

COMPLIANCE STRATEGY

Local Jobs First Commissioner

February 2019

 **LOCAL JOBS FIRST**

 **VICTORIA**
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Foreword

The *Local Jobs First Act 2003* (the Act) came into effect on 14 August 2018. The Minister for Jobs, Innovation and Trade is responsible for the Act, the Local Jobs First Policy and associated Local Jobs First Agency and Supplier Guidelines.

The Act includes a strengthened Local Jobs First compliance framework to help deliver the best outcomes for local industry and workers and establishes a new Local Jobs First Commissioner who is responsible for overseeing and enforcing compliance.

Under the Act, a person or agency to which the Local Jobs First Policy applies must comply with the Local Jobs First Policy.

The Local Jobs First Commissioner is responsible for the following compliance functions:

- to monitor and report on compliance with the Local Jobs First Policy and Local Industry Development Plans;
- to take enforcement action in relation to breaches of the Local Jobs First Policy, Local Industry Development Plans and the *Local Jobs First Act 2003*.

The Local Jobs First Commissioner will work with the Office of Industry Participation and Jobs, industry and Victorian Government departments and agencies to promote the benefits of and ensure compliance with Local Jobs First.

This Compliance Strategy outlines how the Local Jobs First Commissioner will encourage, monitor and enforce compliance with the *Local Jobs First Act 2003*, Local Jobs First Policy and Local Industry Development Plans.

Through evaluation, the Commissioner is committed to assessing the effectiveness of compliance activities on reducing overall levels of non-compliance. Feedback from industry and government agencies and departments will help to improve the effectiveness of this strategy in achieving compliance outcomes.

1 Purpose

This Compliance Strategy outlines how the Local Jobs First Commissioner will approach compliance and enforcement activities during 2019. The aim of the Commissioner is to ensure that government agencies, departments and industry are complying with their Local Jobs First obligations by encouraging, monitoring and enforcing compliance with the *Local Jobs First Act 2003*, Local Jobs First Policy and Local Industry Development Plans.

The compliance approach involves a combination of:

- Stakeholder engagement
- Information, advice and guidance
- Audits
- Investigations
- Enforcement activities

The Compliance Strategy explains how these activities are used to improve compliance with Local Jobs First Policy and Act to obtain the best outcomes for local workers and industry.

2 Local Jobs First Commissioner's Compliance Roles and Responsibilities Under *Local Jobs First Act 2003*

The *Local Jobs First Act 2003* provides a transparent compliance framework, involving a series of steps that can be followed to confirm that contracted local content and job commitments are on track and being achieved and actions to take if they are not. The Act also defines the enforcement and compliance functions of the Local Jobs First Commissioner.

2.1 Local Jobs First Commissioner

Under the *Local Jobs First Act 2003* (Section 18, pages 15-16), the Local Jobs First Commissioner has the following functions:

- to promote the Local Jobs First Policy across agencies and local industry;
- to collaborate with agencies and external service providers to assist businesses in targeting companies and workers in specific sectors and regions;
- to work with agencies to improve Victorian industry access to current and future government procurement opportunities;
- to advocate for the private sector and local government to procure goods and services from Victorian industry, employ local workers and enhance the skills of local workers;
- to work with Victorian industry and employee organisations to facilitate collaborations between contractors and the training sector to build skills development in relation to project delivery;
- to provide strategic advice on issues related to the Local Jobs First Policy, particularly on actions to grow participation by local industry in government activities in the short-term, medium-term and long-term;
- to support the development of and provide advice on government procurement policies and initiatives;

- to monitor and report on compliance with the Local Jobs First Policy and Local Industry Development Plans;
- to take enforcement action in relation to breaches of the Local Jobs First Policy, Local Industry Development Plans and the Act.

As per transitional arrangements in the Local Jobs First Policy, the Commissioner's compliance and enforcement powers will apply to projects tendered from 15 August 2018.

The Local Jobs First compliance functions of the Commissioner are highlighted in the table below.

