

Engaging and managing consultants and indirect workers

Queensland Government Procurement

Engaging and managing contractors and consultants

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Disclaimer

This document is intended as a guide only for the internal use and benefit of government agencies. It may not be relied on by any other party. It should be read in conjunction with the Queensland Procurement Policy, your agency's procurement policies and procedures, and any other relevant documents.

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1. Introduction

This guide is about engaging and managing consultants and indirect workers (professional contractors and workers engaged via labour hire arrangements) in the Queensland public sector.

It describes the difference between consultants and indirect workers, when it is appropriate to engage consultants or indirect workers, and how to best manage them.

Any provider of a service must be sourced, selected, monitored, and managed according to best practice, as outlined in this guide.

Links to Queensland Government Policy

Engaging consultants and indirect workers is a procurement / purchasing activity that must comply with the *Queensland Procurement Policy* (QPP), issued by the Department of Energy and Public Works. The guide should be read in conjunction with the QPP, your agency's (department's) procurement procedures, and any associated guidelines your agency may have issued.

Specific frameworks and guidelines are in place to guide building and construction consultant and contractor engagements. More information is available from the Queensland Government [forgov](http://forgov.qld.gov.au) website.

Agencies must publish details of their awarded contracts valued at \$10,000 and over, in accordance with the *Queensland Procurement Policy* (please refer to the *Procurement Guidelines: Contract Disclosure*). Reporting requirements are specified in the *Annual Report Requirements for Queensland Government Agencies* (issued by the Department of the Premier and Cabinet), and your agency's procurement procedures and guidelines.

Limiting the use of consultants and indirect workers

The Queensland public sector is committed to attracting, retaining and developing a workforce with the core capabilities to deliver the business of government, ensuring productivity and value for money.

Agencies must not engage consultants or indirect workers for 'core', 'general', 'long-term' public service functions.

Core public service functions are described as the work, products and services that are essential to the every-day running of the government and the delivery of its priorities. These functions will vary between agencies, and agencies must support the building of in-house skills in these areas.

In limited and specific circumstances, public sector capability may need to be supplemented with skills, expertise or capacity from either consultants or other workers

2. Context – consultants and indirect workers

The decision to seek external support to help deliver government policies, projects and programs is often driven by the need for specialist or technical skills or additional capacity, to ensure initiatives are delivered in a timely and effective manner.

Reasons for engaging consultants or indirect workers may include:

- the work requires skills and expertise that are not available within the public sector; or it is not efficient to recruit or maintain within an agency
- there is a need for a genuinely independent view
- the engagement connects the government with the latest technical advances, emerging key skills or expertise and builds the sector's capability; and / or
- work requires capacity due to unpredictable demands that require immediate or time critical action.

It is important to understand the differences between consultants and indirect workers. They are engaged and managed differently, and their engagement is different to regular recruitment and staff management.

There are important legal issues affected by this distinction, including but not limited to:

- taxation law requirements
- liability for superannuation guarantee charge payments
- exposure to WorkCover legislation.

If you are not sure, contact your agency's procurement area.

What is a consultant?

A consultant may be engaged as an individual or via an organization, and **all** of the following must apply:

- provides expert knowledge to analyse information, draw conclusions and make recommendations in the form of a written report or an intellectual product for future action
- the nature of the output is not necessarily predictable, it tends to be open ended and is more complex (e.g., a range of recommendations which the agency must consider)
- develops a new concept or process and where the agency requires critical judgement to consider the recommended course of action
- is engaged for a fixed period at an agreed payment rate; and
- work is not directly supervised by the agency.

Examples of a consultant's tasks may include:

- providing expert advice on technical and professional matters
- carrying out research projects, attitudinal surveys, feasibility studies and fact-finding investigations where recommendations are made
- re-organising an agency or business unit
- providing advice in the development of policy and strategic planning issues.

Hint – Understand the problem

Consultants help you find solutions and deliver outcomes. You don't need to have all the answers, but it is important to understand and define the problem before working on solutions.

