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User Guide - Management Advisory Services Panel (SON3751667)

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Introduction

1. About the Panel

The Management Advisory Services Panel (SON3751667) (the Panel) was established to improve the quality, consistency and efficiency of the procurement of management advisory services by Commonwealth entities (entities).

Management advisory services is defined in the head agreement as:

“provision of professional, independent, expert advice, and other strategic services, that involve the development of an intellectual output, which represents the independent view of the Service Provider and assists with entity decision-making. Services procured by an Agency under the Panel must meet the definition of a consultancy as per Resource Management Guide No 423: Procurement Publishing and Reporting Obligations (RMG 423).

2. Purpose of this user guide

This user guide explains how entities can access and use the Panel. It should be read together with the relevant Commonwealth frameworks and policies set out in the Panel head agreement.

If there is any inconsistency between this user guide, the deed of participation and the head agreement, the head agreement prevails. Defined terms used in this user guide are set out in clause 1 of the head agreement.

Entities may also have their own internal policies or operational guidelines that apply to procurement. Officials are encouraged to check and comply with any additional entity-specific requirements.

3. Eligibility to use the Panel

The Panel is mandatory for non-corporate Commonwealth entities (NCEs).

The Panel is optional for:

- corporate Commonwealth entities (CCEs)
- Commonwealth companies (CCs) and
- Government Business Enterprises (GBEs).

These entities must be approved by the Department of Finance (Finance) to use the Panel through a [Deed of Participation](#). Refer to section 7 of this guide for further information on opting in to the Panel.

The PGPA Act Flipchart and List is available on the Finance website. The flipchart identifies NCEs, CCEs and CCs.

4. Establishment of the Panel

The Panel has been established as a coordinated procurement, also referred to as a Whole of Australian Government (WoAG) arrangement.

The Panel was established in three phases, with each phase conducted via a separate open approach to market.

The three phases are aligned with the panel service areas:

- Phase 1 – Financial management advisory includes:
 - Accounting
 - Financial advisory
 - Financial audit
 - Actuarial
- Phase 2 – Corporate management advisory includes:
 - Organisational planning and development
 - Human resources
 - Corporate governance
 - Internal audit services
- Phase 3 – Commercial management advisory includes:
 - Government policy
 - Programs and projects
 - Procurement and probity
 - Risk
 - Research

The Panel replaces all:

- Commonwealth management advisory services related panels
- Management advisory services related categories on existing panels and
- non-panel approaches to procuring management advisory services.

5. Benefits of the Panel

The Panel delivers a range of benefits, including:

- replacing multiple government panels with a single, streamlined arrangement
- a standardised rate structure for entities
- reduced time and effort to establish contracts
- improved quality, consistency and efficiency when purchasing labour hire through standard terms and conditions
- a standardised performance management framework
- centralised oversight of professional contractor services used by participating entities, supported by improved data capture

- cost savings and efficiencies through reduced administration and tendering effort for service providers and across government.

Finance will administer the Panel for the benefit of participating entities, including:

- managing the head agreements between service providers and Finance, on behalf of the Commonwealth
- monitoring the Panel to implement efficiencies for the Commonwealth
- hosting and maintaining the Panel webpages on the Finance website which provides guidance and search functions for service offerings of service providers
- overseeing a performance management framework for service providers and addressing performance issues
- providing internal reporting and strategic advice to support WoAG decision making, planning and delivery across the Commonwealth
- reviewing and refreshing the Panel and
- monitoring the Flexibility Framework.

6. Term of the Panel

The Panel commenced on 12 July 2021 and will run until 30 September 2029.

The Panel has been refreshed in 2024 and 2026 to allow new service providers to join and existing service providers to qualify for additional Service Categories.

7. How to opt-in to use the Panel

Entities such as CCEs, CCs and GBEs who wish to access the Panel must first notify the Panel contract management team via email: maspanel@finance.gov.au.

The contract management team will review your request and provide you with further information, including a deed of participation. The deed:

- sets out the conditions under which CCEs, CCs and GBEs may participate
- standardises the use of the Panel and helps maintain integrity and consistency for service providers.

Access to the Panel will be granted once Finance has received an approved and executed deed of participation.

