

Our Ref: TPA-0[ENTER ARIES REFERENCE]

Click or tap to enter a date.

[SPOC DETAILS]

Position

[PROCURING AGENCY]

Address

Suburb State Post Code

Sent via email: [email address]



Department of  
Energy and Public Works

**Referral for Investigation**  
**Project – [ENTER PROJECT NAME]**  
**Managing/Principal Contractor – [ENTER ENTITY NAME]**

Dear [SPOC DETAILS]

On [DATE], the Buy Queensland Audit Unit (BQAU), as part of the Queensland Government Procurement Compliance Branch commenced an audit to determine [PC ENTITY NAME]'s compliance with their contracted commitments to the Queensland Government Building and Construction Training Policy (Training Policy) for their work on [ENTER PROJECT NAME] project. That audit identified [PC ENTITY NAME] was not compliant with their contracted commitments to the Training Policy.

As the **Choose option** [DATE], the Ethical Supplier Mandate applies.

The Ethical Supplier Mandate as identified in the Training Policy works to ensure that businesses supplying to government uphold their contractual commitments and regulatory and policy obligations.

### **Audit Findings and Evidence**

**[OPTION 1 – DELETE IF NOT APPLICABLE]**

Attached to this correspondence is a Referral Summary (Attachment 1) and a copy of the supporting evidence (Attachment 2).

**[OPTION 2 – DELETE IF NOT APPLICABLE]**

Attached to this correspondence is a Referral Summary (Attachment 1). The supporting evidence can be accessed via an online information sharing portal, the link is provided in the accompanying email.

### **Referral for Investigation**

The Queensland Government Procurement Compliance Branch, Procurement Investigation Unit (PIU) in reviewing the audit findings has formed a view that [PC ENTITY NAME] have breached the Training Policy which is considered a non-compliance under the Ethical Supplier Mandate.

The Queensland Government [Ethical Supplier Mandate – Standard Operating Procedure](#) (SOP) identifies it is the responsibility of the procuring agency of the nominated project to investigate any possible breaches under the Ethical Supplier Mandate by the supplier. Possible breaches under the Ethical Supplier Mandate should be investigated in

accordance with the SOP. As part of the investigation, [PROCURING AGENCY] should consider issuing a Request for Information (RFI) to aid in establishing if the non-compliant behaviour by [PC ENTITY NAME] was negligent, deliberate, or repeated.

PIU may, upon request, offer advice in terms of the investigative process and the application of the Ethical Supplier Mandate to potential non-compliances. Any advice provided by the Compliance Branch is considered non-binding.

### **Possible Outcomes**

If [PROCURING AGENCY] is satisfied there is sufficient evidence to substantiate a non-compliance under the Ethical Supplier Mandate by [PC ENTITY NAME], a *Show Cause Notice* should be issued to [PC ENTITY NAME] in line with the SOP. [PC ENTITY NAME] must be provided with the opportunity to respond to any *Show Cause Notice* and [PROCURING AGENCY] will consider any response prior to any referral of the matter to the Tripartite Procurement Advisory Panel (the Panel). It is important to note that this *Show Cause* is not to be confused with the contractual usage of a *Show Cause Notice*. This *Show Cause* relates to processes under the Ethical Supplier Mandate and is not related to potential termination of contract.

Importantly, a final decision on referral to the Panel to consider recommending demerit points or sanction is the responsibility of [PROCURING AGENCY] as the procuring agency. This decision is not that of the Compliance Branch. The information provided by PIU in the Referral Summary and any response received to the *Show Cause Notice* will support the appropriate officer within [PROCURING AGENCY] to make an informed decision. Further information on this process can be found in the SOP.

As the nominated Single Point of Contact (SPoC) for [PROCURING AGENCY] for these types of matters, it is important that you, or any procuring agency nominated representative, keep PIU informed of key milestones throughout the course of the investigation and any subsequent *Show Cause* process. These milestones and their application to this process are detailed in the Referral Summary. In the case where you nominate a procuring agency representative/s for this matter, the name and contact details for that officer/s are to be provided by [DATE].

If you have any questions about the referral process, please do not hesitate to contact [INSERT PIU OFFICER'S NAME] on 1300 105 030 or email to [QPPCompliance@epw.qld.gov.au](mailto:QPPCompliance@epw.qld.gov.au).

Yours Sincerely,

**Tatjana Cindric**  
**Manager**  
**Procurement Investigation Unit**  
**Queensland Government Procurement Compliance Branch**

The Department of Energy and Public Works is collecting personal information for the purpose of verifying compliance with your contracted commitments to government policies including the Building and Construction Training Policy, the local benefits test contained in the Queensland Procurement Policy or (where applicable) the Best Practice Principles, and with the Ethical Supplier Mandate and the Ethical Supplier Threshold. Personal information may be disclosed to State and Federal regulators, the State's legal advisors, partner agencies, service providers, or local governments that may be able to assist in this process of verification. Limited personal information may be used for related research, policy or planning functions. Unless authorised or required by law, personal information will not otherwise be disclosed to any other third party without your consent. More information about the Department's privacy policy is available on our website at <https://www.epw.qld.gov.au>.