

# Subcontractor Statement of Compliance & Code of Conduct Commitment Letter

## Agreement for the provision of security services

**This form is for use by a Service Provider and proposed Subcontractor. It ensures that a Subcontractor complies with the terms, conditions and obligations arising under the Security Services State Purchase Contract (SPC), Purchase Order Contract (POC) and the Victorian State Government’s Supplier Code of Conduct.**

The Service Provider should note its responsibility to ensure that all Approved Subcontractors comply with the rights and obligations of the Service Provider arising out of the SPC and POC and that the terms of its subcontract with the Approved Subcontractor contain all the provisions required under the SPC and POC.

The Victorian State Government’s Supplier Code of Conduct is available at the Victorian Government Purchasing Board website: <https://www.buyingfor.vic.gov.au/supplier-code-conduct>.

Updates and amendments to the Code will also be made available at this website.

<b>Purchaser:</b> Agency: POC Contract Manager: Title: Email:	
<b>Service Provider:</b> Name: Address: Phone number: Email:	
<b>Subcontractor:</b> Name: Address: Phone number: Email: ABN/ ACN:	
<b>Purchase Order Contract Number or Title</b>	
<b>Purchase Order Contract Start Date</b>	
<b>Purchase Order Contract End Date</b>	
<b>State Purchase Contract Number</b>	GP-12-2023
<b>State Purchase Contract Start Date</b>	1 November 2024

## Subcontractor Statement of Compliance

1. The **Subcontractor** expressly acknowledges the obligations arising under the **Purchase Order Contract** between the **Purchaser** and the **Service Provider** effective and agrees to comply with all the rights and obligations arising under it, as well as the State Purchase Contract between the **Service Provider** and the **Department of Government Services**, effective including, but not limited to:
  - Payment of Security Staff at a rate that is, on an overall basis, at least no less than 6% above the Security Services Industry Award 2020, inclusive of all ordinary time, overtime, loadings, penalties, and monetary allowances (or higher where required by the SPC or POC).
  - The provision of equipment and resources
  - Time of the essence
  - Purchaser equipment
  - Compliance with policies
  - Employment records and site logs
  - Drug and alcohol testing of, and conduct of, personnel engaged or employed to provide Security Staff
  - Immediate notification of certain matters
  - Subcontracting (there is to be no further onward subcontracting)
  - Access to premises
  - No less favourable mechanism
  - Intellectual Property Rights
  - Confidentiality, privacy, and data protection
  - The requirements of the Portable Long Service Leave scheme
  - The terms of the Industrial Instrument that applies to the Subcontractor's staff
  - Record keeping and audits
  - Provision of monthly or quarterly reporting of all Security Staff hours and rates paid in accordance with the SPC, including:
    - List of all Security Staff deployed on all POCs broken down by permanent and casual;
    - Grade of each Security Staff;
    - Site registration details (ie ID no.);
    - Security licence number;
    - Total worked normal hours worked broken down by daytime Monday to Friday, night-time Monday to Friday, Saturday, Sunday and Public Holiday;
    - Hourly rates paid broken down by daytime Monday to Friday, night-time Monday to Friday, Saturday, Sunday and Public Holiday;
    - Overtime hours worked broken down by daytime Monday to Friday, night-time Monday to Friday, Saturday, Sunday and Public Holiday;
    - Total overtime paid broken down by overtime type (Sunday, Public Holidays etc)
    - Total allowances paid; and
    - Total hours of training.

## Commitment to the Victorian State Government Supplier Code of Conduct

2. I, the Subcontractor, acknowledge that:
  - a. the Victorian State Government (**the State**) is committed to ethical, sustainable and socially responsible procurement;
  - b. the State has a Supplier Code of Conduct (**Code**) the Code describes the State's minimum expectations of the conduct of its suppliers and their subcontractors in relation to:
    - i. integrity;
    - ii. ethics and conduct;
    - iii. conflicts of interest;
    - iv. gifts, benefits and hospitality;
    - v. corporate governance;
    - vi. labour and human rights;
    - vii. health and safety; and
    - viii. environmental management;
  - c. the expectations set out in the Code are not intended to reduce, alter or supersede any other obligations which may be imposed by any applicable contract, law, regulation or otherwise;
  - d. to ensure that the Code remains current and relevant, it may be amended or updated by the State; and
  - e. the Code includes an ongoing expectation that suppliers and their subcontractors (including my organisation) will raise concerns or otherwise seek clarification in relation to any aspects of the Code, including any updates or amendments to the Code.
3. On behalf of my organisation I, the Subcontractor:
  - f. confirm that the State's expectations of suppliers and their subcontractors as set out in the Code are understood;
  - g. provide a commitment that if selected to supply goods and / or services as a subcontractor to a supplier to any State department or public body my organisation will:
    - i. periodically check with reasonable frequency for updates and amendments to the Code; and
    - ii. aspire to meet the State's expectations of Suppliers and their subcontractors as set out in the Code, including as updated or amended by the State.

**Signed for and on behalf of the Subcontractor:**

[Blank input field for Name]

Name

Date

[Blank input field for Job title]

Job title

Organisation

[Blank input field for Signature]

Signature (use 'Fill and Sign' to draw signature)