8. Panel Scope of Services

The Panel provides consultancy services across three service areas:

- Financial
- Corporate
- Commercial.

All services purchased through the Panel must meet the definition of a consultancy in Resource Management Guide No. 423 (RMG 423): Procurement Publishing and Reporting Obligations.

The Panel cannot be used to buy:

- contractor services performed under an entity's supervision (unless they are an Associated Output)
- any service that falls outside the Panel's approved scope.

Entities can request services at the service subcategory level through a Request for Quotation (RFQ) or an Order for Services (order).

The service descriptions for each service subcategory are intended as a guide only. They provide examples of the types of services available and are not a complete or definitive list.

Information about service categories and service subcategories is available on the Panel website under:

- Scope of Services (Documents section)
- Supplier Matrix (Documents section)
- Search Tool.

9. Associated output

At an entity's discretion, the services may also include the delivery of a limited amount of contractor services, termed an 'Associated Output'.

The head agreement defines an Associated Output as:

the delivery of services that are (in the view of the Agency) consequential to and/or necessary for facilitating the Management Advisory Services required by the Agency in a Contract, and where these services are described in a Contract.

Any Associated Output must be identified prior to entering into a contract. The RFQ calls for a detailed description of the services required and any Associated Outputs in the 'Detailed Statement of Work' section.

10. Out of scope services

The services available under the Panel do not include:

- contractor (non-consultancy) services performed under the supervision of an entity (except where this is an Associated Output identified prior to entering into a contract)
- services available under the People Panel arrangement
- services available under other WoAG arrangements such as legal services
- services that are unique to information and communication technology, and property consultancy services
- environmental management and assessments

- delivery of training
- the engagement of an 'eminent person' or prominent individual appointed by an entity to provide particular services and
- specialist consultancy services that are unique to entities that are not provided through the service categories.

11. Flexibility framework

Under the flexibility framework, entities can spend at least \$50,000 or up to 5 per cent of their total consultancy spend per financial year (whichever is greater) on services within scope of the Panel from service providers not on the Panel. This includes First Nations businesses.

Entities can spend an additional \$50,000 or 5 per cent (whichever is greater) to engage First Nations businesses.

The flexibility framework:

- gives entities flexibility to meet specific business needs
- supports new market entrants, First Nations businesses, small and medium enterprises (SMEs), and specialist providers that are not on the Panel
- supports the Commonwealth Indigenous Procurement Policy. It helps First Nations businesses build capability and take part in government procurement.

The flexibility framework applies to NCEs that must use the Panel. It does not apply to the following entity types:

- CCEs
- CCs or
- GBEs.

Entities must track their yearly consultancy spend to stay within the allowance. Entities can base their calculation of off-panel expenditure on actual average annual expenditure over the previous three-year period, minus any off-panel expenditure over the same period.

Finance may seek confirmation of compliance at the end of each financial year.

Entities must manage their own off-panel procurements and comply with the Commonwealth Procurement Rules (CPRs).

Purchasing services from the Panel

12. Engaging services

Management advisory services may be engaged where an entity requires independent, specialist advice to support decision-making, strategy development, review activities, or organisational improvement.

The Panel may be suitable where the work:

- requires specialist expertise, skills, knowledge or experience not available within the entity
- involves the provision of independent advice, analysis, recommendations or reviews
- supports strategic, financial, corporate or commercial outcomes
- is project-based, time-limited or linked to a specific business need
- is not recruitment, labour hire or contractor services performed under the supervision of the entity
- falls within the scope of the Panel.

When preparing an RFQ, entities should clearly define:

- the project objectives and desired outcomes
- the scope of services required
- key deliverables and timeframes
- any milestones and reporting requirements
- the relevant service area, service category or service subcategory
- any security, probity or confidentiality requirements
- particular skills, qualifications, professional accreditations or experience required for personnel delivering the services
- whether suppliers may propose subcontractors to deliver some or all of the services.
- evaluation criteria and weighting
- invoicing arrangements and any additional requirements.

Entities should use the Panel search tool and supplier matrix to identify suppliers with the relevant capabilities and service offerings.

Entities may engage a service provider to deliver services across multiple service subcategories, provided the provider is approved for each relevant service subcategory.

If an RFQ or order covers multiple service categories or subcategories, entities should select the category and subcategory that best reflects the majority of the work being procured.

