether collaborative procurement should be considered;
- where collaborative procurement is to be pursued:
 - a. a pre-market approval submission will be submitted to each Council/participating organisation prior to commitment to collaboration, seeking delegation of contract approval to the appropriate Council Officer of that Council (these delegations of contract approval may supersede the requirements of this policy);

- b. the participating Councils will establish a written agreement that gives authority for a lead council to act as each Council's agent in the Collaborative Procurement Arrangements;
- c. A procurement plan, evaluation plan and probity plan must be developed and agreed to by all participating councils/organisations. Borough of Queenscliffe Council approvals must be made in accordance with the schedule for financial delegation.
- d. each participating Council/organisation must be involved in:
 - I. the initial decision to undertake the Collaborative Procurement Arrangement;
 - II. preparation of, and agreement to, the specifications;
 - III. ensuring probity for the Collaborative Procurement Arrangement; and
 - IV. the acceptance of tender(s) and awarding of contract(s).

Furthermore, Council may collaborate with other Councils or other bodies such as MAV Procurement or Procurement Australasia to procure goods, services or works, or utilise existing Collaborative Procurement Arrangements established through a public tender process where it provides an advantageous, Value for Money outcome for the Council. This specifically includes collaborative procurement arrangements made by a reputable body for which the Borough of Queenscliffe was not party to the original tender process, providing the tender process was consistent with the requirements of this policy.

Any Federal or State Government grant funded specific projects may be excluded from Collaborative Procurement Arrangements.

2.11 Delegation of Authority

Delegations define the limitations within which Council Staff are permitted to work. Delegation of Procurement authority allows specified Council Staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables the Council to conduct Procurement activities in an efficient and timely manner while maintaining transparency and integrity.

The Council shall maintain a documented scheme of Procurement delegations, identifying the Council Staff authorised to make such Procurement commitments in respect of goods, services and works on behalf of the Council and their respective delegations contained in the Schedule of Delegations approved by the Chief Executive Officer and Council policies:

- acceptance of tenders;
- acceptance of quotes;
- contract term extensions (within authorised budget);
- contract amendment (non-financial);
- contract amendment (financial);
- appointment to register of pre-qualified suppliers;
- corporate Credit Card purchases; and
- procedural exceptions.

The Schedule of Delegations documents the scope of staff member delegations. The Chief Executive Officer within their delegation is authorised to approve the issue of Corporate Credit Cards to members of staff based on operational and business needs.

Delegations Reserved for the Council

Commitments and processes which exceed the CEO's delegation in the *Instrument of Delegation to the Chief Executive Officer* made by resolution of Council and which must be approved by the Council are:

- initial signing and sealing of contract documents;
- contract approval for all expenditure over CEO's approved delegation; and
- variations and contract term extensions (requiring additional budget).

2.12 Internal Controls

The Council will install and maintain a framework of internal controls over Procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end-to-end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented;
- systems are in place for appropriate monitoring and performance measurement; and
- a process is in place for escalation, where appropriate, of procurement matters (including procedural non-compliance) to the Management Team, the Audit and Risk Committee and Council.

2.13 Risk Management

Risk assessments are a vital part of the procurement planning process, particularly for significant contracts. Risks will be identified for each part of the sourcing, transition, delivery and finalisation stages of procurement. Appropriate risk avoidance and mitigation strategies will be employed whenever practicable and appropriate.

3. Demonstrate Sustained Value

3.1 Integration with Council Strategy

The Council Procurement strategy shall support the aims and objectives of the Council Plan, including but not limited to those related to Sustainability.

3.2 Achieving Value for Money

The Council's Procurement activities will be carried out on the basis of obtaining best Value for Money.

