

# Can Social Procurement Address Employment Inequities in the Workplace: A Comparative Study of the Australian and Canadian Context

**Jeanette Raymond**

Lyons College/Victoria University  
Email: [jeanette.raymond@lyons.edu.au](mailto:jeanette.raymond@lyons.edu.au)

**Abstract**— The purpose of this research paper is to examine the factors that encourage or inhibit the promotion of social policy through the public procurement process. Public procurement is sometimes used as an instrument for supporting both economic and non-economic goals, such as environmental and social goals. This paper will discuss how Federal Governments of developed countries have attempted to advance conceptions of social justice and change for the disadvantaged category (visible minorities, women, people with disabilities and the Indigenous community) through their procurement policies and processes.

## **Design/Methodology/Approach**

Initially the literature review will examine the concept of social procurement and how it is benchmarked to promote social justice and change. This forms the theoretical base for the discussion. A comparative discussion of federal governments departments of Australia and Canada will follow, to discuss the experiences of social procurement in industrially developed countries.

## **Practical Implications**

The Covid 19 pandemic has resulted in unprecedented job losses and those likely to be impacted are the vulnerable category that are already dealing with labour market marginalization. This research paper will be exploring the goals of social procurement to provide employment opportunities to the vulnerable category-experiencing disadvantage. This could be a promising strategy to address the issues of unemployment in the long run.

## **Originality/Value**

The inherent challenges for policy makers will be to ensure that the jobs created through the procurement process place the vulnerable category in secure roles and satisfy criteria such as access to training, provision of a substantial living wage and job security that comply with local and international labour standards.

**Keywords:** Employment Inequities, Public Procurement, Social Procurement, Vulnerable Category, Visible Minorities

## **1.Introduction**

Chandra and Young (2017, p. 7) described social procurement as the use of public procurement to achieve some social good and add social value for community benefit. Social procurement addresses social issues and generates social effects, particularly for the vulnerable segment of society (Furneaux & Barraket 2014; Loosemore, Alkilani, & Mathenge, 2020). The way the federal government spends its wealth, who they procure from, and what they procure can have significant social effects (Barraket & Weissman 2009; Harland, Callender, Knight, Telgen, Thai, & Walker, 2006). Most suppliers whose purchases result in social and environmental degradation are sometimes interrogated and criticised (Barraket & Weissman 2009; Loosemore 2016). In contrast, there are many examples of procurement decisions resulting in positive outcomes, such as businesses who encourage fair trade by purchasing all their coffee and tea requirements from fair trade suppliers or public bodies who promote increased levels of indigenous employment by stipulating this requirement in their contracts for public works (Anthony Collins Solicitors 2006). In addition, non-profit organisations that ensure their acquisitions are affiliated with good values and standards also generate encouraging outcomes for both customers and consultants. Thus, in this scenario, the regulation of procurement refers to the inclusion of social goals into the procurement process, resulting in the procuring of goods, construction and services that generally do not have such requirements (Anthony Collins Solicitors 2006, p. 5). For example:

A government department or agency in the public sector decides to purchase waste management services. To add more value to these services, the agency decides to create employment opportunities in the local community, especially among the vulnerable segment (indigenous community, women, people with disabilities and visible minorities). An organisation with the intention of tendering out a manufacturing project considers how they can encourage the successful

bidder/contractor to subcontract some of their work to the indigenous community or other social entities that are already employing and training Indigenous youth (Anthony Collins Solicitors 2006, p. 5).

These are a few examples of how businesses and organisations are incorporating value into their procurements for goods, services, and construction, and aligning it with the secondary objective of adding social value. This also maximises the value of their outputs and contracts. In this paper the two countries selected for study are Australia and Canada. Canada and Australia have many similarities that allow for a ready comparison. The two countries have perceived similarities in political, socio-economic, and cultural values (Brown, 2009; O'Donnell, Mensik, Garavan, Taggar & McGuire 2002,). Apart from New Zealand, no two countries in the world are as similar as Australia and Canada politically economically and culturally (Brown, 2009). This paper will also compare the vulnerable segment (visible minorities, indigenous community, and women) in the two countries mentioned.

