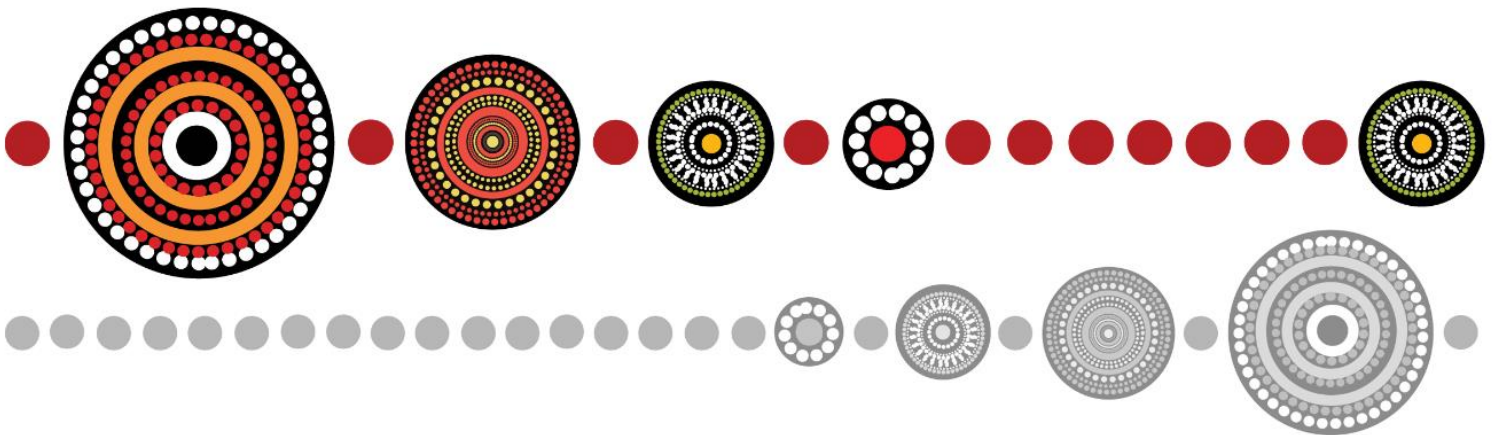




Government of **Western Australia**

# Aboriginal Procurement Policy (Implementation) Guide

## A Guide for WA Government



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## 1. Purpose

The Aboriginal Procurement Policy (Implementation) Guide (the Guide) assists government Agencies<sup>1</sup> to meet the targets set out in the [Aboriginal Procurement Policy](#) (the Policy).

The Policy mandates progressive targets for the award of WA Government contracts to Aboriginal businesses and applies to all contracts valued \$50,000<sup>2</sup> and above. The targets will apply to all government agencies when purchasing goods, services, community services and works. The Policy is intended to apply to Government Trading Enterprises.

The Guide should be read in conjunction with the Policy.

A list of “frequently asked questions” is also provided at the end of the Guide.

An additional document titled “Contracting with the Western Australian Government: A Guide for Aboriginal Businesses” is also available on the [Department of Finance website](#).

## 2. Registered Aboriginal Businesses

For the purpose of the Policy, an Aboriginal business is considered to be any organisation or entity that is owned or run by an Aboriginal interest, including not-for-profit organisations.

To be counted towards the achievement of the targets for the Policy, a business must be registered on a suitable directory which provides government with the confidence that a registered business is a minimum of 50% owned by an Aboriginal interest.

The Department has determined both the [Aboriginal Business Directory Western Australia](#) and Supply Nation’s [Indigenous Business Direct](#) to be suitable directories.

## 3. Achievement of Targets

Each Agency is accountable for achieving the targets.<sup>3</sup>

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<sup>1</sup> Agency means the following: An Agency as defined in the *Financial Management Act 2006*, section 3 other than a university listed in Schedule 1 to that Act. The Policy is intended to apply to Government Trading Enterprises.

<sup>2</sup> The total contract value includes GST and all extension options.

