

FAQ – What is Probity?

PROBITY CONTEXT AND DEFINITIONS

The Victorian Government’s probity guidance is outlined in the Victorian Government Purchasing Board Guide to Probity which provides:

What is probity?

Probity signifies integrity, fairness and honesty. Government often refers to probity in a general sense to mean good process demonstrated by transparency of actions, equity, confidentiality and managing conflicts of interest, whether actual or perceived.

In the procurement sector, probity relates to proper and ethical conduct, and propriety in dealings with the market. Probity is integral to the goal of achieving value-for-money outcomes.

Why is probity important?

Good probity practice is important for:

- business and community confidence in the integrity of government procurement processes
- encouraging and enabling purchasers and businesses to deal with each other on the basis of mutual trust and respect and
- improving the defensibility of market engagement processes and procurement outcomes.

When to apply probity

Probity should underpin every aspect of every procurement activity.

How to apply probity

To achieve an ethical and transparent approach, procurement processes must be clear, open, well-understood and applied by all parties in the process.

In practice, probity requires:

- acting with integrity and impartiality
- ensuring market equality by applying an appropriate level of competition and contestability relevant to the procurement activity

- consistent and transparent processes
- secure and confidential market engagement information
- identifying and managing conflicts of interest
- allocating appropriate capability to elements of the procurement process and
- engaging a probity practitioner(s) where the complexity of the procurement warrants independent process oversight.

Public officials are required to conduct themselves consistently with the public sector values outlined in section 7 of the *Public Administration Act 2004* – some of these are directly relevant to probity in the procurement process e.g.

Integrity: public officials should demonstrate integrity by:

- being honest, open and transparent in their dealings
- using powers responsibly
- reporting improper conduct
- avoiding any real or apparent conflicts of interest
- striving to earn and sustain public trust of a high level

Impartiality: public officials should demonstrate impartiality by:

- making decisions and providing advice on merit and without bias, caprice, favouritism or self-interest
- acting fairly by objectively considering all relevant facts and fair criteria
- implementing Government policies and programs equitably

Accountability: public officials should demonstrate accountability by:

- working to clear objectives in a transparent manner
- accepting responsibility for their decisions and actions
- seeking to achieve best use of resources; and
- submitting themselves to appropriate scrutiny.

When Is a Probity Advisor required?

Where the process involves particular probity risks or is of high value, the Project Sponsor should consider whether a probity advisor or auditor should be engaged. For this Project, a Probity Advisor has been engaged.

Regardless of whether a Probity Advisor is appointed, consider probity issues throughout the procurement process, including the key probity requirements outlined in the following section.