## 11. Social Procurement

The concept of social procurement can be linked back to the nineteenth century, when countries such as the US, France and the UK started using their purchasing power to advance conceptions of social justice and change (Halloran 2017). These countries used public procurement to address the underrepresentation of the disadvantaged category in the workforce (McCrudden 2004). Amann Roehrich, Essig, & Harland, 2014, noted that sustainable public procurement, including environmentally and socially responsible procurement, is gradually gaining momentum in European Union member countries. This is evident by the numerous policy changes to promote sustainable initiatives across the European member states. Recently, the European Union directives placed important emphasis on advancing social goals. Since 2012, Belgium (a member of the European Union) has required all regional entities to include social clauses in their public contracts (Valentina, Dorotea & Martignetti 2019). These clauses aim to create opportunities for the socially excluded and the long-term unemployed (Valentina, et al. 2019). The European Union directives/social clauses also offer job opportunities to young people with disabilities (Halloran 2017). Since 2019, these clauses have become mandatory and have an estimated value of €750,000 (Valentina, et al. 2019). Given that this is a contractual obligation, the government departments advertising the tender must demonstrate that they are in compliance with the terms proposed in their offer (Valentina, et al 2019).

The international literature also indicates that new practices are taking form (Amann et al. 2014). For example, in 2009, France trialled a network of facilitators responsible for providing specific information on social clauses via a telephone helpline (Tepper McLean Hirt, Defranceschi Caimi, & Elu, 2020). The facilitators and representatives meet three times per year to reflect on issues in relation to these social clauses and provide solutions and recommendations (Tepper et al. 2020). A software that is regularly updated has enabled the facilitators to report and manage these social clauses (Tepper et al. 2020). This effort is ongoing and was financed mainly by national funds and the European social fund (Valentina, et al 2019). The social clause software tool has assisted over 285,000 participants for approximately 425,000 employment contracts (Tepper et al. 2020).

Another example of new national legislation is the UK's Public Services (Social Value) Act 2012 and Procurement Reform (Scotland) Act 2014 (Dragicevic & Ditta 2016). Between 2011 and 2017, a program complementing the Procurement Reform (Scotland) Act 2014 was established to promote socially responsible procurement. This program provided consultancy services and online resources, support for awareness-raising events and practical thematic workshops.

Measures were also introduced in the US to contest labour issues. For example, the 1936 Walsh-Healey Act forbids federal government departments from buying sweatshop goods for contracts that have a value greater than US\$15,000 (US Department of Labour 2019). Examples of labour laws violated by sweatshops are labour rules regarding health and safety, child and convict labour, minimum wages, and maximum working hours. The Small Business Act (1953) sets out procurement statutory goals for all federal government departments and agencies (Dragicevic & Ditta 2016). The Small Business Administration in the US works closely with the government department and agencies to ensure compliance in the tendering process (US Small Business 2019). This program also assists the disadvantaged category/entrepreneurs to gain access to government contracting and is divided into two phases (US Small Business 2019). The first phase is a four-year developmental phase, while the second phase is a five-year transition stage (US Small Business 2019). Different states in the US have specific policies related to businesses and enterprises owned by the diverse population (Dragicevic & Ditta 2016). For example, in the state of New York, the division of Minority and Women's Business Development provides

access to tendering opportunities to businesses that are part of this program to support equal opportunity (Dragicevic & Ditta 2016).

In the 1960s in the US, there was an increase in social movements, and this played a major role in advancing affirmative action policies linked to new tactics and approaches in social procurement (McCrudden 2004, 2007). The US civil rights movement supported the establishment of the affirmative action policies (McCrudden 2007), including set-asides for minority businesses in government contracting, women- and minority-owned business set-asides, workplace safety and anti-discrimination policies, minimum wages for contractor employees, prohibition on human trafficking, veteran-owned and service disabled and the handicapped and blind that are mandatory sources (Dragicevic & Ditta 2016).

The linking of government contracting to socioeconomic policies became popular and gained ground in other countries, such as Canada. In Canada, the Federal Contractors Program was implemented in 1986, focusing on employment equity during the contracting process at both federal and municipal level. Over the next 20 years, the link between affirmative action and public procurement gained ground and was taken up by countries outside the US and included the incorporation of socioeconomic goals into the public procurement process. Further, public procurement does not operate in isolation and is linked to international market rules, especially the European Union directives and other international directives (O'Brien & Martin-Ortega 2019). For example, apart from national laws, public procurement is regulated not only by regional policies, such as the European Directives, but also by the World Trade Government Procurement Agreement, which is responsible for advancing transnational economic integration (O'Brien & Martin-Ortega 2019).