In some cases, you can do this within the agency, with the help of subject matter experts and other stakeholders. Or, consultants can help to define the problem by drawing together the right people and asking the right questions before a problem statement is agreed and the work on solution development begins.

Typically, consultants spend more time in the scoping phase of a project, including identifying what the problem is, what the deliverable will be, what is **IN** (and often more importantly **OUT**) of scope. A more structured approach to scoping, and revising scope if necessary, can create better visibility of work and allow for milestone identification.

What is an indirect worker (professional contractors and labour hire workers)?

Indirect workers operate as though they are an employee, implementing existing business processes to deliver a known product/outcome. Typically, line management and direction of the worker is provided by the agency.

Indirect workers do not include work provided under a contract for services where there is no line management of the individual by the agency (e.g. cleaning services contract).

Indirect workers include professional contractors and labour hire workers.

Professional contractors – engaged as an individual or via a third-party to perform set tasks or perform set roles. Some contractors may call themselves consultants. However, they are usually more correctly described and engaged as contractors.

For example, somebody engaged to perform a job evaluation is categorised as a contractor, not a consultant. The output is in the form of a clearly defined product. They consider data and, using expert knowledge and an evaluation framework, evaluate the job and provide a written report that specifies the job classification. There are **no recommendations** to be considered, simply a conclusion which the agency can accept or reject.

Examples of contractors include:

- key-note speakers, workshop facilitators, trainers, presenters
- information technology programmers, software development and implementation, analysts and system support staff
- market researchers, organisations compiling statistical data
- built environment designers and production undertaken by architects and engineers
- valuers of land, buildings and other agency assets or potential assets
- road and bridge designers
- designers
- trade services providers – including plumbers, carpenters, electricians
- cleaners (individuals, not contract for services)
- general financial, procurement, legal and taxation advisors
- financial auditors, workplace health and safety auditors and most probity advisor/auditor activities.

Labour hire workers – are engaged through a labour hire provider to perform **short-term** services directly for government agencies. The agency pays the provider for services performed by a worker, and the provider then pays the worker. The worker is not an employee of the agency and is not on the agency payroll system. However, line management and direction of the worker is provided by the government agency. Typically, labour hire workers are engaged for a pre-defined period-of-time.

Knowledge transfer

Engaging a consultant or professional contractor presents an opportunity to increase public sector capability. Where it is deemed critical to engage consultants or professional contractors, agencies must ensure that they can clearly account for the benefits derived from the engagement.

Knowledge, skills and capability transfer must be included when developing project specifications.

In turn, as part of their response, the consultant or professional contractor should highlight how the process of knowledge, skills or capacity transfer will be imbedded into engagement.

This should not be limited to any one phase of the project. Examples might include:

- a final report to include lessons learnt
- training of staff about processes and methodologies
- webinars or presentations using the engagement as a case study

- guided experience – for example embedding a public servant within the consultant team
- co-locating the consultant or professional contractor with public servants.

The agreed process must be reflected in the contract and managed as a deliverable.

Hint – knowledge transfer

When developing procurement and contract specifications, agencies need to consider at what stages knowledge transfer needs to occur and ensure this is included in the contract. Incorporating the knowledge transfer requirements at various stages of the project will help strengthen internal capabilities.

Knowledge, skills and capability transfer initiatives do not have to be complex or expensive to implement. Some of the simplest solutions, such as embedding staff within the consultant team, can be most effective.

At contract completion, consultants could be required to provide a “Reference of Capability” to nominated recipients, stating their involvement with the contract, the level of training completed, and skills acquired.

If a consultant or indirect worker is engaged to provide community engagement activities on behalf of an agency, it is the agency that is ultimately responsible for developing and maintaining relationships with stakeholders and citizens throughout the activity.

The agency must ensure the information provided during the engagement is accurate and relevant, and feedback processes are timely and effective.

