

# Supplier Code of Conduct 2023





James Cook University (JCU) wants to do business with ethical, environmentally and socially responsible suppliers.

The JCU Supplier Code of Conduct 2023 (Code) sets out the expectations that JCU has of businesses that want to sell their goods or services to JCU, and outlines what constitutes a responsible supplier.

It enhances our commitment to help local businesses prosper and support genuine local businesses by outlining clear standards and expectations.

## 1. Application

This Code replaces the previously existing JCU Supplier Code of Conduct and applies to all procurement activities regardless of their value from 1 June 2023.

JCU reserves the right to do business with suppliers which demonstrate compliance with this Code. This is reflected in procurement terms and conditions.

Suppliers are expected to proactively self-assess compliance and take action to remedy any shortcomings.

Suppliers with queries on how the Code is applied in any procurement activity should contact [spg@jcu.edu.au](mailto:spg@jcu.edu.au).

Breaches of contractual, policy and legal obligations may result in penalties under the Ethical Supplier Mandate.

## 2. Compliance with relevant legislation

In addition to any specific items mentioned elsewhere within this Code, you must comply with all relevant legislation and standards.

## 3. Ethical expectations

Our procurement is conducted in an environment of integrity, probity and accountability. We are committed to the highest ethical standards and expect our suppliers to commit to the same.

You can show this by doing the following:

### 3.1. Meeting the Ethical Supplier Threshold

You must comply with the Ethical Supplier Threshold, as described within the Queensland Procurement Policy 2023.

### 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. This disclosure must occur during all stages of the procurement process when a conflict of interest arises, including when selecting suppliers (e.g., conducting a tender process). In addition, suppliers should submit a copy of their conflicts of interest policy where they have one.

### 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 JCU into disrepute.

### 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.

### 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 or selling dumped goods.

### 3.6. Acting properly toward JCU officers

You are expected to respect the ethical and code of conduct requirements that our employees 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 our employees.

### 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.

### 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 JCU (unless otherwise mutually agreed with the sub-contractor). This also includes meeting project bank account requirements under the Building Industry Fairness (Security of Payment) Act 2017 where applicable.

### 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.

## 4. Social expectations

We want to do business with suppliers who support the welfare of their employees and the broader community. You can show this by doing the following:

### 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.

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

JCU 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.

### 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.

### 4.4. Acting against human rights exploitation in the supply chain, including addressing modern slavery risks

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). This includes conducting appropriate risk assessments and managing identified risks in vulnerable industries (such as textiles, clothing and footwear), and where relevant, establishing policies and practices that address supply chain risks of modern slavery and other human rights exploitation.

### 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.

### 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.

### 4.7. Complying with animal welfare legislation

Where you are a person in charge of animals used to produce food and beverages provided to JCU, you must comply with relevant animal welfare legislation (including the Animal Care and Protection Act 2001 and regulations), related codes, standards, and guidelines at a minimum, regarding those animals.

## 5. Environmental expectations

We want to procure in a way that also protects and advances environmental priorities. You can show this by doing the following:

### 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.

## 6. How to deal with suspected breaches of the code

Concerns should be directed to the Manager, Strategic Procurement by:

Email: [spg@jcu.edu.au](mailto:spg@jcu.edu.au)

Any concerns regarding illegal activity or corruption in procurement should be immediately referred to either the Queensland Police Service, Australian Federal Police or the Crime and Corruption Commission. Concerns regarding breaches of regulation should be referred to the relevant regulatory body.

The expectations of the Code will assist in avoiding breaches of the QPP (which may incur demerits and/or a sanction).