<sup>3</sup> With respect to works contracts awarded by the Minister for Works, the responsible Agency is the Agency that provides the majority of the funding.

Targets are to be achieved by the end of each financial year, as follows:

Financial Year	Target
2018-2019	One (1) per cent of the number of awarded contracts
2019-2020	Two (2) per cent of the number of awarded contracts
2020-2021	Three (3) per cent of the number of awarded contracts

The achievement of targets will be calculated using the number of contracts awarded in each financial year.

As the Policy commences on 1 July 2018, contracts awarded on or after 1 July 2018 will be included in the calculation of the achievement of targets in the 2018-2019 financial year.

The achievement of targets will be calculated on the percentage of contracts with Aboriginal businesses awarded in each financial year. If the term of a contract extends beyond that financial year, the contract will only be included in the first financial year.<sup>4</sup>

Agencies must publish all contracts valued \$50,000 and above on Tenders WA to ensure contracts awarded to registered Aboriginal businesses are considered in the calculation of targets.

The calculation of the achievement of targets beyond July 2021 will be determined following a review of the Policy.

### Example of Calculating the Achievement of Targets

The number of contracts awarded by an Agency to a registered Aboriginal business that are published on Tenders WA will be divided by the total number of contracts awarded by the Agency for that reporting period.

#### Example of calculating achievement of targets for 2018-2019

The target for 2018-2019 is one (1) per cent of the number of contracts awarded.

The Agency awarded 150 contracts valued at \$50,000 and above in the 2018-2019 financial year and three of these contracts were awarded to Aboriginal businesses.

The percentage of contracts with Aboriginal businesses is calculated as follows:

$$(3 \div 150) \times 100 = 2\%$$

The Agency has awarded two (2) per cent of contracts to Aboriginal businesses and exceeded the 2018-2019 target of one (1) per cent.

<sup>4</sup> The Department of Finance will audit contracts published on Tenders WA to identify inappropriate use of short term contracts to achieve the targets.

## 4. Contracts that Contribute to the Target

Contracts with registered Aboriginal businesses where the value is \$50,000 and above that are published on Tenders WA will be considered when measuring the achievement of the targets.

This includes:

- Collaborative arrangements, such as joint ventures, if the arrangement is also a registered Aboriginal business.
- Panel arrangement<sup>5</sup> contracts, which include a registered Aboriginal business.<sup>6</sup>

In the case where a panel of suppliers is awarded, the contract with each supplier on the panel will count as one contract in the calculation of the achievement of the target.

### Example of counting contracts on panel arrangements

If the Agency awarded a panel arrangement for catering services to ten (10) suppliers, this arrangement will count as ten (10) contracts when calculating the achievement of the target.

If three (3) of the suppliers on the panel arrangement are registered Aboriginal businesses, three (3) contracts will count towards the achievement of the target, and seven (7) contracts will count towards the Agency's total number of contracts awarded to non-Aboriginal businesses.

Purchases made under a panel arrangement will only be counted if the purchase is valued \$50,000 and above, and is required to be published on Tenders WA according to the buying rules of the arrangement or contractual obligations.<sup>7</sup>

Similarly, purchases made under a Common Use Arrangement will only be counted if the purchase is valued \$50,000 and above, and is required to be published on Tenders WA according to the buying rules of the arrangement or contractual obligations.

## 5. Contracts that will not Contribute to the Target

A number of contract types will be excluded from the measurement of targets because these contract types are not currently reported on Tenders WA.

The limitations outlined in this section (Section 5. Contracts that will not Contribute to the Target) will be noted in the report provided to the Minister for Finance.

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<sup>5</sup> A panel arrangement is a contract or standing offer that is awarded to more than one supplier.

<sup>6</sup> The Department of Finance will encourage Aboriginal businesses to notify the Social Procurement Initiatives team if an Agency develops a practice of awarding Aboriginal businesses to panel contracts and the businesses do not receive meaningful work.

<sup>7</sup> This will only apply when the buying rules of a panel arrangement require that all purchases with Aboriginal business and non-Aboriginal businesses under the panel arrangement are published on Tenders WA.