Table 1 – Local Jobs First Commissioner – Compliance Roles and Responsibilities

Table title	Table title
Issue Request for Information from Agencies <i>LJF Act Ref: Part 4, Section 22</i>	<p>If the Commissioner believes on reasonable grounds that an agency has information or a document that is relevant to the performance of the functions of the Commissioner, the Commissioner may request in writing that the agency provide the specified information or specified document to the Commissioner.</p>
Request Audits from Agencies <i>LJF Act Ref: Part 4, Section 23</i>	<p>The Commissioner may request an agency to conduct an audit in relation to:</p> <ul style="list-style-type: none"> • Compliance by a person or agency with the Local Jobs First Policy; or • Compliance by a person with a Local Industry Development Plan; and • To provide to the Commissioner a report on the audit. <p>The Commissioner may impose terms of reference or other requirements in relation to an audit conducted by an agency.</p>
Issue Information Notices <i>LJF Act Ref: Part 5, Section 24(2)</i>	<p>If the Commissioner believes on reasonable grounds that a person has information or a document that is relevant to the operation of the Local Jobs First Policy or to a Local Industry Development Plan, the Commissioner may issue an information notice in writing, to the person requiring the person to do any of the following:</p> <ul style="list-style-type: none"> • Give to the Commissioner specified information, within the period and in the manner and form specified in the information notice • Produce to the Commissioner any document specified in the information notice, within the period and in the manner specified in the information notice • Make copies of any specified document and produce the copies to the Commissioner, within the period and in the manner specified in the information notice. <p>The period specified must be no less than 14 days from when the information notice is issued.</p>

Issue Compliance Notice

The Commissioner may issue a compliance notice in writing to a person if the Commissioner reasonably believes that the person has:

LJF Act Ref: Part 5, Section 26

- a) Failed to comply with an information notice, or
- b) Failed to comply with the Local Jobs First Policy; or
- c) Failed to comply with a Local Industry Development Plan.

A compliance notice may require the person to:

- comply with an information notice within a specified period
- comply with the Local Jobs First Policy within a specified period, or
- take specified steps within a specified period to comply with the Local Jobs First Policy, or
- comply with the Local Industry Development Plan within a specified period or
- take specified steps within a specified period to comply with the Local Industry Development Plan.

The period specified must be no less than 14 days from when the compliance notice is issued.

Consider a written response to a compliance notice

The Commissioner may consider a written response from a person disagreeing with the compliance notice. After considering the response, the Commissioner may, by notice in writing, withdraw or confirm the compliance notice.

LJF Act Ref: Part 5, Section 27(2)

The notice must specify a period within which the person must comply

Commissioner may make a determination

If the Commissioner has issued a compliance notice to a person and:

- has not received a response from the person within 14 days, or
- has received a response within 14 days and has confirmed the compliance notice and the person has failed to comply with the notice within the period specified in the notice,

LJF Act Ref: Part 5, Section 28

the Commissioner may determine that the person has:

- failed to comply with an information notice; or
- failed to comply with the Local Jobs First Policy or
- failed to comply with a Local Industry Development Plan.

Commissioner may recommend to the Minister that an adverse publicity notice be issued

If the Commissioner makes a determination, the Commissioner may recommend to the Minister that the Minister issue an Adverse Publicity Notice and advise the person and the appropriate agency of the determination and the recommendation that the Minister issue an Adverse Publicity Notice.

LJF Act Ref: Part 5, Section 28 (3)

Recommendations to an agency to seek an injunction or other enforcement action

The Commissioner may recommend an agency seeks an injunction or other enforcement action.

If a person is failing to comply or has failed to comply with the Local Jobs First Policy or a Local Industry Development Plan, the Commissioner may make a recommendation to the appropriate agency that the agency seeks compliance with the Local Jobs First Policy or the Local Industry Development Plan by:

LJF Act Ref: Part 5, Division 2, Section 30

- Applying to a court of competent jurisdiction for an injunction; or
- Taking enforcement action available under an applicable contract.

