

Objective:

The City of Mandurah (the City) is committed to delivering best practice in the procurement of goods, services and works that align with the principles of transparency, probity and good governance.

The Procurement Policy (Policy) is developed in accordance with the statutory obligations of the *Local Government Act 1995* (Act) and Part 4 of the *Local Government (Functions and General) Regulations 1996* (Regulations) in relation to procurement activities undertaken by the City.

The Policy is directed at meeting the following objectives:

- Achieving 'value for money' with respect to all procurement activities;
- Ensuring that the City complies with all obligations under the Act and Regulations;
- Strengthening integrity and confidence in procurement systems and processes;
- Encourage effective competition with the supply of goods and services from local businesses;
- Ensuring that sustainable benefits, such as environmental, social and local economic factors are considered in the overall 'value for money' assessment;
- Mitigating probity risk by establishing consistent and demonstrated processes that promote transparency, probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- Compliance with *State Records Act 2000* and the City's Record Keeping Plan and procedures;
- Risks identified and managed within the City's Risk Management Framework; and
- Consistent, efficient and accountable processes and decision-making in accordance with applicable policies and procedures.

Statement:

1. APPLICABILITY

This Policy applies to all procurement activities undertaken by City Officers, appointed representatives and where applicable, contractors. For the purposes of the Policy, such persons will be referred to as employees.

2. PRINCIPLES OF PROCUREMENT

2.1 Ethics and Integrity

All employees of the City shall observe the highest standards of ethics and integrity in undertaking procurement activity and act in an honest and professional manner.

All employees of the City undertaking procurement activities must:

- a. Behave in accordance with legislation, City of Mandurah Code of Conduct for Employees, policies and procedures.
- b. Understand and observe the definitions of Misconduct and Serious Misconduct as defined in the *Corruption Crime and Misconduct Act 2003*.
- c. Report any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed.

- d. Report any information about actual or potentially fraudulent, corrupt or illegal activities, including breaches of the City's Employee Code of Conduct.

2.2 Procurement Principles

The following principles underpin the City's procurement activities:

- a. All processes, evaluations and decisions shall be transparent, free from bias, merit based and fully documented in accordance with the Act and Regulations, applicable policies and procedures, and audit requirements.
- b. Accountability shall be taken for all procurement decisions, to ensure the efficient, effective and proper expenditure of public monies (achieving value for money), in accordance with the City's adopted budget.
- c. Procurement is to be carried out on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently.
- d. Any information provided to the City by a supplier shall be treated as commercial-in confidence and should not be released unless authorised by the supplier or relevant legislation.

3. VALUE FOR MONEY

- a. Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, economic and qualitative factors to determine the most advantageous supply outcome that contributes to the City achieving its strategic and operational objectives.
- b. The City will apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

3.1 Assessing Value for Money

- a. The assessment of value for money is the result of open, competitive sourcing practices and critical assessment of factors such as:
 - i. All relevant whole-of-life costs and benefits. This should include transaction costs associated with acquisition, delivery, distribution, as well as other costs such as holding costs, consumables, maintenance and disposal;
 - ii. The technical merits of the goods and/or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
 - iii. Financial viability and capacity to supply without risk of default;
 - iv. Ensuring a sufficient number of offers have been obtained to enable robust price comparison wherever practicable;
 - v. The safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and/or services from suppliers; and
 - vi. A supplier's ability to demonstrate the sustainable benefits and positive local impact of the goods and services offered.
- b. The level of assessment undertaken is commensurate with the value, complexity, risk and sensitivity of the goods or services being procured.

4. SUSTAINABLE PROCUREMENT

Sustainable procurement is defined as the purchasing of goods and services that have less environmental and/or negative social impacts than competing products or services over the entire life cycle of a product.

The City is committed, where possible, to procuring goods and services:

- a. that are economical to own and operate;
- b. reduce waste and are energy efficient;
- c. cause the least damage to the environment;
- d. have been created or obtained using legally compliant practices (Corporate Social Responsibility);
- e. provide local businesses with commercial opportunity;
- f. improve employment opportunities for local people; and
- g. that encourage social advancement and benefits relating to special needs.

4.1 Local Content

- a. The City will:
 - i. wherever practical, invite local suppliers to quote, in accordance with this Policy;
 - ii. ensure procurement planning explores local business capability and opportunities for local content; and
 - iii. consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses.
- b. Local suppliers are defined as those businesses that operate permanently within the district of the City of Mandurah local government municipal area.