3. Expectations of consultants and indirect workers

Working in the public sector requires consultants and indirect workers to adhere to the values and expectations of the public sector, as though they were employees. For more information read the [Code of conduct for the Queensland public service](#).

Additional requirements are also outlined in the Queensland Government Supplier Code of Conduct.

Managing conflicts of interest

Under the Queensland Government Supplier Code of Conduct, suppliers must specifically address any conflicts of interest when submitting a proposal to undertake work.

Identifying a conflict of interest does not mean the engagement can't go ahead; it is up to the agency to determine how the conflict should be appropriately managed.

Existing and emerging conflicts of interest must also be appropriately managed throughout the duration of a contract.

Conflicts of interest must be managed by requiring the consultant or indirect worker to:

- disclose conflicts of interest as part of the engagement process and / or warrant that no conflicts of interest exist
- provide a copy of their company conflict of interest policy, where one exists
- provide a signed conflict of interest declaration prior to providing services; and
- notify the commissioning agency immediately if a conflict of interest arises or there is a risk of one arising.

Agencies should refer to their departmental conflicts of interest policy when deciding how to resolve an identified conflict of interest.

Terms and conditions allow for a contract to be terminated if a conflict existed prior to the contract being awarded, but was not previously declared, or if a conflict arises during a contract which the customer

considers cannot be appropriately resolved to the customer's satisfaction.

These conditions exist in current whole of government arrangements. Example clauses can be found in the conditions published on the [General Goods and Services templates page](#) of forgov.

Hint – dual hatting

Public servants should be cognisant of situations whereby consulting firms concurrently work for government and other clients, including those who may be trying to access funding or services from government. Loyalties and priorities can become blurred.

Consulting firms should be required to identify where these conflicts of interest exist, and how they will be managed when submitting a proposal of work, including the creation of “ethical walls” to prevent information exchange.

Consultants or indirect workers who may also be lobbyists

Under the *Integrity Act 2009*, lobbyists who act on behalf of third-party clients must register with the Integrity Commissioner before they contact a state or local government representative for the purpose of lobbying activities. Lobbying means any attempt to influence the decision-making of a government or opposition representative in the exercise of their official functions on behalf of a third party, for a fee or other reward.

The Queensland Integrity Commissioner maintains the [Register of Lobbyists](#) which is required under s.49 of the *Integrity Act 2009*.

Lobbyists also have a responsibility to meet the standards set by the [Lobbyists Code of Conduct](#).

When engaging consultants or professional contractors, agencies should check the Register of Lobbyists as part of the procurement process. If any consultant or professional contractor is identified as a registered lobbyist, consider the risk of undue influence and conflicts of interest that may arise, and refer to the relevant policies and procedures of your agency.

4. Engaging and managing consultants and indirect workers

Step 1: Identify and demonstrate the need for consultants or indirect worker

A clear argument for engaging consultants or indirect workers, based on section 2 above, and giving consideration to whether a consultant or indirect worker (professional contractor or labour hire worker) is required, must be approved by the appropriate delegate before any engagement begins.

An authorised (or delegated) officer needs to select a project manager early in the process. The project manager needs to have a thorough knowledge of the project requirements and be responsible for the management and review of the performance of consultants or indirect workers.

It is important to determine if your agency regards the engagement as a significant procurement. It is also important to check whether your agency has any specific policies or procedures relevant to the engagement of consultants or indirect workers – these may require different processes to be followed and / or different levels of approvals to be obtained.

Step 2: Specifications

Consultants and professional contractors

It is critical that a clear specification is developed, so your agency and potential suppliers know precisely what is expected of each party. The specification serves as a planning and control mechanism for the project. It is also a standard against which to measure whether the consultant or professional contractor

has achieved the required results.