This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price will not necessarily achieve Value for Money. This will be facilitated by:

- Achieving continuous improvement in procurement activity in accordance with the direction set out in the Council's Strategic Procurement Plan;
- Developing, implementing and managing processes that support the co-ordination and streamlining of activities throughout the procurement lifecycle;
- Effective use of competition;
- Using existing Council contractual arrangement or Collaborative Procurement Arrangements where appropriate;
- Identifying and rectifying inefficiencies in procurement processes;
- Developing cost efficient tender processes;

- Council Staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements; and
- Working with suppliers to create relationships that are professional, productive, and are appropriate to the value and importance of the goods, services and works being acquired.

3.3 Sustainability Procurement

Sustainable procurement involves decision making that has the most positive environmental, social and economic impacts possible across the entire lifecycle of goods, services and works. The United Nations Environment Programme defines sustainable procurement as a “process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves Value for Money on a whole of life basis in terms of generating benefits not only the organisation, but also to society and the economy whilst minimising damage to the environment.”

The Council is committed to adopting a Procurement approach by supporting the principles of sustainable procurement within the context of purchasing on a Best Value basis.

Best Value purchasing decisions made by the Council are made on the basis of whole-of-life cost and non-price factors including contribution to the Council’s Sustainability objectives.

Environmental

The Council prefers to purchase environmentally preferred products whenever they achieve the same function and Value for Money outcomes.

The Council will therefore consider the following environmental Sustainability criteria:

- Reduce, Reuse, and Recycle:

The Council is committed to reducing resources, consumption and minimising waste during the Procurement life cycle including:

- the Council shall encourage and prefer eco-friendly products which are more power efficient and/or have a lesser or no harmful impact on the environment;
- selecting energy, fuel and water efficient products;
- the Council shall prefer to purchase from a source which is less polluting or uses clean or cleaner technology; and
- the Council’s Procurement projects should automatically consider the provision of re-usable products and recycling as part of the project planning process, including the consideration of whole-life costs and disposal considerations.

- Buy Recycled:

The Council is committed to buy recycled/part recycled products to optimise consumption and stimulate demand for recycled products, promoting the collection and reprocessing of waste and working towards zero discharge to landfill.

- Green the Supply Chain:

The Council shall encourage Council suppliers to adopt good environmental practices.

The Council will actively promote green Procurement throughout its supply chain and ensure selection which has minimum environmental impact (such as, purchases through Council’s membership in Eco-buy where this is shown to be the best environmental decision and consistent with the Value for Money principles outlined in this policy).

Social

Council is committed to building stronger communities and meeting social objectives which benefit the municipality and commits to integration of measures in its procurement processes and documentation which promote improved social outcomes.

Council's sustainable procurement will be underpinned by the following principles:

- A thorough understanding of the socio-economic issues affecting the community;
- Creation of training and employment opportunities for unemployed or disadvantaged residents and ratepayers in Council's municipality, and marginalised job seekers in Council's municipality, to address local socio-economic issues;
- Promotion of equity, diversity and equal opportunity; and
- Respect for human rights, the rule of law and international norms of behaviour.

Gender Equality

Council is committed to fulfilling its duty under the *Gender Equality Act 2020* to promote gender equality. Council must, in developing policies and programs and in delivering services that are to be provided to the public, or have a direct and significant impact on the public:

- consider and promote gender equality; and
- take necessary and proportionate action towards achieving gender equality.

In terms of this procurement policy, that may mean endeavouring, where possible and practicable, to have equal gender representation on tender evaluation panels, considering any gender equality measures a supplier has in place, and considering the impact on gender equality when evaluating whether to use any particular supplier.

Economic

Council is committed to procurement that supports Local Business and economic diversity in the municipality as well as the G21 region. Council is committed to buying from Local Business where such purchases may be justified on best value grounds. Local providers are given an equal opportunity to quote and tender. Where a local provider can match or better other providers on price, quality and availability, preference is given to the local provider.

Wherever practicable, Council will fully examine the benefits available through purchasing goods, services and works from suppliers/contractors within the Borough of Queenscliffe. Council will also seek from prospective suppliers/contractors, where applicable, what economic contribution they will make to the local economy.

