

Procurement Professional Capability Standard

Professional Standards Capability Program



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IPAA PROCUREMENT PROFESSIONAL CAPABILITY STANDARD

USE OF THE IPAA PROCUREMENT PROFESSIONAL STANDARD

The Institute of Public Administration Australia (IPAA) has defined public sector capability standards to assist in developing the professional procurement capability required for delivering compliant value for money procurement outcomes in the public sector by:

- creating a standard to review procurement capability at the individual, team and organisational level
- supporting recruitment of appropriately skilled and experienced people to procurement roles
- providing a framework to assess the procurement related training needs of individuals and organisations
- supporting career and succession planning for procurement roles
- providing a standard against which to manage the performance of procurement professionals
- providing guidance to individuals on the capabilities that they need to attain, and then maintain, as a procurement professional
- providing guidance to registered training organisations and universities of procurement capabilities to address in their curricula
- providing an opportunity to promote procurement's value and contribution to achieving organisational and government objectives, and improvements in government service delivery, and
- recognising procurement as a skilled profession that requires an investment in continuous professional development.

This standard aims to be practical in nature, inclusive and descriptive, rather than theoretical or prescriptive.

DEFINITION OF PROCUREMENT

Procurement is the process of acquiring goods and/or services. It can include:

- identifying a procurement need and deciding to fill that need
- researching the market to determine availability of goods or services to meet the required need, as well as identifying potential suppliers across the supply chain
- assessing and managing the risks associated with the procurement
- planning the procurement strategy based on the scale, scope and risk of the procurement
- drafting request documentation, seeking tender responses and evaluating responses, including alternate solutions
- negotiating and awarding a procurement contract
- ongoing contract management to maintain or improve delivered value
- confirming that goods and services delivered meet the identified need and comply with the contracted standards
- enabling payments for the goods and services, and
- as appropriate:
 - managing contract closure, including post contract obligations
 - reviewing the procurement activity and identifying lessons learnt
 - managing transition to new or more innovative arrangements
 - managing the disposal of goods.

Procurement can be as simple as buying pens for a single public sector agency or as complex as establishing a long term arrangement to buy a range of highly technical goods and services for collective agencies or jurisdictions.

Broadly, the process of establishing a new procurement arrangement is known as a contracting activity, whilst acquiring a good or service from an existing procurement arrangement is known as a purchasing activity.

The process and procedures to procure goods and services vary according to the legislative context, compliance obligations, organisational risk appetite, market availability and complexity of requirements. Therefore the procurement knowledge, skills, behaviour and experience required will also vary.

CONTEMPORARY PROCUREMENT CONTEXT

As government budgets seek to do more with less, procurement has been acknowledged as a critical strategic function that is able to deliver organisational objectives. Investment in an integrated procurement capability improves the capacity of an agency to better meet community requirements by delivering savings, innovation and streamlined and ethical processes. Increasingly this also includes leveraging off existing procurement processes to deliver additional positive social and environmental outcomes.

As the strategic importance of procurement grows, its focus on simplification, standardisation, aggregation, specialisation and professionalisation, and collaborating with industry to improve mutual productivity, are becoming key drivers to delivering value for money procurement outcomes. Furthermore, the globalisation of procurement has also created new opportunities and risks, from the benefits of local suppliers participating in a global supply chain, to the increasing responsibility of ensuring that even remote suppliers are acting safely and ethically.

As procurement in the public sector involves the spending of public money, it is critical that the public has confidence that government expenditure is being well and fairly managed. As a consequence, in addition to obtaining appropriate quality goods or services at the best price, it may also take into account:

- that procurement is undertaken in accordance with rules and governance requirements that apply in the relevant jurisdiction
- that procurement is done with the highest standards of probity and ethical conduct
- that the procurement processes undertaken are fair, transparent and equitable to suppliers
- that the impacts of the procurement, whether on the relevant market, its supply chain, or the potential disposal of the assets, accord with broader government policy and community expectations, and
- that other government policies that may be relevant to the supplier are also adhered to.

With an increasing tendency of governments to outsource the supply of goods and services to the private and not for profit sector, government procurement has become increasingly strategic, with a growing need for procurement professionals to establish and manage complex and ongoing contractual relationships.

THE ROLE OF PROCUREMENT PROFESSIONALS WITHIN GOVERNMENT

Procurement Professional – leads, controls, develops and is accountable

Procurement professionals in the public sector work within a governance framework to develop and implement strategies, tools and systems that deliver high quality, best practice, and compliant value for money solutions.

