

Eliminating modern slavery toolkit

Tool 5: Supplier Code of Conduct - Continuous improvement supplier guide



***Tool 5: Supplier Code of Conduct: Continuous improvement supplier guide****v1.0 March 2022*

**The State of Queensland (Department of Energy and Public Works) 2022**



<http://creativecommons.org/licenses/by/4.0/deed.en>

This work is licensed under a Creative Commons Attribution 4.0 Australia Licence. You are free to copy, communicate and adapt this work, as long as you attribute by citing ‘Tool 5: Supplier Code of Conduct: Continuous improvement supplier guide, State of Queensland (Department of Energy and Public Works) 2022’.

**Contact us**

Queensland Government Procurement is committed to continuous improvement. If you have any suggestions about how we can improve this guide, or if you have any questions, contact us at [betterprocurement@epw.qld.gov.au](mailto:betterprocurement@epw.qld.gov.au).

**Disclaimer**

This document is intended as a guide only for the internal use and benefit of government agencies. It may not be relied on by any other party. It should be read in conjunction with the Queensland Procurement Policy, your agency’s procurement policies and procedures, and any other relevant documents.

The Department of Energy and Public Works disclaims all liability that may arise from the use of this document. This guide should not be used as a substitute for obtaining appropriate probity and legal advice as may be required. In preparing this document, reasonable efforts have been made to use accurate and current information. It should be noted that information may have changed since the publication of this document. Where errors or inaccuracies are brought to attention a reasonable effort will be made to correct them.

Contents

[Introduction 4](#_Toc76464000)

[Compliance with relevant legislation 4](#_Toc76464001)

[Ethical expectations 5](#_Toc76464002)

[Social expectations 8](#_Toc76464003)

[Environmental expectations 15](#_Toc76464004)

[References 17](#_Toc76464005)

# Introduction

The [Supplier Code of Conduct](https://www.forgov.qld.gov.au/search-procurement-resources/queensland-government-supplier-code-conduct) (the Code) sets out the expectations that government has of businesses that want to sell their goods or services to the government, and outlines what constitutes an ethically, environmentally and socially responsible supplier.

The Queensland Government reserves the right to do business with suppliers who demonstrate compliance with the Code, and who take action to remedy any concerns and work towards best practice.

Suppliers are expected to conduct business in accordance with the following Code obligations:

* Compliance with relevant legislation
* Ethical expectations – committing to the highest ethical standards with integrity, probity and accountability
* Social expectations – supporting the welfare of their employees and the wellbeing of the Queensland community
* Environmental expectations – procuring to protect and advance Queensland’s environmental priorities for a sustainable future.

This guidance is provided to inform suppliers, or potential suppliers, to the Queensland Government of practical steps they can take to ensure they meet government expectations and demonstrate compliance with the Code. It covers suggested compliance measures to meet minimum standards for the purposes of tender evaluation and how a supplier can proactively progress to good and better practices as part of continuous business improvement.

This guide does not constitute legal advice and suppliers are encouraged to seek independent legal advice if required. Suggested compliance measures should be adapted to meet the size and risk profile of the business. Suggested good and best practice behaviours do not replace mandatory requirements prescribed in legislation, minimum standards or conditions specific to particular job sectors or industries.

# Compliance with relevant legislation

*Supplier Code of Conduct requirement: In addition to any specific items mentioned elsewhere within the Code, you must comply with all relevant legislation and standards.*

##### Suggested compliance measures:

* + 1. The supplier has clearly established and documented procedures to ensure that all applicable laws, industry standards and regulations are adhered to. These procedures are tailored to meet the size and risk profile of the supplier’s business.
    2. Senior management are engaged and have oversight of the content and implementation of their compliance framework. Supplier’s executive management and leaders are held accountable for a compliance program and conducting business with integrity.
    3. Appropriate due diligence checks are conducted in respect of third-party relationships (e.g. labour hire providers, sub-contractor), whether new or ongoing, to ensure they meet local laws, industry standards and regulations.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| An agreement for third party relationships or direct suppliers, to act in a manner consistent with the principles of the Code. | A process to communicate and monitor all direct suppliers’ compliance against the Code. |

* + 1. Procedures are in place to ensure that any project or product quality or safety concerns originating from the supplier or its supply chain are notified to the procuring agency without delay. A collaborative plan of action addressing the concern is developed.