## **Contracts Valued Below \$50,000**

Contracts valued less than \$50,000 will not be considered towards the achievement of targets, even if the contract is reported on Tenders WA.

## **Subcontracting Arrangements**

Subcontracts with Aboriginal businesses will not contribute to the Policy targets. This includes arrangements where the contracted party is required to undertake Aboriginal engagement and subcontracting.

## **Contracts Awarded on Tenders WA by a Third Party on Behalf of Government**

For contracts to contribute to the targets, contracts must be awarded on Tenders WA in the Agency's name. Contracts awarded on Tenders WA in the name of a third party, such as a facilities manager, will not contribute to the target. The contract will be counted if it is awarded on Tenders WA in the Agency's name.

## **Variations to Awarded Contracts**

Variations to contracts awarded in a previous reporting period will not be considered in the calculation of targets. This includes the instance where a contract is varied to include an Aboriginal business. However, if a contract is varied using a competitive process that is advertised on Tenders WA, the contract will be counted towards the achievement of targets.

# **6. Reporting**

## **Agency Reporting – Tenders WA**

An Agency must publish the details of contracts valued \$50,000 and above on [Tenders WA](#) after the successful bidder has been notified.<sup>8</sup>

The Department of Finance will provide Tenders WA data to Agencies to verify that all contracts have been published on the system.<sup>9</sup> Agencies will be required to provide verification within one month of the data being issued.

Agencies should monitor progress towards the achievement of the Policy targets throughout the year.

## **Agency Reporting – Supplementary Reporting**

Agencies are encouraged to provide a supplementary report to the Department of Finance to provide details of contracts valued below \$50,000 and other relevant contracts that support Aboriginal engagement and economic outcomes.

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<sup>8</sup> This is a requirement of the State Supply Commission's [Open and Effective Competition policy](#).

<sup>9</sup> The Department of Finance will confirm that suppliers were registered as an Aboriginal business at the time of contract award to ensure data accuracy for reporting.

Supplementary reporting of contracts with Aboriginal businesses will be noted in the report to the Minister for Finance, but will not contribute to an Agency's achievement of the targets. Supplementary reporting will be used to inform future development of the Policy.

## **Reporting to the Minister for Finance**

The Department of Finance will provide a six-monthly report to the Minister for Finance to monitor the progress and achievement of the Policy targets. The report will cover the following periods:

- Interim report on the progress towards the achievement of targets (July – December); and
- Financial year report on the achievement of the targets (July – June).

The report will include the targets for each Agency and for the whole-of-government.

For each Agency, the report to the Minister for Finance will include:

- the number of contracts awarded to Aboriginal businesses in the reporting period that contribute to the target;
- the percentage of contracts awarded to Aboriginal businesses in the reporting period that contribute to the target;
- the value of contracts awarded to Aboriginal businesses in the reporting period that contribute to the target;
- the percentage of contracts awarded to Aboriginal businesses that were awarded to Western Australian Aboriginal businesses that contribute to the target;
- the average percentage of contracts awarded to Aboriginal businesses since the commencement of the Policy that contribute to the target.

The average will be calculated as follows for each financial year of the Policy:

- 2018-2019 – an average will not be calculated.
- 2019-2020 – an average will be calculated based on the number of contracts awarded in the first financial year and the second financial year.
- 2020-2021 – an average will be calculated based on the number of contracts awarded in the first financial year, the second financial year and the third financial year.

The average will be calculated using the percentage that has been previously reported. The percentage for previous financial years of the Policy will not be recalculated each financial year.

### Example of calculating achievement of targets using an average

In the 2018-2019 financial year, the Agency awarded 2.5 per cent of contracts to Aboriginal businesses.

In the 2019-2020 financial year, the Agency awarded 1.5 per cent of contracts to Aboriginal businesses and therefore did not achieve the progressive target of two (2) per cent for the second financial year of the Policy.