4.2 Engaging with Australian Disability Enterprises or Aboriginal Businesses

- a. The City encourages the use of Australian Disability Enterprises and Aboriginal owned businesses for the supply of goods and/or services where value for money assessments demonstrate benefits for the City achieving its objectives.
- b. Where the required number of quotes from \$5,000 up to \$250,000 cannot be obtained from similar disability enterprises or Aboriginal owned businesses, alternate means of verifying that the offer truly represents value for money should form part of the evaluation documentation and applicable Procedure.
- c. Where a person is registered on the Aboriginal Business Directory WA or Australian Indigenous Minority Supplier Office Limited in accordance with regulation 11(h) of the *Local Government (Functions and General) Regulations 1996*, and consideration under the contract is \$250,000 or less and the City is satisfied the contract represents value for money, the tender does not have to be publicly invited.

5. PROCUREMENT REQUIREMENTS

5.1 Anti-Avoidance

In accordance with regulation 12(1), procurement activities for the same goods or services should be aggregated into a single procurement activity to achieve the best value for money and efficiencies for the City. Multiple procurement activities, for the same goods or services, must not be conducted, with the intent (unintentional or otherwise) of separating (or splitting) the

procurement over two or more purchase orders or contracts, so that the effect is to avoid a procurement threshold outlined in section 5.2

5.2 Legislative Requirements

The requirements that must be complied with by the City, including procurement thresholds and processes, are prescribed within the Regulations, this Policy and associated Procurement Procedures.

5.3 Existing Contracts

Where the City has an existing contract in place, employees must ensure that goods and services required are purchased under these contracts to the extent that the contract allows. Goods and/or services must be within scope of the existing contract and must not exceed the tender threshold unless specifically permissible. City Officers must refer to the City's Contracts Register in the first instance before seeking to obtain quotes and/or tenders.

5.4 Procurement Value Thresholds

- a. In determining the purchase value, the following considerations are to be taken into account:
 - i. All values are exclusive of GST; and
 - ii. The amount is the actual or expected value of a contract over the full contract period, including all options.
- b. The table below outlines the requirements that apply to the City's procurement activities. All procurement must be conducted in accordance with the City's Procurement Procedures and must be approved by an officer with the appropriate financial authorisation limits and/or delegation.

Monetary Threshold of the contract value, including extensions and options (exclusive of GST)	Minimum Procurement Requirement	Source
Up to \$4,999 Ad hoc Purchase	Goods and services of a low risk and ad hoc/occasional nature may be purchased in accordance with following minimum requirements. <ul style="list-style-type: none"> • Direct purchase from a supplier after obtaining at least one verbal or written quotation. • Minimum of one officer evaluating. • Record required information when entering requisition. 	Local supplier where practical. If no local supplier, seek one quote through: <ul style="list-style-type: none"> • Western Australian Local Government Association (WALGA) Preferred Supplier Program (PSP); or • State Common User Arrangement (CUA); or • Australian Disability Enterprise; or • Aboriginal owned business; or • Open market.
\$5,000 to \$49,999 Written Quotation	Goods and services of low to moderate risk may be purchased in accordance with the following minimum requirements: <ul style="list-style-type: none"> • Seek three or more written quotations and obtain a minimum of two written responses. • Minimum of one evaluation panel member. 	Where practical a minimum of two local suppliers to be invited along with open market suppliers. If no local suppliers, seek three or more quotes through: <ul style="list-style-type: none"> • WALGA PSP; or • State CUA; or