- purchases up to \$5,000: Council will consider using a local supplier where possible;
- purchases \$5,000 up to \$200,000: Council will endeavour to obtain a minimum of one quote from a local supplier where possible; and
- open tender: when a public tender process is undertaken, all tenders must include a Local Content Statement and Local Content criterion. A weighting percentage up to a maximum value of 10% will be assigned to this criterion for assessment. Assessment of the Local Content will be determined by the tender evaluation panel.

3.4 Performance Indicators

Council will seek to improve its procurement performance by capturing and analysing data on key performance indicators including:

- Extent of contracts delivered on time and on budget;
- New Collaborative Procurement contracts;
- New preferred supplier (panel) contracts;
- The number of Local Businesses engaged and proportion of local spend;
- Value of savings and benefits achieved;
- Level of compliance with the Procurement Policy; and
- Annual spend on sustainable goods and services.

A report detailing actual performance against these indicators will be presented annually to the Audit and Risk Committee and to Council.

3.5 Build and Maintain Supply Relationships

Council recognises that in order to achieve sustainable value, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access state government panel agreements or other means. Council will consider supply arrangements that deliver the Value for Money.

Council recognises the importance of effective and open working relationships with its suppliers and is committed to the following:

- managing existing suppliers, via the appropriate development programs and performance measurements to ensure the benefits are delivered;
- maintaining approved supplier lists; and
- developing new suppliers and improving the capability of existing suppliers where appropriate.

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations offering business diversity include:

- local businesses;
- green suppliers;
- small to medium sized enterprises;
- social enterprises;
- ethnic and minority business; and
- voluntary and community organisations.

The Council is committed to developing constructive long-term relationships with suppliers. It is important that the Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- size of spend across the Council;
- criticality of goods / services, to the delivery of the Council's services;
- availability of substitutes; and
- market share and strategic share of suppliers.

Supplier shall at all times conduct themselves in ways that are in accordance with the Supplier Code of Conduct, given in appendix III.

Creditor accounts must be managed in accordance with the Borough of Queenscliffe Council Policy CP033 Creditor Management.

TRAINING AND/OR COMMUNICATION

Ongoing awareness of this policy is promoted to ensure all purchases of goods, services and works are undertaken in a consistent manner and in compliance with this policy. Annual or biennial refresher training will be provided to all staff via Council's annual training schedule.

CONTINUOUS IMPROVEMENT

In accordance with the Act, Council will review its Procurement Policy at least once during each 4-year term of the Council.

DEFINITIONS

Collaborative Procurement Arrangement	A contract established by the Council, government or a nominated agent, such as Procurement Australasia, Municipal Association of Victoria (MAV), G21 Group of Councils or a local government entity, for the benefit of numerous state, federal and/or local government entities that achieves best value by leveraging combined economies of scale.
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g., prices, discounts, rebates, profits, methodologies and process information, etc.
Contract Management	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide Value for Money.
Council Staff	Includes full-time, part-time and casual Council employees, temporary (fixed-term) employees, contractors and consultants while engaged by the Council.
Expression of Interest (EOI)	An invitation for persons to submit an Expression of Interest for the provision of the goods and/or services generally set out in the overview of requirements contained in the document. This invitation is not an offer or a contract.
IBAC	The Independent Broad-based Anti-corruption Commission.
Local Business	A commercial business with an operational premises that is physically located within the municipal borders or within the G21 region.
Probity	Within government, the term "probity" is often used in a general sense to mean "good process". A procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation, are established, understood, and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.

Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Tender Process	The process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Total Contract Sum	The potential total value of the contract including: <ul style="list-style-type: none"> • costs for the full term of the contract, including any options for either party to extend the contract; • applicable goods and services tax (GST); • anticipated contingency allowances or variations, and • all other known, anticipated and reasonably foreseeable costs.
Total Value	Estimated value or reasonably anticipated value of the goods, services or works to be procured over a two year period.
Value for Money	Value for Money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none"> • contribution to the advancement of the Council's priorities; • non-cost factors such as fitness for purpose, quality, service and support; and • cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

REFERENCES

Borough of Queenscliffe CP013 Procurement Schedule of Delegations

Borough of Queenscliffe Council Policy CP005 Councillors Code of Conduct

Borough of Queenscliffe Council Policy CP017 Risk Management

Borough of Queenscliffe Council Policy CP008 Fraud Prevention

Borough of Queenscliffe Council Policy CP033 Creditor Management

Borough of Queenscliffe Council Policy CP009: Gifts, Benefits & Hospitality

Borough of Queenscliffe Standard Operating Procedure SOP005 Motor Vehicles

Borough of Queenscliffe Standard Operating Procedure SOP006 Staff Code of Conduct

Borough of Queenscliffe Standard Operating Procedure SOP038 Credit Cards

Borough of Queenscliffe Standard Operating Procedure SOP010 Competitive Tendering

Borough of Queenscliffe Instrument of Delegations to CEO

Local Government Act 2020

Victorian Local Government Best Practice Procurement Guidelines, 2013, Department of Planning and Community Development, Victoria

END

Appendix I

Conflict of Interest Declaration and Action Plan Form

Use this form if you believe that you may be involved in a conflict of interest situation or if you are unsure and want formal clarification.

Section 1 – Staff / contractor / panel member details:			
Name		Position	
Location		Contact Number	
Organisation			
Email			
Section 2 – Staff / contractor / panel member disclosure:			
<input type="checkbox"/> I HAVE a conflict of interest to declare (please complete all relevant section in this form)			
<input type="checkbox"/> I DO NOT HAVE a conflict of interest to declare (please complete section 5 only)			
Section 3 – Staff / contractor / panel member disclosure:			
The conflict relates to (tick appropriate box/s):			
<input type="checkbox"/> Relationship with another staff member	<input type="checkbox"/> Outside work activities (paid / unpaid)		
<input type="checkbox"/> Relationship with family or friends	<input type="checkbox"/> Conflict of duty e.g. membership of another public sector or private organisation		
<input type="checkbox"/> Relationship with external parties	<input type="checkbox"/> Other (please detail):		
<input type="checkbox"/> Financial interest			
The conflict is expected to last (tick appropriate box):		<input type="checkbox"/> 0-12 Months	<input type="checkbox"/> >12 months or ongoing
Section 4 – To be completed by principal, chair or equivalent			
In my opinion the details provided (tick appropriate box):			
<input type="checkbox"/> <u>Does not</u> constitute a conflict of interest, and I authorise the staff member / contractor / panel member to continue the activity. (Go to Section 4)			
<input type="checkbox"/> <u>Does</u> constitute an actual, potential or perceived conflict of interest (if ticked, please provide a detailed action plan below)			
<p>If the situation <u>does</u> constitute a conflict of interest, the following has been considered:</p> <ul style="list-style-type: none"> Ensuring all information surrounding the conflict has been disclosed and documented Informing likely affected persons of the conflict, seeking their views where relevant as to whether they object Strengthening the internal management arrangements Consulting Council support for advice and direction if regarding tenders Reformulating the persons scope of work, or restricting access to certain information Relinquish the interest that is causing the conflict Removing the person from their existing duties, or transferring the person to other work Close monitoring of the persons activities in relation to the conflict of interest Take no further action because the conflict is minimal <p>I have reviewed the above considerations and request that the staff / contractor / panel member takes the following action to eliminate / manage the conflict:-</p>			
<p>I will ensure this action plan is reviewed:</p> <input type="checkbox"/> Within 1 month <input type="checkbox"/> Within 3 months <input type="checkbox"/> Within 6 month <input type="checkbox"/> Within 12 months <input type="checkbox"/> Other – specify: <input type="checkbox"/> N/A as the conflict is a one off of short duration			

Section 5 – Staff / contractor / panel member declaration

To the best of my knowledge and belief, any actual, perceived or potential conflicts between my duties at the Borough of Queenscliffe and my private and/or business interests have been fully disclosed in this form. I acknowledge, and agree to comply with, any approach identified in this form for removing or managing an actual, perceived or potential conflict of interest.

