

**BUILDING EQUALITY POLICY ACTIVATION SESSION
QUESTIONS AND ANSWERS**

WEBINAR HELD: 16 May 2022

#	Question	Response from	Response
1	Will I be able to access this webinar and the slide deck later?	ICN Victoria	The webinar and slide pack will be available for your reference. Please access this here: https://www.jtpmdigital.com.au/building-equality-policy-activation . Please feel free to share this internally within your organisations and throughout any other interested parties.
2	Whereabouts can I find the website that connects women with businesses that are looking to hire more women?	IRV	Women In Construction – Building Futures
3	For Action 2, does the target for female apprentices and trainees sit within the MPSG target? Is the target 4% of all work hours or a portion of the 10% MPSG target?	DTF	The 4% women apprentices and trainees also count towards the 10% MPSG requirement. Both percentages are of the total deemed hours on the contract.
4	Will professional services contracts (e.g. architects, engineers) be required to apply the BEP? Or is this construction contracts only?	DJPR	It applies to construction contracts only (including Design & Construct, Early works, etc).
5	How does the BEP apply to Manager Contractor delivery models? Will subcontractors be required to meet BEP targets?	DJPR	Yes, subcontractors are an important part of contributing to the targets in Actions 1 & 2.
6	I work within a national business. Do we provide our national or Victorian figures when responding to the BEP?	CGEPS	When completing the Organisation Wide Workplace Gender Audit and Organisation Wide GEAP national figures must be used. The Project Specific GEAP only requires those relevant to the project/site team which are carrying out the building works.
7	Will ICN VMC be supporting the reporting requirements for the BEP?	ICN Victoria	ICN Victoria is currently enhancing the VMC portal to include BEP reporting. This will be made available later this year and will be embedded into existing social procurement reporting. ICN Victoria will be providing training for this new function through our existing VMC training sessions and will be available to answer questions as they arise.
8	What are the key differences between the organisational and project specific GEAPs?	CGEPS	The three key differences are that firstly, the Organisation Wide GEAP relates to the entity/ies that is/are responsible for performing or sub-contracting the building works whereas the Project Specific GEAP relates to the project/site team which are carrying out the building works. Secondly, the Organisation Wide GEAP requires the Organisation Wide Workplace Gender Audit to be completed and for the results to be included within the template. Thirdly, due to the point above the GEAP templates are slightly different. The Organisation Wide Workplace has a column labelled 'Workplace Gender Audit' where the Organisation Wide Workplace Gender Audit results are to be inputted. Whereas the Project Specific GEAP does not require audit results, but has a column labelled 'related indicators' which are used as a reference only to refer to the indicator which addresses to the mandatory action.
9	What penalties are envisaged for non-compliance after the 2 year transitional period?	DTF	Penalties or incentives will be determined by each Agency or project and we expect the approach will align with their approach to social procurement.
10	Does the BEP apply to private construction projects?	DTF	No, it applies to public construction projects.
11	Noting that the organisational gender audits are valid for 12 months, are the organisational action plans also valid for 12 months? Or is a new organisational action plan required for each tender submission during this period?	CGEPS	Yes, the Organisation Wide Action Plan and Organisation Wide Workplace Gender Audit are valid for 12 months. It is expected that the same plan would be submitted with any bid in that 12 month period. If you are reporting to Workplace Gender Equality Agency (WGEA), it might make sense to align your dates with this process.
12	A lot of construction work is carried out by major subcontractors, not the head contractor who bids the work. Is the government going to promote the policy with the broader subcontractor industry?	ICN Victoria and DJPR	Similar to the the Local Jobs First Policy and Social Procurement Framework, the main contractor will be required to apply and manage the BEP requirements. ICN will be delivering a Building Equality Policy Activation Program that intends to promote the policy at the subcontractor level.
13	Do the targets allow for variations based on project types? (e.g. roads vs. building construction)	DJPR	No, the targets apply to all construction projects.

