

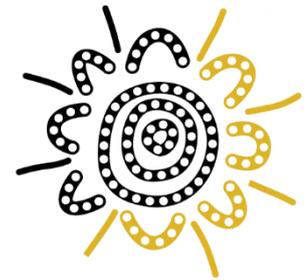


Government of **Western Australia**
Department of **Treasury and Finance**

Aboriginal Procurement Policy – Agency Practice Guide

Guideline supporting the Aboriginal
Procurement Policy

February 2026



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This document is part of the suite of whole-of-government procurement resources designed for use by State agencies that are subject to the [Western Australian Procurement Rules](#) and other procurement connected policies and directions. Refer to the [Buying for government](#) page on WA.gov.au to access these resources.

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1. Introduction

The Aboriginal Procurement Policy (APP) seeks to support business and employment opportunities for the Aboriginal community by setting:

- Contracting targets for the number of WA Government contracts awarded to registered Aboriginal businesses and Aboriginal Community Controlled Organisations (ACCOs) for contracts valued \$50,000 or more;
- Mandatory Aboriginal Participation Requirements (APRs) for certain contracts; and
- The requirements for Agency Aboriginal Procurement Plans (AAPPs).

The APP is issued via a General Procurement Direction and applies to all State agencies (agencies) as defined in the *Procurement Act 2020 (WA)*. Government Trading Enterprises and other entities that are not agencies are not required to comply with the APP but may choose to do so if they wish.

1.1 Purpose

The Department of Treasury and Finance (DTF) has developed this APP Agency Practice Guide (the Practice Guide) to support agencies to comply with the APP.

The Practice Guide should be read in conjunction with the [Aboriginal Procurement Policy](#), the [Delivering Community Services in Partnership \(DCSP\) Policy](#), the [Western Australian Procurement Rules](#) and other applicable procurement directions.

Information for Aboriginal suppliers is available in the [APP - Guide for Aboriginal Suppliers](#).

1.2 Defined Terms

The following key terms used throughout this document are defined in the APP:

- **ACCO** means an Aboriginal Community Controlled Organisation as defined under the [DCSP Policy](#).
- **Registered Aboriginal business** means a business that is registered on either the [Aboriginal Business Directory WA](#) or [Supply Nation's Indigenous Business Direct](#).
- **Standing offer** means a type of arrangement that sets the conditions for purchasing over the arrangement term. Examples of standing offers include CUAs and panel arrangements.
- **Common Use Arrangements (CUAs)** are whole-of-government standing offers from which agencies can purchase goods and services from a choice of suppliers.
- **Panel arrangements** are agency standing offers from which agencies can purchase specified good and services or works from a choice of suppliers.

1.3 Contact

For questions about the APP and its requirements, contact the DTF Social Procurement team at socialprocurement@dtf.wa.gov.au. For questions about ACCOs under the DCSP Policy, contact the DTF Community Services Procurement Policy team at cspp@dtf.wa.gov.au.

2. Contracting Targets

2.1 Overview

Under the APP, agencies are required to award a specified percentage of their total contracts to registered Aboriginal businesses and/or ACCOs in each financial year.

2.2 Targets

The contracting targets for each financial year are:

Financial year	Target
2025-26	4.5% of the number of awarded contracts
From 2026-27	5% of the number of awarded contracts

Note: If an agency does not award any contracts valued \$50,000 and above in a financial year, the targets will not apply.

These contracting targets apply to *applicable APP contracts* for goods, services, community services and works. Each agency is responsible for identifying and achieving its contracting target. For contracts awarded by the Minister for Works, the agency that provides most of the funding will be the recognised agency for the purpose of APP reporting.

2.3 Applicable APP contracts

Applicable APP contracts means one of the following:

- (a) Contracts with registered Aboriginal businesses and/or ACCOs, where the value is \$50,000 and above at time of award (based on the total estimated value, including any extension options and GST).