Signature: _____ Date: _____

Section 6 – Principal, chair or equivalents declaration

The actions described in the approach outlined in Section 3 have been put in place to effectively manage any actual, potential or perceived conflict of interest disclosed in Section 2. The approach outlined in Section 3 ensures that Councils' public interests and reputation is adequately protected.

Name: _____

Signature: _____ Date: _____

END

Appendix II

Other specific Council exemptions

Considering the materiality and the nature of the transaction, the following instances are exempted from the quotation process. However, it is always encouraged to follow the quotation process to ensure best Value for Money.

- reimbursement of petty cash expenditure (e.g. metered parking fees);
- memberships, subscriptions and other reoccurring payments;
- contributions, donations and sponsorships;
- urgent purchases (e.g., an officer makes a purchase at a hardware store);
- Councillor allowances;
- fee for meeting attendance determined by Council;
- investment lodgements (covered in the Council Policy CO011, Investment of Available Funds);
- refunds for deposits taken (e.g. tourist park cancellations, security deposits for hall bookings);
- utility payments; and
- other ad-hoc and purchases where it is deemed impractical to obtain quotation before making the purchase.

END

Appendix III

Supplier Code of Conduct

The Borough of Queenscliffe is committed to ethical, sustainable and socially responsible procurement and we expect the same high standards of our Suppliers. It views its Suppliers as partners and it cares about the way they do business when providing goods or services, including construction works and services, to the Council.

The Supplier Code of Conduct (Code) describes the minimum expectations in the areas of:

- integrity, ethics and conduct;
- conflict of interest;
- gifts, benefits and hospitality;
- corporate governance;
- labour and human rights;
- health and safety; and
- environmental management.

Suppliers to the Council are advised to review the Code and ensure that relevant areas of their business and supply chain meet these standards.

Application of this Code

Council seeks to work with its Suppliers to meet and exceed minimum expectations as outlined in this Code and continuously strives to improve the standard of its business practices. By Supplier, the Council means any entity that supplies goods or services, including construction works and services, to the Council. Where the Code refers to workers, it includes employees, contractors, agency and temporary staff of the Supplier and its related entities.

Where the Code refers to the law it means the laws in the jurisdiction that apply where the goods are procured, or services are performed. Fundamental to this Code is an expectation that all Suppliers operate in full compliance with all laws, rules and regulations of the jurisdictions in which they do business.

The expectations outlined in the Code are not intended to supersede or alter the Supplier's regulatory and contractual obligations. The Council expects all existing and new Suppliers to commit to the Code. Suppliers should check their respective contracts, agreements and purchase orders as they may contain additional obligations or higher standards than those set out in this code.

The Council expects Suppliers to communicate the Code to their related entities, Suppliers and subcontractors who support them in supplying goods and services to the Council, so that they are aware of, understand and comply with the Code.

Reporting misconduct, unethical behaviour or suspected corruption

If a Supplier considers that another Supplier has deviated from or breached their obligations under this Code or that a Council employee has breached Council's Staff Code of Conduct, it is expected to report these concerns to:

- in relation to other Suppliers, the relevant department Manager, the Procurement manager, or if there is no such appointed person then either the appointed manager under the contract or the primary Council contact in relation to the goods or services or construction works, and services being provided;

- in relation to Council personnel breaching Council's Staff Code of Conduct or in relation to allegations of misconduct of Council personnel, the relevant public body head or the Independent broad-based Anti-corruption Commission; or
- in relation to allegations of suspected corruption involving Suppliers or Council personnel, to the Independent Broad-based Anti-corruption Commission.