### **111. Social Procurement in Canada.**

The two main policies utilised by the Canadian government to promote socioeconomic objectives through the procurement process are the Federal Contractors Program and the Procurement Strategy for Aboriginal Businesses. It is important to examine the background and the origins of these two policies. Firstly, with regard to the FCP program, The Employment Equity Act was officially introduced to Canada in 1986, leading eventually to implementation of employment equity in Canada (Abella 1984, p. 225). The objective of this Act was to introduce equality and impartiality in the workplace (Abella 1984). The Act seeks to achieve this by addressing issues such as prejudice and discrimination and in assisting disadvantaged categories (Aboriginal communities, women, visible minorities and people with disabilities) to gain employment and promotions in the workplace (Abella 1984, p. 225). Businesses are thus required to undertake employment equity by identifying and removing discrimination in the workplace in their employment policies and practices, and rectify any existing issues related to past discrimination (Ng & Burke 2010). The two main employment equity programs implemented in Canada are the Legislated Employment Equity Program (LEEP) and Federal Contractors Program (FCP) (Ng & Burke 2010). In accordance with the LEEP, all federally regulated industries and Crown corporations with 100 or more employees must demonstrate that they have employment equity measures in place (Ng & Burke 2010). In contrast, the FCP stipulates that all private companies with 100 or more employees and bidding on contracts worth CA\$1 million or more are also required to develop employment equity plans (McCrudden 2007).

There was little research on the effectiveness of contract compliance as research tended to concentrate on the effects of the Employment Equity Act 1986 rather than the Federal Contractors Program. A small-scale research project in 1999, which involved interviewing a selection of procurement officers and workplace equity officers in businesses subject to Federal Contractors Program, concluded that, although the national scheme looks good on paper, it is underfunded and therefore cannot possibly achieve what it sets out to do (Fee & Erridge, 2001). Fee and Erridge (2001) concluded that the whole process needed simplification. Despite this criticism of the Canadian approach, other authors such as Arrowsmith (2004; 1998), McCrudden (2007), Chamberlain (2005), and Boyer (1985) highlighted the positive elements of the Canadian approach to public procurement at Federal and Provincial levels, indicating that the Canadian approach may have some elements of best practice when it comes to its model of targeted public procurement.

Secondly procurement policies have been a useful policy tool for stimulating Indigenous business development. The Procurement Strategy for Aboriginal Business (PSAB) is an integral part of the procurement initiative in Canada. The PSAB is another social policy launched by the Government of Canada in 1996 to encourage Aboriginal suppliers in bidding for and winning federal contracts (INAC 2017). The PSAB's creation was a response to the underrepresentation of indigenous businesses among companies seeking to win lucrative contracts from the federal government (INAC 2017). The PSAB social policy was a creation to stimulate Aboriginal businesses.

There have also been a few reviews of the operation of Aboriginal businesses in Canada both under the Land Claims Agreements and under the Procurement Strategy for Aboriginal Business (PSAB) (Indian and Northern Affairs Canada, 2020). An independent review found that progress had been made in the implementation of the obligations relating to procurement, but that implementation was not complete, and the policies adopted by the Federal Government had not been applied to all branches of the Government (Vertes, Connelly & Knott, 1999). Small and rural Aboriginal business appeared not to benefit to the same extent as larger firms in or near urban areas, and there were not enough qualified Aboriginal firms (Vertes et al., 1999).

Some Federal managers have indicated that privileged access to contracts may be inconsistent with the other principles of procurement namely “best value” and “equal access” (Indian & Northern Affairs Canada, 2000). Most of the procurement managers believed that they were paying a premium to do business with Aboriginal businesses. There were very few incentives for Federal purchasing personnel to apply the policy vigorously and very few penalties for failing to observe it (McCrudden, 2007). Some departments were also ignoring their obligations under the Procurement Strategy for Aboriginal Business with little or no accountability being demanded (McCrudden, 2007).