The total cost of an engagement may include:

- professional fees for the consultancy services
- reasonable travel or other approved expenses, where permitted under the order
- any additional requirements agreed under the order
- the coordinated procurement fee (CPF).

The CPF is an administration fee payable to Finance separately from an order. The fee supports the ongoing management, maintenance and future refresh of the Panel. Refer to

the relevant Finance guidance for further information on the CPF. See section 27 of this guide for information on the CPF.

13. Head agreement provisions

The head agreement is a deed of standing offer between Finance, representing the Commonwealth, and each service provider. It sets out how services can be procured from the service provider under the Panel, and in Schedules 2-4:

- the service subcategories that the service provider has been approved to provide and
- the rates for each personnel classification under each approved service subcategory for the services.

Download the head agreement from the Panel page on the Finance website.

A single head agreement has been developed to apply to all service providers. The only differences between agreements are:

- service provider's contact details
- the service categories they have been approved to provide
- the service provider's fees.

The Schedule 6 order template should be used as it ensures consistent application of the terms and conditions of the head agreement to individual procurements.

If the order template is not used, there is a higher risk of a service provider breaching the head agreement. Breaches must be reported to Finance at maspanel@finance.gov.au and can lead to the suspension of the service provider.

14. Panel rates

The head agreement sets the maximum rates and order discounts that service providers may charge under the Panel. Entities may seek lower rates or alternative pricing arrangements through the RFQ process.

Service providers must clearly identify all proposed fees and charges in their quotation.

Any additional costs must be clearly identified and separately itemised. Additional costs should only be included where permitted under the head agreement and specified in the RFQ or order.

Entities may seek alternative pricing structures, such as fixed-price, milestone-based or capped-fee arrangements, where these represent better value for money.

Service providers should provide transparent pricing to enable entities to assess value for money and compare quotations on a consistent basis.

15. Accessing Panel rates

Service Provider rates are available via the secure Finance GovTeams community. Access to the community is generally limited to Central Procurement Teams and where a clear

business need for access is demonstrated. Contact your Central Procurement Team in the first instance to access rates.

To request access to the secure pricing channel, contact the Panel contract management team on (02) 6215 3080 or at maspanel@finance.gov.au.

Service provider approved service categories, without pricing, are identified in the Seller Matrix available on the Panel webpage.

16. Use of Dynamic Sourcing for Panels (DS4P)

DS4P is a central AusTender function that allows government buyers to easily and consistently source goods and services from established panels.

Through DS4P, entities can:

- access panel arrangements they are approved to use
- issue requests to the market (called RFx – for example, a RFQ or Request for Information (RFI))
- download and use panel-approved RFQ and order templates
- invite approved panel service providers in the relevant service categories to respond
- receive and manage service provider responses in a consistent way.

Access to DS4P is generally managed by an entity's Central Procurement Team.

In DS4P, 'RFx' is a general term for request documentation, such as a RFQ or a request for information (RFI).

Through DS4P, entities can access:

- the Panel and RFx functionality
- key documents including RFQ templates.

Entities are strongly encouraged to use only the Panel-specific templates available in DS4P. These templates provide a consistent structure for RFQs and orders, supporting more efficient engagement with service providers.

All RFQs under the Panel should be submitted through DS4P.

If an entity is unable to access DS4P, it should first contact its Central Procurement Team, or alternatively the Panel contract management team for assistance.

Further information on completing the RFx process in DS4P is available at www.AusTender.gov.au.

17. Use of Artificial Intelligence (AI) by service providers

The RFQ and order form templates include clauses on the use of AI by service providers. These clauses ensure entities clearly state whether AI systems may be used in delivering the services.

When planning a procurement, entities should consider that restricting the use of AI may increase delivery time and costs.

Where AI use is permitted, service providers must outline in their response how they propose to use AI systems in delivering the services.

18. Requirement to issue RFQs to Australian SMEs

When procuring from the Panel, for procurements with an estimated value:

- under \$125,000 (including GST), entities must only approach SMEs, unless an exemption under paragraph 5.5 of the CPRs applies.
- of \$125,000 (including GST) and above, entities must include at least one SME in the request for quotation (RFQ), in line with Government policy.