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	<ul style="list-style-type: none"> Record written quotation approval form. <p>If the goods or services are assessed at a high risk, the \$50,000 to \$99,999 process will apply.</p>	<ul style="list-style-type: none"> Australian Disability Enterprise; or Aboriginal owned business; or Open market.
\$50,000 to \$99,999	<p>Goods and services of a low to moderate risk may be purchased in accordance with the following minimum requirements:</p> <ul style="list-style-type: none"> Seek three or more written quotations and obtain a minimum of two written responses. Minimum of two evaluation panel members. Record evaluation report. <p>If the goods or services are assessed as a high risk, in addition to the above, a Long Form Contract will apply.</p>	<p>Where practical a minimum of two local suppliers to be invited along with open market suppliers.</p> <p>If no local suppliers, seek three or more quotes through:</p> <ul style="list-style-type: none"> WALGA PSP; or State CUA; or Australian Disability Enterprise; or Aboriginal owned business; or Open market.
\$100,000 to \$249,999 Formal Request for Quote	<ul style="list-style-type: none"> Formal Request for Quote process, to be issued by Procurement Services. Seek three or more written formal quotations and obtain a minimum of two responses. Procurement planning is undertaken. Three evaluation panel members. Record evaluation report and memorandum to the relevant Director. 	<p>Where practical a minimum of two local suppliers to be invited along with open market suppliers.</p> <p>If no local suppliers, seek three or more quotes through:</p> <ul style="list-style-type: none"> WALGA PSP; or State CUA; or Australian Disability Enterprises; or Aboriginal owned business; or Open market
\$250,000 and above Public Tender	<ul style="list-style-type: none"> Conduct a Public Tender process, to be issued by Procurement Services in accordance with the Act and Regulations. Procurement planning is undertaken. Record evaluation report and memorandum to CEO or Council. 	Public Open Tender
\$250,000 and above Tender Exempt	<ul style="list-style-type: none"> Formal Request for Quote, to be issued by Procurement Services, in accordance with reg 11(2). Seek three or more written formal quotations and obtain a minimum of two responses, unless sole supply or supplier availability is limited i.e. only one supplier is represented under a panel arrangement. Procurement planning is undertaken. Three evaluation panel members. Record evaluation report and memorandum to the CEO. 	<ul style="list-style-type: none"> WALGA PSP; or State CUA; or Australian Disability Enterprise.

5.5 Limited response from market

- a. Where the stated number of minimum quotations to be obtained cannot be achieved due to:
 - i. limited responses (all thresholds); or
 - ii. lack of availability (tender exempt panel supply arrangements only i.e. WALGA or State CUA);

the decision to continue with the evaluation and selection must be documented and clearly demonstrate the achievement of value for money.

5.6 Record Keeping

Communications, responses and documentation relating to procurement activity and approvals, regardless of value, must be recorded and retained in accordance with the *State Records Act 2000*, the Regulations (reg. 11A(3)(b) and 24AC(2)(e)), the City's Record Keeping Plan and applicable Procurement Procedures.

5.7 Requesting Tenders where value is less than Tender threshold

The City may elect to invite tenders in lieu of undertaking quotations for procurements under the tender threshold where it is considered appropriate and beneficial. This decision should be made after considering the commercial and probity benefits of this approach in comparison to cost and efficiency. Where a tender is called, the Regulations relating to tender requirements must be followed.

5.8 Conflict of Interest

Actual or perceived interests are to be declared using the City's prescribed form. Where there is a perceived or actual conflict of interest in accordance with the Act, the Officer may be removed from any further procurement activity.

For purchases over \$5,000 employees must sign the applicable procurement threshold documentation relating to conflict of interests.

5.9 Probity Advisors and Audit

The Chief Executive Officer (CEO) may appoint an organisation to undertake a probity audit of the tender process conducted, or parts thereof, if required. The CEO may appoint a probity advisor to observe or participate in the procurement process that will be conducted.

5.10 Education and Training

- a. The CEO is required to implement a procurement education and training program. This will include both induction and refresher training to be delivered on an annual basis.
- b. Employees who undertake procurement activities will be required to attend training on an annual basis.
- c. Employees who participate on Formal Request for Quote and Tender evaluation panels are required to undertake probity and evaluation training prior to participating in the evaluation panel.

6 EXCEPTIONS TO PROCUREMENT REQUIREMENTS

6.1 Tender Exempt Supply Arrangements

- a. Procurements activities above tender threshold, sourced through tender exempt supply arrangements, must be in accordance with the Regulations and the City's Policies and Procedures. These are set out in regulation 11(2) of the Regulations and include:
 - i. pre-qualified suppliers under the WALGA PSP [r.11(2)(b)]; or
 - ii. suppliers under State Government CUA [r.11(2)(e)]; or
 - iii. suppliers on a Panel of Pre-qualified Suppliers established by the City [r.11(2)(k)]; or
 - iv. a Regional Local Government or another Local Government; or
 - v. an Australian Disability Enterprise and where the procurement represents value for money [r.11(2)(i)]; or
 - vi. where the contract is for petrol, oil, or other liquid or gas used for internal combustion engines [r.11(2)(g)]; or
 - vii. where the supply of goods or services is to be obtained from expenditure authorised in a local emergency under 6.8 (1)(c) of the Act [r.11(2)(a)]; or
 - viii. the supply of the goods or services associated with a State of Emergency in accordance with 11 (2)(aa), (ja) and (3) of the Regulations; or
 - ix. procurements covered by any other exclusion under regulation 11 of the Regulations.