Specifications will depend on the nature and complexity of the engagement and the work to be performed. The following should be included as minimum:

- purpose of the engagement – state outcomes that are specific and measurable
- clear scope of the work
 - for consultants, the purpose and scope may feature a “problem statement”; used when solution development is needed
- timeframes for work to be achieved, including milestones with defined outcomes and service standards
- requirement for costing the project when tendering (e.g. hourly or daily rates and breakdowns of consultant overheads)
- expected knowledge, skills and capability transfer (to build public sector capability), where appropriate
- key personnel should be identified and any changes negotiated
- expected reporting requirements
- intellectual property considerations
- insurance requirements
- contract termination terms
- payment terms.

Specifications may indicate essential requirements to achieve a successful outcome, including:

- experience in work of a similar nature
- track record in similar work
- technical skills and credentials
- management skills
- method of delivery
- time performance
- quality assurance

A risk assessment will help to determine the types and value of insurances required for the project. The types of insurance that may be required include:

- professional indemnity insurance (*)
- public liability insurance - needed if the consultant is located on Queensland Government premises
- WorkCover - required if the consultant has employees.

() this insurance will be required for consultants but may only be required for particular contractors.*

For high relative expenditure, high risk or complex projects, a selection panel should be established to prepare the specification and to evaluate offers.

Labour hire workers

When recruiting workers via labour hire providers it is important to provide a clear role description. Details should include: context about the workplace, key responsibilities, mandatory skills or expertise

and descriptive selection criteria, to help to identify quality candidates for the role.

Hint – Budgets

When issuing a tender for a consultant, consider including a budget or an indicative price range. This will help suppliers to submit realistic offers, make it easier to compare offers and avoid clarification requests and negotiations about scope.

Hint – Intellectual property

Intellectual property is defined as the rights arising from original creative intellectual activity. The Queensland Government should own intellectual property, especially if it is integral to the operation of the government's activities. In some circumstances, the government will be deemed to own the intellectual property that is created by others "*by or under the direction or control of*" the government. Legal advice should be sought on this issue.

If others, including the consultant or contractor, want to use the intellectual property, the agency could license its use in appropriate circumstances. Joint ownership of intellectual property between the consultant or indirect worker and the government is also possible but seek legal advice first. The idea is to strike a fair deal for both parties, but importantly, to protect the interests of the government.

Step 3: Sourcing a supplier

The strategies used when approaching markets are developed from the procurement planning and supply market analysis processes. There are guides and templates available on Forgov to help you plan and implement a sourcing process and manage a contract.

Consultants and professional contractors

The type of sourcing process will depend on variables including:

- the nature, scope and complexity of the project
- the availability of the services required and the characteristics of the market
- any action the agency may want to take to develop or influence the market
- the project budget
- the processing costs associated with the procurement
- opportunities to advance the government's economic, environmental and social objectives
- probity and accountability considerations.

In certain circumstances, it may be appropriate to issue a sole invitation. For example, where there is a consultant who is uniquely positioned to provide the service, such as a eminent academic who leads in a particular field. You must submit a written justification for sole supplier engagement to your authorised officer for approval.

When offers are requested, consultants or professional contractors will often contact agencies to clarify issues. It is critical to provide consistent responses in writing, so that different information is not provided to different offerors, which may give one offeror an unfair advantage in the process.

All potential offerors should be given copies of any information provided.

Consultants or professional contractors should be given adequate time to prepare an offer. A minimum of about three weeks (depending on the complexity of the job) is recommended.

Consultants or professional contractors should be aware that their offers could be the subject of Right to Information applications. If there is sensitive material contained in the offer, they should mark their offers

with Commercial in Confidence. When opening offers, ensure that there are at least two officers present, and that one officer is independent of the evaluation process.

The General Goods and Services (GGS) team, within Queensland Government Procurement, establish and manage panels of quality consultants. These panels have been established to help agencies easily find and engage suppliers that meet their needs and deliver on the requirements of the QPP. If you have any questions about these arrangements, contact GGS.OED@epw.qld.gov.au.

Labour hire workers

Under the *Labour Hire Licensing Act 2017 (Qld)* suppliers must hold and maintain a labour hire licence. Any suppliers that are exempt under the Act are required to provide a declaration to address the grounds for exemption.