If no SME is available within the relevant service sub-category, or an SME advises it does not have the capacity or capability to deliver the required services, entities must clearly document the reasons as part of the procurement process.

Entities are encouraged to undertake market research to identify suitable Australian SME providers.

This requirement supports increased SME participation in Australian Government procurement, helping to build capability and maximise opportunities for Australian and SME businesses.

The Panel webpage includes a service provider search tool, allowing entities to filter by SME, Australian business or First Nations providers. Entities can also use the Supplier Portal to identify suitable providers.

Entities are responsible for ensuring these requirements are met. Finance will conduct compliance checks to monitor adherence.

19. Issuing an RFQ

In line with clause 9.14 of the CPRs, entities should, where possible, approach multiple service providers within the relevant service category to maximise competition.

The number of quotes sought should be proportionate to the scale, scope and risk of the procurement (refer to paragraph 4.4(e) of the CPRs).

Entities can use the search tools available on the Panel website, the Supplier Portal and in DS4P to identify suitable service providers by service category before issuing an RFQ.

Entities should also consult their Central Procurement Team, as there may be entity-specific requirements relating to approach to market or access to DS4P.

It is important to document the rationale for the chosen approach to market, including:

- the number of service providers invited to quote
- how value for money will be assessed.

Competition is a key element of the Commonwealth procurement framework.

When requesting quotations, entities should allow reasonable timeframes for service providers to prepare and submit their responses.

Allow suppliers enough time to prepare and submit a quotation.

If a supplier proposes subcontractors, the fees charged by the subcontractors must not be higher than the supplier's agreed Panel rates.

20. Issuing an order

Entities should use the Schedule 6 order template when procuring through the Panel. The Word template is available in DS4P and on the Panel webpage. Make sure you download the latest version. This ensures the terms and conditions of the overarching arrangement apply to each individual procurement.

When an entity issues an order, a separate contract is formed between the entity and the service provider. This contract is based on the rates set out in the head agreement, unless a lower rate has been negotiated and specified in the order. Service provider rates and approved service categories are available via Finance's secure GovTeams Community. Approved service categories are also set out in the Seller Matrix available on the Panel webpage.

Entities must ensure they only engage service providers that are approved for the relevant service category. If a service provider accepts an order for a service category they are not approved for, this is a breach of the head agreement and must be reported to Finance.

Before issuing final documents, entities should consult their Central Procurement Team to confirm:

- compliance with internal processes
- that all required approvals have been obtained.

Service providers must not subcontract any part of the services without the entity's prior written approval (which may be subject to conditions). Any subcontractors identified in the Order are taken to be approved by the entity for the purposes of the contract.

21. Value for money

Finance has assessed each service provider for value for money before including them on the Panel. This assessment considered:

- the provider's capacity and capability to deliver services
- their relevant experience
- a comparison of fees against other tenderers
- risk
- compliance with Commonwealth legislation and policy
- the provider's contribution to the Australian economy.

Entities must still assess and achieve value for money when requesting and evaluating quotes.

Service providers must not charge more than the Panel rates set out in Schedule 3 of the head agreement. These rates are available from the secure Finance GovTeams community. If a provider proposes a higher rate, the entity must reject the rate and notify Finance.

Where a service provider includes additional charges beyond the agreed fees, they must provide a clear explanation. Entities must assess whether these charges are reasonable and justified as part of the evaluation process. Any additional requirements must be managed in accordance with section [25](#) (entity additional requirements).

Entities must also ensure contracts are actively and consistently managed in line with their terms. Effective contract management helps ensure:

- service provider performance meets expectations
- stakeholders are informed
- requirements are delivered
- value for money is maintained.

Entities should consider using milestone-based deliverables and payment schedules where appropriate. Linking payments to agreed milestones can help monitor progress, manage performance and ensure payments are made only when deliverables are achieved.

22. AusTender reporting

All NCEs and prescribed CCEs must comply with the [Resource Management Guide 423 Procurement Publishing and Reporting Obligations \(RMG 423\)](#). This guide sets out the publishing and reporting obligations under the Commonwealth procurement framework and other government policies.

Entities must report all contracts (orders) entered into under the Panel on AusTender where the contract value meets or exceeds the relevant CPR reporting threshold. Reporting must occur within 42 calendar days of entering into the contract.