#### **1V. Social Procurement in Australia**

Many examples of social procurement and processes are underway in Australia that stretch across all levels of government; however, three specific initiatives and agendas deserve particular mention in relation to the inclusion of social services in public procurement. These are briefly explained as follows. In February 2010, an enhanced Indigenous Opportunities Policy was announced by the federal government, intended to increase indigenous employment training and supplier opportunity by revising procurement and grant policy (Burkett 2010a). It applies to Australian Government departments and agencies undertaking projects valued at AU\$5 million or more in regions with significant Indigenous populations (Burkett 2010a). When projects occur under these conditions, the lead agencies are required to consult with the Department of Education, Employment and Workplace Relations (Burkett 2010a). The Commonwealth Indigenous Coordination Centres and relevant community councils in the planning stages of these projects require each supplier to present, as part of their tender, a plan for providing training and employment opportunities to the local Indigenous communities (Burkett 2010b). The Council of Australian Governments has also developed a national partnership agreement on Indigenous economic participation (signed December 2008) through which the Commonwealth and all states and territories have committed to strengthen their procurement policies to maximise Indigenous employment (Council of Australian Governments 2015). The aim of this agreement is to maximise Indigenous employment, particularly in contracts related to large construction projects, maintenance, cleaning, and infrastructure, agreed through the Council of Australian Governments (2015). These contracts include clauses that mandate suppliers to deliver Indigenous employment training and supplier strategies, with the aim of promoting jobs, training opportunities and support for Indigenous businesses (Council of Australian Governments 2015) through the procurement process. In addition, the federal government has initiated a three-year pilot funding program to support the Australian Indigenous Minority Supplier Council, which is focused on supporting majority Indigenous-owned, -controlled and -managed business to contract directly with both corporate and government purchasers (Australian Indigenous Minority Supplier Council 2013).

Apart from the above measures undertaken by the Australian Government to promote social development through the procurement process, the federal government also instituted the ‘Equal Opportunity for Women in the Workplace Contract’ compliance policy in 1993 (Burkett 2010b). This stipulates that all organisations failing to comply with the affirmative action Equal Opportunity for Women Act, 1986 (now the Equal Opportunity for Women in the Workplace Act, 1999) are deemed ineligible for government contracts (Australian Government 2009). In 2009, the Australian Government announced that it would conduct a full review of Australia’s key piece of employment equity legislation, the Equal Opportunity for Women in the Workplace Act (EOWWA), 1999 (Australian Government Department of Social Services 2017).

This statute is the only employment equity legislation that extends to the Australian private sector and is similar to Canadian legislation in that it requires organisations with 100 employees or more to develop and implement plans to increase workplace diversity and imposes annual reporting obligations on those organisations (Agocs 2009). However, it differs from the Canadian Act in that it extends solely to women. In a review of legislation in 1999, a proposal that would have extended its scope to cover other equal employment opportunity groups was rejected (Australian Human Rights Commission 2017). Australia did review the EOWWA later to ensure that equal employment opportunity policies remain appropriate for current economic and social conditions (Agocs 2009).

Australia did not previously have the same degree of focus on generating direct social outcomes from procurement policies and processes as in Canada, Europe and the US. It was only recently in Australia that the concept of public procurement was used for the promotion of groups of suppliers to promote and enact affirmative action, such as ensuring that a certain percentage of the budget is sourced from the designated category (Aboriginal businesses or visible minorities) (Barraket & Weissman 2009; Newman & Burkett 2012). Procurement policies that promote social policy goals in Australia have focused more on outcomes such as generating indigenous employment, instead of targeting specific suppliers in disadvantaged communities (Barraket et al. 2010). This may have had some effect on addressing social issues in Australia, but this effect has not been as direct as developing or targeting specific suppliers in the designated category (Barraket et al. 2010; Burkett 2010a).

This situation may have arisen because Australia has a history of different priorities and socioeconomic objectives to countries that have focused more on developing direct supplier targets (Debeljak 2007b). It is worth mentioning here that the nature of the welfare state in Australia has offered greater levels of income protection, rather than increasing entrepreneurial mechanisms to address issues such as poverty and unemployment (Barraket & Weissman 2009). Thus, Australia has focused more on welfare-based approaches to social policy, rather than focusing on enterprise-based policies, which are the focus of targeted procurement strategies in countries such as the US, which do not promote welfare (Barraket et al. 2010; Newman & Burkett 2012).