The easiest way for agencies (and other eligible customers) to engage a licensed supplier is via the Temporary and Contracted Workers - Preferred Supplier Panel. A selection tool allows you to search the panel for suppliers that suit your needs best. The panel includes a diverse set of suppliers from across Queensland, delivering services in five (5) employment categories:

- Administration
- Community
- ICT
- Infrastructure, Construction & Maintenance
- Scientific & Technical

Step 4: Evaluation and selection

A sound evaluation and selection process will secure the most appropriate skills and expertise for a project, at the best value, and in line with the principles of the QPP.

For high value projects, or those that are complex, it is best practice to have a panel of people, with relevant knowledge, to evaluate the offers. Where possible, include an officer who has experience in the procurement process.

Consultants and professional contractors

Value for money is always critical to selecting a supplier. This does not mean accepting the lowest priced offer. Ensure the project is delivered to the standards required by the agency and consider what social and environmental value might be garnered from the engagement.

Proposals should be assessed against pre-determined selection criteria. The selection criteria should have been clearly stated in the invitation-to-offer documents.

The selection criteria should reflect whether the consultant or contractor can deliver the project outcomes. Considerations include:

- conformance to the specification
- proposed method (how the project is to be tackled)
- proposed approach to knowledge, skills and capacity transfer to public service staff
- capacity to complete the project on time (and previous record at meeting deadlines)
- price and other value considerations
- capabilities and experience of the consultant or contractor
- disclosure and management of conflicts of interest.

The evaluation process must be documented and capable of withstanding scrutiny. Records must clearly demonstrate how the successful offeror was selected. Keep in mind that procurement documentation is

open to audit scrutiny and right-to-information requests.

The project manager should complete a report which must clearly articulate how and why the recommended consultant or professional contractor was selected. An officer with the appropriate financial delegation must approve the recommendation.

All projects, regardless of the value, require a written contract between the parties, it must be signed and dated. This may be in the form of a simple letter of acceptance or a purchase order for low value and low risk engagements. The letter should clearly define the requirements and obligations of both parties.

All documentation must be kept for audit and other purposes in accordance with the *Financial and Performance Management Standard 2019* and the *Public Records Act 2002*.

Labour hire workers

Selection is similar to standard recruitment practices. Candidates are considered and compared based on skills and experience, as demonstrated in resumes, statements of claim, interviews etc. Appropriate document should be kept supporting the decision made.

Hint – Seeking advice

Seek advice from others with experience in the type of consultancy or professional contractor you require, within your agency and from other agencies. Check out the consultant or professional contractor's reputation; ask for relevant and current referees, look closely at experience, ask for examples of relevant previous work.

Consultants or professional contractors are often members of institutes / societies. While membership of a professional organisation may not be mandatory, it could be a desirable criterion for particular professions or for certain projects.

Step 5: Managing the engagement

Using consultants or indirect workers does not mean the agency relinquishes its responsibility for the successful completion of work.

Consultants and professional contractors

Consultants and professional contractors need to be monitored to ensure that satisfactory outcomes are being achieved on time and within budget.

Effective management of consultants and professional contractors includes:

- appointing a project manager (or in some cases a steering committee) with a clearly defined responsibility for the management of the consultant or professional contractor
- clearly defining performance standards expected of consultants or professional contractors
- specifying the requirements for reports and meetings with the consultant or professional contractor
- developing procedures for dealing with:
 - a consultant's or professional contractor's unsatisfactory performance
 - variations in cost and time
 - assessing the work and performance of the consultant or professional contractor at regular intervals, including ensuring they are delivering on obligations regarding knowledge, skills and capability transfer.
- maintaining adequate records.

Effective and regular communication between the project manager and consultants or professional contractors is critical to ensuring the project is on track and that the agency is getting what has been

agreed.

To protect agency interests, the consultant or professional contractor should not be appointed as a manager of a project. This is the role of an internal officer chosen as the project manager or another suitably qualified officer.