6.2 Goods and/or Services required in an Emergency (Local or State)

- a. An "emergency" is defined in the *Emergency Management Act 2005* is "the occurrence or imminent occurrence of a hazard which is of such a nature or magnitude that it requires a significant and coordinated response". Section 6.8(1)(c) of the Act makes provisions for unbudgeted expenditure in a local emergency to be incurred if approved in advance by the Mayor. Regulations 11 (2)(aa), (j) makes provisions where a State of Emergency is declared.
- b. A State of Emergency applies when it is declared under the *Emergency Management Act 2005*.
- c. The City's own contracts or WALGA's Hazardous and Emergency Event Services PSP should be used wherever possible. The City's Procedures make provision for services that are required urgently or out of hours.

6.3 Unique Nature of Supply

- a. Goods and/or services of a unique nature that can only be supplied from one supplier may be procured using a formal quotation process. This is only permitted in circumstances where the City is satisfied and can evidence that there is only one source of supply for those goods, services or works. Sufficient market testing and investigation of alternative sources of supply must be demonstrated and evidence documented.
- b. Once determined, the justification must be endorsed by the relevant Director or Chief Executive Officer (dependant on the value), prior to a contract being entered into.
- c. City Officer must ensure compliance with the City's Procurement Procedures.

6.4 Waiver of Quotation Requirements under \$249,999 (Exceptional Circumstances)

Where it is not practical, a waiver to seek the required number of quotes (for budgeted expenditure), may be granted at the sole discretion of the CEO and/or Directors (dependant on

the value). Written records of the justification and the approval obtained must be recorded in line with the City's Procurement Procedures.

Time constraints, poor planning, administrative omissions and errors do not justify a purchase under a Waiver. Every effort must be made to research and anticipate purchasing requirements in advance to allow sufficient time for planning and scoping proposed purchases and then obtain quotes or tenders, as applicable.

All waivers exercised by the CEO and Directors are to be captured in the City's Waiver of Quotation Register.

7 CONTRACT MANAGEMENT

7.1 Contract Management

All City contracts will be proactively managed during their lifecycle by the responsible City Officer to ensure the City receives value for money and to enforce performance against the contract.

The Procurement team are responsible for the administration and maintenance of the City's contract management system. All goods and service contracts valued \$100,000 (excluding GST) and above will be maintained in the contract management system.

7.2 Minor Variations

- a. In accordance with regulation 20 of the Regulations, a minor variation may be made to a contract following a tender process, by the City, prior to the City and the preferred tenderer formalising the contract.
- b. A minor variation is required to meet the following conditions:
 - i. Does not alter the nature of the goods and/or services procured; and
 - ii. Does not materially alter the scope provided in the initial tender; and
 - iii. Amount to less than 10% of the original contract price or up to a maximum of \$300,000.00 whichever is the lesser; and
 - iv. Does not alter the decision to award the tender to the preferred tenderer.
- c. If the variation does not meet the conditions, then the variation must be presented to Council for consideration.
- d. The above conditions also apply to procurements under \$250,000 and are required to be undertaken in accordance with relevant Procedures.
- e. All decisions regarding minor variations must be documented and recorded in accordance with Delegated Authority (where applicable).

7.3 Variation after Contract Commencement

- a. If the City has entered into a contract for the supply of goods and/or services with a successful tenderer, in accordance with regulation 21A of the Regulations, the contract must not be varied unless:
 - i. the variation is necessary in order for the goods and/or services to be supplied; and does not change the scope of the contract; or
 - ii. the variation is a renewal or extension of the term of the contract as described in regulation 11 (2)(j); and
 - iii. The variation is within the budget allocated for the project.