# Ethical expectations

*Supplier Code of Conduct requirements:*

#### *3.1 Meeting the Ethical Supplier Threshold*

*You must comply with the Ethical Supplier Threshold, as described within the Queensland Procurement Policy (clause 2.3).*

By implementing suggested compliance measures to meet [‘Compliance with relevant legislation’ section](#_Compliance_with_relevant). The supplier should already be compliant with the Code clause 3.1.

#### *3.2 Managing conflicts of interest*

*You must ensure that all conflicts of interest (whether actual, reasonably perceived or that could arise in future) are disclosed as soon as possible.*

##### Suggested compliance measures:

* + 1. The supplier has clearly established procedures to report and manage conflicts of interest.
    2. Board members, senior executives, employees and contractors are informed and able to identify situations where conflicts of interest may arise, and how to mitigate or remove risks appropriately.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| A conflict of interest policy which outlines the expectations to everyone and clearly defines the terms for procedures should a conflict of interest arise and process for disclosure to procuring agency. | A conflict of interest register is kept as a record of past conflicts of interest and the actions taken. |

#### *3.3 Demonstrating high standards of conduct*

*You must ensure that your business’ behaviour is beyond reproach. You must not engage in fraudulent or corrupt activities including, for example, bribery or money laundering, or act in any manner which, by association, brings the government into disrepute.*

##### Suggested compliance measures:

* + 1. There is a clear commitment to zero tolerance of bribery, fraudulent activity and/or corruption in all forms.
    2. Clear and effective internal training and/or guidelines are in place to embed a culture of integrity and mitigate key risks.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| A set of organisational values / Code of Conduct establishing a commitment to legal and regulatory compliance, integrity and business ethics. | The establishment of internal complaints channels available to all workers, allowing for anonymity and a zero-tolerance approach to retaliation. |
| **Good practice (looks like)** | **Best practice (extended)** |
| Guidelines and training opportunities that are readily available to all workers and cover bribery, gifts and hospitality, conflicts of interest, handling competitor information and anti-competitive behaviour. | The establishment of a documented procedure to monitor and measure the effectiveness of the Code of Conduct, guidelines, policies and/or training. |

#### *3.4 Handling information*

*A diligent and practical approach must be taken to ensure sensitive information is appropriately managed in line with confidentiality agreements and any policies.*

##### Suggested compliance measures:

* + 1. Procedures and mechanisms are in place to ensure that all confidential information, whether business, product, or people related, is safely stored with limited access rights on a need-to-know basis only.
    2. Information technology systems and practices are sufficiently secure to ensure that confidential, market-sensitive information is not inadvertently disclosed.
    3. All documents are password protected from the outset, consider encrypting.

Note: Levels of security that a supplier will implement will depend on the sensitivity of the information and the nature of the business’ information technology infrastructure, as there could be cost constraints for small companies.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Established standards of behaviour and procedures for handling confidential, market-sensitive information with which all employees are expected to comply. | Bind advisors and service providers by entering into confidentiality agreements before passing on confidential, market-sensitive information. |
| Suppliers that deal with confidential, market-sensitive information ensure their directors, executives and employees are aware of their confidentiality obligations. | Information technology storage arrangements are sustainable and able to withstand or recover from unexpected disruption. |
| Advisors and services providers have in place policies and practices relating to the handling and control of confidential, market-sensitive information that satisfy a confidentiality agreement. |

#### *3.5 Not engaging in inappropriate supply market behaviours*

*You should encourage innovation and competition and must not act in a manner which involves a misuse of your market power or would be otherwise improper (e.g. collusive arrangements). This includes not procuring dumped goods.*

##### Suggested compliance measures:

3.5.1 Maintain a commitment to confidentiality including decision-making processes and policies for procurement processes.