For high value / complex projects, a steering committee may be required to provide oversight and direction to the engagement. Project management meetings are part of the role of the steering committee. Keep documentation of all communications on file.

Labour hire workers

Should be managed in much the same way as regular agency staff. A competent manager, familiar with the project, tasks and desired outcomes should be appointed to oversee the day-to-day functions and progress of the worker.

It is important to provide regular support, feedback and direction to ensure the worker has every chance to succeed. If needed, the labour hire provider can advise and provide support to address any performance issues.

Hint – Variations to a contract

Variations are changes to what was originally in the conditions of contract. The most common variation is that the consultant or professional contractor needs more time to complete the work. Before signing the contract, a strategy should be developed to deal with any variations. Variations must be agreed by both parties in writing before they occur. Consider seeking legal advice before varying a contract.

Step 6: Evaluate performance and outcomes

Performance criteria should be documented in the specification so that the project manager knows how to measure performance, and the consultant or professional contractor understands expectations. Any adverse performance assessment should be drawn to their attention and their responses should be included in performance assessment documentation.

At the end of the engagement, a performance report should be developed to support continuous improvement and learning. Performance reports should be kept on a central register within the agency. These evaluations can then be used when considering the consultant or professional contractor for future work. They can be shared with other agencies to inform their project decisions.

Each agency is responsible for maintaining a register reporting on the use of consultants and indirect workers.

Contract terms and conditions should require confidential information be collected or destroyed at the end of an engagement.

Consultants and professional contractors

The project manager must complete a written report that evaluates outcomes and performance. The evaluation should be completed before final payment is made. Evaluations should compare project outcomes to the objectives set out in the specification. Performance is assessed as satisfactory only when the outcomes that are detailed in the specification are achieved.

Labour hire workers

Towards the end of any engagement the worker's performance and the outcomes of their work should be evaluated and documented. The results help to inform future engagements and to provide meaningful feedback to the worker and the labour hire provider, which can be applied to improving their next role or engagement.

Hint – Payment

Payments to a consultant or professional contractor should be staged and linked to milestones that are evaluated by the project manager. The milestones should represent quantifiable achievements (e.g., a draft report or a final report).

Retain the bulk of the total fee for when the job has been completed and evaluated as satisfactory by the project manager. Avoid paying an hourly rate without a performance timeframe - set the price, wherever possible. For example, a maximum of 200 hours at \$50 per hour.

Don't pay simply because an invoice is received. Payment is dependent on the project manager being satisfied that the work has been done to the standard specified in the contract.

5. Roles and responsibilities

Authorised (or delegated) officer

- Responsible for approving the engagement before the project starts. The authorised officer must be satisfied that the project is discrete and does not bind the agency to further commitments to the selected consultant or indirect worker for additional work outside that being considered.
- Responsible for approving expenditure and must be satisfied that the project work has not been artificially “split” to enable the total project to be kept below specific agency expenditure approval levels.
- Signs the contract.

Hint – Seek expert advice

It is strongly recommended that you involve (or obtain advice from) your agency procurement officers who are experienced in procuring the services of, or engaging consultancies or professional contracting services, particularly if they are considered high risk projects. Do this as early as possible in the process.

Project manager

- Authorised (or delegated) officer's agent and must be formally appointed by the authorised (or delegated) officer.
- Needs to possess sufficient knowledge about the project to appropriately judge if the work is satisfactory.
- Needs to be aware of their role and responsibilities in the process of engaging and managing the consultant or indirect worker.
- Is responsible for the management and review of the consultant or indirect worker, including:
 - monitoring performance to ensure that the requirements of the specification are met
 - supervising the project
 - liaising with the consultant professional contractor or labour hire worker about the project
 - dealing with unsatisfactory performance
 - identifying and managing conflicts of interest and confidentiality risks.

Hint – Manage risks

Assess risks at the beginning of the project to determine how to manage them. Risks may be managed, for example, through the specification or terms and conditions of the contract and should be revisited periodically throughout the term of the engagement.

