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MinterEllison

**Procurement Compliance
Standards**



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MinterEllison.

Procurement Compliance Standards

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Standards

MinterEllison is a leading Australian law firm providing legal and consulting services throughout Australia. We provide innovative commercial solutions to our clients. Our purpose is to create sustainable value with our clients, people, and communities. We operate consistently with our values of excellence, collaboration and curiosity in all that we do and demonstrate the highest standards of professionalism, ethics, and integrity consistent with the expectations of our clients and our people.

MinterEllison recognises the importance of strong Environmental, Social and Governance standards and practices and this is reflected in our approach to all elements of our operations. This commitment underpins our organisational **purpose** and **values**. If you would like to know more about our approach to responsible business read more at:

- [Stretch Reconciliation Action Plan](#)
- [Pro Bono & Community](#)
- [Modern Slavery Statement](#)
- [Environmental Responsibility](#)
- [Responsible Business Statement](#)

Our Procurement Compliance Standards (**Standards**) reflect these commitments.

We want to work with suppliers that share our values and can demonstrate that they meet our Standards through their own internal policies and procedures that are aligned with these Standards.

In instances where a supplier is unable to meet our Standards, modify protocols, or implement additional measures, we may reconsider the procurement of goods or services from that supplier.

These Standards will survive the terms of any contractual arrangement made between any MinterEllison entity and the relevant supplier, where they are incorporated into the terms of any agreement between us and our Suppliers.

If you become aware of any behaviour by MinterEllison, our suppliers or their officers, employees, contractors or subcontractors that is not aligned to these Standards, please inform MinterEllison via email at [ME Procurement](#).

1. Ethical business practice

- (a) MinterEllison is committed to conducting its business activities with integrity. We expect our people and suppliers to conduct themselves in an ethical and fair manner, free from bias, unfair advantage, or any other behaviour which may cause MinterEllison financial loss or damage to reputation.
- (b) Our people and suppliers must not engage in fraud, bribery or corrupt conduct and must comply with all applicable anti-bribery and anti-corruption laws.
- (c) We expect our people and suppliers to avoid conflicts of interest in the provision of goods or services to MinterEllison. If our people or suppliers, their officers, employees, contractors, or sub-contractors have a conflict in the provision of goods or services to us because of an outside interest or relationship, we expect them to disclose that to us.
- (d) Suppliers must not offer our people any gift or hospitality which is of such value that it may have the effect of improperly influencing their decision.

2. Competition

MinterEllison reserves the right to cease doing business with a supplier, if it becomes aware of suppliers engaging in collusion with another supplier, including the exchange of information, fixing of prices or conditions of a supply contract. Suppliers must not share information with us which might result in an anti competitive effect or objective or breach applicable competition laws.

3. Reciprocity

MinterEllison will always procure goods and services consistent with these Standards and not seek to make purchasing decisions on any form of reciprocity commitment with or from our client. Our clients must be free to procure goods and services unconstrained by any reciprocity considerations.

4. Confidentiality and Privacy

- (a) MinterEllison treats the confidential information of our clients, partners, consultants and employees with the highest respect and in compliance with relevant laws. As a law firm we have professional obligations of confidentiality and it is essential that our suppliers are aware of our obligations and comply with their duty of confidentiality in accordance with contractual agreements.
- (b) Our suppliers are expected to keep all information received about any MinterEllison entity, our clients or its people confidential. We expect our suppliers to put in place appropriate safety measures to ensure access to confidential information is restricted. We may require suppliers to enter into a non-disclosure agreement in advance of being provided with confidential information.
- (c) We expect our suppliers to handle all information in accordance with applicable legal and regulatory requirements.
- (d) Suppliers must comply with all applicable privacy laws.

5. Information security

At MinterEllison, we prioritise the highest standard of information security. This commitment extends to safeguarding information related to our clients, client matters, our employees, and our own internal data. This includes:

- (a) **Supplier Expectations:** We hold our suppliers to the same rigorous standards. When handling any information about our clients, client matters, our employees, or our organisation, suppliers are expected to have appropriate security and organisational measures in place.
- (b) **Compliance with Security Standards:** Our suppliers must comply with the security standards outlined in our official guidelines, which can be found at trust.minterellison.com. These standards cover various aspects of information security, including data protection, access controls, encryption, and incident response.
- (c) **Supplier Review:** If a supplier holds any of the aforementioned information, we reserve the right to review their information security controls and policies. The supplier must complete an information security questionnaire provided by MinterEllison or a third party on MinterEllison's behalf and may have to complete an attestation when requested. This review ensures alignment with our stringent security requirements.
- (d) **Continuous Improvement:** In cases where we identify concerns or gaps in a supplier's security measures, we may request modifications or additional safeguards. Our goal is to maintain the highest level of protection for all sensitive information entrusted to us.

