

Probity and Integrity in Procurement Procedure

Section 1 - Purpose and Scope

(1) This Procedure outlines the probity and integrity requirements for procuring goods and services from the market on behalf of The University of Queensland (UQ or the University). This Procedure should be read in conjunction with the University's [Procurement Policy](#), [Procurement Procedure](#) and [Staff Code of Conduct Policy](#). References to other relevant policies and procedures are provided in the Associated Information page.

(2) All stakeholders (including staff, students and contractors) who can affect or are affected by procurement decisions at UQ (UQ Procurement Stakeholders) are required to comply with this Procedure.

(3) Probity and integrity in procurement helps to ensure that UQ Procurement Stakeholders:

- a. meet UQ's procurement objectives;
- b. comply with mandatory or legislative obligations;
- c. preserve and enhance public and supplier confidence in UQ's procurement processes;
- d. minimise potential conflicts and the potential for litigation and complaints and damage to UQ's reputation; and
- e. avoid the potential for, and do not engage in, misconduct, fraud and corruption.

Section 2 - Process and Key Controls

(4) Probity relates to integrity, uprightness and honesty – the evidence of ethical behaviour in a process. In relation to procurement, it requires UQ Procurement Stakeholders to respect the trust placed in UQ by the community by:

- a. being accountable for delivering planned and timely outcomes using public resources;
- b. ensuring all decisions are fair, impartial, transparent and defensible; and
- c. voluntarily disclosing and ensuring any conflicts of interest are effectively managed.

Section 3 - Key Requirements

Fairness and Impartiality

(5) UQ Procurement Stakeholders procuring goods and services on behalf of UQ must:

- a. ensure the specifications for goods and services are consistent with UQ's needs, objectively stated and clearly documented;
- b. ensure the procurement method, process and decision making criteria, including evaluation criteria, are appropriately competitive, fair, reasonable and defensible;
- c. treat and evaluate all suppliers, including prospective suppliers, fairly and without bias;
- d. be attentive to any attempts from suppliers (current and prospective) to improperly influence the procurement process through collusion (with other suppliers or UQ Procurement Stakeholders), price-fixing or [anti-competitive behaviour](#);

- e. document all procurement activities (including scoping, specifications, evaluation and decisions) in a form that is clear and easy to understand; and
- f. seek required approvals from the relevant delegate as defined in the [Procurement Procedure](#).

Accountability and Transparency

(6) UQ Procurement Stakeholders procuring goods and services on behalf of UQ must:

- a. Maintain appropriate records throughout the procurement process including:
 - i. scoping and specification considerations supported by appropriate demand analysis;
 - ii. evaluations and assessments including requisite justifications;
 - iii. decision criteria and outcomes; and
 - iv. communications with suppliers and other relevant parties, including internal stakeholders associated with procurement, and the purpose and subject matter of the communications.
- b. Ensure the procurement objectives, process and decision-making criteria are sufficiently transparent to suppliers and other relevant stakeholders, subject to any commercial sensitivity or confidentiality obligations.
- c. Communicate with suppliers clearly and consistently, and ensure that negotiated agreements are confirmed in writing by both parties and appropriately documented.
- d. Establish appropriate segregation of duties and decision-making protocols throughout the procurement process.
- e. Verify that delivery of goods and services, or achievement of contract milestones, are consistent with agreed contract terms prior to payment.
- f. Include appropriate probity advice and audit into the procurement process, where required by statutory regulation and/or where recommended by Enterprise Procurement, to ascertain whether the procedures followed and underlying behaviour are consistent with appropriate regulations, guidelines and best practice principles of openness and transparency, especially where the procurement is sensitive or of high value, high risk or subject to a high degree of public scrutiny.

Conflict of Interest Management

(7) A conflict of interest may exist when an individual's duties and responsibilities to UQ conflict with a competing interest or obligation. UQ's [Conflict of Interest Policy](#) requires any actual, potential, or perceived conflict of interest to be identified, declared, and managed transparently and effectively.