- b. Consideration must be given to the original procurement process conducted and whether the combined value of the original price, any subsequent variations and proposed variation (which includes term extensions) would have resulted in a different procurement process being undertaken due to the increased expenditure.
- c. All contract variations are to be recorded and supported by adequate documentation describing the nature and reasons for the variations, including the associated cost, time and scope implications.
- d. Contract variations are to be approved in accordance with the authorisation limits as per section 9 of this policy and Delegated Authority (where applicable).
- e. These conditions also apply to contracts valued under \$250,000 and are required to be undertaken in accordance with relevant Procedures.

7.4 Contract Extensions

A contract extension is not permitted unless:

- a. The original invitation contained provisions for a renewal or extension of the contract; and
- b. The original contract includes an extension option (unless State of Emergency provisions apply refer section 7.5 of this Policy); and
- c. For continuity of service provision, the contract extension must be approved before the expiration date of the original contract or previously extended term; and
- d. There must be documented evidence of satisfactory contractor performance before the contract extension is approved; and
- e. Extension being on the same terms and conditions as the last year of the original term but does allow for price increases in line with the contract provisions (if any) for price.

Contract extensions are approved in accordance with the authorisation limits as per section 9 of this policy and Delegated Authority (where applicable).

7.5 Contract Extensions under State of Emergency

A variation to the term of a contract is not permitted, as per regulation 11(2)(ja), unless:

- a. The City has an existing contract for the required goods or services; and
- b. The existing contract expires within 3 months; and
- c. The extension is for a term of not more than 12 months from the expiry of the existing contract; and
- d. The contract extension is entered into at a time when there is in force a state of emergency declaration applying to the City; and
- e. The procurement is included in Council's annual budget; and
- f. There must be documented evidence that the contractor performance has been assessed before the contract extension is approved.

Contract extensions are approved in accordance with the authorisation limits as per section 9 of this policy and Delegated Authority (where applicable).

7.6 Contract Expiry

Prior to the expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the City is required to review the purchasing

requirements and commence a new competitive purchasing process in accordance with this Policy.

8 PANELS OF PRE-QUALIFIED SUPPLIERS

Where there is a continuing need for a particular type of goods and/or services to be supplied, the City may determine it is beneficial to do so by means of a Panel of Pre-Qualified Suppliers (PQS's). The creation and operation of a PQS must be undertaken in accordance with Part 4, Division 3 of the Regulations.

8.1 Establishing a Panel

- a. State-wide public notice of the invitation to apply to join a PQS is required;
- b. PQS may be established for one supply requirement, or a number of similar supply requirements under defined categories;
- c. Each Request for Application (RFA) issued will describe further the supply type, how the PQS will operate and the minimum number of suppliers to be maintained;
- d. Evaluation criteria will be pre-determined;
- e. Suppliers appointed to a panel as members will be subject to the City's panel terms;
- f. The Regional Price Preference Council Policy may be applied when assessing applications to join a PQS.

8.2 Procuring from the Panel

Procuring from PQS will be outlined in detail in the RFA but in general will be undertaken as follows:

- a. Each panel member will be requested to quote for each item of work under the panel unless the panel is operating using a ranking system (see (b)). Quotes received will be assessed using pre-determined evaluation criteria to evaluate each quote.
- b. Where panel members are ranked, prices may be fixed by means of a pricing schedule or through a quotation on each occasion. The City will invite the highest ranked panel member, who will accept or decline the request. If declined, the next ranked panel member will be invited and so forth until a panel member accepts a Contract.
- c. The City may award any quantity of work to any member on the basis of their quote or any other pre-determined criteria stated in the RFA.
- d. Award of work shall be evidenced by an official Purchase Order, which will represent the "contract", governed by the panel terms.
- e. Contracts issued must not be formed for the supply of goods and/or services for a term exceeding 12 months nor contain an option to renew or extend its term.

8.3 Distributing work amongst panel members

Unless otherwise specified in the RFA, when considering the distribution of work amongst panel members the City will generally take into account such factors as:

- a. accepted pricing schedule or price;
- b. value for money considerations;
- c. ranking (if applicable);
- d. performance during the term of the Panel;

- e. equipment, plant, or capability relative to the particular item of work;
- f. response time and/or availability;
- g. vicinity to the work location;
- h. ability to provide speciality products or services; or
- i. ability to respond to the quote request within the specified timeframe.