The standard practice in Australia has been to promote small businesses within given or specified public procurement frameworks (Burkett 2010a). This scenario is often linked to a geographical focus or to the specific policies of a given region or state (Burkett 2010a). These policies duly promote small businesses in the procurement process and help them build the required capacity to compete and tender for contracts (Western Australia Procurement Summit (2nd) 2003). Such measures could have important social and economic consequences for local regions and communities in Australia (Burkett 2010a). It is important to note that, even though there is a specific provision in the Commonwealth rules promoting procurement to SMEs with at least 50% ownership (Department of Finance Commonwealth of Australia 2020), information and research from the Australian Parliamentary Library indicates that, between 2012 and 2013, Indigenous businesses obtained only 0.001% of the total Australian Government's spend (approximately AU\$6.2 million of the total AU\$39 billion spend) (Department of Finance Commonwealth of Australia 2020).

On 17 March 2014, Andrew Forrest made recommendations on 'creating parity' in the 'Forest Review'. Based on these recommendations, the Commonwealth of Australia announced that it is planning to have 3% of its procurement contracts with the Indigenous community/suppliers by the year 2021.

## **V. Employment Equity for Visible Minorities in Australia**

The Federal Government of Australia could use procurement to promote aims that are secondary to the primary aim of procurement—in this case, purchasing or acquiring goods, works and services to achieve socioeconomic objectives (Watermeyer et al. 1998). The two social policies implemented in Canada could be incorporated into the Australian context. The two social policies examined in depth in this paper could be used to promote employment equity for the visible minorities in Australia. The Canadian model could work well with visible minorities in Australia.

Migrants arrive in their thousands every year to Australia, many of whom are professionals, such as doctors, lawyers, and engineers, seeking a better life. However, many of them confront major difficulties and problems in obtaining suitable employment and adjusting to a new society and culture. They must meet different requirements to fulfil their expectations and obligations. Many migrants experience incredible difficulties in finding a job, while others end up receiving government support payments. These migrants face barriers such as difficulty speaking the English language and cultural barriers.

Currently, there is an acute shortage of professionals, such as medical doctors and qualified technicians, in Australia. Even though there is a dearth of these professionals in Australia, many newcomers are non-English speaking and must sit qualifying exams and prove themselves all over again, as overseas qualifications are sometimes not recognised. For example, there are many qualified lawyers from countries such as Sri Lanka and Bangladesh working in factories to support their families. Another major issue faced by migrants is the lack of Australian work experience. Employers in Australia generally seek staff possessing work experience in Australia. Even though new migrants have obtained work experience overseas, they are relatively disadvantaged, as they do not have the required Australian qualifications and experience. In a situation such as this, they will miss out on training and potential work opportunities.

New migrants who have obtained university degrees overseas must go through long periods integrating themselves into Australian culture and society. Sometimes they must wait years before their qualifications and experience are recognised if they are recognised at all. Eventually, they must start seeking employment and the delays and rejections experienced in the process can be very frustrating. Long delays are experienced in accessing sources of income, which can also affect the mental health of family members. Migrants must make many sacrifices and reduce their household budgets, especially for social and leisure activities. This can lead to frustration, depression and alienation from the wider community, and some return to their home countries. Overall, it is worth considering whether the Canadian employment equity model is an answer to the current migrant unemployment crisis in Australia.

## **VI. Findings and Discussion**

In relation to the Procurement Strategy for Aboriginal Business implemented in Canada, several challenges were reported in sourcing Aboriginal suppliers in the fields of surveying, medicine, engineering, and architecture. In Canada, it appears that larger government departments and agencies have more easily met their targets than smaller government departments and agencies. If the focus is on portfolio-level or whole-of-government targets, this may not be a problem. However, it will be difficult to set realistic targets for smaller agencies and departments because they require a large range of products and services for their operation, in comparison with the requirements of larger agencies. In Canada, if federal departments or agencies purchase goods, services, or construction more than CA\$1 million annually, they have given their consent to establish performance objectives in relation to the Procurement Strategy for Aboriginal Business (Public Services Procurement Canada 2017)

In accordance with the PSAB review conducted in 2007, there were no serious consequences for government departments and agencies that failed to set targets or set-aside contracts for the Aboriginal community. The PSAB 2007 program review also noted that there was insufficient data on factors such as the total number of jobs, training and apprenticeships created and the number of employees who were hired but had been dependent on welfare benefits previously (INAC 2007). It is noteworthy that the 2007 PSAB review also emphasised whether businesses have been able to expand or increase their profits and sales margins (INAC 2007).

