

Multiple-Use Register Conditions of Application and Pre-Approval.



Reference no: 1004
Employee Assistance Services



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Operation of multiple-use register and application lodgement

1. Under the Local Government (General) Regulations 2015, a council may establish a multiple-use register of suppliers who meet criteria established by the council in respect of the supply of particular categories of goods or services. This multiple-use register establishes a register of providers prequalified to bid for and perform the services described in the Statement of Council's Requirements.
2. Council will allow prospective providers to apply for inclusion of the multiple-use register at any time unless they have made an application within the previous 12 months and the application was not accepted.
3. Inclusion on the register is not a guarantee of work or that a registered provider will necessarily be invited to bid on Council's requirements. Inclusion only determines a provider's eligibility to bid on or supply Council's requirements as and when the need arises.
4. Council may review a provider's ongoing performance at any time. A performance review may include consideration of any factors that Council (acting reasonably) considers are material to the decision to grant the provider registration or continued registration.
5. Enquiries must be made in writing to procurement.enquiries@gcc.tas.gov.au. Applications must be in writing to gccmail@gcc.tas.gov.au and marked to the attention of Procurement and Contracts.
6. Operation of the multiple use register will commence (or did commence) from 1 June 2025. Continuation of the multiple use register will be reviewed every 24 months.

Statement of Council's Requirements

The purpose of the multiple use register is to establish a pre-approved panel of providers prequalified to provide Council with high-quality employee assistance services to support the health, wellbeing, and productivity of Council's workforce. Prequalified businesses listed on the register will be engaged on an as and when required basis to deliver confidential, professional, and timely support services in line with Council's organisational standards and values.

Eligibility Criteria

In order for it to be accepted to the multiple use register an applicant must meet the following criteria to a standard and degree which is acceptable to Council:

1. Professional qualifications and experience

All practitioners nominated by the applicant to perform the services must have relevant qualifications in their respective fields (e.g., psychology, counselling, financial advisory, legal support, career coaching, or other relevant disciplines) and a minimum of 3 years of practical practice in their professional field and experience in delivering employee assistance or equal counselling services.

2. Licensing and accreditation

The applicant business must hold all necessary licenses, registrations, and professional accreditations required to perform the services.

Practitioners engaged in delivering health or psychological care must be personally registered with the relevant professional board, certification or registration authority (e.g., AHPRA, PACFA, or ACA).

3. Compliance with legal and ethical standards

The applicant must have documented systems procedures in place to ensure compliance with all relevant laws, regulations, and industry standards, including but not limited to privacy and personal information protection, data gathering, retention and security, confidentiality, workplace safety obligations, ethical service delivery and adherence to professional codes of conduct.

Eligibility Criteria (cont.)

1. Service delivery and responsiveness

The applicant must provide, and if accepted to the register at all times meet, clearly defined response times and service availability and must be capable of providing in person and outreach service delivery in addition to telehealth and virtual support.

2. Cultural competency and accessibility

The applicant must demonstrate an understanding of diverse workplace needs, including cultural awareness and inclusive service provision and an ability to support employees from various backgrounds, including those with disabilities, Indigenous employees, and other diverse groups.

3. Referees and track record

The applicant must provide at least 3 professional referees who can attest to their experience and service quality and evidence of having previously successfully, ethically and ably acquitted itself in the provision of employee assistance programs and services to government, corporate, and/or community organisations.

4. Child safety assurance

The applicant must have processes and procedures in place to ensure compliance with child safety laws and for implementation of the National Principles for Child Safe Organisations (available at childsafe.humanrights.gov.au/national-principles).



Eligibility Criteria (cont.)

Eligibility does not extend to related or subsidiary companies or entities of a registered provider. Any such company or entity must apply in its own right.

An incorporated joint venture must meet the criteria in its own right.

Applications from individuals, unincorporated joint ventures and trusts will not be accepted.