(8) All UQ Procurement Stakeholders are required to comply with UQ's [Conflict of Interest Policy](#) and associated procedures which contain further details on what constitutes a conflict of interest.

(9) In addition to declaring any actual, potential, or perceived conflict of interest, UQ Procurement Stakeholders, including Evaluation Panel members, are required to provide a written 'No Conflict of Interest' declaration for procurements over the \$200,000 value threshold. Please consult with Enterprise Procurement for advice in specific circumstances.

(10) Helpful guidance on Conflict of Interest in a procurement context can be found here:

- a. [Queensland Government guide - Probity and Integrity in Procurement](#)
- b. [Crime and Corruption Commission Corruption Prevention Advisory - Gifts and Benefits](#).

Confidentiality Security

(11) UQ Procurement Stakeholders must exercise appropriate care and diligence when handling confidential and commercially sensitive information associated with a procurement process, in accordance with the [Information Management Policy](#), [Cyber Security Policy](#), and other applicable policies and procedures. UQ Procurement

Stakeholders must only share confidential and commercially sensitive information with individuals who require access to the information to perform their role in the procurement process and for legitimate purposes associated with that role.

Ethical Conduct

(12) The UQ Values and the UQ [Staff Code of Conduct Policy](#) provide the following ethical principles that all UQ staff must uphold in the performance of their duties at UQ, including when undertaking procurement:

- a. integrity and impartiality;
- b. promoting the public good;
- c. a commitment to the system of government; and
- d. accountability and transparency.

(13) UQ Procurement Stakeholders are prohibited from:

- a. soliciting or accepting gifts or benefits from suppliers (whether tangible or intangible, including promises of job opportunities with suppliers, personal bonuses or incentive payments);
- b. taking actions, including making direct or indirect statements that could lead suppliers to believe they will be given preferential treatment by UQ;
- c. favouring suppliers to give them an unfair advantage over others;
- d. colluding with suppliers, directly or indirectly.

(14) Please refer to UQ's [Staff Code of Conduct Policy](#) for details on consequences of non-compliance.

(15) Any UQ Procurement Stakeholder that is offered or accepts a gift, benefit, bonus or incentive payment from a current or prospective supplier must declare it without delay as a Conflict of Interest, whether actual or perceived, depending on the case.

Section 4 - Roles, Responsibilities and Accountabilities

(16) Compliance with this Procedure includes declaring any conflicts of interest as necessary and ensuring that any procurement-related conflict of interest (including where "no" conflict of interest is declared) declarations are emailed to Enterprise Procurement (procurement@uq.edu.au) for noting.

(17) Procurement at UQ should be able to withstand public scrutiny and instil confidence that all potential suppliers are given fair and equitable treatment. Depending on the procurement at hand, Enterprise Procurement may recommend and/or mandate appointing an independent third party as:

- a. a probity advisor to oversee and provide advice on probity matters arising during the course of the procurement activity or action and any relevant decision making processes; or
- b. a probity auditor to review and provide assurance on probity matters relating to the procurement activity or action and any relevant decision making-processes.

Section 5 - Monitoring, Review and Assurance

(18) Enterprise Procurement will review and provide annual assurance on the adequacy, efficiency and effectiveness of this Procedure.

(19) Managers and supervisors including budget holders, delegates (as defined in the [Procurement Procedure](#)) and Category Owners will ensure all procurement activities in their areas of responsibility are undertaken in accordance with this Procedure. Staff must report actual or suspected breaches of this Procedure to Enterprise Procurement and to UQ's Integrity Unit.

Section 6 - Recording and Reporting

(20) Enterprise Procurement will maintain:

- a. a Procurement Conflict of Interest Register with appropriate details and ensure that the register is current, complete and reliable at all times; and
- b. copies of all completed procurement related Conflict of Interest Declaration Forms.

Status and Details

Status	Current
Effective Date	20th November 2019
Review Date	13th November 2022
Approval Authority	Chief Financial Officer
Approval Date	20th November 2019
Expiry Date	Not Applicable
Policy Owner	Gail Jukes Chief Financial Officer
Enquiries Contact	Finance and Business Services