Annual Report

The Commissioner must submit a report to the Minister on the performance of functions and the exercise of powers by the Commissioner under the *Local Jobs First Act 2003* in respect of each financial year by no later than 30 August after the end of each financial year.

LJF Act Ref: Part 6, Section 31

2.2 Compliance objectives and principles

The objectives of the Commissioner's compliance activities are to ensure that:

- Local Jobs First Policy is being properly applied to Victorian Government agency procurement processes and supplier practices;
- Suppliers/contractors are delivering on their Local Jobs First commitments including local content and workforce; and
- Local small and medium-sized enterprises are given a full and fair opportunity to compete for government contracts.

The Commissioner will uphold the compliance principles listed in Table 2 below.

Table 2 - Compliance Principles

Principle	Commissioner's Commitment	What Stakeholders Can Expect
Helpful	The Commissioner will provide the agency, department or industry stakeholder with appropriate and timely information, advice and assistance to help them understand and meet their compliance obligations. The Commissioner may do this in consultation with the Office of Industry Participation and Jobs.	I can expect to receive easily accessible, appropriate and timely information, advice and assistance to help me understand and meet my compliance obligations.
Respectful	The Commissioner's compliance actions will always be professionally and respectfully conducted.	I can expect to be professionally, equitably and respectfully treated by the Commissioner and the Commissioner's staff.
Impartial	The Commissioner will exercise powers and make decisions without real or perceived influences or conflicts of interest and ensure the integrity and objectivity of all regulatory actions.	I can expect to receive fair and honest treatment that is based on the law and consideration of all relevant facts and criteria.

Proportionate	The Commissioner's compliance actions will be in proportion to the problem they are intended to address based on an assessment of risk, impact and culpability.	I can expect my compliance experience to match the relative risk, impact and intent of my behaviour.
Predictable	The Commissioner will apply their compliance and enforcement powers predictably for parties in equivalent circumstances.	I can expect to be able to anticipate my compliance experience, to be notified of changes, and to be treated the same as any other regulated individual or organisation in equivalent circumstances.
Transparent	The Commissioner will be open about the way in which he conducts compliance and enforcement activities.	I can expect to easily understand the way in which the Commissioner oversees compliance and enforcement of Local Jobs First Policy.

3 Local Jobs First Commissioner's Operating Environment

The Local Jobs First Commissioner operates in a multifaceted environment which is detailed below.

3.1 Working with Others

While the Commissioner is responsible for overseeing compliance and enforcement of Local Jobs First Policy, the Minister for Jobs, Innovation and Trade, procuring agencies and departments, suppliers/contractors and the Office of Industry Participation and Jobs all have a role to play in ensuring compliance with the Local Jobs First Policy and *Local Jobs First Act 2003*.

3.1.1 Minister for Jobs, Innovation and Trade

The Minister for Jobs, Innovation and Trade is responsible for the Act, Local Jobs First Policy and associated agency and supplier/contractor guidelines. The Minister is supported by the Office of Industry Participation and Jobs on matters relating to the *Local Jobs First Act 2003* and Local Jobs First Policy. The Minister can provide written directions to the Commissioner relating to the *Local Jobs First Act 2003* or any other Acts to be exercised by the Commissioner.

3.1.2 Office of Industry Participation and Jobs

The Office of Industry Participation and Jobs (OIPJ) located within the Department of Jobs, Precincts and Regions (DJPR) is responsible for:

- administering *Local Jobs First Act 2003* and Policy
- providing advice to agencies and the Industry Capability Network-Victoria (ICN) on the objectives of Local Jobs First to ensure that it is applied correctly
- managing the Victorian Government contract with ICN to deliver Local Jobs First administrative services
- preparing the whole-of-government Local Jobs First annual report, which is tabled in Parliament by the responsible Minister as required under the Local Jobs First Act
- whole of government reporting and monitoring on Local Jobs First Policy, drawing on agency, supplier/contractor and ICN data.