When reporting, order details must:

- reflect the procurement method used to establish the standing offer
- include the relevant standing offer notice (SON) ID.

When reporting an order under the Panel on AusTender, entities must:

- link the order to the relevant SON (SON3751667) so the contract is correctly recorded under the WoAG Panel arrangement
- use the correct UNSPSC code (80100000) to ensure accurate categorisation
- select 'open tender' as the procurement method, regardless of how many service providers were approached (as the Panel was established through an open approach to market)
- under Consultancy, select 'Yes' and select the most relevant Consultancy reason.

23. Contractor Reporting, Integrity Information Solution (CRIIS)

Service Providers must report order information in CRIIS to meet their head agreement reporting obligations.

Entities are responsible for:

- including all relevant information is included in orders and is accurate
- reviewing orders submitted by service providers in CRIIS
- checking CRIIS records align with signed orders
- approving or rejecting orders, including providing a reason if orders are rejected.

24. Entity additional requirements

The RFQ and order templates allow entities to include additional, contract-specific requirements where needed. This may include conditions remating to:

- confidentiality requirements
- data storage requirements
- security requirements
- personal information requirements
- insurance requirements
- service level requirements.

Any additional requirements must be consistent with the head agreement and must not reduce or weaken the service provider's existing obligations.

The additional requirements section of the order may be used to vary certain clauses, including:

- internal working papers
- intellectual property
- key personnel
- return of confidential information
- liability
- the service provider's termination rights
- termination for convenience costs for milestone-based services.

25. Insurance requirements

Under the head agreement, service providers must hold the following insurance before an order begins and for the duration of the order:

- professional indemnity insurance for an amount not less than AU\$2 million per occurrence and AU\$10 million in aggregate, unless specified otherwise in an Order
- public liability insurance for an amount of not less than AU\$10 million per occurrence, unless specified otherwise in an order. An order may also specify an aggregate limit on public liability insurance and
- workers' compensation insurance as required by law.

Finance will periodically monitor insurance compliance as part of its contract management activities.

Entities may specify additional insurance requirements where necessary. The RFQ and order templates allow these requirements to be included.

If additional insurance is required beyond the minimum levels set out in the head agreement, the service provider may include the associated costs in their RFQ response.

26. Intellectual property (IP)

Clause 20.2 of the head agreement explains who owns IP and how entities can use what a service provider delivers under an order.

IP means legal rights in things like:

- reports
- slides
- written content
- templates
- methods
- tools
- other material created or used during the work.

Unless the order says otherwise, the service provider owns the IP in the deliverables they create for the engagement. This is called contract material in the head agreement.

Entities receive a perpetual licence to use, copy and adapt the deliverables for Commonwealth purposes. This licence also applies to any existing service provider material incorporated into the deliverables.

The licence does not allow the entity to commercially exploit the deliverables unless otherwise agreed in the order. However, an entity may recover reasonable costs, such as printing, administration or distribution costs, where these are not intended to generate a profit.

Entities retain ownership of any material they provide to the service provider. Providers retain ownership of any material they owned before the engagement.

The default IP position may be changed through the order. For example, the parties may agree that the entity will own the IP in the deliverables or that different licence arrangements will apply.

Entities should consider obtaining legal advice before changing the default IP arrangements.

Invoicing and acquittal

27. Coordinated procurement fee

The Panel is funded through a coordinated procurement fee (CPF). The CPF is charged to participating entities on a quarterly basis. The fee:

- supports Finance's administration of the Panel
- funds panel governance, monitoring, review and refresh activities
- contributes to whole-of-government efficiencies in the procurement of professional contractor services.

The CPF is calculated as 1 per cent of actual entity expenditure. Actual entity expenditure refers to the total value of all invoices for panel services issued by a service provider and paid by an entity within a single reporting period.

Entity expenditure on panel services will be reported by service providers in CRIIS. Entities are not required to provide any expenditure reporting to Finance. Panel Fee invoices and acquittal information will be available for entities to view in CRIIS.

If your entity has a mandatory requirement for invoices to include purchase order numbers, you must take reasonable steps to ensure that this is in place.