8.4 Panel Communication

To ensure clear, consistent, and regular communication between all parties to a panel, the City will allocate to each panel a dedicated contact person for the term of the panel. A communication plan will be developed by the contact person which will include a requirement for scheduled performance review meetings with the City.

8.5 Record Keeping Requirements for Panels

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and award notifications must be captured in the City's electronic records system in a separate file, attached to a nominated electronic quotation system (if available) or to the applicable purchase order in the City's financial software system. Purchase orders raised must reference the PQS reference number for the purposes of monitoring expenditure.

9 AUTHORISATION

- a. The following positions are authorised to approve and issue purchase orders or otherwise procure in accordance with this policy, subject to:
 - i) the general authorisation limits set out in the table below; and
 - ii) the individual position financial limits set out in the Authorisation Limit Listing:

POSITION	AUTHORISATION LIMIT (exclusive of GST)
CEO	Unlimited (Excluding the acceptance of Tenders)
Director	As determined by the CEO
Executive Manager / Manager	Up to \$50,000
Coordinator / Supervisor	\$15,000 to \$40,000
Other Staff	Up to \$5,000

- b. The conditions of approving purchase requisitions and orders is in accordance with the City's Policies and Procedures and purchases must be within the approved budget adopted by Council. The Authorisation Limit is the value of the contract, inclusive of extensions, variations and options (exclusive of GST).
- c. An employee cannot exceed their financial authorisation as set out in the Authorisation Limit Listing unless specifically authorised in writing by the CEO i.e. under periods of higher duties. The City's Authorisation Limit Listing, and relevant Policy apply.
- d. The Authorisations Limit Listing is subject to review and approval by the CEO, such review to occur annually or as otherwise required.

9.1 Purchasing Cards

- a. The CEO must have procedures for the authorisation and payment of accounts to ensure there is effective security and appropriate authorisations in place for the use of purchasing cards.
- b. The CEO will authorise the issue of purchase cards to other City Officers following applicable procedures.

9.2 Petty Cash

- a. Petty cash transactions under \$50 are to be authorised by Managers in accordance with City's Procedure.

9.3 Purchase Orders

- a. Supply of goods or services must not commence until a purchase order has been issued, unless exempt from this requirement. A purchase order is unnecessary in the case of the following:
 - i. Insurances;
 - ii. Payments made through payroll;
 - iii. Utilities (service and/or consumption charges/fees only);
 - iv. Goods or services purchased through a purchasing card;
 - v. Fees and payments that are statutory, this includes bank fees;
 - vi. Other statutory damages, infringements and penalties;
 - vii. Loan repayments;
 - viii. Freight, postal charges and fuel cards;
 - ix. Goods purchased from petty cash;
 - x. Purchasing card payment requests;
 - xi. Australia Post commissions;
 - xii. State or Federal Government agencies such as Landgate, Office of State Revenue, Western Australia Planning Commission, Environmental Protection Authority, Department of Commerce, Department Fire and Emergency Services.
- b. All procurement of IT hardware, software and licenses, office furniture and fittings must be approved by the IT or building maintenance team before commencement – refer to the relevant Procedures.

10 POLICY NON-COMPLIANCE

- a. Procurement activities are subject to financial and performance audits to review compliance with legislative requirements and the City's Policies and Procedures. Failure to comply with the requirements of this Policy or prescribed processes will be subject to investigation, with findings to be considered in context of the employees training, experience, seniority and reasonable expectations of the performance of their role.
- b. Where a breach is substantiated it may be treated as:
 - i. an opportunity for additional training to be provided;
 - ii. a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*;
 - iii. misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003*.

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Legislative Context

Local Government Act 1995

Local Government (Functions and General) Regulations 1996 - Part 4

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Amendments			
Version #	Amendment Reference	Date Document In force	Date Document Ceased
2	Minute G.37/5/12	23/05/2012	24/07/2012
3	Minute G.28/7/12	25/07/2012	24/09/2013
4	Minute G.36/9/13	25/09/2013	24/02/2015
5	Minute G.35/2/15	25/02/2015	23/07/2019
6	Minute G.10/7/19	24/07/2019	25/02/2020
7	Minute G.17/2/20	26/02/2020	12/05/2020
8	Minute SP.5/5/20	23/05/2020	27/10/2020
9	Minute G.12/10/20	27/10/2020	23/08/2022
10	Policy Review Amendments Minute G.8/8/22	23/08/2022	-