The social procurement framework outlines the Victorian Government's social procurement objectives and corresponding social outcomes and in total, there are seven social procurement objectives (Victorian Government 2021). The seven areas that align with important government work are in relation to opportunities for Victorian Aboriginal people, opportunities for Victorians with disability, women's safety and equality, opportunities for disadvantaged Victorians, supporting safe and fair workplaces, sustainable social enterprises, Aboriginal business sectors, and sustainable Victorian regions (Victorian Government 2021). Unfortunately, it is for the relevant accountable officer of the government department or agency to decide on how to implement the "Social Procurement Framework", (Victorian Government 2021). This covers only the state of Victoria and is an indication that there are no mandatory social procurement targets available for the government department and agencies. The findings of the Canadian model especially in relation to the employment equity and the promotion of aboriginal businesses would be timely and relevant to the Australian policy makers. A program like the PSAB in Canada could be established in Australia if certain amendments were made to the Commonwealth procurement guidelines. The Commonwealth procurement guidelines in Australia can be defined as a legislative statement that can be issued and amended only by the minister in charge of finance (Department of Finance Commonwealth of Australia, 2020). If Australia is planning to have 3% of its procurement contracts with the Indigenous community/suppliers by the year 2024 this could be an ambitious plan. At the same time, it could be said that it is not an unreasonable plan. In the Forest Review, Andrew Forest (17 March 2014) did recommend design aspects that are like the PSAB implemented in Canada.

In May 2017, the Australian Human Rights Commission proposed the introduction of gender quotas that indirectly forced suppliers and contractors to employ at least 40% of women. Under this plan, if contractors/suppliers did not employ or recruit 40% of women, they risked losing lucrative government contracts. The objective of this plan was to increase women's employability and wages. However, the business groups felt that this was a bad outcome for taxpayers that could result in difficult conditions for small businesses (Australian Human Rights Commission 2017; Debeljak 2007b). Under this plan, government departments and agencies were required to include a clause in their contracts requiring efforts to improve gender balances and have targets of at least 40% women (Australian Human Rights Commission 2017). The contractors were also required to prove that they had 'gender-balanced shortlists' for any job interviews that they had

organised (Australian Human Rights Commission 2017), which meant they should have 40% women and 40% men, with the remaining 20% allocated to allow for flexibility (Australian Human Rights Commission 2017).

In view of the above circumstances, only a few contractors or suppliers can bid if gender-balance requirements are imposed by government agencies. This would mean that there was less competition because if only a few are able to bid then it could also be a bad outcome for taxpayers. As aforementioned, this would make it difficult for small and medium industries to undertake government contracts at a time when they need it most. The government of Australia already requires contractors/suppliers with a capacity of more than 100 workers to report on employment equity measures through the Workplace Gender Equality Agency, which is responsible for data collection, but not responsible for imposing quotas (Workplace Gender Equality Agency 2017). However, there have been counter arguments to this proposal and business groups are not in agreement with the social engineering proposal, warning that some companies could go broke if locked out of government work. It was also argued that government agencies should seek to maximise value for taxpayers' money, instead of dictating which contractor to employ.

## Conclusion

Employment equity can make a difference in reducing the barriers that create inequality for women, visible minorities, Aboriginal people and persons with disabilities. Australia has not had the same degree of focus on promoting direct social outcomes from procurement processes as in the US, Canada and Europe. The Canadian model could be an answer to Australia's migrant unemployment crisis and could aid the conceptual understanding needed for policy formulation pertinent to improving employment equity through the public procurement process. Another lesson that Australia can take from the Canadian model is to not focus only on one particular disadvantaged group (e.g., women), but consider other groups, such as visible minorities, people with disabilities and the Aboriginal community, and implement a model that is similar to that in Canada.