3.1.3 Agencies

Agency means a department or a public body within the meaning of the *Financial Management Act 1994*.

Procuring agencies have primary responsibility for developing and ensuring that their procuring and contracting practices are compliant with the Local Jobs First Policy and Act. It is expected that agencies have the appropriate level of quality assurance, contract management and governance arrangements in place to ensure that this occurs. Agencies should acknowledge compliance obligations in any risk management framework and regularly use internal audits and other programs to review compliance.

All agencies are required to report on the implementation of Local Jobs First in its report of operations under Part 7 of the Financial Management Act 1994 and to the Office of Industry Participation and Jobs for inclusion in the Local Jobs First Annual Report.

Agencies must follow the published Local Jobs First Policy Agency Guidelines (<https://localjobsfirst.vic.gov.au/agency-guidance/agency-guidelines>).

3.1.4 Suppliers/Contractors

Suppliers/contractors into Local Jobs First applicable projects need to comply with the Local Jobs First Policy, the *Local Jobs First Act 2003* and any contracts or agreements that have been entered into with the procuring agency.

Suppliers/contractors must follow the published Local Jobs First Policy Supplier Guidelines (<https://www.localjobsfirst.vic.gov.au/industry-guidance/supplier-guidelines>).

4 COMPLIANCE APPROACH

The Local Jobs First Commissioner is responsible for monitoring and enforcing compliance with the *Local Jobs First Act 2003*.

The Commissioner will seek to prevent instances of non-compliance through engagement, advice, education, guidance and communication materials. If the Commissioner detect an instance of non-compliance, the Commissioner will respond accordingly and draw on the suite of compliance tools available under the Act.


The Commissioner's compliance actions will be assessed and delivered according to:

- The relative seriousness of the cause of the issue and assessment of the impact of the activity and culpability
- The behaviour of the agency and/or supplier to rectify the issue
- In line with compliance principles and objectives, undertaken with fairness, predictability and transparency

The level of intervention required will be influenced by the risks being addressed, the situation and the behaviour and intent of departments, agencies and contractors.

Compliance requirements mean that there can be multiple touch points between the Local Jobs First Commissioner and agencies and/or industry throughout the life cycle of a procurement and project life cycle process, including:

- Procurement stage
- Contract stage
- Project works commencement
- Practical completion.



Enforcement is the action taken to compel compliance where it has not been voluntarily achieved. The Commissioner will respond to non-compliance by investigating suspected breaches of the law, and by imposing remedies which may include engaging and advising relevant parties, issuing information notices, compliance notices and recommendations to issue adverse publicity notices or recommendations that agencies seek injunctions or take enforcement action under an applicable contract.

The Local Jobs First Commissioner will regularly review the consistency of its decision making (particularly in escalating compliance matters) and its interventions for alignment with the compliance principles and risk assessments.

Compliance guidelines will be published to provide guidance to agencies and suppliers/contractors and ensure transparency.

4.1 Risk-based Approach to Compliance and Enforcement

The Local Jobs First Commissioner takes a risk-based approach to prioritising compliance activities, ensuring that decisions are transparent, consistent and evidence-based.

All compliance and enforcement activities will be undertaken in accordance with legislation. The Commissioner will aim to work collaboratively with stakeholders throughout the whole project lifecycle to prevent incidences of non-compliance and/or to mitigate escalation of enforcement activities.

The Local Jobs First Commissioner approach is to identify instances that pose the highest risk to compliance and channel resources and efforts into those areas. Intelligence gathered through engagement, audits and requests for information will be used to identify areas of greater exposure, which will be monitored and remedied through appropriate means available to the Commissioner. Compliance risks will be regularly reviewed as new information and evidence is identified.

4.1.1 Risk Control Management

Controlling known risks can be achieved through proper identification, oversight and management. Agencies and industry both have a role to play in ensuring compliance with the Local Jobs First Policy.