Example: Contracts with registered Aboriginal businesses

In June 2025, an agency awards a contract that is valued at \$65,000 to a registered Aboriginal business for a term of three years. The contract is awarded on **1 July 2025**. This will count as **one** contract towards their target for the **2025-26** financial year, because that is the financial year when the contract was awarded.

- (b) Collaborative arrangements, such as joint ventures, or partnerships, where the entity is a registered Aboriginal business or ACCO. Note:
- As per [business.gov.au](https://www.business.gov.au), a joint venture is “an agreement between two or more parties to work together for the purpose of completing a specific task or project”
 - Collaborative arrangements do not include subcontracting.

Example: Collaborative arrangement

A non-Aboriginal business and a registered Aboriginal business enter into a joint venture agreement and register their joint venture entity on one of the recognised directories. If an agency awards a contract valued \$50,000 or above to this joint venture entity, this will count as **one** contract towards their target.

- (c) Standing offers, including panel arrangements and CUAs (see defined terms), that include a registered Aboriginal business and/or ACCOs, and where the purchase is over \$50,000 and published on Tenders WA.

Example: Agency-specific panel arrangement

An agency establishes a panel arrangement which includes **one** registered Aboriginal business and two non-Aboriginal businesses. The agency makes **three** purchases valued above \$50,000 from the registered Aboriginal business during the term of the panel arrangement.

Overall, the agency can count a total of **four** contracts towards the APP targets (the initial contract to establish the panel arrangement, and the three purchases during the term). Note that these contracts might fall in different financial years depending on the term of the panel arrangement.

Example: Common Use Arrangement

An agency purchases from a registered Aboriginal business under a CUA, and the contract is valued at \$70,000. The agency publishes this contract on Tenders WA as per the CUA's buying rules. This will count as **one** contract towards the agency's targets.

2.4 Excluded contracts

Some types of contracts will not count towards an agency's target because they are not currently reported via Tenders WA. These are:

- contracts valued **below \$50,000**;
- **subcontracting arrangements** with registered Aboriginal businesses and/or ACCOs; and
- contracts **awarded by a third party on behalf of an agency** (e.g. a facilities manager)¹.

¹ This applies in the context of a non-agency entity acting on behalf of an agency. Circumstances where an agency awards a contract on behalf of another agency is addressed at 2.5.1.

2.5 Agency reporting

2.5.1 Required reporting

Agencies must publish the details of contracts awarded to registered Aboriginal businesses and/or ACCOs on Tenders WA where the contract value is \$50,000 and above, in accordance with the Western Australian Procurement Rules. See **Section 2.6** for more information.

Note: *If two agencies fund a contract, or an agency is delivering the contract on behalf of another agency, the procurement is reported against the entity recorded as the client agency in Tenders WA. If a co-funding entity would like acknowledgement for its contribution to the contract, it can provide details through the supplementary reporting process.*

2.5.2 Supplementary reporting

Agencies are encouraged to provide a supplementary report to DTF to provide details of contracts valued below \$50,000 and other relevant contracts that support Aboriginal engagement and economic outcomes. Supplementary reports are submitted to DTF during the [Who Buys What and How](#) reporting process, when the agency is verifying their contracting data under the APP.

Supplementary reporting allows an agency to demonstrate the breadth of engagement with Aboriginal suppliers beyond applicable contracts, which may be particularly valuable for smaller agencies that do not award many contracts valued \$50,000 or above. An agency may also demonstrate engagement with Aboriginal suppliers in other areas, such as grants.

Supplementary reporting is summarised and noted in a report provided by DTF to the Minister for Finance and may inform future APP policy development.

2.6 Department of Treasury and Finance reporting

Annual APP performance reports are publicly available on the [Aboriginal Procurement Policy Performance Reports](#) page. An interactive report is available as part of the [Who Buys What and How](#) report.

Agency staff can access the Aboriginal Business Reporting – Agency Performance dashboard for live and historical data on agency performance relating to the APP requirements. Information on how to access this report is available on WA.gov.au.

