SOUTH AUSTRALIA'S
SUPPLIER CONDUCT CHARTER

INFORMATION FOR SUPPLIERS

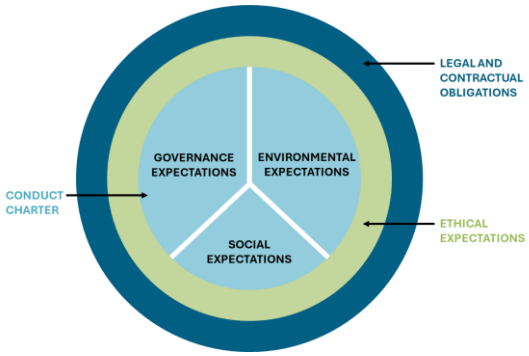
The South Australian Government strives for ethically and socially responsible relationships and outcomes when spending public money and values mutuality of these principles in suppliers.

The **Supplier Conduct Charter** (the SCC) outlines the minimum expectations of suppliers including their personnel in their business partnerships with the government.

These expectations do not supersede or alter the regulatory framework for government procurement in South Australia, or any contractual obligations, but allow suppliers to make informed self-assessments of and decisions about their practices.

The SCC represents the minimum governance and environmental and social expectations of suppliers, founded on ethical standards of integrity, fairness, transparency and professional respect.

The SCC aligns with and supports other government frameworks for responsible procurement including *The South Australian Procurement Framework, The South Australian Industry Participation Policy*, and national and international agreements and policies to which Australia is a signatory.



GOVERNANCE EXPECTATIONS

Corporate responsibility

Suppliers are expected to conduct themselves with high standards of ethics, and not engage in activities that are illegal, exploitative, fraudulent, corrupt or otherwise unethical.

Suppliers are expected to comply with competition law obligations and to not discourage innovation and competition, nor to misuse market power.

Suppliers are expected to ensure fair and timely payment times are reflected in their contracts with sub-contractors, noting the government' preference for payment terms no greater than 15 days.

Suppliers are expected to have appropriate systems and processes in place to protect the State's confidential information.

Suppliers are expected to protect and respect the use of other parties' intellectual property.

Risk Management

Suppliers are expected to maintain appropriate processes to manage the risks associated with their operations. Suppliers should not inappropriately transfer risks, including down their supply chain.

Conflicts of interest

Suppliers are expected to have robust processes for identifying and managing conflicts of interest and are expected to disclose any actual, perceived or potential conflicts of interest as soon as they become aware of it.

Suppliers are expected to be open and transparent about any arrangement that might be perceived as improperly influential on government decision making. Suppliers are expected to not provide any financial or non-financial benefits to public officers.

Reporting suspicions of wrongdoing

Anyone delivering contracted work on behalf of the South Australian Government is a public officer for the purpose of reporting obligations under the *Independent Commissioner Against Corruption Act 2012* (ICAC Act).

All public officers are legally obliged to report suspicions of corruption, misconduct or maladministration to the Office for Public Integrity.

Suppliers should report any other matter, including suspicion of other unlawful or criminal activity to the appropriate authority as required.

ENVIRONMENTAL EXPECTATIONS

Suppliers are encouraged to consider establishing environmentally responsibly policies and practices and to consider the environmental impact of their operations including supply chains and product/service lifecycles.

SOCIAL EXPECTATIONS

Suppliers are expected to provide a work environment that is culturally safe for all people, including their employees and subcontractors, and free from workplace bullying, harassment, victimisation, coercion, intimidation, and abuse.

Enterprise agreements used on Government funded projects should be genuinely agreed.

All reasonable efforts should be taken to ensure that businesses within supply chains are not engaged in, or complicit with, human rights abuses, such as forced or child labour.

FURTHER INFORMATION
Learn more about the rules and practices of SA Government procurement and contracting by visiting
www.buying4.sa.gov.au

COMPLAINTS/CONCERNS
Concerns about conduct contrary to this charter should be reported to the Office of the Industry Advocate
oia@sa.gov.au

Government of South Australia

buying4SA

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APPLICATION OF THE CHARTER

The South Australian Government reserves the right to do business with suppliers who meet the expectations of the SCC and may elect to not work with or cease to work with suppliers who do not do so.

Without limiting a public authority's rights under an applicable contract, the failure of a supplier to meet the expectations of the SCC could lead to one or more of the following actions being taken:

- investigation for breach of the charter
- a requirement to implement action to meet the expectations of the charter
- sharing of information relating to a supplier's conduct relating to this charter across public authorities
- suspension or removal from pre-qualification lists or standing offers (subject to the terms of the arrangement)
- termination of contracts (subject to terms of the contract)
- referral of matters for civil remedy or criminal investigation.

The South Australian Government recognises the importance of working with suppliers to provide them with opportunities for improvement.