Agencies should have oversight of contractor compliance and their own internal procurement processes. Similarly, supplier/contractors should ensure that their processes are compliant with the Local Jobs First Policy including meeting contracted commitments.

Agencies and supplier/contractors can undertake the following actions to ensure that risks are adequately controlled:

- Identify what controls need to be implemented to prevent incidences of non-compliance (i.e. regular Local Jobs First reporting, project control boards, request for evidence to be submitted with signed statutory declarations etc)
- Implement controls and undertake checks to ensure that controls are working as intended
- Accountability for the implementation of controls
- Reporting on the effectiveness of controls.

This process includes planning, implementation, performance evaluation and remedy. Feedback loops should be integrated to improve robustness.

While the Commissioner and Office of Industry Participation and Jobs can assist agencies and industry to comply with Local Jobs First by providing advice and information, it is ultimately up to the agencies and industry to adequately implement proper controls, processes and oversight to prevent incidences of non-compliance.

4.2 How do we determine where we focus our effort?

This risk-based compliance approach will help:

- The Local Jobs First Commissioner use resources more efficiently
- Stakeholders understand the rationale behind compliance activities and what process is followed when there is a breach of legislation
- Identify priority risks and the selection of appropriate compliance tools
- Reduce the overall burden of compliance by minimising intervention from the Local Jobs First Commissioner where risks are considered relatively low.

The Local Jobs First Commissioner will use available information and evidence to identify priority risks relating to compliance activities. Risk priorities may alter due to changes within the operating environment or when the understanding of a risk improves through better information and evidence gathered during compliance activities. The Local Jobs First Commissioner will adjust the focus depending on the priority of a risk.

The Local Jobs First Commissioner expects that agencies and industry will comply with the Local Jobs First Act and Policy. To help agencies and industry comply with the Policy, the Local Jobs First Commissioner will disseminate advice in the form of information sessions or written guidance to help stakeholders understand their compliance obligations.

5 COMPLIANCE PROCESS AND TOOLS

The Local Jobs First Commissioner has a range of compliance tools available under the *Local Jobs First Act 2003* to ensure compliance with the Local Jobs First Policy. The Local Jobs First Commissioner will assess the behaviour of agencies and industry for the level of intent and motivation to comply and will address issues proactively and with the most appropriate response.

In determining which tool or combination of tools are appropriate, the Commissioner will consider:

- The level of risk to be addressed
- The degree of non-compliance caused or likely to be caused
- The authority holder's (agency or industry) willingness and ability to comply.

Detailed processes on the approach taken for each compliance tool will be set out in the Guidelines.

5.1 Identification of compliance breaches

The Commissioner's preference to compliance is through early and continuous engagement with agencies and suppliers/contractors to ensure that each party involved is aware of their compliance obligations, and that it will be managed appropriately. As the Commissioner's engagement is multifaceted with a wide-range of stakeholders throughout the whole project lifecycle, instances of compliance breaches may be raised through avenues such as, but not limited to:

- Intelligence from the Office of Industry Participation and Jobs
- Intelligence from stakeholder meetings, workshops and discussions
- External stakeholder complaints about Local Jobs First compliance breaches
- ICN Analytics Program
- Requests for audits by agencies
- Requests for information from agencies

- Information Notices from persons

Should the Commissioner have any reasonable grounds to believe that there is a compliance breach through these mechanisms, they will determine the most appropriate action to enforce compliance.

5.1.1 External complaints on Local Jobs First Policy breaches

Information raised on non-compliance can be raised by stakeholders and identified at any stage of the project life cycle by the Commissioner. An avenue for the issue of non-compliance raised by contractors and/or agencies will also be available. Complaints on non-compliance raised within the scope of the Commissioner's functions and powers will be carefully and promptly considered.

The Local Jobs First Commissioner will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. The Local Jobs First Commissioner will endeavour to respond to complaints through engagement and provision of advice at the first instance. Should further investigation be required due to the severity or complexity of the complaint, the Local Jobs First Commissioner will assess the risk level of the complaint and consider the most appropriate compliance pathway to address the issue.