Registration will be granted only if the legal entity of the party making the application is clear and Council determines that the prospective provider's legal entity represents acceptable risk to Council.

Council may enquire as to the applicant's financial and commercial status with a third party provider. If Council considers that contracting with a prospective provider constitutes unacceptable financial or commercial risk it will not grant registration.

Conditions of Application and Pre-Approval

General

1. The applicant gives permission for Council to carry out such investigations as it considers necessary to:

- a. determine whether the prospective provider meets the eligibility criteria to a satisfactory level; and
- b. ensure that persons nominated to provide the services are of suitable character and do not pose a risk to the health and safety of vulnerable persons, children and young people.

This may include, but is not limited to:

- criminal history background and dismissal from previous employment checks (and where deemed necessary by Council the applicant must obtain written consent from the nominated practitioners and other key personal to obtain such checks);
- investigations and enquiries as to current and historic legal actions and negative findings of registrars, courts and authorities against the applicant;
- obtaining legal and financial advice about the applicant and the application; and
- confirming the applicant's financial status, legal entity and obtaining risk and other trading history reports provided by third parties.

Conditions of Application and Pre-Approval (cont.)

2. Council will not be liable for the cost of preparing and lodging an application, successful or otherwise, or in providing any additional information or clarification of its application.
3. Information submitted in an application will be treated as confidential and will not be disclosed to any party outside of the Council unless disclosure is required in order for Council to meet a legal obligation or requirement or necessary or advisable for Council to obtain legal, financial or professional advice about the application or the prospective provider.
4. Council may refer the application and any related documentation to external assessors and authorities. The applicant agrees to provide Council with the necessary authorisation to enable such enquiries and investigations to be carried out.
5. Once it is accepted to the multiple-use register a provider's details, including its performance on specific contracts, are no longer confidential and may, without reference to the provider, be disclosed by Council as required for it to comply with any operationally necessary, legal, governmental, transparency or reporting requirements.
6. The terms and conditions of any contracts awarded to a provider, including the final or estimated contract sum, are not confidential and may be publicly and otherwise disclosed and published as required by Council as required to comply with any legal, governmental, transparency or reporting requirements.
7. Upon lodgement of its application, the applicant is deemed to have accepted the Conditions of Participation and Registration and to have acknowledged and accepted that these conditions may be varied from time to time.

Conditions of Application and Pre-Approval (cont.)

8. If included on the multiple-use register, the provider agrees and acknowledges that Council may require at any time:
 - a.attendance by the provider and its personnel and any subconsultants at inductions or other safety related meetings;
 - b.any information or evidence or about a safety-related incident, or the ongoing performance of the provider's health and safety management system;
 - c.active participation and cooperation in any safety audits or investigations; and
 - d.compliance with Council's notified policies, or other special requirements in relation to health and safety.
9. Applicants must adhere to the Glenorchy City Council Code for Tenders and Contracts. The Code for Tenders and Contracts can be obtained by downloading from the Business page of Council's internet site. If granted registration, the provider:
 - a.warrants to Council that it will comply with all ethical requirements of the
 - b.Code for Tenders and Contracts;
 - c.acknowledges and agrees that, if Council forms the legitimate judgment that the provider has or may have failed in its duty to comply, Council may:
 - (i) suspend the provider's registration for the period of any investigation; and
 - (ii) in the case of any adverse findings, terminate the provider's registration and apply one or more of the sanctions provided for in the Code for Tenders and Contracts.

Conflicts of Interest

10. At the time of application lodgement, the applicant must declare any matters known to it that are, or which may be perceived as or become, conflicts with it being included on the multiple-use register or providing the services to Council. Any declared matters must be accompanied by management strategies. This information should include disclosure of any pecuniary, business, familial or close personal relationships with Council officers and officials who are likely to have responsibilities in respect of provider selection and procurement of the covered services.
11. During any period of registration, the provider agrees and warrants to Council that it will notify Council in writing immediately if it becomes aware of any matters that are, or which may be perceived as, or may become, conflicts with its continued inclusion on the multiple-use register or providing services to Council and provide appropriate management strategies.
12. The applicant acknowledges and agrees that Council may, at its option, refuse registration or limit or reduce bidding opportunities provided to the provider on the basis of any matters which in Council's determination represent an unacceptable risk due to actual or perceived conflicts of interest.