On an annual basis, DTF reports the following to the Minister for Finance on an agency-by-agency basis:

- the number and percentage of contracts awarded to Aboriginal suppliers in the reporting period that contribute to the target;
- the value of contracts awarded to Aboriginal suppliers in the reporting period that contribute to the target; and
- if provided, an overview of supplementary reporting.

2.7 Agency performance

Agency performance against the annual APP target is reported annually by DTF to the Minister for Finance and published on WA.gov.au. Data is sourced from Tenders WA and reflects the accuracy of information entered by agencies.

Agencies can track their APP performance by accessing the Aboriginal Procurement Policy dashboard published by DTF as part of the Government Procurement – State Agencies reporting suite. Information on accessing these reports is available on WA.gov.au.

Agencies will be notified by DTF if their annual APP target is not achieved. Assistance with procurement strategies to improve APP performance is offered by DTF's Social Procurement team.

3. Aboriginal participation requirements

3.1 Overview

Under the APP, Agencies are required to include Aboriginal Participation Requirements (APR) in:

- an agency contract that will be an ‘applicable APR contract’; or
- a standing offer arrangement (other than a CUA), where procurement planning indicates that it is likely there will be individual contract(s) formed under the standing offer that will be ‘applicable APR contract(s)’.

This section provides further information about how APRs apply in practice. Note that the whole-of-government Request templates for [goods and services](#) and [community services](#) contain APR clauses. A model clause that can be adapted for applicable works procurements is available on wa.gov.au.

3.2 Applicable Aboriginal participation requirements contracts

An applicable APR contract is a contract that has a total estimated value of \$5 million and above that:

- will be delivered in the following industries:
 - construction and maintenance (UNSPS Codes² 7210000, 72110000, 72120000, 72140000, 72150000);
 - community and social services;
 - education and training (UNSPS Codes 86100000, 86110000, 86130000, 86140000);
 - public administration and finance services (UNSPS Code 93150000); or
- will be delivered predominately to Aboriginal people or target the specific needs of Aboriginal people.

APRs do not apply to CUAs as the exact volume of products or services is not known at the time of contract award.

² UNSPS Code means the United Nations Standard Products and Services Code and is a global classification system of products and services.

Refer to the table below for examples of when the APRs apply or do not apply.

Example 1

An agency is establishing a standing offer arrangement with a panel of suppliers. The total estimated value of the standing offer exceeds the \$5 million threshold. However, the agency anticipates that it is unlikely that the value of any one contract will exceed \$5 million. The APRs **do not apply** and do not need to be included in the Request.

Example 2

An agency is establishing a standing offer arrangement with a panel of suppliers. The total estimated value of the standing offer is approximately \$30 million. From market research, the agency determines it is likely that a contract awarded to any one supplier will exceed \$5 million. The APRs **do apply** and must be included in the Request.

3.3 Targets

The APRs consist of two targets:

- a registered Aboriginal business and/or ACCO subcontracting target; *or*
- an Aboriginal employment target.

Although there are two targets included in a Request, **only one will apply** to the contract. The supplier will nominate the target with which it agrees to comply. The targets outlined below are the minimum requirements. Agencies may choose to set higher targets.

3.3.1 Aboriginal business and/or ACCO subcontracting target

The subcontracting target requires suppliers to subcontract a certain percentage of the total contract value to registered Aboriginal business(es) and/or ACCO(s). Note that the subcontractor must be contracted directly by the supplier to count towards the target.

Financial year	Target
2025-26	4.5% of the total contract value
From 2026-27	5% of the total contract value

3.3.2 Aboriginal employment target

The Aboriginal employment target requires suppliers to engage a minimum number of Aboriginal persons for the duration of the contract, calculated as a percentage of the total number of persons directly employed on the contract for its duration.

Employment includes full-time, part-time, and casual employees, apprentices and trainees, workers engaged through labour hire arrangements, and other employer-supported employment

initiatives such as cadetships and internships, that are directly involved in the delivery of the contract. This includes persons employed by the supplier, subcontractors and suppliers to the Contractor.