Procurement professionals also have the skills to identify opportunities to lead procurement and reform initiatives both within their organisations and across the public sector.

A procurement professional, such as a Chief Procurement Officer, leads major procurement activities and processes, including establishing an organisation's procurement policy framework. Alternatively, they may provide high level oversight or specialist support.

A procurement professional uses a strategic approach to foster innovation to deliver public sector, organisational and/or business unit procurement objectives. They integrate whole-of-government procurement and contract management strategies into their organisation's policies and practices. They will also develop strategies for specialist procurement categories, for example, information and communication technologies, construction or specific strategic capabilities such as within Defence.

A procurement professional ensures that procurement outcomes are clearly defined and that the strategic procurement and contracting models are appropriate and applied in a standard manner. Typically they lead a major procurement change initiative in either the senior managerial role or as the prime decision-maker. They may also manage procurement activities at a range of levels, including whole-of-category, whole-of-agency, whole-of-portfolio, whole-of-government, or coordinating multiple organisations or jurisdictions procuring together.

A procurement professional often manages high value, high risk or complex procurements, or an inter-dependent range of individual contracts to support the delivery of a major procurement capability. Their focus is on identifying and delivering the required value for money business outcomes across the procurement lifecycle. To deliver these outcomes, they also have a key role in ensuring their procurement workforce have the appropriate knowledge and skills.

A procurement professional may lead multi-disciplinary and integrated procurement teams. If so, they apply highly developed program and project management skills to monitor and control the entire procurement activity, including potentially: enterprise risk management, organisational demand and costs modelling, strategic category management activities, leading contract negotiations, resolving contract management disputes, and leveraging strategic relationships and sustainable supplier value.

In a whole of public sector context, the procurement professional may control and be accountable for delivering the organisation's annual procurement plan, monitored through establishing and meeting a suite of agreed program and project key performance indicators. This may also involve monitoring and evaluating both compliance and effectiveness of procurement and contract management within the organisation.

A procurement professional will have significant procurement experience and/or advanced vocational or university strategic procurement qualifications. They will also have high level commercial acumen, communication and negotiation skills, and ethical standards. Procurement is generally their key responsibility if not their sole function. Those aspiring to become a procurement professional may seek to achieve a post-graduate qualification in Strategic Procurement or certification with a relevant professional body.

A procurement professional within government is expected to demonstrate and uphold the highest ethical standards of conduct and integrity. These include:

- acting with care and diligence and making decisions that are honest, fair, impartial, and timely, and consider all relevant information,
- treating people with respect, courtesy and sensitivity and recognising their interests, rights, safety and welfare, and

- acting responsibly and in an accountable manner to ensure the efficient, effective and appropriate use of human, environmental, financial and physical resources, property and information.

These requirements of public servants are frequently outlined in a Code of Conduct or Ethical guidelines which are issued by the relevant public sector employment body. However a professional public servant is expected to not only uphold these values, but also be a champion for them in the workplace.

PROCUREMENT PROFESSIONAL CAPABILITY DOMAINS – OVERVIEW

1. Legislative and Regulatory Environment
2. Public Sector Context
3. Laws and Policies covering Agreements
4. Ethics and Probity
5. Strategic Organisational
6. Manage Risk
7. Commercial Risk
8. Financial Risk
9. Strategic Procurement Planning
10. Market Analysis
11. Market Engagement
12. Contract Management
13. Operational
14. Professional Development and Contribute to the Professional Body of Knowledge

PROCUREMENT PROFESSIONAL CAPABILITY DOMAINS AND OUTCOME STANDARDS

1. Legislative and Regulatory Environment
<p>1.1. Plan and deliver procurement outcomes</p> <ul style="list-style-type: none"> • that are consistent with the public sector legislative and policy frameworks, including public and administrative law, and obligations under Australia’s free trade agreements, and • that are appropriate to the structures and organisations of the public sector, including the Constitution, the Parliament and Executive responsibility, the roles and responsibilities of different layers of government, and any Machinery of Government requirements.
2. Public Sector Context
<p>2.1. Deliver procurement outcomes that are consistent with relevant procurement related legislation and policy frameworks, including mandatory procurement connected policies, rules and guidelines. This may include processes for the development of related legislation and legislative instruments or the management of their requirements.</p>
<p>2.2. Contribute to and influence government and agency procurement strategy whilst taking into account Ministerial, Chief Executive or broader public sector considerations.</p>
<p>2.3. Model public sector values and uphold relevant security requirements.</p>
<p>2.4. Undertake decision making delegation responsibilities, authorisations and indemnities to achieve proper use, including undertaking due diligence activities and maintaining appropriate records.</p>
<p>2.5. Perform as a model litigant.</p>