Relevant parties will be informed of the outcome of the complaint within a reasonable timeframe.

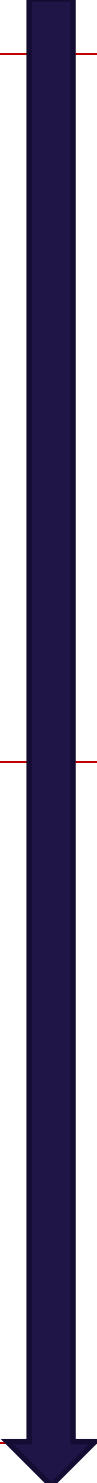
5.2 Local Jobs First Commissioner's Compliance Tools

The compliance approaches will be customised to the situation and risk levels and will draw on the suite of tools outlined in **Table 3**.

Table 3 – Local Jobs First Commissioner's Compliance Tools

Compliance Measure		Description
Lower level of risk and intervention		
Low	Engagement and advice	<p>The Commissioner will make all parties aware of their compliance obligations under the legislation through different methods such as the publication of online guidance material and organisation of stakeholder forums.</p> <p>The Commissioner will respond to requests for advice and/or complaints from stakeholders around compliance where applicable or refer the matter to the Office of Industry Participation and Jobs when required.</p>
	Audits	<p>The Commissioner may request an agency to conduct an audit in relation to:</p> <ul style="list-style-type: none"> • Compliance by a person or agency with the Local Jobs First Policy • Compliance by a person with a Local Industry Development Plan • To provide to the Commissioner a report on the audit. <p>The Commissioner may impose terms of reference or other requirements in relation to an audit conducted by an agency.</p>



	Request for Information from agencies	If the Commissioner believes on reasonable grounds that an agency has information or a document that is relevant to the performance of the functions of the Commissioner, the Commissioner may request in writing that the agency provide the specified information or document.
	Information Notices to persons	If the Commissioner believes on reasonable grounds that a person has information or a document that is relevant to the operation of the Local Jobs First Policy or to a Local Industry Development Plan, the Commissioner may issue an information notice in writing requiring the person to do any of the following: <ul style="list-style-type: none">• Give to the Commissioner specified information, within the period and in the manner and form specified in the information notice• Produce to the Commissioner any document specified in the information notice, within the period and in the manner specified in the information notice• Make copies of any specified document and produce the copies to the Commissioner, within the period and in the manner specified in the information notice. The period specified must be no less than 14 days from when the information notice is issued.
	Compliance Notices	The Commissioner may issue a compliance notice in writing to a person if the Commissioner reasonably believes that the person has failed to comply with: <ul style="list-style-type: none">• an information notice, or• the Local Jobs First Policy; or• a Local Industry Development Plan. A compliance notice may require the person to: <ul style="list-style-type: none">• comply with an information notice, Local Jobs First Policy or the Local Industry Development Plan within a specified period, or• take specified steps within a specified period to comply with the Local Jobs First Policy, or the Local Industry Development Plan. The period specified must be no less than 14 days from when the compliance notice is issued.
	Determinations	If the Commissioner has issued a compliance notice to a person and the Commissioner has not received a response from the person within 14 days, or has received a response within 14 days and the



		<p>Commissioner has confirmed the compliance notice and the person has failed to comply with the notice within the period specified in the notice, the Commissioner may determine that the person has failed to comply with:</p> <ul style="list-style-type: none"> • an information notice; • the Local Jobs First Policy or • a Local Industry Development Plan.
	<p>Recommend Adverse Publicity Notices</p>	<p>If the Commissioner makes a determination, the Commissioner may recommend to the Minister that the Minister issue an Adverse Publicity Notice and advise the person and the appropriate agency of the determination and the recommendation that the Minister issue an Adverse Publicity Notice.</p>
	<p>High</p> <p>Recommend Injunctions and other enforcement action by agencies</p>	<p>The Commissioner may recommend an agency seek an injunction or other enforcement action.</p> <p>If a person is failing to comply or has failed to comply with the Local Jobs First Policy or a Local Industry Development Plan, the Commissioner may make a recommendation to the appropriate agency that the agency seeks compliance with the Local Jobs First Policy or the Local Industry Development Plan by:</p> <ol style="list-style-type: none"> Applying to a court of competent jurisdiction for an injunction; or Taking enforcement action available under an applicable contract.