3.5.2 Design sourcing strategies that act as tools to deter and disrupt cartel behaviour, such as collusion.

3.5.3 Periodically utilise open method to attract as many potential suppliers as possible, test the broader market and ensure your process does not unintentionally exclude small and medium enterprises (SMEs), Aboriginal and Torres Strait Islander businesses or social enterprises.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Sourcing strategy plans which make best use of approaches like, category management, unbundling larger contracts, longer contract terms. | Sign a warranty confirming that the supply offer has been developed independently from their competitors and that no consultation, communication, contract, arrangement or understanding with any competitor has occurred, and disclosing any exceptions. |
| Warn suppliers you will report all suspected instances of collusion to the ACCC and include anti-collusion clauses in supplier contracts. |

#### *3.6 Acting properly toward government officers*

*You are expected to be respectful of the ethical and code of conduct requirements that our staff need to meet, and not engage in actions which run counter to these obligations. You must not try to influence decision making through the use of inducements (e.g. offering gifts and benefits). Your conduct should recognise the expected integrity and accountability of public servants and their adherence to the* [*Code of Conduct for the Queensland Public Service*](https://www.forgov.qld.gov.au/code-conduct-queensland-public-service)*.*

#### *3.7 Model good business practices*

*Your business should be conducted in a way that shows best practice corporate management. This includes promoting a collaborative relationship where buyer and supplier work together to resolve issues in a timely and respectful manner. This helps to avoid contractual disputes and promotes good working relationships throughout the supply chain.*

##### Suggested compliance measures:

3.7.1 Review existing supply arrangements, prioritising critical contracts based on immediate supply chain vulnerabilities or potential manufacturing disruptions.

3.7.2 Work with suppliers to determine how their business can be maintained if disrupted by an unexpected emergency or disaster event.

3.7.3 Treat your suppliers as a partner and prioritise regular communication and engagement with your supply chain to understand their ongoing capacity and capability to supply, and identify early warning signs for issues.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| A business continuity plan which includes procurement and supply chain management. | Embed the procurement function into governance and risk frameworks. |
| Contract management plans which proactively engages with the supplier at intervals during the contracted term. | Develop skill sets within to communicate effectively with suppliers through targeted supplier manager roles and/or training. |

#### *3.8 Sub-contractor payment terms*

*We want to do business with suppliers that offer payment terms to sub-contractors that are no less favourable than those provided to you by the Queensland Government (unless otherwise mutually agreed with the sub-contractor). This also includes meeting Project Bank Accounts under the* [*Building Industry Fairness (Security of Payment) Act 2017*](https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2017-043) *where applicable.*

##### Suggested compliance measures:

3.8.1 A system is used to ensure compliance with establishment and maintenance of Project Bank Accounts as a primary contractor and for sub-contractors (if applicable).

3.8.2 Regular communication with sub-contractors occurs to enable payment claims and payment schedules to be processed on time and in full, without penalty to the supplier.

|  |
| --- |
| Good practice (looks like) |
| A process to prompt notifications to the procuring agency of PBA establishment, updated sub-contractor information, replacements and related entities within required timeframes. |
| The contract with sub-contractors which specifies communication channels between both parties, which can be provable. |

#### *3.9 Meeting required standards*

*The goods and services provided should meet relevant compliance requirements and the Australian Standard (or an international standard in the absence of an Australian Standard) where specified. For building and construction this also includes using conforming products and materials.*

##### Suggested compliance measures:

By implementing suggested compliance measures to meet [‘Compliance with relevant legislation’ section](#_Compliance_with_relevant). The supplier should already be compliant with the Code clause 3.9.

# Social expectations

*Supplier Code of Conduct requirements:*

#### *4.1 Managing workplace health and safety*

*As well as complying with all workplace health and safety laws and regulations, you should also regularly manage and review workplace hazards and provide any required training to your employees. This includes proactively engaging with employees, industry bodies and unions.*

##### Suggested compliance measures:

4.1.1 Clear and effective policies and procedures are in place for occupational health and safety, and are updated periodically.

4.1.2 Occupational health and safety policies and procedures are widely communicated.

4.1.3 Management play an active role in supporting workplace health, safety and wellbeing, and encourage reporting of incidents.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Occupational health and safety policies and procedures are included in the workers’ manual and communicated prior to work commencing. | A documented procedure to monitor and measure the effectiveness of the occupational health and safety policies, guidelines, policies and/or training. |
| **Good practice (looks like)** | **Best practice (extended)** |
| Occupational health and safety committees are created and their roles are clearly understood by all workers and managers. | A documented procedure to monitor and measure the effectiveness of the occupational health and safety policies, guidelines, policies and/or training. |
| Workers are empowered and confident to report any hazards immediately so that risks can be managed before an incident occurs. |