3. Laws and Policies covering Agreements

- 3.1. Deliver procurement outcomes that apply legislative and common law requirements, including the laws relating to:
- anti-discrimination
 - bribery and anti-corruption
 - consumer protection
 - contracts
 - corporations and business
 - employment
 - environmental requirements
 - equity
 - information and privacy
 - insurance
 - intellectual property and confidentiality
 - property
 - negligence/torts, and
 - workplace health and safety.
- 3.2. Consistent with agency goals and priorities, advise on and support the delivery of the most appropriate procurement arrangement and agreement types relevant to the procurement objectives, including where relevant the use of contracts, deeds, memorandums of understanding, and legal or quasi-legal instruments.
- 3.3. Interpret and apply agreement terms and conditions to achieve procurement outcomes.

4. Ethics and Probity

- 4.1. Design and deliver procurement processes and outcomes:
- that are in accordance with public sector ethical values. This includes: officers not making improper use of their position, such as accepting gifts or benefits; and managing real, perceived or potential conflicts of interest
 - that are ethical, transparent, consistent, accountable and auditable
 - where tender participants are treated fairly and equitably
 - that ensure contractor and supply chain practices are not illegal, dishonest, unethical or unsafe
 - where confidential information is treated appropriately, and
 - where options and potential consequences are understood and appropriate action is taken if ethics and probity issues arise.

5. Strategic Organisational

- 5.1. Contribute to and influence the organisation's strategy, culture and drivers, and utilise strategic procurement to support organisational objectives.
- 5.2. Ensure effective service delivery is aligned with business improvement strategies.

6. Manage Risk

- 6.1. Commensurate with the scale and scope, establish processes for systematically identifying, analysing, allocating and managing risk when conducting procurement activities. This may include managing a continuously updated Risk Management Plan that integrates organisational risk strategies and policies with those applying to a particular procurement activity.

7. Commercial Risk

7.1. Manage commercial risk, including:

- exercise commercial business acumen across the procurement lifecycle, with a particular focus on achieving successful negotiations, dispute resolution and contracting outcomes. This would include structuring arrangements to promote or maintain competition, competitive tension, performance and innovation
- being cognisant of and managing the impact of tender requirements on tenderers, including the value of reducing industry's costs of tendering
- ensure contractual certainty and enforceability
- ensure appropriate intellectual property rights are obtained, and
- ensure the commercial risk assessment addresses key contracting issues such as: payment on value transfer, management of government furnished equipment and quality assurance processes and standards.

8. Financial Risk

8.1. Manage financial risk, including:

- limitation of liabilities, indemnities and warranties, liquidated damages and performance securities, and how these may be impacted by the availability, type and amount of insurance
- analyse the risks and benefits, as well as the direct and indirect costs, of supply chain design and management
- understand investment appraisal and financing options applicable to the supply chain
- support the delivery of procurement outcomes through an understanding and detailed analysis of the financial health of potential suppliers and their viability, including the impact of mobilisation and performance payments
- support cost effective procurement outcomes through an understanding of pricing options and mechanisms, including the management of the impacts of foreign currency and pricing adjustment clauses, and
- support sound procurement outcomes through an understanding of complex financial and management information, including demand and spend analysis, and where appropriate, provide a standard pricing approach in request documentation.

9. Strategic Procurement Planning

9.1. Develop strategies that deliver compliant value for money procurement outcomes consistent with organisational objectives through:

- ensuring available procurement officers have the appropriate knowledge, skills and experience to deliver procurement outcomes
- developing a sound business case
- linking the procurement requirement with the best model for engagement and approach to the market, including where appropriate in conjunction with other agencies or jurisdictions
- analysing and applying as appropriate different contracting and partnership options, including staged procurements, panels and multi-use lists, leasing, alliances and public private partnerships
- determining the most appropriate contractual terms and conditions when approaching the market, during negotiations and contract signature, and where contract changes are proposed
- establishing contractual arrangements and options that support the monitoring, achievement