The average percentage of contracts with Aboriginal businesses for both financial years of the Policy will be calculated as follows:

$$(2.5\% + 1.5\%) \div 2 = 2\%$$

The average number of contracts awarded to Aboriginal businesses over the first two financial years of the Policy is two (2) per cent. The Agency's average percentage of contracts with Aboriginal businesses will be reported as supplementary information to demonstrate that the 2019-2020 target of two (2) per cent was achieved over the first two financial years of the Policy, although it was not achieved in the second financial year of the Policy.

- a cumulative total of the number of contracts awarded to Aboriginal businesses since the commencement of the Policy that contribute to the target;
- a cumulative total of the value of contracts awarded to Aboriginal businesses since the commencement of the Policy that contribute to the target;
- if provided, an overview of Agencies' supplementary reporting ([refer to Supplementary Reporting – Agencies](#)).

### Publication of the Achievement of Targets

The Department of Finance will publish the achievement of targets in each financial year on the [Department of Finance website](#) for access by government and the Aboriginal business sector.

### Non Compliance with the Policy Targets

Agencies will be notified by the Department of Finance if the target is not achieved.

The Department of Finance will provide advice to the Agency to assist in complying with the target in the next reporting period.

## 7. Value-for-Money and Other Requirements

When awarding contracts to meet the Policy requirements, Agencies must ensure that contracts comply with existing legislation, policies, and internal obligations.

Agencies must be able to demonstrate that the awarded Aboriginal business represents value-for-money.



## 8. Implementing the Policy

The following section provides a guide to the factors to be considered by an Agency when implementing the Policy.

### Executive Support

Executive support for the Policy is integral to driving cultural change within Agencies and ensuring the Policy's effectiveness.

It is recommended that government Agencies establish a departmental plan or strategy for implementing the Policy that is endorsed by the Agency's Accountable Authority. This may form part of a broader Aboriginal business engagement strategy. It is beneficial to involve the Aboriginal business community in the development of such strategies to ensure it is meaningful and beneficial.

It is recommended that oversight of the Policy is assigned to a directorate or team within the Agency to monitor its adoption throughout the Agency.

### Agency Initiatives

When procuring goods, services and community services under the *State Supply Commission Act 1991*, Agencies are able to issue a written Request for Quote or Tender directly to an Aboriginal business by seeking an exemption from the competitive requirements of the Open and Effective Competition policy. This option can also be used for goods and services that are covered by a mandatory Common Use Arrangement (CUA), as outlined in the [Common Use Arrangements policy](#). More information is available from the Department of Finance [website](#).

Agencies are encouraged to develop Agency-based initiatives to support the implementation of the Aboriginal Procurement Policy and increase opportunities for Aboriginal businesses.

The types of initiatives an Agency can consider implementing include:

- An exemption from the competitive tendering requirements for procurements that are not covered by the *State Supply Commission Act 1991*.
- A tendering pricing preference for Aboriginal businesses (similar to the Department of Finance Building Management and Works [Aboriginal Enterprise and Employment Tendering Preference](#)).

### Cultural Awareness Training

Agencies are encouraged to undertake cultural awareness training to develop a greater understanding of Aboriginal culture and communities and engagement principles.

It is recommended that cultural awareness training is undertaken widely throughout an Agency, including executive and procurement decision makers.

## Communicate the Policy

It is important that the targets are effectively communicated throughout the Agency. Strategies to promote the Policy within an Agency include:

- Publish an article about the Policy on departmental intranet, websites, newsletters, and other resources.
- Publish details of successful contracts with Aboriginal businesses on departmental websites.
- Share details of contracts with Aboriginal businesses with other Agencies to promote the Policy.
- Organise site visits with Aboriginal businesses to help Agency staff understand the capacity, capabilities and the breadth of services available from Aboriginal businesses.
- Advise Agency staff of the [information sessions](#) on the Aboriginal Procurement Policy that are available from the Department of Finance.
- Refer to the Policy and the benefits of contracting with Aboriginal businesses as part of the staff induction and other internal training programs.
- Invite Aboriginal businesses to present at Agency forums or meetings to provide an opportunity for businesses to demonstrate the goods and services available and meet staff within the Agency.