Targets vary based on contract delivery location(s), to reflect significant differences in population demographics. Where a contract will be delivered across multiple regions, the lowest applicable target will apply. The following targets are minimum requirements. Agencies can set higher targets.

Regions (contract delivery location(s))	Target
Perth metropolitan area, South West, Great Southern, Peel, Wheatbelt and all state-wide contracts	2% of the total number of persons employed on the contract
Gascoyne, Mid West and Goldfields-Esperance	5% of the total number of persons employed on the contract
Pilbara and Kimberley	10% of the total number of persons employed on the contract

3.3.3 Example application

Examples of how each target can be included in the contract if the APRs apply are provided below:

Example – Calculating targets under the APRs

An agency plans to release a Request for maintenance services in buildings across the Pilbara, Gascoyne and Mid West regions, with a pre-tender estimate of \$10 million. The Request will be advertised in March 2026. Below is an example of how each of the targets would apply. Note that the supplier only needs to choose one target.

Subcontracting target

As the Request will be advertised in the 2025-26 financial year, the subcontracting target is 4.5%. Using the pre-tender estimate as an example, the target would be 4.5% of \$10 million, or \$450,000.

Employment target

The Pilbara has a 10% target, while the Gascoyne and Mid West regions both have a 5% target. Where a contract will be delivered across multiple regions, the lowest applicable target will apply, therefore a 5% target applies in each year of contract delivery. If the supplier employs 40 persons on the contract in the first year of the contract, this equates to a target of two Aboriginal persons for that year. The target number of Aboriginal persons for each year of the contract will depend on the total number of persons employed to deliver the contract for each year.

3.4 Reporting

3.4.1 Requirements

Suppliers must report on APRs through Tenders WA, as follows:

- **Aboriginal business and/or ACCO subcontracting target** – For subcontracts valued at \$50,000 and above, suppliers must report on performance against the subcontracting target through Tenders WA no later than 30 days after the expiry of the contract. The supplier will also need to provide this information to the relevant agency.

Note: Suppliers may voluntarily report on contracts with direct Aboriginal subcontractors below \$50,000, however contracts valued less than \$5,000 will not count against achievement of the target.

or

- **Aboriginal employment target** - Suppliers must report against the employment target. This includes the number of Aboriginal and non-Aboriginal employees employed in the delivery of the contract, both by the head contractor and by direct subcontractors. This report must be made to agencies no later than 30 days after each anniversary of the commencement date of the contract. The supplier will also need to upload this report to Tenders WA.

The reporting requirements outlined above are the minimum requirements. Agencies may choose to include additional reporting.

3.4.2 Tenders WA

When agencies award the contract in Tenders WA they need to select the applicable APR target nominated by the supplier in their offer and the target percentage. The agency should review the prepopulated reporting dates and update them if required, to ensure that they reflect what is in the contract.

Tenders WA sends automatic reminders to suppliers when reporting is due. Agencies should regularly check that the contact details for the supplier are up to date in Tenders WA to ensure that reporting reminders are received.

Agencies can refer suppliers to the help guides available for APR reporting on the [Tenders WA website](#). Agencies can contact procurementsystems@dtf.wa.gov.au for support with Tenders WA.

3.5 Evaluating supplier responses

Agencies should record whether the supplier intends to pursue the subcontracting or employment target during tender evaluations.

If a supplier's offer proposes amendments to the APR clauses or indicates that the supplier does not intend to comply with APRs at all, then the agency should consider this as part of its value for money assessment and contract award decision. In accordance with the Western Australian

Procurement Rules, agencies should consider the Western Australian Government's social, economic and environmental priorities as well as cost and non-cost factors when evaluating value for money. The Western Australian Government priorities include supporting employment and business opportunities for Aboriginal people. The [Achieve Value for Money Guideline](#) provides further information about this central procurement principle and the Western Australian [Social Procurement Framework](#) provides context for value for money and the achievement of Community Outcomes through public procurement.