<p>and improvement of value delivered under a contract, including through supplier relationship management, dispute resolution, performance metrics, capturing lessons learned and when to re-approach the market, and</p> <ul style="list-style-type: none"> • applying innovation to deliver ongoing improvements to procurement outcomes and productivity.
9.2. Assess the risks and benefits of procurement aggregation through a category management framework supported by appropriate arrangements (such as multi-use lists or panels).
9.3. Understand the role and value of e-business, vendor management, finance, logistics and distribution systems to improve the efficiency and effectiveness of transactional procurement processes.
9.4. Plan, manage and develop effective internal supply chain competencies.
9.5. Work effectively with integrated teams, which may include commercial and technical specialists and subject matter experts, to deliver procurement outcomes.
10. Market Analysis
10.1. Understand how the relationship between an organisation's procurement requirements and what is available in the market environment will impact on the procurement outcome, and take appropriate steps to respond to and shape market dynamics.
10.2. Understand how issues and strategies for achieving procurement objectives may vary with the category of good or service being sourced and apply the appropriate strategy
10.3. Conduct need and market analysis which takes account of: <ul style="list-style-type: none"> • likely supplier strategy and competitive advantage • the structure and depth of the available supply chain • promoting a viable, competitive market which supports certainty of delivery, and • supporting sustainable procurement outcomes (including economic, social, environmental and ethical requirements).
10.4. Anticipate the impact of market change (including broader environmental and technological impacts) on procurement and supply chain management consistent with strategic business requirements, and take appropriate steps.
11. Market Engagement
11.1. Understand how market analysis influences an approach to market to ensure the best and most appropriate opportunity for suppliers to compete fairly and deliver the best value for money outcome. For example, considering the value of site visits, demonstrations or Industry briefings to support the best tendering outcome.
11.2. Develop market engagement strategies to stimulate innovative responses from potential suppliers, including management of unsolicited or alternate proposals from suppliers.
12. Contract Management
12.1. Recognise and manage contracts and their obligations on parties.
12.2. Engage the contractor through appropriate supplier relationship management practices (for example a Contract Management Plan) and work to resolve any issues as soon as possible.
12.3. Ensure that any contract changes are reviewed and agreed through a consistent mechanism and that a current and complete contract is maintained across the contract lifecycle for effective supply and risk management.

12.4. Monitor, report and manage performance through established measures and benchmarking, including that the delivered goods and services meet contracted standards. This may include a performance based contracting methodology which seeks to incentivise the contractor to deliver against agreed key performance indicators.
12.5. Ensure the contractor meets all of its obligations and that potential underperformance is managed through the application of appropriate risk management practices.
12.6. Assess, apply and manage the different options for remediating non-performance (such as schedule delay) through incentives, disincentives, termination rights or other mechanisms.
12.7. Ensure comprehensive records of contractor communications are kept, including regular updates to the Risk Management Plan.
12.8. Optimise the delivery of value through the contract by effective engagement with the contractor to maintain or improve delivered value.
13. Operational
13.1. Behave in a professional, productive and ethical manner in order to deliver compliant value for money procurement outcomes.
13.2. Achieve effective stakeholder management both within the organisation and with the contractor, their supply chain, and broader industry.
13.3. Support understanding and delivery of effective procurement through effective communication which reduces ambiguity and risk, including through: <ul style="list-style-type: none"> • well written clear and concise plans, documentation and contracts • timely and effective verbal and written communication, and • strong influencing and negotiating capability.
13.4. Effective time management.
13.5. Apply good project management principles and practices to the conduct of the procurement.
13.6. Develop innovative ways to improve the delivery of procurement outcomes.
14. Professional Development and Contribute to the Professional Body of Knowledge
14.1. All Procurement professionals: <ul style="list-style-type: none"> • are responsible for the development of their own personal leadership and procurement knowledge, skills and experience, including establishing and maintaining relations with procurement professionals working in other areas of government • accept the importance of more senior and experienced procurement professionals supporting the development of more junior procurement professionals, and act accordingly • invest in the procurement profession by undertaking on-the-job training, providing advice and feedback, coaching and mentoring other procurement professionals, and attaining appropriate vocational, university and/or professional qualifications • contribute to the body of knowledge supporting the profession and the development of new methods to improve the quality of procurement outcomes, and • encourage senior management to invest in up skilling procurement professionals to improve organisational procurement capability.

