TfNSW Social Procurement Workforce Toolkit - Aboriginal Participation Plan Template

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Template – Applicable to Infrastructure and Place

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# Introduction

The Aboriginal Participation in Construction (APIC) policy was designed and developed to support greater participation by Aboriginal people in government construction and infrastructure projects across NSW. The objective of the policy is to create opportunities for Aboriginal owned businesses and encourage Aboriginal employment and training through the supply chain of NSW Government contracts and key targets are 3000 full time employment opportunities for Aboriginal people by 2021 and at least 3% of total number of domestic contracts issued by NSW Government Agencies by 2021.

The Aboriginal Participation Plan has been developed to outline key opportunities for Transport for New South Wales’ (TfNSW) projects to contribute to increasing the number of Aboriginal people employed, and the number of Aboriginal owned businesses on the program.

The contractor must develop, implement and maintain an Aboriginal Participation Plan (APP) which identifies how the contractor will comply with the APiC Policy and where necessary the SPW requirements. The plan should outline specific actions and deliverables that will help deliver the APiC targets. The APP must be submitted to the Principal’s Representative as required by APiC Policy, at the time of the tender application.

The APP must provide details of the contractors approach and methodology for the delivery of APiC requirements including:

1. Aboriginal Participation
2. Aboriginal Engagement
3. Aboriginal Procurement
4. Training
5. Mentoring
6. Budget.

# Abbreviations and definitions

All terminology in this document is taken to mean the generally accepted or dictionary definition with the exception of the following terms which have a specifically defined meaning:

| Term | Definition |
| --- | --- |
| Aboriginal Person | As defined by the *NSW Aboriginal Land Rights Act 1983* (as amended) is a person who:   * is a member of the Aboriginal race of Australia, and * identifies as an Aboriginal person, and * is accepted by the Aboriginal community as an Aboriginal person. |
| Aboriginal Owned Business | Is one that is owned - at least 50%, managed and controlled by Aboriginal or Torres Strait Islander persons and certified as such by:   * NSW Indigenous Chamber of Commerce, or * Supply Nation |
| APiC | Aboriginal Participation in Construction Policy 2018 |
| Full Time Equivalent (FTE) | The hours worked by one employee on a full-time basis. The concept is used to convert the hours worked by several part-time employees into the hours worked by full-time employees. An FTE is defined as the number of hours in a standard work week. Calculated for an 8hrs per day, the full-time work week is 40 hours. |
| Indigenous | The term Indigenous is used to refer to Australian Aboriginal and Torres Strait Islander people. According to the most widely adopted definition of Aboriginal and Torres Strait Islander (the “Commonwealth working definition”) |
| TfNSW | Transport for New South Wales |
| Priority Group | Persons and/or groups of identified of being a key focus for provision of opportunities by the project in the current Australian workforce |
| Project Delivery Package | Where a project has been split into specific packages of work to be tendered separately due to speciality, geography or size |
| Project Spend | Expenditure within the design and construction areas of the Project Delivery Package. Unrelated design and construction costs such as property acquisition, legal fees, and specialised capital equipment may excluded |
| Project Workforce | Total number of full time equivalent people employed in Australia by a contractor and subcontractors to deliver the specific Project Delivery Package |
| Small Business | A small business is an Australian and New Zealand based firm that have an annual turnover of under $2 million in the latest financial year |
| Small to Medium Enterprise | A small to medium enterprise is defined in the NSW Government Procurement: Small and Medium Enterprises Framework as ‘a small and medium enterprise from NSW, other states and territories of Australia and New Zealand, with up to 200 full time equivalent employees’ |
| SME | Small to Medium Enterprise |
| Social Procurement | Outcome of integration of Social Procurement with workforce selection by focusing on developing the workforce through: generation of employment opportunities, development of workforce capacity and capability, and the embedding of fair employment practices for the benefit of local communities |
| SPW | Social Procurement Workforce |
| SPWP | Social Procurement Workforce Plan |

# Aboriginal Participation in Construction Targets

Table 1 APiC Targets.

| Category / target | Guidance | Target |
| --- | --- | --- |
| Aboriginal and Torres Strait Islander – Contractor Personnel | % of personnel engaged by the contractor who identify as Aboriginal | 2.5% |
| % of Aboriginal personnel engaged by the contractor retained for over 12 months | 50% |
| % of workers responsible for the supervision of Aboriginal personnel who have attended Aboriginal Cultural Education | 100% |
| Aboriginal and Torres Strait Islander – Contract Spend | % of contract sum spent on Aboriginal procurement, in accordance with the ‘NSW APiC Policy, June 2018 | 3% |
| % of contract sum spent on Aboriginal participation, in accordance with the ‘NSW APiC Policy, June 2018’ used on direct spend | 50% |

# Aboriginal Participation Plan Template

The APP must, as a minimum, address and detail:

## Contractor Introduction and Commitment

Outline relevant contractor policies, memberships and/or commitment to Aboriginal Participation and Engagement.

## Project Roles and Responsibilities

Identify the key personnel and their experience that will responsible for implementing and delivering participation and engagement initiatives

## Aboriginal Participation in Construction Deliverables

The following section should outline the strategy and plan to deliver the APiC policy throughout the delivery phase of the contract.

### Aboriginal Participation in Construction - Participation

How will Aboriginal persons be engaged and employed on the project and what actions are to be taken to ensure compliance and support of sub-contractors:

Please outline:

* Approach and commitment on matching capability to opportunities identified in the skills gap analysis
* Employment strategy
* Recruitment & On-Boarding

### Aboriginal Participation in Construction - Retention

How will Aboriginal persons be engaged and employed on the project and what actions are to be taken to ensure the compliance and support of sub-contractors:

Please outline:

* Post Placement Support/s
* Retention Strategies
* Career advancement strategies
* Approach and commitment

### Aboriginal Participation in Construction – Contract Spend

How will Aboriginal businesses be sourced and engaged into the supply chain and what actions are to be taken to ensure the compliance and support of sub-contractors. Please outline:

* Approach to sourcing and engaging Aboriginal suppliers
* Approach on matching business capability to opportunities as identified in the skills gap analysis
* Communication/s and channels utilised with Aboriginal Businesses
* Outline approach to awarding two contracts to Aboriginal Business and 50% on direct spend

### Sub-Contractor Commitment

Outline your approach on how the contractual requirements will be applied to the supply chain:

* include strategy and plan here

### Training and Mentoring

What strategy or programs will be implemented to engage Aboriginal participants into training and mentoring programs:

* include strategy and plan here

### Stakeholder Engagement

Advise which key stakeholders you will engage and the role they will play to support you deliver the initiatives

* include strategy and plan here

### Funding Sources

Outline what funding is available to support the strategies

* include strategy and plan here

### Systems and Reporting

Outline the systems, processes and reporting methods that will be used to support the management of the APP

* include strategy and plan here

# Related documents and references

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| Related documents and references |
| https://www.procurepoint.nsw.gov.au/system/files/documents/apic\_policy\_june\_2018\_final.pdf  https://arp.nsw.gov.au/pbd-2017-05-construction-training-and-skills-development  https://www.training.nsw.gov.au/programs\_services/funded\_other/islp/index.html  https://www.isca.org.au/ |