## References

1. Abella, RS 1984, Equality in employment: a Royal Commission report, Commission on Equality in Employment, Toronto.
2. Agoos, C & Osborne, B 2009, 'Comparing equity policies in Canada and Northern Ireland: policy learning in two directions?', Canadian Public Policy, vol. 35, no. 2, pp. 237-262.
3. Amann, M, Roehrich, JK, Essig, M & Harland, C 2014, 'Driving sustainable supply chain management in the public sector: the importance of public procurement in the European Union', Supply Chain Management: An International Journal, vol. 19, no. 3, pp. 351-366.
4. Anthony Collins Solicitors 2006, 'The scope for using social clauses in UK public procurement to benefit the UK manufacturing sector', Report for the Manufacturing Forum, Department of Trade and Industry, London.
5. Australian Government Department of Social Services 2017, About the department, Canberra, viewed 3 March 2017, <<https://www.dss.gov.au/about-the-department>>.
6. Australian Human Rights Commission 2017, Australian Human Rights Commission Act 1986, Canberra, viewed 15 July 2017, <<https://www.humanrights.gov.au/our-work/legal/legislation#ahrc>>.
7. Australian Indigenous Minority Supplier Council 2013, External engagement: supporting Indigenous business, Indigenous Business Australia, Canberra, viewed 2 December 2016, <<http://www.iba.gov.au/reports/AR1213/part-7-external-engagement/supporting-indigenous-business/index.html>>.
8. Barraket, J & Weissman, J 2009, Social procurement and its implications for social enterprise: a literature review (Working Paper No. CPNS48), Australian Centre for Philanthropy and Non-profit Studies, Queensland University of Technology, Brisbane.
9. Barraket, J, Collyer, N, O'Connor, M & Anderson, H 2010, Finding Australia's social enterprise sector: final report, Social Traders, Melbourne.
10. Barraket, J & Weissman, J 2009, Social procurement and its implications for social enterprise: a literature review (Working Paper No. CPNS48), Australian Centre for Philanthropy and Non-profit Studies, Queensland University of Technology, Brisbane

11. Boyer, P 1985, Equality for all: report of the Parliamentary Committee on Equality Rights, Queen's Printer for Canada, Ottawa.
12. Brown, DM 2009, Economic Union reform and intergovernmental policy making in Australia and Canada, 1st edn, McGill-Queens University of Press, Montreal.
13. Burkett, I 2010a, 'Social procurement in Australia', in Foresters Community Finance (ed), The third sector as civil society in Australasia: identity, role and influence in the new century, The Centre for Social Impact, University of New South Wales, Sydney.
14. Burkett, I 2010b, Social and community enterprises: pathways for women's economic participation, Report for
15. Commonwealth, State and Territory Ministers Conference on the Status of Women (MINCO), Foresters Community Finance, Bowen Hills, QLD.
16. Chandra, F & Young, L 2017, Recommendations for evaluating social procurement policy within the Canadian federal government", School of Public Administration, University of Victoria, Victoria, Canada, viewed 18 December 2018, [https://dspace.library.uvic.ca/bitstream/handle/1828/8655/Chandra\\_Felicia\\_and\\_Young\\_Louisa\\_MPA\\_2017.pdf?sequence=3&isAllowed=y](https://dspace.library.uvic.ca/bitstream/handle/1828/8655/Chandra_Felicia_and_Young_Louisa_MPA_2017.pdf?sequence=3&isAllowed=y).
17. Council of Australian Governments 2015, The role of COAG councils, Canberra, viewed 5 June 2015, <<https://www.coag.gov.au/coag-councils>>.
18. Debeljak, J 2007b, 'Mission impossible: "possible" interpretations under the Victorian Charter and their impact on parliamentary sovereignty and dialogue', in M Smith (ed), Human rights 2006: the year in review, Castan Centre for Human Rights Law, Melbourne, pp. 169-189.
19. Department of Finance, Commonwealth of Australia (2020), viewed 16 November 2020, <https://www.finance.gov.au/government/procurement/commonwealth-procurement-rules>.
20. Dragicevic, N & Ditta, S 2016, Community benefits and social procurement policies: a jurisdictional review, Mowat Centre for Policy Innovation, University of Toronto.
21. Fee, R & Erridge, A 2001, 'The impact of contract compliance policies in Canada—perspectives from Ontario', Journal of Public Procurement, vol. 1, no. 1, pp. 51-71.
22. Furneaux, C & Barraket, J 2014, 'Purchasing social good(s): a definition and typology of social procurement', Public Money and Management, vol. 34, no. 4, pp. 265-272.
23. Halloran, D 2017, 'The social value in social clauses: methods of measuring and evaluation in social procurement', in Global public procurement theories and practices, Springer, Cham, pp. 39-58.
24. Harland, CM, Callender, G, Knight, LA, Telgen, J, Thai, KV & Walker, HL 2006, 'Public procurement as a lever of government reform: international research evidence', in Proceedings of World Wide Symposium, San Diego, California, 6-8 April 2006, pp. 58-68.
25. INAC 2007, Summative evaluation of the Procurement Strategy for Aboriginal Business (PSAB): final report, Government of Canada, Ottawa, viewed 21 December 2018, <[https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/aev\\_pubs\\_ev\\_psab\\_1328287138191\\_eng.pdf](https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/aev_pubs_ev_psab_1328287138191_eng.pdf)>.
26. INAC 2017, Indigenous Services Canada, Government of Canada, Ottawa, viewed 21 December 2018, <<https://www.canada.ca/en/indigenous-services-canada.html>>.
27. Loosemore, M 2016, 'Social procurement in UK construction projects', International Journal of Project Management, vol. 34, no. 2, pp. 133-144.
28. Loosemore, M, Alkilani, S & Mathenge, R 2020, 'The risks of and barriers to social procurement in construction: a supply chain perspective', Construction Management and Economics, vol. 38, no. 6, pp. 552-569.
29. McCrudden, C 2004, 'Using public procurement to achieve social outcomes', Natural Resources Forum, vol. 28, no. 4, pp. 257-267.
30. McCrudden, C 2007, Buying social justice: equality, government procurement and legal change, Oxford University Press, New York.
31. Newman, C & Burkett, I 2012, Social procurement in NSW: a guide to achieving social value through public sector procurement, Social Procurement Action Group, Sydney, viewed 17 December 2018, <<https://www.socialtraders.com.au/wp-content/uploads/2016/05/Social-Procurement-in-NSW-Full-Guide.pdf>>.