OTHER PROCUREMENT ROLES

For this Procurement Capability Standard four procurement capability levels have been identified:

- procurement professionals (who lead the profession)
- procurement practitioners (who manage procurement outcomes)
- operative or transactional purchasing officers (who are not specialist procurement officers but may conduct transactional purchasing of low cost, low risk, easily-sourced goods or services from an existing arrangement), and
- procurement delegates (who are not specialist procurement officers but may exercise the approval delegations with appropriate procurement advice).

Each of these capability levels would understand or be aware of the range of procurement capability domain knowledge and skill requirements which are detailed above, but at reduced levels of awareness and expertise.

Many skilled people work in the areas covered by public sector procurement at both professional, practitioner and transactional levels. Officers are able to move between these levels depending on their knowledge, skills and experience gained through work and/ or formal education. The diagram on the following page indicates how these levels interrelate and gives examples of jobs at each level.

Procurement delegates have also been included in this standard because of the important role they perform in approving procurement activities. While they may not be procurement experts, as the 'Buyer' they are often responsible for identifying the organisation's procurement needs, and often are or represent the end user.

Procurement practitioners, transactional purchasing officers and procurement delegates within government are expected to demonstrate and uphold the highest ethical standards of conduct and integrity as indicated above for procurement professionals.

Procurement Practitioner – manages, participates, facilitates and delivers

A procurement practitioner typically has extensive experience in procurement complemented by relevant vocational or university qualifications; and has a sound understanding of, and ability to apply, procurement legislation, policy and administrative frameworks for public sector procurement. Procurement is generally either their primary function or a key responsibility of their role.

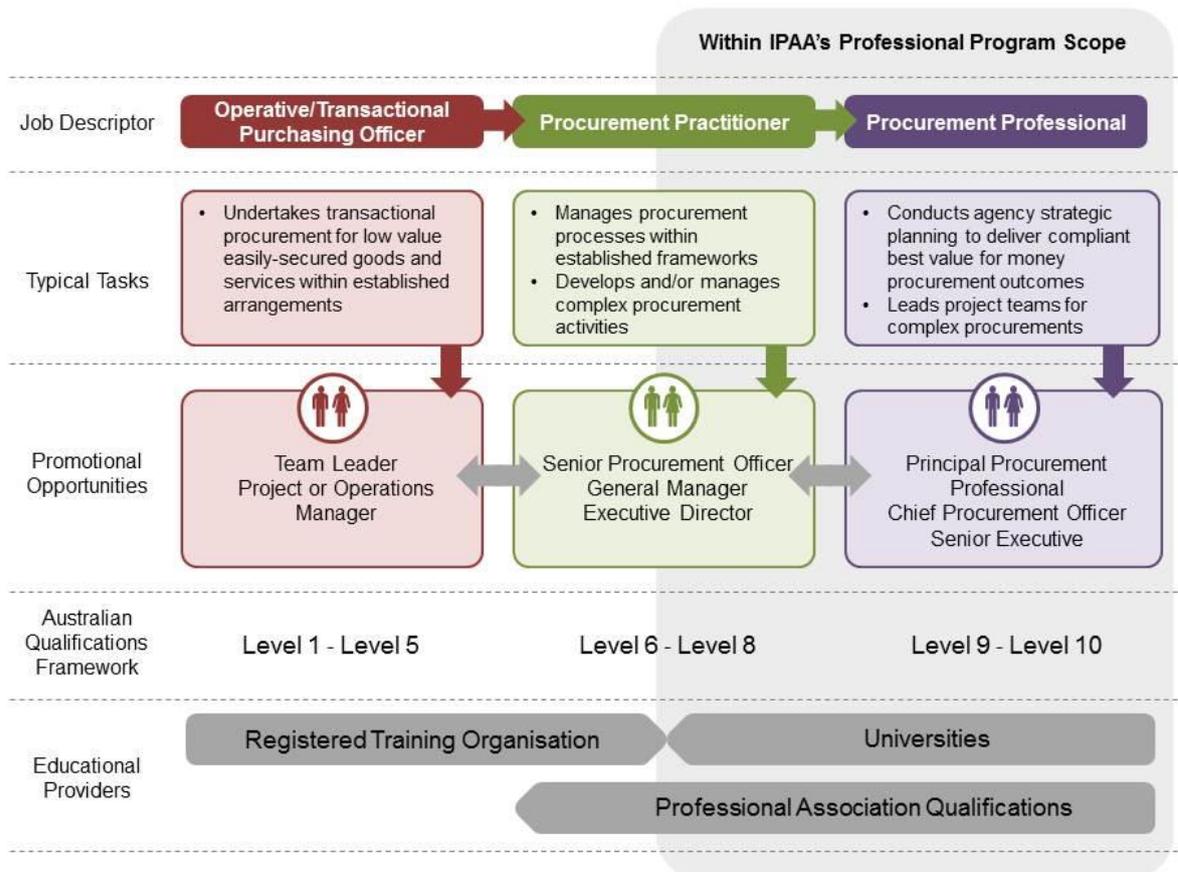
A procurement practitioner also understands required procurement outcomes and works with or assists procurement team members to deliver those outcomes consistent with their procurement frameworks.