By adhering to these guidelines, we create a secure environment that fosters trust and confidentiality for our clients and stakeholders.

6. Resilience

MinterEllison is committed to resilience by maintaining the capability and capacity to respond effectively to threats, and disruption with the potential to impact MinterEllison. This is achieved in two key ways by:

- (a) understanding the possible threats that could disrupt our: people (including our employees, clients, stakeholders and communities where we work), environment

(including our physical and operating environments), assets (including our premises, data, equipment, and digital systems) and reputation;

- (b) building a capability that enables us to effectively respond to, and recover from, any disruption like this, despite the scale or nature of the event that has occurred.

MinterEllison has certain expectations of our suppliers, which include:

- (a) **Supplier Expectations:** We expect our suppliers to have the same commitment to resilience as we do. Suppliers must demonstrate financial resilience, such as sufficient insurance if needed, business resilience, such as a current and regularly tested business continuity plan (**BCP**), and if they provide a technology solution, technology resilience, such as a current and regularly tested disaster recovery plan (**DRP**).
- (b) **Compliance with Resilience Objectives:** MinterEllison's has identified critical business processes and defined a maximum acceptable outage (**MAO**) for each. If a supplier supports a critical business process and is crucial to the process's availability, we will expect the supplier demonstrate to us the ability to meet the recovery time objective (**RTO**) and if required recovery point objective (**RPO**) (i.e. if data recovery is relevant) or equivalent Service Level Agreement (**SLA**)
- (c) **Supplier Review:** For suppliers supporting a critical business process, we reserve the right to review their resilience plans and test outcomes (e.g. BCP and DRP). For example, the supplier must provide plans and test outcomes or audit results from trustworthy independent audit firms. We may also ask them to participate in testing the MinterEllison BCP and DRP. This review confirms alignment with our stringent resilience requirements.
- (d) **Continuous Improvement:** Where we identify concerns or gaps in a supplier's resilience measures, we may request modifications or additional safeguards. Our goal is to maintain the highest level of resilience for our critical business processes.

By adhering to these measures, we can meet the resilience commitments made to our clients.

7. Diversity & Inclusion

- (a) MinterEllison is committed to equal opportunity, diversity and inclusion. We seek to extend this commitment through our supply chain to ensure, where it is practical to do so, that our purchasing decisions reflect our distinctive values.
- (b) Where appropriate, we will seek expressions of interest from suppliers whose businesses can achieve positive social outcomes including:
 - (i) a commitment to promoting and improving gender equality including increased economic opportunities for women;
 - (ii) a commitment to Reconciliation and providing increased economic opportunity for First Nations people;
 - (iii) providing a safe workplace for all, free from harassment, discrimination and bullying;
 - (iv) fostering a safe and inclusive workplace environment for the LGBTQ+ population;
 - (v) fostering a safe and inclusive environment for effective disability inclusion;
 - (vi) the expansion of social enterprise in Australia and beyond;
 - (vii) fair trade; and
 - (viii) local procurement in each of our locations.
- (c) Our suppliers are expected, where relevant, to be compliant with the *Workplace Gender Equality Act (Cth) 2012*.

8. Modern Slavery and Human Rights

- (a) MinterEllison has a commitment to upholding the fundamental principles of human rights and ensuring their protection. We believe that every individual, regardless of their race, nationality, gender, religion, or any other characteristic, deserves to be treated with dignity, respect, and fairness. This belief applies to every aspect of our operations and our supply chain.

The term 'Modern Slavery' in these Standards means:

