



WESTERN AUSTRALIAN INDUSTRY PARTICIPATION STRATEGY

EXEMPTION FOR PROCUREMENT UNDER THE DELIVERING COMMUNITY SERVICES IN PARTNERSHIP (DCSP) POLICY

1. Background

The *Western Australian Jobs Act 2017* (WA Jobs Act) provides for exemption of a procurement agency from the obligation to require submission of a participation plan by a prospective supplier in the course of the procurement process for a WAIPS supply in two ways:

- a. On a case by case basis, where a procurement agency writes to the Minister for Jobs (Section 15, WA Jobs Act); or his delegate, the Director General of the Department of Jobs, Tourism, Science and Innovation (Section 16, WA Jobs Act); and
- b. Conferring the power to provide a standing exemption in relation to a prescribed class or circumstance of WAIPS supply, which has been exercised in *The Western Australian Jobs Regulations 2018* (WA Jobs Regulations).

Terms which have a defined meaning in the WA Jobs Act or the WA Jobs Regulations have the same meaning when used in this document, unless the context otherwise requires.

2. Application to the DCSP Policy

Regulation 5 of the WA Jobs Regulations provides that the obligation in section 12(1) of the WA Jobs Act does not apply to the procurement agency for a WAIPS supply in circumstances where:

- a. the WAIPS supply only involves the supply of a service to which the DCSP Policy applies; and
- b. the procurement process for the WAIPS supply is conducted in accordance with the DCSP Policy.

The procurement agency determines if the WAIPS supply falls within the DCSP Policy. If so, then the procurement agency conducts the procurement in accordance with the DCSP Policy. A written application to the Minister for Jobs for an exemption is not required.

The DCSP Policy is available on the website of the Department of Finance. The website address is <https://www.finance.wa.gov.au>



3. Reporting

Given the nature of the not-for-profit organisations participating in the community services sector, an exemption from submitting detailed participation plans is a reasonable and logical step to minimise the administrative burden associated with this Government priority.

State Government contracts in the community and disability services sector are worth approximately \$1.8-\$2 billion per annum. To ensure the value of the not-for-profit sector is captured, the Minister for Jobs requests that suppliers report on workforce data realised through procurement carried out under the DCSP Policy.

Under the WA Jobs Act, the Minister for Jobs is required to report annually to State Parliament on the functioning of the Western Australian Industry Participation Strategy (WAIPS). Reporting by community services suppliers as requested below will provide an opportunity for the community services sector to contribute to the content of the report, allowing the sector to highlight the important role played by it and its economic importance to the community.

The Department of Jobs, Tourism, Science and Innovation (JTSI) will request for each service agreement commencing on or after 1 October 2018 for a [supply/WAIPS supply] covered by or conducted in accordance with the DCSP Policy, that the relevant supplier provide an annual report as to [requested report detail]. The supplier will be asked to provide the report directly to JTSI at industrylink@jtsi.wa.gov.au

A report should be provided to JTSI if the service agreement length is 12 months or less. If the contract length is 12 months or greater, reports should be provided annually from the date of award with a final report in the same timeframe.

The first reporting period is from 1 October 2018 to 30 June 2019. This is an atypical reporting period because it is aligned with the commencement date of the WA Jobs Act. The first report is due on 31 July 2019.

The second reporting period is 1 July 2019 to 30 June 2020. Reports should be submitted JTSI within two (2) months from the period end, due on 31 July 2020. Thereafter, reporting periods to State Parliament follow the financial year calendar.



4. Report template

A simple report template is provided below. This is the minimum information requested. Any additional information or commentary which the supplier wishes to provide would be welcomed.

Name of organisation	Number of contracts	Workforce		
		Male	Female	Other

Employment: Is defined by both the Australian Bureau of Statistics and the International Labour Organisation as a minimum of one hour's paid work per week.

Gender: **M** = Male **F** = Female **O** = All other individuals categorized, either by themselves or by society, as neither male nor female. **All** = all genders combined.

Workforce: Means the total number of workers directly employed on a contract. This encompasses full-time, part-time, casual employees, apprentices and trainees, workers engaged through labour hire arrangements and other employer supported employment initiatives such as cadetships and internships.