32. Ng, ES & Burke, RJ 2010, 'A comparison of the legislated employment equity program, federal contractors program, and financial post 500 firms', *Canadian Journal of Administrative Sciences*, vol. 27, no. 3, pp. 224-235.
33. O'Brien, C.M. and Ortega, O.M., 2019. Public procurement and the erosion of the EU social model: Outline of a Polanyian perspective and the emerging regulatory role of human rights. In *International markets and the erosion of the European political and social model* pp. 239-256. Aranzadi.
34. O'Donnell, D, Mensik, S, Garavan, TN, Taggar, S & McGuire, D 2002, 'Employment equality agendas: a comparative study of Canada, Ireland and Australia', paper presented at the 6th ANZAM/IFSAM World Congress, *Management in the Global Context: Prospects for the 21st Century*, Gold Coast, 10-13 July 2002.
35. Public Services Procurement Canada 2017, *Doing business with government*, Ottawa, viewed 14 June 2016, <<https://www.canada.ca/en/services/business/doing-business.html>>.
36. Tepper, P, McLean, A, Hirt, R, Defranceschi, P, Caimi, V & Elu, A 2020, Report on 'Making Socially Responsible Public Procurement Work: 71 Good Practices'. Publications Office of the European Union.
37. U.S Department of Labour 2019, Home page, US, viewed 6 December 2019, <https://www.dol.gov/>.
38. Valentina, C, Dorotea, D & Martignetti, L 2019, Report 'Buying for Social Impact, Good Practice from around the European Union'. European Publications.
39. Vertes, NL, Connelly, DHM & Knott, BAS 1999, Five year review 1993 to 1996 implementation of the Nunavut Land Claims Agreement: an independent review, Nortext Multimedia, Canada, viewed 1\ December 2018, <[https://www.gov.nu.ca/sites/default/files/files/015%20-%20Nunavut%20Land%20Claims%20Agreement%20Five-Year%20Review%20\(1993-98\)%20English.pdf](https://www.gov.nu.ca/sites/default/files/files/015%20-%20Nunavut%20Land%20Claims%20Agreement%20Five-Year%20Review%20(1993-98)%20English.pdf)>.
40. Victoria Government 2021, Home page, Melbourne, viewed 17th June 2021, <https://www.buyingfor.vic.gov.au/social-procurement-framework-objectives-outcomes-and-key-focus-areas>.
41. Watermeyer, RB, Gounden, SN, Letchmiah, DR & Shezi, S 1998, 'Targeted procurement: means by which socio-economic objectives can be realised through engineering and construction works contracts', *Journal of South African Institution of Civil Engineering*, vol. 40, no. 4, pp. 15-25.
42. Workplace Gender Equality Agency 2017, Australian Government: Workplace Gender Equality Agency, Sydney, viewed 12 May 2017, <<https://www.wgea.gov.au>