Corrective action process

Suppliers are expected to self-assess their compliance with the Code and take timely action to correct any deficiencies or breaches reported or identified by an audit, assessment, inspection, investigation or review. Suppliers are encouraged to raise any concerns, discuss and seek clarification accordingly to any elements of the Code with the relevant department or Manager, Procurement, or if there is no such appointed person then the Contract Manager under their contract or the primary Council contact in relation to the goods or services or the construction works and services, they are providing.

If requested by Council, Suppliers must provide evidence and confirmation of their compliance with the Code, including the provision of documents and records that support their compliance. Suppliers are expected to support the Council in reviewing compliance with the Code.

A. Integrity, ethics and conduct

The Council expects high standards of ethical conduct and compliance with all applicable laws. Suppliers are expected to be ethical in their business activities, including relationships, practices, sourcing and operations.

Business integrity

Suppliers are expected to comply with all anti-bribery, anti-corruption, anti-money laundering, and modern slavery laws. Suppliers must not engage in, either directly or indirectly, fraudulent, corrupt, exploitative or collusive activities.

Record keeping and documentation

Suppliers are expected to maintain adequate records that accurately record all financial transactions and information regarding its business activities, labour, health and safety and environmental practices in accordance with applicable laws, policies and procedures. Disclosure of information is expected to be undertaken without falsification or misrepresentation.

Professional conduct

Suppliers are expected to conduct themselves in a manner that is fair, professional and that will not bring the Council into disrepute.

Confidentiality

Suppliers must not improperly use any private, confidential or commercially sensitive information in its possession relating to or in connection with its dealings with the Council.

Codes of Conduct for Council employees

The Council's Staff Code of Conduct describes the behaviours that exemplify the Council values contained in its Staff Code of Conduct in accordance with section 49 of the Local Government Act 2020. The Council Staff Code of Conduct applies to and is binding on all council employees, and a contravention may constitute misconduct.

B. Conflict of interest; gifts, benefits and hospitality

The Council believes that all business activities should be undertaken with impartiality and any conflict of interest should be raised and managed.

Conflict of interest

Suppliers must:

- notify the Council's Chief Executive Officer or anyone acting in that capacity (and where there is no such appointed person then either the relevant department or Manager, Procurement or appointed Contract Manager under the contract or the primary Council contact in relation to the goods or services or construction works and services being provided), any situation that raises an actual, potential or perceived conflict of interest related to or in connection with its dealings with the Council; and
- avoid financial, business or other relationships which may compromise the performance of their duties under their business arrangement with the State. Under the Council's Staff Code of Conduct, employees are expected to avoid actual, perceived and potential conflicts of interest wherever possible. Any conflicts of interest that cannot be avoided are expected to be declared and managed appropriately.

Gifts, benefits and hospitality

- Council personnel must conduct themselves with the highest standards of integrity, impartiality and accountability; and perform public duties without favouritism, bias or for personal gain. The appropriate handling of offers of gifts, benefits and hospitality is critical to earning and sustaining public trust.
- As such, Suppliers should not offer Council personnel gifts or benefits, either directly or indirectly, and offers of hospitality will be limited to those acceptable under the council gift policy or take any action in order to entice or obtain any unfair or improper advantage.

C. Corporate governance

Commitment to sound management administration, risk and corrective action systems, are key to a reliable supply chain for the Council. Suppliers are expected to maintain sound administration processes.

Risk assessment and management

Suppliers should develop and maintain a process to identify, manage and control relevant risks associated with its operations. These include supply chain risks and risks relating to labour and human rights, health and safety, the environment, business ethics, and corporate governance.

Critical incident management

Suppliers should:

- identify and assess potential critical incident, emergency situations and business continuity risks; and
- develop and implement emergency plans and response procedures that minimise harm to life, environment and property, while minimising disruption to business continuity.