4.1.4 Ongoing safety training is provided to all personnel, including managers, supervisors, workers and security guards.

|  |
| --- |
| Good practice (looks like) |
| Work health and safety training is ongoing to reduce the risk of incidents and keep all staff up to date with processes, including new staff to the site and staff returning to work after a long absence. |
| Fire drills and emergency evacuation procedures are tested prior to peak periods / seasons, and at a minimum are tested annually. |

4.1.5 All workers and other people who enter business premises are properly informed about the inherent dangers of the workplace and are provided with adequate knowledge and personal protective equipment (PPE) to avoid such dangers.

|  |
| --- |
| Good practice (looks like) |
| PPE is selected on the basis that it is suitable for the nature of the work or hazard, is a suitable size and fit for the individual who is required to use it, and is reasonably comfortable. PPE is maintained, repaired or replaced, which includes ensuring the equipment is clean and hygienic, and in good working order. |
| Providing the worker with information, training and instruction in the proper use and wearing of PPE, including its storage and maintenance. |

4.1.6 All personnel who enter the premises or deal with products are properly informed about the appropriate actions to take should a health and safety incident occur.

|  |
| --- |
| Good practice (looks like) |
| A trained first aider is available on the premises holding statement of attainment or training from a registered training organisation. |
| First aid kits are made available close to areas where there is a higher risk of injury or illness, as well as inside work vehicles if workers are expected to travel as part of their job. |

4.1.7 Risk assessments are conducted regularly, and systems are updated to reflect the changing risk profile of the workplace.

|  |
| --- |
| Good practice (looks like) |
| Identifying hazards: finding out what could cause harm. |
| Assessing risks: understanding the nature of the harm that could be caused by the hazard, how serious the harm could be and the likelihood of it happening. |
| Controlling risks: eliminating or implementing the most effective control measure that is reasonably practicable. |
| Reviewing control measures: ensuring control measures are working as planned. |

#### *4.2 Acting to stop domestic and family violence*

*The Queensland Government is committed to ending domestic and family violence. We ask that you support this by implementing appropriate initiatives within your business, such as having a stated zero tolerance approach to domestic and family violence or having a workplace domestic and family violence policy in place. A model domestic and family violence policy is available for adaption at* [*www.forgov.qld.gov.au/workplace-package-domestic-andfamily-violence*](http://www.forgov.qld.gov.au/workplace-package-domestic-andfamily-violence)

##### Suggested compliance measures:

* + 1. There is a clear commitment to zero tolerance of domestic and family violence in all forms.
    2. Internal training and/or guidelines are in place to embed a culture of awareness, support and speaking up if witnessing or exposed to domestic and family violence risks and/or actions.
    3. The workplace encourages and supports flexible work arrangements, such as working remotely, compressed hours, part-time work and staggered start/finish times.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| A value within the organisational Code of Conduct establishing a commitment to ending domestic and family violence. | The establishment of internal reporting channels available to all workers, allowing for anonymity, a supportive approach to disclosure and zero tolerance to domestic and family violence. |
| Guidelines and training opportunities that are readily available to all employees for identifying and addressing domestic and family violence in the workplace. | The establishment of a documented procedure to monitor and measure the effectiveness of the Code of Conduct, guidelines, policies and/or training. |
| Human Resources procedure allowing flexibility in work arrangements for employees experiencing domestic and family violence to retain work. |

#### *4.3 Treating employees fairly*

*You must respect every worker’s workplace rights and entitlements and ensure compliance with all relevant workplace laws, regulations and instruments. This includes properly paying employees, giving them their entitlements, not discriminating unlawfully and committing to workplaces free of harassment. This includes recognising the right of employees to be members of trade unions.*

##### Suggested compliance measures:

* + 1. Suppliers have established policies that prohibit discrimination of any form on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status such as disability, age, marital and family status, sexual orientation and gender identity, health status, place of residence, economic and social situation.
    2. The policies or procedures to prohibit discrimination highlight actions to protect the rights of any worker considered vulnerable to discrimination.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Policies that prohibit discrimination are readily available to all workers. | Training staff members responsible for hiring, paying, training, promoting, disciplining and terminating workers to avoid discrimination in the exercise of their duties. |
| Establishing selection criteria for all human resource decisions, to ensure they are objective and transparent, and controls are in place to prevent subjective decisions. | Establishing specific and measurable targets for achieving equality between women and men and taking affirmative action to attain them. |
| All workers and their managers are trained to recognise and prevent harassment, abuse and other forms of intimidation. | Establish programmes addressing the needs of the most vulnerable workers, such as flexible time options, and mentoring programmes. |