6. Questions and answers

Question	Answer
<p>If internal agency officers are capable and qualified to do the required job, but not available due to other work commitments, should external consultants or indirect workers be engaged?</p>	<p>Reassess the work priorities of internal agency officers. Can their existing work be deferred, or can the project be deferred?</p> <p>Consider whether a temporary employee may be engaged to perform the work.</p> <p>If not, seek an indirect worker.</p>
<p>What if there is only one consultant or indirect worker who can do the job? (For example: a well-known academic who leads in a particular field).</p>	<p>This is a sole invitation process, where just one particular consultant or indirect worker is invited to offer. You will still need to seek a full offer. It is not good practice to advise the sole offeror that they are the only potential supplier offering. You must submit a written justification for sole supplier engagement to your authorised officer for approval.</p>
<p>During the offer period can I give out additional information or clarify any issues to prospective offerors, if they request it?</p>	<p>Yes, but if you provide additional information to one potential supplier, you must advise all other potential suppliers of the same information in writing.</p>
<p>When is it necessary for the consultant or professional contractor to have professional indemnity insurance?</p>	<p>You will need to assess the risks involved in the project. If it is determined that the agency may be exposed to risks of a professional nature via the engagement of a consultant or professional contractor, they must have appropriate professional indemnity insurance.</p>
<p>How is the amount of professional indemnity insurance determined?</p>	<p>The nature of the consultancy or professional contractor services determines the degree of risk to which the agency is exposed. A risk assessment should determine the estimated value of loss which may be incurred and the most probable time for the loss to become apparent. Although a consultant or professional contractor may complete the project, risks may be identified or materialise after the project has been completed. If this is the case, then you must ensure the consultant or professional contractor takes out professional indemnity insurance to fully cover the risk period. You will also need to check your agency's requirements. Most insist on a minimum amount of insurance.</p>
<p>When is it necessary for the consultant or professional contractor to have public liability insurance?</p>	<p>When the consultant or professional contractor is performing work on Queensland Government premises or if Queensland Government officers are working on the consultant's or professional contractor's premises or when there is a risk of innocent persons receiving injury.</p>
<p>How is the amount of public liability insurance determined?</p>	<p>A risk assessment will determine the estimated value of loss.</p>
<p>What should I do if the consultant, professional contractor or labour hire worker seems to be on the wrong track?</p>	<p>Check to see if your specification and direction is clear and that the consultant, professional contractor or labour hire workers understand it. You can negotiate with or counsel the supplier to ensure that they have a full understanding of the requirements. Where the supplier is repeatedly unwilling or unable to deliver according to the specification, it may be necessary to terminate the arrangement.</p>

<p>What should I do if the consultant or professional contractor keeps asking for time extensions?</p>	<p>Check the contract to determine if the milestones are fair and reasonable and that the consultant or professional contractor is on track with the project. Ask them to document the reasons for the time extensions. Consider any cost implications and any associated problems that may be caused by the project's outcomes being delayed. If the extensions are warranted, document the new timelines and milestones and vary the contract.</p>
<p>What should I do if I think the consultant indirect worker is not performing?</p>	<p>Talk to them and find out why. If the response is not satisfactory provide advice in writing and give them a specific period (e.g. two weeks) to justify why the contract should not be terminated.</p>
<p>What action needs to be taken if the bill for the work is more than the fee specified in the contract?</p>	<p>Point out to the supplier the agreed fees in the original contract. The supplier should not be performing additional work without prior written approval from the project manager. Seek a full explanation from the supplier. If there is no valid reason provided, then only the fee specified in the contract should be paid. If there is a valid reason for the additional fee, seek approval from the authorised officer.</p>
<p>How do I make sure objectives regarding the transfer of knowledge skills and capability are achieved?</p>	<p>Ask supplier about how they will transfer knowledge, skills and capability as part of the tender or quoting requests and evaluate it. Negotiate a more detailed plan and responsibilities within the contract and manage those expectations as you would other deliverables.</p>