Audits and assessments

To ensure compliance with this Code and the applicable laws, Suppliers are expected to:

- perform periodic evaluations of their facilities and operations, and the facilities and operations of their subcontractors; and
- cooperate openly and honestly with any Council audit, assessment or review.

D. Labour and human rights

Council believes that all workers in its supply chain deserve to be treated with dignity and respect. Suppliers are expected to provide a fair and ethical workplace, which upholds high standards of human rights and integrates appropriate labour and human rights policies and practices into its business.

Anti-discrimination

Subject to applicable laws, Suppliers are expected not to discriminate against any worker based on age, disability, ethnicity, gender, marital status, political affiliation, race, religion, sexual orientation, gender identity, union membership, or any other status protected by law, in hiring and other employment practices.

Anti-harassment

Suppliers are expected to commit to a workplace free from workplace bullying, harassment, sexual harassment, victimisation and abuse. Suppliers are expected not to bully workers or threaten workers with, or subject them to, unlawful or inhumane treatment. This includes, but is not limited to, abuse and harassment which can be verbal, physical, sexual or psychological.

Human rights

Suppliers are expected to provide goods and services in a manner consistent with any applicable human rights obligations.

Consistent with relevant modern slavery legislation, Suppliers are expected to proactively identify, address and – where required by legislation – report on risks of modern slavery practices (defined broadly to include all forms of human trafficking, forced labour and slavery-like practices) in their business operations and supply chains.

Prevention of involuntary and underage labour

Suppliers are expected to:

- ensure that all work is undertaken without coercion; not use any form of forced, bonded or indentured labour; and employ only workers who are the applicable minimum legal age.

All use of temporary and outsourced labour should be within the limits of the law. Suppliers are therefore expected to:

- use all reasonable endeavours to ensure that the third-party recruitment agencies it uses are compliant with the provisions of this Code and applicable law; and
- be responsible for payment of all recruitment-related fees and expenses in recruiting foreign contract workers either directly or through third party agencies.

Working hours, wages and benefits

Suppliers must:

- follow all applicable laws and regulations with respect to wages, working hours and workers compensation insurance;
- ensure that all workers receive their legally mandated minimum wages, benefits, superannuation, leave entitlements and time off for legally recognised holidays; and
- pay workers' wages as required under applicable laws in a timely manner and not be expected to use wage deductions as a disciplinary measure. All overtime is expected to be reasonable and paid at the rate and in accordance with the applicable laws.

Freedom of association and collective bargaining

Suppliers are expected to freely allow workers to associate with others, form and join (or refrain from joining) industrial organisations or associations of their choice and bargain collectively, or engage in any lawful industrial activity without interference, discrimination, retaliation or harassment.

E. Health and safety

Worker health, safety and well-being is important to the Council. Suppliers are expected to provide a healthy and safe work environment and integrate sound health and safety management practices into its business.

Workplace health and safety management

Suppliers must comply with all applicable laws relating to workplace health and safety.

Suppliers are expected to:

- manage occupational health and safety hazards; and
- provide workers with job-related training and consult with employees in relation to the provision of information and training.

F. Environmental management

The Council is committed to promoting environmental responsibility. Suppliers are expected to minimise the environmental impact of their operations and maintain environmentally responsible policies and practices.

Environmental impacts

Suppliers must comply with all applicable laws and regulations relating to the environment, including any management and reporting obligations. Suppliers are expected to manage the environmental impact of their operations by:

- ensuring the safe storage, transportation and disposal of high-risk and hazardous materials and substances including combustible recyclable and waste materials and hazardous waste;
- maintaining policies and practices for the efficient use of energy, water and natural resource consumption; and
- maintaining policies and practices that reduce the risk of pollution, loss of biodiversity, deforestation, damage to ecosystems and greenhouse gas emissions.

END