4.3.3 The key components of the employer/worker relationship such as hours, overtime, pay, benefits, leave, disciplinary and complaint systems are: (i) freely agreed by both parties; (ii) documented in writing; and (iii) signed by the employer and worker. Changes are agreed in writing by both employer and worker. Workers are provided a copy of their employment contract signed by both employer and worker.

4.3.4 Suppliers shall ensure that the terms and conditions of employment contracts are in a language understood by the worker and are explained (verbally if required).

4.3.5 All work is compensated according to at least the legal minimum wage standards or the appropriate prevailing industry standards, whichever is the higher.

4.3.6 Wages are paid on time and in full. Workers receive a payslip for each pay period, clearly indicating the components of the compensation, including exact amounts for wages, benefits, superannuation, incentives/bonuses and any deductions.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Key management functions such as hiring, complaints, discipline, promotion and termination have clear policy frameworks, procedures for implementation and trained staff responsible for implementing them. Appropriate documentation is kept. These policies and procedures are explained to workers upon hiring and contained in a workers’ manual, and workers are trained to understand and use them. | There is a clear and transparent system of worker and management communication that enables workers, including temporary workers, to consult and have an effective dialogue with management. |
| **Good practice (looks like)** | **Best practice (extended)** |
| All workers should receive a physical or electronic payslip. The payslip should detail all elements of compensation including hours worked, benefits received, and deductions made. Suppliers ensure that all deductions are understood and agreed to by the worker. | There is a clear and transparent system of worker and management communication that enables workers, including temporary workers, to consult and have an effective dialogue with management. |

4.3.7 Clear policies, procedures and training of workers and managers to ensure freedom of association in day-to-day operations are in place.

4.3.8 Managers, supervisors and security guards are trained to respect each worker’s right to associate freely.

4.3.9 Collective bargaining negotiations are entered into when requested by legally recognised representative agents.

4.3.10 Workers know and understand their rights to freedom of association and collective bargaining and feel confident to exercise them, and no other workers or managers shall impede them in the enjoyment of those rights.

|  |
| --- |
| Good practice (looks like) |
| Policies covering hiring, discipline, promotion, wages, hours, complaints and termination all clarify that a worker’s choice to (or choice not to) form or join a trade union will not compromise their equal treatment at work. |
| Clear rules governing the activities of recognised trade unions in the workplace are in place, including freedom of non-members from abuse and harassment. |

#### *4.4 Acting against human rights exploitation in the supply chain*

*You must make all reasonable efforts to ensure that businesses within your supply chain are not benefiting from, engaged in, or complicit with, human rights exploitations, such as forced or child labour, coercion, or any type of modern slavery practice as defined in the Modern Slavery Act 2018 (Cth).*

##### Suggested compliance measures:

4.4.1 An employment policy is in place specifying the minimum age for employment, together with effective measures protecting young people from certain types of work such as hazardous or night work and requires extra care and commitment.

4.4.3 Workers are not subject to any of the following actions to obtain or maintain employment:

* are not confined to the supplier’s premises, including dormitories or provided housing
* not required to surrender their identification papers.
* not required to pay a fee in connection with obtaining employment (including migrant workers or recruited workers supplied through an agency). Suppliers must be responsible for payment of all fees and expenses. Workers are not required to pay deposits in relation to their employment.
* not prevented from leaving the employment.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| To every extent possible workers are hired directly and transparently, ensuring labour hire providers verify age of workers. | Managers are experienced and/or trained on the core principles of responsible recruitment practices, including training to identify modern slavery risks and predictors. |
| Having effective management systems in place to identify and monitor the hiring and management of all young workers, migrant workers, contract, agency, temporary or casual labour. |
| Recruiting permanent employees from any suitable workers who are, or who have, worked on site on a non-permanent contract. |
| Recruitment of migrant workers includes full transparency about terms, conditions and any employment costs, and workers are informed about the labour laws applicable in the place of work prior to commencement of employment in their spoken language. |
| If labour hire providers are used to supply workers, suppliers understand their policies and procedures regarding recruitment and able to verify that they are not using forced or trafficked labour. |

4.4.7 There is a policy which expresses the supplier’s commitment to respect to human rights, which has been communicated to the relevant stakeholders including workers, and suppliers, and is publicly available.