## Identifying Opportunities to Contract with Aboriginal Businesses

The Aboriginal business sector is diverse and includes large, medium and small enterprises. Aboriginal businesses provide goods, services, community services, and works across a wide range of industries.

It is recommended that Agencies consider the following when identifying opportunities to contract with Aboriginal businesses and achieve the Policy targets.

- Agencies should implement procedures in the procurement and purchasing planning process to ensure Aboriginal businesses are considered.
  - Include a question or prompt in budget approval templates to confirm that an Aboriginal business has been considered.
  - Include a section or prompt in Business Case and Procurement Plan templates to ensure market research is undertaken to identify whether the requirements could be provided by an Aboriginal business.
  - When purchasing goods and services, consider issuing a written Request for Quote or Tender directly to an Aboriginal business or businesses by seeking an exemption from the competitive requirements of the [Open and Effective Competition policy](#).

- For large-scale projects, consider whether there is an opportunity for small and medium sized Aboriginal businesses to tender for specific parts of the project without the involvement of a head contractor.
- Consider regional requirements when designing procurement processes to ensure that services are appropriately designed.
- Consider cultural sensitivities when consulting or engaging the Aboriginal business sector or community. Cultural awareness training can assist with this.
- Consider whether there is an opportunity to add an Aboriginal business to a panel arrangement during a ‘refresh’ process.
- Consider whether there is an opportunity to award a replacement contract to an Aboriginal business when undertaking a contract review of existing contracts.
- Review Agency purchasing history to identify opportunities to purchase from an Aboriginal business.
  - Identify the number of contracts purchased each year to estimate the number of contracts that are likely to be awarded in the Policy reporting period.
  - Calculate the number of contracts that need to be awarded to Aboriginal businesses to achieve the target in the reporting period.
  - Identify contracts that could be awarded to an Aboriginal business in the reporting period.
- Undertake market research to identify specific Aboriginal businesses that can meet the contract requirements.
  - Research businesses listed in Supply Nation’s [Indigenous Business Direct](#) and the [Aboriginal Business Directory Western Australia](#).
  - Review information available on the [Department of Finance website](#).
  - Attend networking events with the Aboriginal business sector.
  - Contact relevant businesses to confirm their capacity and availability for the contract requirements as part of the market research stage of contract planning.
  - Contact other Agencies with contracts with Aboriginal businesses for recommendations.
  - Participate in Agency forums and networks to gain insight into other Agencies’ engagement with the Aboriginal business sector.
  - Consult the Department of Primary Industries and Regional Development’s [Local Content Advisors](#) for insight into the local Aboriginal business community.

## Issuing a Request for Quote or Tender to an Aboriginal Business

To ensure Aboriginal businesses have the best opportunity to demonstrate value-for-money, Agencies should consider the following when issuing a Request for Quote or Tender:

- Issue an Early Tender Advice (ETA) for upcoming tender opportunities to provide businesses with adequate time to understand the Agency's requirements and prepare a response.
- Ensure Request for Quote and Tender requirements, including qualitative requirements, are appropriate for the level of risk (that is, usually low value, low risk contracts do not require onerous or extensive qualitative requirements).
- For Requests for Quote for the procurement of goods and services, it is recommended that Agencies use the Simplified Written Quotes template suite available on the [Department of Finance website](#).
- Agencies can consider publicly advertising written Requests for Quote on Tenders WA in order to reach a wider range of Aboriginal businesses in addition to those identified during the procurement planning stage.
- Agencies should consider including shorter payment terms in Requests for Quote or Tender, particularly when inviting small or medium sized businesses to submit a response. Shorter payment terms can provide more stability for small and medium enterprises. It is noted that shorter payment terms may not be an option for all agencies due to payment systems and contractual obligations.
- Consider capturing information about a business's Aboriginal engagement in a criterion in the Request for Quote or Tender. This could include the number of Aboriginal people employed by the business and any initiatives the business has to benefit the Aboriginal community.
- Invite identified Aboriginal businesses to submit a Quote or Tender. Provide businesses with as much notification as possible to ensure there is suitable time to develop and submit a response.
- Consult the Department of Primary Industries and Regional Development's [Local Content Advisors](#) to assist with identifying businesses in regional locations.
- Organise a tender briefing to help businesses understand the specification, requirements and qualitative criteria.
- Agencies should aim to complete the procurement process within an efficient timeframe. Should a procurement process become delayed, it is recommended that the Agency provide an update to the businesses that responded.
- When an Aboriginal business is not awarded a contract, Agencies are encouraged to offer a debrief to provide feedback on the offer's strengths and areas for improvement. This will assist in building the tendering capability of Aboriginal businesses.