If this is relevant to your entity, you should notify Finance of the purchase order number in advance of using the Panel via maspanel@finance.gov.au.

Once the entity has provided Finance with its purchase order number, this will be added to the CPF invoice prior to it being issued to the entity for payment.

Machinery of Government changes will be considered on a case-by-case basis where the changes are material in proportion to the CPF payable. Entities will be asked to assist with attributing any fees between the entities.

28. eInvoicing

eInvoicing through the Peppol network is preferred with payment terms of 5 calendar days. The [ATO has published records of which Commonwealth entities are able to support eInvoicing](#).

Entities should refer to the [Supplier Pay On-Time or Pay Interest Policy \(RMG 417\)](#), on the Finance website.

Performance management framework

29. Service Levels

Service levels and minimum expected performance requirements are set out in Table 1 of Schedule 7 of the head agreement and apply from the Panel commencement date. Service

levels are monitored and managed by Finance, with entity feedback used to determine outcomes for Service Level 3 – Service delivery.

Entities may also apply contract-specific service levels. Suggested service levels are included in the RFQ and Order templates. Entities may tailor service levels or apply their own as required.

Entities are responsible for monitoring and assessing service provider performance against any service levels included in their contracts.

Any concerns with service provider performance should be raised with the Panel contract management team at maspanel@finance.gov.au.

30. Performance Measures

Service providers are required to deliver high-quality services through their personnel and any subcontractors. They must comply with all obligations set out in the head agreement, as well as any additional requirements specified in individual orders.

Service provider performance is measured against the performance measures set out in clause 2.2, 2.3, and 2.4 of Schedule 7 of the head agreement.

Entities should monitor service provider performance throughout the engagement and address any performance issues as they arise.

Entities may provide feedback on service provider performance to Finance at maspanel@finance.gov.au.

Quality

The following quality performance measures apply to the head agreement:

- capability and availability of key personnel
- documentation provided to high standard and
- services provided met the entity needs and requirements of the order.

Communication

The following communication performance measures apply to the head agreement:

- proactive and effective communication with the entity
- responsiveness and
- Entity reference numbers included in all correspondence.

Contract performance

The following contract performance measures apply to the head agreement:

- understanding of the entity's needs
- effective management of timelines

- effective budget management
- service provision managed diligently and
- reasonable assistance provided in respect of any inquiry concerning the service provider's performance of ordered services.

31. Responsibilities of the service provider

Service providers will work to meet or exceed all performance measures and service levels throughout the term of the head agreement. They must also ensure that all personnel and subcontractors are aware of, and understand, these performance requirements.

Service providers have agreed to comply with all reporting obligations set out in Schedule 8 of the head agreement.

32. Responsibilities of the entity

Entities using the Panel are responsible for:

- understanding the head agreement and how it applies to their procurement
- identifying and managing any actual or potential conflicts of interest
- understanding the performance measures that apply to service providers
- keeping service provider information confidential (including pricing and any details in an Order)
- not contributing to any service provider performance issues
- working with the service provider to resolve issues before escalating them
- reporting any unresolved performance issues to Finance
- reporting any suspected breaches by a service provider to Finance.

33. Process for determining a Service Level Failure

If a service provider's performance is not satisfactory and the issue cannot be resolved between the parties, it may be considered a service level failure. In these cases, the issue must be reported to Finance.

Once a potential service level failure has been reported, Finance will work with the service provider to address the issue.

34. Service provider suspension

Finance may review how the Panel is operating at any time during the head agreement period. If a service provider does not comply with the head agreement, Finance may suspend or remove them from the Panel.

If a service provider is suspended due to a service level failure, they will not be available for selection through DS4P or the Panel website. Entities must not issue an RFQ or place an

order with a service provider that has been suspended (until the suspension is lifted) or removed from the Panel, as this would breach the head agreement.

Compliance with Procurement Policies and Legislation

35. Security

Service providers must comply with any applicable security requirements set out in the Protective Security Policy Framework (PSPF). This includes those relevant to Commonwealth contracted service providers, where required by an entity in an order.

Entities can also include additional security requirements in an RFQ and order. For example, they may require personnel working on a task to hold, or obtain, a national security clearance. Clause 23 of the head agreement outlines security requirements that a service provider must meet.