4.4.8 Workers are aware of the complaint channels and procedures available to them. The supplier records in a confidential manner details of complaints and their outcomes. The supplier monitors the effectiveness of their complaint mechanisms on a regular basis.

4.4.10 The supplier has developed an action plan relating to what the business will do to address any negative impacts identified, relative to the level of risk.

4.4.11 There is clear communication and/or training within the supplier’s business on how to deal with human rights and modern slavery issues including how concerns should be communicated and dealt with.

|  |
| --- |
| Good practice (looks like) |
| The supplier identifying the stakeholders impacted by their business activities and assessing any human rights issues. |
| All managers and supervisors are trained to have the skills to listen and communicate on complaints with workers. |
| **Good practice (looks like)** |
| The supplier communicating human rights impacts of the business across relevant internal functions by conducting regular training sessions. |

#### *4.5 Ensuring workplace diversity*

*We want to enhance workplace diversity. We value businesses that have policies and practices in place to encourage diversity and ensure equal employment opportunity for all people. This includes embracing social benefit opportunities such as training and employment opportunities for disadvantaged and marginalised jobseekers.*

##### Suggested compliance measures:

* + 1. Recruitment and selection processes are established to encourage diversity and include options for flexibility and improved accessibility to prevent barriers related to age, gender, ethnicity, religion, disability, sexual orientation, education, and national origin.
    2. Senior management lead internal communications to keep employees informed of current and emerging issues, celebrate achievements, recognise excellence, and encourage open dialogues across teams.
    3. All employees are treated fairly, including equity in salaries and wages, and equal opportunities for growth and career advancement.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Offer flexibility in work locations and hours to help attract and retain diverse employees. | Employee induction and training programs include benefits of diversity and inclusive workplaces. |
| Regularly recognising and awarding excellence in the workplace publicly across the business. | Diversity is represented across all levels of the organisation. |
| Collaboration and teamwork are encouraged as fundamental approaches to achieving deliverables. |

#### 4.6 Providing quality, secure local jobs

*We value suppliers who provide quality, secure local jobs. These jobs provide:*

* *employment where people live*
* *permanency of employment*
* *certainty of hours*
* *fair wages and conditions*
* *superannuation and workers compensation*
* *genuine respect for the rights of workers to collectively bargain.*

##### Suggested compliance measures:

* + 1. The supplier must be able to verify the legal entitlement of their employees to work in the country of employment; this includes workers sourced from a referral agent, labour hire provider, contractor or subcontractor.

|  |
| --- |
| Good practice (looks like) |
| Undertaking a search of the Australian Government’s Visa Entitlement Verification Online (VEVO) system, and retaining records of the worker’s passport, visa and VEVO check. |

* + 1. Clear policies are implemented regarding regular and overtime hours of work, with defined procedures for deciding on overtime and securing worker consent.
    2. If the employment contract allows for contractual overtime, workers expressly agree to it. All overtime work by workers is on a voluntary basis.
    3. Suppliers will monitor the health and wellbeing of workers who are working overtime, with a focus on worker fatigue.
    4. All overtime work is paid at least to the rate defined by law.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| Peak periods and business continuity are planned in such a way as to avoid excessive overtime. Overtime is not used for extended periods as a means of making up for labour shortages or increased order volumes. Ensure that overtime is the exception rather than the rule. | Suppliers getting advice and information on fatigue from relevant experts, research, guidance materials and data published by regulators, industry associations, trade unions or other sources. |
| Consulting with workers, including managers, supervisors and health and safety representatives (if any) about the impact of workloads and work schedules, including work-related travel and work outside of normal hours. |
| All overtime work is paid at the appropriate premium rate according to law or to prevailing industry standards, whichever is the higher, and there is an effective mechanism to monitor hours of work. |

# Environmental expectations

*Supplier Code of Conduct requirements:*

#### 5.1 Enhancing environmental sustainability

*We want you to look for opportunities to improve environmental outcomes. Things you can do include, but are not limited to:*