Personal information custodianship requirements

13. In these personal information custodianship requirements:

- PIP Act means the Personal Information Protection Act 2004 (Tas); and
- Personal Information and Personal Information Custodian have the meanings given in the PIP Act.

Personal information custodianship requirements (cont.)

14. A prequalified provider warrants to Council that if at any time it is responsible for collecting, using or storing and of any Personal Information it will:
- a. comply with any duties of a Personal Information Custodian under the PIP Act;
 - b. comply with all applicable Commonwealth, State and other privacy laws;
 - c. provide Council with a data privacy and breach plan in a form acceptable to Council, and comply with that plan;
 - d. voluntarily notify the Council and the Office of the Australian Information Commissioner (or its successor) of any privacy breach;
 - e. actively cooperate with Council in notifying those affected by a privacy breach, including answering technical enquiries about protective actions affected people might take; and
 - f. not rely on exemptions, such as the minimum turnover requirements in privacy laws, to avoid notifying, or responding to privacy breaches.

Child Safety Requirements

15. Where required, words in the child safety requirements have the meaning specified in the Child and Youth Safe Organisations Act 2023 (Tas).
16. A prequalified provider must comply with the following child safety requirements whenever providing services to Council. The provider must:
- a. comply with child safety Laws including reporting incidents and keeping current all necessary Working With Children Checks;
 - b. implement the National Principles for Child Safe Organisations (available at: childsafe.humanrights.gov.au/national-principles);

Child Safety Requirements (cont.)

- a. assess the child safety risks and make a plan that will prevent harm or abuse to Children and share this with the Key Personnel; and
- b. where the services involve direct contact with persons under the age of 18, additionally:
 - i. complete and update, at least annually, a risk assessment to identify the level of responsibility for Children and the level of risk of harm or abuse to Children and then put into place an appropriate risk management strategy to manage the identified child safety risks;
 - ii. provide training and establish a compliance regime to ensure that all employees, agents, volunteers and contractors are aware of, and comply with:
 - 1. the National Principles for Child Safe Organisations;
 - 2. the Contractor's and Subcontractors' risk management strategies; and
 - 3. all legislation and regulations relating to requirements for working with Children, including mandatory reporting of suspected child abuse or neglect;
 - iii. upon request, the provide Council with annual statements of compliance with the child safety requirements;
 - iv. ensure that all of its employees and subcontractors are aware of and comply with the child safety requirements
 - v. immediately notify Council of any failure to comply with the child safety requirements;
 - vi. cooperate in any review or investigation conducted by Council; and
 - vii. promptly, and at the provider's cost, take such action as is necessary to rectify, to the Council's satisfaction, any non-compliance with the child safety requirements.



Pricing

17. The applicant must provide a detailed scale of fees, schedule of rates and prices or similar with the application, which will provide the comprehensive basis for determining any payments in return for services which the provider may perform for Council. No additional amounts will be payable.
18. The rates and prices lodged with the application must remain firm and not subject to change for 24 months from the commencement date of the multiple use register.

Terms and Conditions of Supply

19. Unless alternative terms and conditions are accepted by Council in writing, each instance of supply will be governed by Council's Standard Goods and Services Terms published on Council's website when the services are supplied.
20. A prospective provider must submit and seek Council's acceptance of alternative terms and conditions alternative terms and conditions when lodging the application and acknowledges and agrees that Council may require amendment of the provider's terms and conditions as a pre-requisite to the provider's inclusion on the multiple use register.