14	Do women working on projects but not on site count towards targets?	DJPR	No, the targets require women to be performing roles onsite.
15	Can you provide more information about the contracted hours? Is this figure determined during the bid stage of a project and what happens if something changes over time? Is this a static number?	DJPR/DTF	The estimated hours for the Action 1 targets are submitted with the first progress report (contract stage) and the Action 2 hours are calculated using the MPSG Deemed hours formula at bid stage. If this changes, Contractors will need to work with the Agency to determine and re-baseline the hours / targets to be met.
16	Is Action 2 for apprentices and trainees based on contract hours or deemed hours?	DJPR/DTF	This is based on deemed hours
17	Can you provide a list of the trades and positions included under each other targets?	DJPR	A list of trades and positions for each target can be found on the BEP Defined Terms page on the Buying for Victoria website: https://www.buyingfor.vic.gov.au/building-equality-policy-defined-terms
18	Has there been consideration for how the skills shortage will impact industry's ability to meet the nominated targets?	DJPR/IRV	The transitional compliance period will provide an opportunity for government, employers, employees, industry associations, unions, and the training ecosystem to work collaboratively to improve the supply pipeline of women to meet the targets. It provides a clear message we are on a shared journey, with shared accountability for positive outcomes. The transitional period will foster collaboration and constructive feedback, solutions, and best practices that can be shared openly between projects.
19	How does the BEP apply to alliance contracts?	DJPR/DTF	Actions 1 and 2 will apply to all onsite workers. It will the construction partner/s that are required to complete an Organisation Wide GEAP.
20	Why are cadets not included in Action 2?	IRV	A key focus of the policy is to increase the number of women undertaking apprenticeships and traineeships
21	How can we provide qualitative feedback to report concerns on the BEP? Often surveys are not sufficient to distil ethical concerns	ICN Victoria	As a key industry partner of the BEP, ICN Victoria will be working on the ground with suppliers to address the policy's requirements. All feedback from our interactions will be collated and will inform any evaluations or revisions as the policy progresses. Please feel free to send through insights and feedback to vicsteam@icnvic.org.au as you apply the BEP.
22	How were the targets derived? There is no available information describing the baseline of female workers and the intended strategy to implementing these targets	IRV	In setting the targets consideration was given to the current low numbers of women participating in onsite roles. The targets are expected to be achievable as they were based on available data from sources including WGEA, Australian Bureau of Statistics and National Centre for Vocational Education Research (NCVER) Vocational Statistics (VOCSTATS). https://www.ncver.edu.au/_data/assets/pdf_file/0046/9671959/Apprentices-and-trainees_Sept2021_VIC_R.pdf
23	Does the \$20 million threshold apply to the entire project or for the construction contract only?	DTF	The \$20million threshold relates to the Total Estimated Investment for the project, which can include multiple contracts for different services, sites or stages.
24	The project specific GEAP refers to auditing subcontractors. Are we expected to ask our subcontractors to provide information about their workforce?	CGEPS	Yes, we are expecting that the head contractor collects the gender pay gap information from the subcontractors. Its important to note that most subcontractors will be paid award rates and the gender pay gap will be zero.
25	How will this policy apply to panels/programs where the total value exceeds \$20 million after the time of contract award?	DJPR	It is recommended that where a project may go over the \$20million threshold, that BEP is applied at the outset.
26	How does the BEP account for people that identify as non-binary? Can non-binary people included in the targets?	CGEPS	The Actions 1 and 2 targets apply to people that identify as women. At this time, people that identify as non-binary are not included in the targets but the audit indicators provide a 'self described gender' and a 'prefer not to say' column so that we can consider the need for reviewing the targets in the future.
27	Can agencies apply the BEP to projects under \$20 million?	DTF	Agencies could opt to apply the BEP for a project under \$20million.
28	If a construction contract is worth \$500,000 under a \$20 million program, does the BEP apply?	DTF	It depends how the "program" is defined. If the Total Estimated Investment is over \$20million, BEP is applied to the \$500,000 construction contract.
29	Does the policy apply to projects tendered before January 1st 2022?	DTF	No, it does not.
30	Will the government be making any new investments to mobilise the pipeline of workers? There needs to be more campaigning around promotion and attraction of trades	IRV	The government has made a number of investments in programs to attract apprentices and trainees including this one today: https://www.premier.vic.gov.au/big-build-hiring-300-new-apprenticeships-mid-2023

31	Are business support roles included in the BEP?	DJPR/DTF	No, the BEP targets are focused on site based roles, not business support or administration roles.
32	How can I apply WGEA reporting for workplaces audits into my compliance with the BEP?	CGEPS	WGEA reporting can be used for both indicator 1 - Gender Pay Equity and Indicator 6 - Gendered Work Segregation. For Indicator 1 you can use the results obtained from WGEA reporting to fill in the mean annualised base salary pay gaps and mean annualised remuneration pay gaps. For Indicator 6 - WGEA also uses the ANZCO occupational categories to classify occupation. Using the data your Organisation provides WGEA you can copy this across to the Indicator 6 table provided.
33	Does the 3% for trades labour apply to each trade group or is a cumulative count across trades?	DJPR/DTF	The 3% applies to each trade position. So there should be 3% of plumbers and 3% of electricians as women as an example.



WEBINAR

Building Equality Policy Activation Session

 Monday 16 May 2022

 4:00 pm – 5:00 pm AEST

 Online

in conjunction with