## 9. Training on the Policy

The Department of Finance has undertaken a training program to support the implementation of the Aboriginal Procurement Policy.

Agencies can request access to the Aboriginal Procurement Policy Module, which reinforces the content of this Guide. The Module is available on request by emailing [spi@finance.wa.gov.au](mailto:spi@finance.wa.gov.au).

Please refer to the [Department of Finance website](#) for future session dates and registration details.

## 10. Support from the Department of Finance

The Social Procurement Initiatives team can provide advice on the application of the Policy. Please call 6551 2475 or email [spi@finance.wa.gov.au](mailto:spi@finance.wa.gov.au).

## 11. Frequently Asked Questions

Common questions relating to the implementation of the Policy are listed below. Each question refers to the relevant section of the Guide for more detailed information.

### When did the Policy take effect?

- 1 July 2018.

### Will a contract awarded to a registered Aboriginal business on 1 July 2018 contribute to the achievement of the targets?

- Yes, if the contract is valued \$50,000 and above.
- Refer to section [3. Achievement of Targets](#) for more information.

### Are the targets based on achievement across government as a whole or do they apply at an individual Agency level?

- Each Agency is accountable for achieving the targets.
- Refer to sections [3. Achievement of Targets](#) and [6. Reporting](#) for more information.

### Are the targets based on number of contracts awarded or value of contracts awarded?

- The targets are based on the number of contracts awarded.
- Refer to section [3. Achievement of Targets](#) for more information.

### Does a contract that spans several years count towards the target each year?

- No, the contract only contributes towards the achievement of the target in the financial year it is awarded. An average percentage of contracts with Aboriginal businesses will also be reported to account for annual fluctuation in the number of contracts awarded.
- Refer to sections [3. Achievement of Targets](#) and [6. Reporting](#) for more information.

### What if an Agency awards a large number of contracts in the first year and very few in the second year?

- The report on the achievement of targets will also provide an average of the achievement of targets. This will be provided as supplementary information to account for annual fluctuation in the number of contracts awarded.
- Refer to section [6. Reporting](#) for more information.

### **What if an Agency is small and does not award many contracts in a year.**

- The achievement of targets will be calculated on contracts valued \$50,000 and above. If an Agency does not award any contracts over this value in a reporting period, the targets will not be applicable.
- Agencies can request support from the Social Procurement Initiatives team to assist with implementing the Policy and identifying opportunities to meet the targets.
- Contact the [Social Procurement Initiatives team](#) for more information.

### **What type of contracts will be counted towards achieving the targets in the Aboriginal Procurement Policy?**

- Contracts with a registered Aboriginal business valued \$50,000 and above.
- This includes:
  - Collaborative arrangements, such as joint ventures, if the arrangement is also a registered Aboriginal business that is a minimum of 50% owned by an Aboriginal interest.
  - Panel arrangements, which include a registered Aboriginal business.
- Refer to sections [4. Contracts that Contribute to the Target](#) and [5. Contracts that will not Contribute to the Target](#) for more information.

### **What percentage of a joint venture needs to be with an Aboriginal business?**

- Joint ventures need to be at least 50 per cent owned by a registered Aboriginal business.
- Refer to section [4. Contracts that Contribute to the Target](#) for more information.