The practitioner is capable of undertaking all procurement lifecycle processes to achieve the desired outcomes. Typically a practitioner is a skilled communicator and negotiator, and models a high standard of ethical behaviour.

A procurement practitioner may work as part of a team on high value, high risk procurements or may lead a portfolio of lower value, lower risk procurements. A procurement practitioner may supervise other procurement officers as well as directly developing, managing and achieving agreed procurement outcomes.

The procurement practitioner is typically responsible for monitoring and providing reports to managers and stakeholders (such as procurement delegates) on progress against a variety of agreed key performance indicators.

The procurement practitioner may be expected to identify and lead innovation to leverage better value for money outcomes through, for example, improved category management or enhanced contract management.



Those aspiring to become a procurement practitioner may seek to achieve a vocational Diploma of Government (Procurement and Contracting) or a relevant university qualification, for example in strategic procurement.

Operative or Transactional Purchasing Officer - conducts transactional purchasing off an existing arrangement. Public sector purchasing officers are generally not specialist procurement officers, but work to support the organisation through purchasing low value goods and services off an existing arrangement. For example, they may purchase stationery or travel services on behalf of the organisation from an existing panel arrangement.

Purchasing Officers generally do not have extensive knowledge of relevant legislation and procurement requirements, nor would they have the knowledge and skills to establish new contracting arrangements. However, they are capable of leveraging off existing arrangements where these requirements have already been addressed.

Purchasing Officers are required to have a general level of understanding of procurement requirements in order to identify complex or higher risk procurement activities. For example, they should be capable of ensuring governance requirements are met, such as that the appropriate financial and procurement delegations have been exercised before a contractual commitment is entered into.

Purchasing Officers may use their transactional purchasing experience to apply to become a procurement practitioner.

Procurement Delegate – exercises delegation, seeks expert guidance and works with procurement officers to define procurement requirement

Public sector procurement delegates, such as an Agency Chief Executive Officer or Senior Executive member, are responsible for initiating and approving major procurement activities in order to meet broader organisational requirements. They may only engage in procurement activities occasionally. They may also be referred to by procurement officers as the 'buyer' and often represent the needs of the end-users. They are generally not a specialist procurement officer.

Where the procurement delegate is the senior executive member who exercises the value for money procurement delegation, often for a major procurement, the delegate would draw on appropriate professional guidance and support, for example from commercial and technical advisors, but primarily procurement.

A procurement delegate would work with a procurement team in order to deliver high value, more complex procurements. Depending on the complexity of the procurement activity, a procurement delegate may participate in procurement activities as a member of a steering committee to monitor progress, risk management activities, and the application of project management principles.

A procurement delegate would understand governance requirements and apply legal, policy and organisational guidelines and procedures in relation to procurement, including performance and quality control processes.

NOTES ON THE STANDARDS DEVELOPMENT PROCESS

This standard was designed by an expert design group established by IPAA. The group included individuals with a high level of procurement expertise at the National, State/Territory and Local Government levels. It also included officer bearers from the Australasian Procurement and Construction Council (APCC) and Australian officer bearers within the Chartered Institute of Purchasing and Supply (CIPS). IPAA is most appreciative of the contributions of all individuals and the representatives from these organisations. The design group recognised pre-existing capability frameworks, such as those of the APCC and CIPS, and has sought to complement and adapt rather than reinvent pre-existing work.

The design group also considered the wide ranging perspectives of what constitutes professional procurement work and the characteristics, actions and capabilities of procurement professionals currently working within the public sector. The characteristics that make a profession and how these apply to the procurement professional are reflected in the standard. These include upholding the integrity and worth of the profession, maintaining currency regarding new procurement approaches, and giving back to the profession by supporting emerging professionals through ongoing development, mentoring and succession management.

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