Agencies are encouraged to contact the [Social Procurement](#) team for further information on how to evaluate supplier offers that include amendments to the standard APR clauses. As the APR clauses will form part of the contract with the supplier, agencies are also encouraged to seek legal advice if they intend to accept substantive changes to the template clauses.

3.6 Managing the contract

Agencies should monitor each supplier's progress towards achieving the APRs and address any concerns if the supplier is not on track to meet the target.

In this instance, the agency might consider contract management levers or seek to understand the reasons for non-compliance and how these might be addressed. If it is not possible for the supplier to meet the target, it might be necessary to determine a new target percentage and vary the contract accordingly. The contract manager must update Tenders WA to ensure the new requirements are captured for reporting purposes. Revised APRs can only commence on the anniversary of the contract commencement date. For example, if a contract commenced on 1 January 2025, variations should only take effect from 1 January 2026.

4. Agency Aboriginal Procurement Plans

4.1 Overview

The APP requires agencies to develop an Agency Aboriginal Procurement Plan (AAPP) and submit it to DTF annually as part of the Strategic Forward Procurement Plan process. The agency's Accountable Authority is required to endorse and approve the AAPP before it is submitted.

The AAPP must align with an agency's Reconciliation Action Plan (RAP), where a RAP exists.

Further, the AAPP must include, as a minimum:

- a principled approach to working with Aboriginal people and suppliers,
- specific measures to increase contracting opportunities for Aboriginal suppliers based on the agency's procurement requirements, and
- specific measures to increase subcontracting opportunities for Aboriginal suppliers and employment opportunities for Aboriginal people as required for applicable APR contracts.

4.2 Supporting materials

DTF has developed a template and guideline to support agencies with the development of their AAPPs. Contact the [Social Procurement](#) team for further information about these materials, or for questions about AAPP requirements.

5. Frequently Asked Questions

Answers to common questions relating to the APP are included below. Contact the [Social Procurement](#) team if you have additional questions or need further information.

5.1 General

Can I contract with an ACCO for non-community service contracts?

Yes, but the ACCO must be a registered Aboriginal business.

If an ACCO can supply services outside of the scope of community services (as described in the DCSP Policy) but it is not registered on either directory, agencies should encourage the ACCO to register itself. If the ACCO is unwilling to register, an agency can record contracts awarded to this ACCO in supplementary reporting (see **section 2.5.2**). These contracts will not count towards the agency's contracting targets.

5.2 Contracting Targets

What if the buying rules of a standing offer (including CUAs) do not require the contract to be published on Tenders WA?

APP contract data is sourced from Tenders WA, therefore if an agency does not publish their applicable contract on Tenders WA, it will not be collected by DTF. Agencies are strongly encouraged to publish all applicable contracts on Tenders WA, even if the buying rules of a standing offer (including a CUA) do not require this.

5.3 Aboriginal participation requirements

I am unsure if my contract meets the definition of an applicable APR contract that “will be delivered predominately to Aboriginal people”.

If the contract will be delivered in a location where the population is predominantly Aboriginal, and it has an estimated value of \$5 million or above, then the Aboriginal participation requirements should be included.

Can I get an exemption from including the APRs, for example if the contract is very specialised?

The APRs only apply to contracts in specific industries and provide flexibility in that suppliers can choose which target to pursue. It is therefore expected that agencies will include the requirements in their contracts. If an agency has strong concerns about including the requirements, it should contact [the Social Procurement](#) team as soon as possible for advice.

I included the APRs in a Request because the contract was valued \$5 million and above. However, the final contract will be awarded at a value less than \$5 million. Can I remove the requirements?

If the awarded contract is going to be less than \$5 million, the agency has discretion to negotiate with the supplier to remove the APRs.

Do I have to seek quantitative or qualitative data from suppliers about the target they select during the tender process?

No, the APP requires suppliers to commit to meeting either the employment or subcontracting target over the contract term through a contract disclosure at time of tender. The APP does not require disclosure or evaluation of how the supplier will deliver their selected target.