Click or tap to enter a date.

|  |
| --- |
| [CONTACT NAME] |
| Position  |
| [PC COMPANY NAME] |
| Address |
| Suburb State Post Code |

*Sent via email: [email address]*

**Notice of Commencement of Investigation**

**Suspected Breach of the Queensland Government**

**Building and Construction Training Policy**

**Project – [ENTER PROJECT NAME]**

Dear [CONTACT NAME]

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]. That audit identified [PC ENTITY NAME] was not compliant with their contracted commitments to the Training Policy.

This alleged non-compliant audit outcome has now been referred to [PROCURING AGENCY NAME] as the Procuring Department of this project for further investigation.

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.

**Commencement of Investigation**

In response to the Queensland Government Procurement Compliance Branch, Procurement Investigation Unit (PIU) referral, [PROCURING AGENCY NAME] has commenced an investigation. This investigation will consider in detail the audit findings and evidence related to any potential breaches under the Ethical Supplier Mandate. An important aspect of this investigation is [PC COMPANY NAME] is provided with an opportunity to consider any allegations of non-compliance and then provide any further information or evidence relevant to this matter.

**Evidence**

[Attached to this correspondence is copy of the supporting evidence (Attachment 1).]

*Instructions to Agency: advise supplier what evidence will be attached to this Request for Information (RFI) letter and reference name of attachment example Attachment 1. Delete when completed this section. PIU has notified the supplier of summary of their non-compliances as part of the referral to the procuring agency.*

**Information Request**

At this point in the investigation, [PROCURING AGENCY NAME] requires the following information/evidence be provided by [DATE]:*(ten business days – delete this instruction after entering the date)*

1. At the time of signing the tender documentation with intention of entering into a contract for this project, did [PC COMPANY NAME] understand their commitments made in the contract to comply with the Queensland Government Building and Construction Training Policy?
2. Provide details of what systems [PC COMPANY NAME] implemented to ensure compliance to the Training Policy.
3. Provide details of what systems [PC COMPANY NAME] implemented to make and keep records to evidence compliance to the Training Policy requirements.
4. Who did [PC COMPANY NAME] delegate the task of populating the Training Policy Administration System (TPAS) for this project to?
5. Please provide the following details for all projects completed by [PC COMPANY NAME] for the Queensland Government where the Training Policy applies:
	1. Name of the project.
	2. Date the contract was formed/Letter of Acceptance signed.
	3. Did [PC COMPANY NAME] fulfill the prescribed Training Policy hours requirements on this project?
	4. Describe the type of records made by [PC COMPANY NAME] to track and validate the prescribed Training Policy hours requirement on this project?
6. Why was [PC COMPANY NAME] unable to meet its contractual commitment to the Training Policy for the [ENTER PROJECT NAME] project?
7. Please provide a detailed description of any factors that contributed to [PC COMPANY NAME] not meeting the Training Policy requirements.

Your response should be sent by email to [ENTER PROCURING AGENCIES EMAIL ADDRESS] [using reference PROCURING AGENCY REFERENCE in the subject line]. Please also provide any other information and/or evidence identified as relevant to the alleged non-compliance.

Please be aware that [PC COMPANY NAME] is obliged under the terms of the contract to comply with any reasonable request by [PROCURING AGENCY NAME] for information or evidence that may relate to [PC COMPANY NAME]’s commitments to the Training Policy, and any other contracted commitments and/or Government policy or regulation.

Failure to comply with a reasonable request may be considered a breach under the Ethical Supplier Mandate and may be progressed to the Advisory Procurement Tripartite Panel (the Panel) to consider recommending demerit points.

**Possible Outcomes**

[PC COMPANY NAME] has 10 business days to respond to the information request*.* If after reviewing any response, [PROCURING AGENCY NAME] is satisfied there is sufficient evidence to substantiate a breach under the Ethical Supplier Mandate, [PC COMPANY NAME] will be issued a *Show Cause Notice* in line with the [Ethical Supplier Mandate Standard Operating Procedure](https://www.forgov.qld.gov.au/__data/assets/pdf_file/0034/218968/ethical-supplier-mandate-sop.pdf) (SOP). [PC COMPANY NAME] will be provided with the opportunity to respond to any *Show Cause Notice* which will be considered prior to any referral of the matter to the Advisory Procurement Tripartite Panel to consider recommending demerit points or sanction. 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.

More information about the Ethical Supplier Mandate can be found here: <https://www.epw.qld.gov.au/about/strategy/buy-qld/compliance-complaints/ethical-suppliers>

If you have any questions about the investigation process, please do not hesitate to contact [PROCURING AGENCY CONTACT/INVESTIGATOR] on [CONTACT NUMBER] or email [PROCURING AGENCIES EMAIL ADDRESS].

Yours Sincerely,

**[NAME]**

**[POSITION TITLE]**

**[DIVISION -** PROCURING AGENCY NAME**]**

*[Include extract of privacy clause relevant to procuring agency]*