### **Will an Aboriginal business that subcontracts to a non-Aboriginal business be included in the measurement of targets?**

- Yes, a registered Aboriginal business that subcontracts with a non-Aboriginal business will be considered towards the targets.
- Refer to section [4. Contracts that Contribute to the Target](#) for more information.

### **Will contracts valued below \$50,000 contribute to the target?**

- No, contracts valued below \$50,000 are not currently included in the measurement of targets. Reporting on these contracts would significantly increase the administrative burden for Agencies.
- Refer to sections [5. Contracts that will not Contribute to the Target](#) and [6. Reporting](#) for more information.

### **What if a contract is varied after it has been reported towards the targets?**

- Variations to contracts will not be considered once the target has been reported unless a competitive process is undertaken, such as a contract refresh, which is published on Tenders WA.
- Refer to section [5. Contracts that will not Contribute to the Target](#) for more information.

### **Does the Policy impact current procurement policies for goods, services, community services and works?**

- No, all current policies for the procurement of goods, services, community services and works that are relevant to an Agency continue to be applicable.
- Refer to section [7. Value-for-Money and Other Requirements](#) for more information.

### **How will the Policy impact Value-for-money in the evaluation process?**

- Aboriginal businesses will still need to demonstrate value-for-money in all offers.
- Refer to section [7. Value-for-Money and Other Requirements](#) for more information.

### **How can social benefit be considered in a value-for-money assessment?**

- If social benefit is demonstrated in an offer, it can be considered as part of the value-for-money assessment, although it should be considered on a case-by-case basis. Complying with the targets should not be used as the primary justification for awarding a business.
- Refer to section [7. Value-for-Money and Other Requirements](#) for more information.

### **Who will monitor the achievement of targets under the Policy?**

- The Department of Finance will monitor Agency achievement of targets and provide a report to the Minister for Finance every six months.
- Refer to section [6. Reporting](#) for more information.

### **How will Agencies know if they are on track to meet their targets?**

- The Department of Finance will provide Agencies with a list of awarded contracts from Tenders WA. Agencies can use this data to estimate progress towards targets.
- Refer to section [6. Reporting](#) for more information.



### **How can Agencies be recognised for engagement activities of Aboriginal businesses that do not contribute to the achievement of targets?**

- Agencies can choose to provide a supplementary report to the Department of Finance, which provides details of contracts valued below \$50,000 and other relevant contracts that illustrate engagement with Aboriginal businesses.
- Agencies will have an opportunity to provide supplementary reporting to the Department of Finance during the reporting process. However this supplementary information will not contribute to the calculation of the achievement of the targets.
- Refer to section [6. Reporting](#) for more information.

### **What if there are no Aboriginal businesses that meet an Agency's requirements?**

- As the Aboriginal business sector is diverse and businesses are located throughout Western Australia, it is anticipated that the majority of Agencies will be able to achieve the targets.
- It is recognised this may be a challenge for smaller Agencies that do not award many contracts above \$50,000 or Agencies that have specialised requirements, and for this reason Agencies have the option to provide supplementary reporting to demonstrate engagement with the Aboriginal business sector that is not captured by the target.
- Refer to section [6. Reporting](#) for more information.

### **What happens if Agencies do not meet the targets?**

- The Department of Finance will provide a report on the achievement of targets publicly on the Department of Finance website, where it can be accessed by government and the Aboriginal business sector. Agencies that do not achieve targets will be notified by the Department of Finance regarding what steps to take to rectify this.
- Refer to section [6. Reporting](#) for more information.

### **Are Aboriginal businesses required to be registered on an Aboriginal business register?**

- For a contract to be counted towards the Policy targets, an Aboriginal business must be registered on the [Aboriginal Business Directory Western Australia](#) or Supply Nation's [Indigenous Business Direct](#).
- Refer to section [2. Registered Aboriginal Businesses](#) for more information.