Higher level of risk and intervention

Request for Audits by Agencies – further information

The Commissioner may request an agency to conduct an audit in relation to compliance by a person or agency with the Local Jobs First Policy or compliance by a person with a Local Industry Development Plan.

Risk assessments will be used to identify which audits should be requested from agencies. Prioritisation of audits to monitor agency and industry compliance is targeted by information gathered from a range of sources.

Depending on the risks identified, audits may cover the whole operation or target priority issues.

Audits are intended to support voluntary compliance by identifying and addressing potential issues before they escalate into serious problems.

The audit findings are required to be communicated back to the Commissioner who will work with agencies to ensure that corrective action and non-compliance issues are resolved by agencies or that any systemic issues are addressed.

5.3 Review of Decision Making

The legislation provides parties involved with an avenue to respond to and/or dispute notices received within a specified period. The process for submitting a response to a notice is provided in the associated Compliance Guidelines.

6 Supporting Stakeholders on Compliance

The Commissioner will support agencies and suppliers/contracts adhere to the Local Jobs First Policy by raising awareness of compliance obligations through stakeholder engagement programs and activities, such as speaking at industry seminars and forums, publication of guidance material and other documents.

The Commissioner is committed to ensuring that agencies and industry have access to up-to-date information regarding their Local Jobs First Policy compliance obligations. Agency and suppliers/contractors' guidelines on how to implement the Local Jobs First Policy are readily available on the Local Jobs First website. (<https://localjobsfirst.vic.gov.au/industry-guidance>; <https://localjobsfirst.vic.gov.au/agency-guidance>)

Further guidance and advice on how to comply with Local Jobs First Policy will be uploaded to the Local Jobs First website for agencies and industry to access.

The Commissioner's goal is to ensure that agencies and industry understand what compliance looks like. To assist with compliance, the Commissioner will:

- Provide advice and guidelines to agencies and industry around Local Jobs First compliance
- Speak at industry forums and other information sharing sessions
- Work with agencies to undertake audits to detect any instances of non-compliance and ensure that solutions are implemented to resolve problems
- Collaborate with stakeholders to address systemic issues that inhibit agency and industry compliance with Local Jobs First.


7 Compliance Focus for 2018-19

As the updated Local Jobs First Policy was only recently established in legislation in August 2018, only a small number of Local Jobs First projects currently fall within the remit of the new Act.

Due to this, the early focus of the Office will be on educating agencies and suppliers/contractors responsible for delivering projects on their compliance obligations to prevent incidences of non-compliance. Early interventions will be initiated by the Commissioner when issues are identified to mitigate non-compliance incidences from escalating.

The Local Jobs First Commissioner will focus on the following compliance priorities:

- Departments and agencies who fail to include Local Jobs First compliance in their audit and risk program;
- Departments and agencies with a history of non-compliance;
- External complaints about Local Jobs First compliance breaches;
- Procurement processes of agencies on financially significant projects or programs;
- Matters demonstrating deliberate disregard for the Local Jobs First legislation;

- 
- Known systemic compliance issues;
 - Issues flagged within ICN Analytics;
 - Matters which have the potential to become industry wide; and
 - Matters referred to the Commissioner by the Minister for Jobs, Innovation and Trade.

The Local Jobs First Commissioner will review whether:

- Local Jobs First has been properly applied to department and agency procurement processes
- Whether committed local content and jobs within LIDPs are being delivered by industry.



Authorised by the Local Jobs First Commissioner
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