36. Confidential Information not to be disclosed

Entities and service providers must not disclose each other's confidential information to third parties without prior written consent.

Entities must ensure that any confidential information is handled in line with the confidentiality requirements set out in clause 22 of the head agreement.

Entities should also maintain confidentiality when working with service provider personnel.

37. Indigenous Procurement Policy

The mandatory set-aside requirement under the Indigenous Procurement Policy (IPP) generally does not apply to WoAG panel arrangements. However, entities are encouraged to support the intent of the IPP by procuring from First Nations businesses. Contracts awarded to First Nations businesses through the Panel count towards entities' IPP portfolio targets.

For procurements valued at \$7.5 million or more (GST inclusive), that are delivered wholly in Australia and fall within specified industry sectors, the IPP's mandatory requirements may apply. In these cases, entities must request an Indigenous Procurement Plan as part of the quotation process (refer to Table 1 of the IPP).

Entities can identify First Nations businesses on the Panel using the search tool on the Panel website or the Supplier Portal. These providers are also flagged in the service provider matrix available on the website.

Under the flexibility framework, entities may:

- purchase up to 5 per cent of their total annual professional contractor services expenditure from providers not on the Panel (for example, First Nations businesses)
- spend an additional 5 per cent on directly engaging First Nations businesses.

When an entity procures using the flexibility framework, the procurement is no longer through a WoAG arrangement, and the IPP requirements apply.

38. Australian Industry Participation Framework

For orders valued at \$20 million or more, the Australian Industry Participation (AIP) National Framework may apply.

More information is available on the [AIP website](#). Entities can also discuss these requirements with the Department of Industry, Science and Resources:

- Phone – 02 6213 6404
- Email – aip@industry.gov.au.

39. Work Health and Safety (WHS)

Service providers are responsible for complying with all applicable WHS laws and must deliver services in a manner that protects the health and safety of their personnel, entity personnel, and others who may be affected by the services.

Entities may request evidence of a service provider's WHS compliance arrangements and, where specified in an order, require the service provider to prepare and implement a WHS management plan. Service providers must notify entities of serious work-related injuries, notifiable incidents, and WHS regulator notifications, and must cooperate with any WHS-related audit, inspection, investigation, or inquiry.

40. Shadow Economy Policy

The Shadow Economy Policy applies to all procurements under this Panel valued over \$4 million (GST inclusive).

As part of the tender process, all service providers have provided a valid Statement of Tax Record (STR). Service providers must maintain a valid and satisfactory STR throughout the head agreement period and provide a copy to Finance or an entity if requested.

For each order where the Shadow Economy Policy applies, entities must obtain and keep a current STR on file.

41. Supplier Code of Conduct

The Commonwealth Supplier Code of Conduct (the Code) came into effect on 1 July 2024.

The Code sets out the minimum standards of behaviour expected of service providers and their subcontractors when delivering services to the Commonwealth. This includes acting ethically and with integrity and accountability.

Under the CPRs, entities must include the Code in all Commonwealth contracts. An Accountable Authority can decide not to include the Code (in full or in part), but must document the reasons for this decision.

To support implementation, standard clauses and request documentation have been developed and are available through the Commonwealth Contracting Suite and ClauseBank.

Further information and guidance on the Code is on the [Finance website](#).

42. National Anti-Corruption Commission Requirements

The National Anti-Corruption Commission is an independent Australian Government body responsible for detecting, investigating and reporting on serious or systemic corruption in the public sector.

Service providers must comply with the National Anti-Corruption Commission Act 2022 (Cth), as required under both the Act and the head agreement.

43. Country of Tax Residency Disclosure

For all procurements valued at \$200,000 or more, service providers must declare their country of tax residency, including the country of tax residency of their ultimate parent entity, in line with government policy.

Tax residency refers to the country where a business is considered to reside for tax purposes. This determines how its income is taxed.

For more information on tax residency, visit the [Australian Taxation Office](#) website.

44. Other Relevant legislation, policies and guidance

Entities should work with their internal procurement advisers to ensure they meet any other relevant legislation, policies and guidance that may apply to procurements.

45. Useful links

[Commonwealth Procurement Rules](#)

[AusTender](#)

[DS4P](#)

[Panel Website](#)

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