### **How will the Aboriginality of businesses be determined?**

- Agencies are not be required to determine the Aboriginality of business owners or interests. This will be accounted for by a business' registration on a suitable Aboriginal business directory.
- Refer to section [2. Registered Aboriginal Businesses](#) for more information.

### **Will a supplier registered on another Aboriginal business directory count towards the target if the business isn't registered on the directories identified by Department of Finance?**

- Businesses must be registered on the directories deemed suitable by the Department of Finance as outlined in this Guide.
- Refer to section [2. Registered Aboriginal Businesses](#) for more information.

### **What if an Aboriginal business chooses not to register on a directory?**

- If an Aboriginal business is not registered on a suitable directory as outlined in this Guide, a contract with this business will not count towards the Agency's achievement of the targets.
- The process of registration is free and simple and businesses should be encouraged to register in the first instance.
- If a business is unwilling to do so, an Agency can note this in supplementary reporting.
- Refer to section [2. Registered Aboriginal Businesses](#) for more information.

### **Will the policy apply to Government Trading Enterprises?**

- Yes. The Policy is intended to apply to Government Trading Enterprises.
- Contact the [Social Procurement Initiatives team](#) for more information.

### **Is the exemption from the competitive requirements of the State Supply Commission's Open and Effective Competition policy for Aboriginal businesses still applicable?**

- Yes, the option to seek an exemption to issue a Request for Quote or Tender directly to an Aboriginal business can be utilised when purchasing goods and services under the *State Supply Commission Act 1991*.
- Refer to section [Agency Initiatives](#) for more information.

### **Can an Agency seek an exemption from the Policy?**

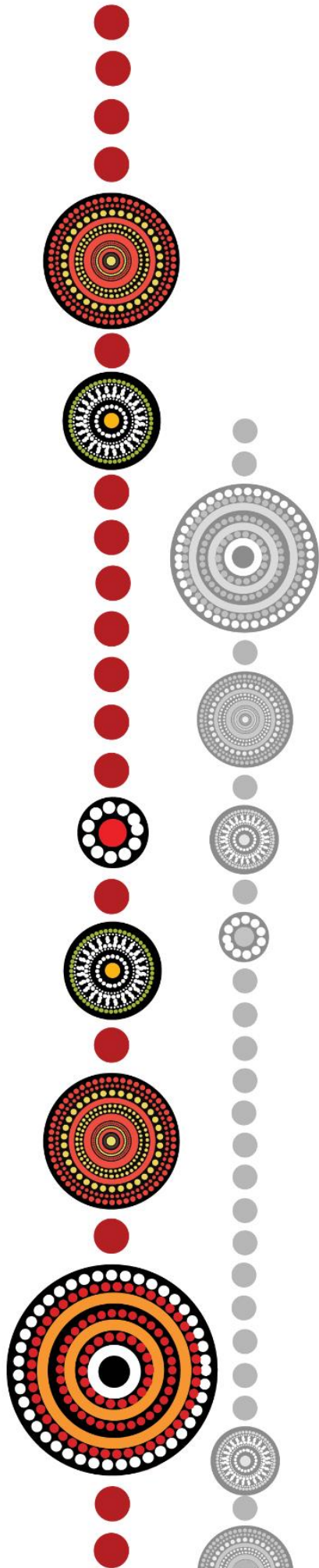
- As the Aboriginal business sector is diverse and businesses are located throughout Western Australia, it is anticipated that the majority of Agencies will be able to achieve the targets.
- Agencies cannot seek exemptions from the Policy. The Department of Finance will work with Agencies to develop strategies to achieve the targets.
- Contact the [Social Procurement Initiatives team](#) for more information.

### **How will the targets be measured if an Agency has multiple Public Authorities?**

- Targets will be reported for each Agency as defined by the *Financial Management Act 2006*, including Statutory Authorities listed in Schedule 1.
- Contact the [Social Procurement Initiatives team](#) for more information.

### **Where can an Agency request more information on the implementation of the Aboriginal Procurement Policy?**

- Contact the [Social Procurement Initiatives team](#) for more information.



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