* *waste minimisation and recycling*
* *reducing and/or offsetting carbon emissions*
* *using solar or other renewable energy where possible*
* *reducing the use of energy, water or other resources*
* *reducing the use of hazardous and toxic substances, and ensuring their correct disposal*
* *minimising packaging.*

##### Suggested compliance measures:

5.1.1 There is an environmental policy, covering the supplier’s environmental impact, which has been communicated to all relevant stakeholders, including their own suppliers. The policy contains defined procedures for implementation and management of environmental performance.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| All workers being provided with training on environmental issues so that they aware of how they can contribute to reduction in environmental impacts. | The supplier shares best practice with their own suppliers and making an effort to reduce environmental impact throughout its supply chain. |

* + 1. The supplier is aware of the local and national environmental laws and regulations and is measuring their performance against those.
    2. The supplier, and its supply chain, has all the relevant permits in place for all aspects of its environmental impacts.

|  |
| --- |
| Good practice (looks like) |
| Making environmental certifications or environmental management systems documentation readily available for review at all times. |
| Checking that any third parties involved in the supplier’s operation also have the legally required permits and licenses to operate, such as hazardous waste permits. |

* + 1. The supplier is aware of the main environmental impacts of their sites and processes, and regularly seeks to improve their environmental performance.
    2. The supplier measures its environmental impacts through continuous recording and regular reviews of use and discharge of natural resources such as water, energy, waste and emissions.

|  |  |
| --- | --- |
| Good practice (looks like) | Best practice (extended) |
| The supplier investing in green technologies and training all employees on how to reduce their own personal impact on the environment. | Actively supporting the local environment by contributing to regeneration of green spaces in the local community. |
| The supplier demonstrating that they have researched new ways of working to reduce the amount of chemicals, waste products and emissions produced and how they can implement in their operations. |
| The supplier actively changing its production techniques to avoid certain processes that:   * require the use of polluting chemicals * result in significant waste production * contribute to green-house gas emissions. |
| **Good practice (looks like)** | **Best practice (extended)** |
| Collecting data on the progressive impacts of implementing measures to reduce environmental impacts, with the view to continually improve. | Actively supporting the local environment by contributing to regeneration of green spaces in the local community. |

### References

In developing this guide, the following documents were used as a reference:

* [Ethical sourcing policy](https://www.supplierportal.coles.com.au/wps/wcm/connect/14f56193-c70d-4539-af8f-73de3e3671ed/Ethical_Sourcing_Policy_Updated.pdf?MOD=AJPERES&CACHEID=ROOTWORKSPACE-14f56193-c70d-4539-af8f-73de3e3671ed-nD6yG2k), Coles Group (March 2021)
* [Ethical sourcing: Continuous improvement supplier guide](https://www.colesgroup.com.au/FormBuilder/_Resource/_module/ir5sKeTxxEOndzdh00hWJw/file/03.02.01.06%20Continuous%20Improvement%20Supplier%20Guide.pdf), Coles Group (May 2021)
* [How written conflict of interest protects your organisation](https://www.powerdms.com/policy-learning-center/why-you-need-a-conflict-of-interest-policy), Article, PowerDMS (accessed July 2021)
* [Handling confidential, market-sensitive information: Principles of good practice](https://www.asx.com.au/documents/public-consultations/160215-handling-confidential-information-guidance.pdf), Governance Institute of Australia & Australasian Investor Relations Association (2014)
* [PAN 6: Supplier relationship management](https://www.forgov.qld.gov.au/search-procurement-resources/pan-6-supplier-relationship-management), Queensland Government
* [Supplier relationship management – Best practices for meeting strategic goals](https://www.gep.com/blog/strategy/supplier-relationship-management-best-practices), Article, GEP (2019)
* [Payment protection laws](https://www.qbcc.qld.gov.au/protecting-your-payment-rights/payment-protection-laws), Queensland Building and Construction Commission (accessed July 2021)
* [Delivering through diversity report](https://www.mckinsey.com/business-functions/organization/our-insights/delivering-through-diversity), McKinsey (2018)
* [Diversity and inclusion: 8 best practices for changing your culture](https://www.cio.com/article/3262704/diversity-and-inclusion-8-best-practices-for-changing-your-culture.html), Article, CIO Australia (accessed July 2021).