- (i) 'slavery and human trafficking' as defined in the *Modern Slavery Act 2015* (UK);
 - (ii) 'modern slavery' as defined under the *Modern Slavery Act 2018* (Cth);
 - (iii) 'modern slavery' as defined under the *Modern Slavery Act 2018* (NSW); and
 - (iv) any other analogous conduct or practices, applicable in the jurisdiction where the Supplier operates and as relevant to this Agreement.
- (b) Suppliers can view our [Modern Slavery Statement](#) published on our website.
- (c) MinterEllison endeavours to ensure that we, and our people comply with all Modern Slavery laws, within our operations and supply chain.
- (d) We expect our suppliers to adopt and demonstrate compliance with the following standards, ensuring the basic human rights of their employees and the community:
- (i) Ethical labour practices - Suppliers must adhere to ethical labour practices, including fair wages, reasonable working hours, and safe working conditions. Child labour and forced, unpaid or involuntary labour are strictly prohibited;
 - (ii) Discrimination - Suppliers must promote an inclusive work environment that values the diversity of their workers. Discrimination of any kind, including but not limited to race, gender, religion, age, disability, sexual orientation, or social status will not be tolerated;
 - (iii) Health and safety – all employees should work in an environment that is safe and hygienic. Suppliers must comply with applicable occupational health and safety regulations. Steps must be taken to ensure employees are provided with adequate accommodation/equipment (as applicable) and safe conditions to perform their work;
 - (iv) Employment terms – Written contracts outlining terms and conditions must be provided to all employees, in accordance with local laws;
 - (v) Collaboration – Suppliers are encouraged to collaborate with local communities and relevant stakeholders, respecting their cultures and traditions;
 - (vi) Reporting – Suppliers must promptly report to MinterEllison any violations of human rights, any unethical practices within their operations and take steps to ensure whistleblowers, or anyone that reports violations of human rights or unethical practices will be protected. Suppliers are expected to maintain accurate records, disclose information as required, and avoid any form of corruption, bribery, or unethical behaviour;
 - (vii) Legal Compliance – Suppliers must comply with the Modern Slavery laws and all applicable national and international laws and regulations related to human rights, labour, environment, and ethics;
 - (viii) Training and Awareness – Suppliers should take reasonable steps to ensure that their employees, contractors, and subcontractors are aware of these Standards and use reasonable endeavours to ensure their compliance with these Standards;
 - (ix) Whistleblower Protection – Suppliers must have a system that allows their employees to anonymously report any violations without fear of retaliation. Suppliers, their employees or contractors, or other organisations or individuals may disclose reasonably suspected illegal or unethical conduct in their operations or supply chain to MinterEllison at [ME Procurement](#);

- (x) Due Diligence - Suppliers must ensure their procurement and sourcing practices are ethical and in accordance with human rights and law. Suppliers are required to develop due diligence policies and management systems in order to identify relevant risks in its supply chains and undertake regular due diligence on the goods and materials in their supply chains; and
- (xi) Continuous Improvement – Suppliers must actively work towards better compliance and continuous improvement of their actions to assess and address Modern Slavery risks in their supply chain and operations.

9. Sustainability

- (a) MinterEllison recognises that a commitment to sustainability goes beyond environmental sustainability and must balance social sustainability and supporting businesses that will deliver positive outcomes more broadly.
- (b) MinterEllison is committed to transitioning our own operations, consistent with global decarbonisation targets under the Paris Agreement and has set a target of NetZero scope 1, 2 and 3 emissions by 2030. In July 2023, MinterEllison was certified a Carbon Neutral Organisation by [Climate Active](#).
- (c) MinterEllison is keen to partner with suppliers that share our values and sustainability targets; including, to the extent possible:
 - (i) suppliers that prioritise environmental sustainability;
 - (ii) suppliers which source from producers and/or suppliers with a proven record of environmental management and product stewardship;
 - (iii) suppliers who comply with all applicable environmental laws, regulations, and standards in the jurisdictions where they operate;
 - (iv) suppliers who demonstrate a commitment to sustainable business practices, including waste reduction, energy efficiency, and responsible sourcing of materials. If applicable, the supplier should provide information on the environmental impact of the products or services they are providing, including any certifications related to environmental performance;
 - (v) suppliers that are carbon neutral and /or that hold Climate Active certification; and
 - (vi) suppliers that have set a NetZero target and have policies in place to reduce green-house gas emissions.
- (d) MinterEllison reserves the right to conduct periodic assessments of a supplier's environmental compliance and practices, which may include site visits or third-party audits.
- (e) If requested by MinterEllison, suppliers will provide evidence of their commitments to environmental sustainability including a written environmental policy, or where applicable, relevant certifications.

10. Regulatory compliance

- (a) As a legal and consulting firm our practice and conduct are regulated in every jurisdiction in which we operate. We expect our suppliers to recognise that we are subject to legal profession and broader business regulatory obligations, the nature and extent of which may differ from one jurisdiction to another and these regulations may affect our dealings with suppliers.
- (b) Where our suppliers have access to our confidential information, we expect our suppliers will allow audits to be carried out as required by the relevant professional regulators and to provide every assistance reasonably requested by them and/or us in this respect.

11. Tax evasion

- (a) MinterEllison adheres to all relevant tax laws and it is our expectation that our suppliers do the same. We expect our suppliers to implement suitable procedures, systems and controls applicable to their business in order to prevent tax evasion.
- (b) We do not tolerate deliberate and dishonest participation in tax evasion or avoidance – or any financial crime. We expect our suppliers to report to the relevant authorities where they become aware of such practice, including conduct of their representatives.

12. Workplace health & safety

- (a) MinterEllison is committed to the provision of a safe and healthy workplace for all employees and other workers.
- (b) Our suppliers are to be fully aware of and abide by their responsibilities under applicable workplace health and safety legislation, regulations and standards. All suppliers must have policies, practices and systems that ensure compliance with all work health & safety responsibilities.