



Statement of Business Ethics

2023

INFORMATION ABOUT THIS DOCUMENT

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Document Development Officer	<i>Manager Governance</i>		
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Document History

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0.1	16/06/2023	Proposed draft to be presented to Council 27/06/2023
<i>1.0</i>	<i>27/06/2023</i>	<i>Adopted by Council res 25.06/23</i>

Related Legislation*	<i>Government Information (Public Access) Act 2009 (NSW) (the GIPA Act)</i> <i>Commission Against Corruption (ICAC) Act 1988</i> <i>Privacy and Personal Information Protection Act 1998 (NSW) (PPIP Act).</i> <i>Local Government Act 1993 and Regulations</i> <i>Public Interest Disclosures Act 1994</i>
Related Policies	<i>Internal Reporting Policy 2022</i> <i>Code of Conduct 2020</i> <i>Procedures for the Administration of the Code of Conduct 2020</i>
Related Procedures/ Protocols, Statements, documents	

Statement of Business Ethics

Through our core values and principles we have committed to ensure that in our business dealings, we, and the businesses we deal with, act in a transparent, ethical and accountable manner so as to enhance and protect our reputation, as well as safeguarding our culture of integrity and ethical conduct.

We recognise that our reputation is built on trust and this influences how our community and business partners feel about our organisation and the services it provides. This reputation can be tarnished forever by the unethical actions of a few people or even just one person.

This means, among other things, acting honestly, observing a high standard of probity, ethical behaviour and integrity, treating each other and our customers, partners, suppliers and our community fairly and with respect, and being transparent and open in our business processes.

We need to ensure that we all understand the standards expected of us as council officials (Code of Conduct). We also need to ensure that we communicate to our suppliers, contractors and business partners the standards we expect of them if we are to do business with them.

The Statement of Business Ethics is one of the tools we use to communicate this standard of behaviour.

Kate Jessep
General Manager

Our Key Business Principles

This Statement outlines Council's expectations on how goods and service providers and contractors are to deal with Council and vice versa. We aim to achieve:

- **Value for Money and Sustainability** – This can include such factors as initial cost, whole of life cost, quality, the extent to which the goods or services meet the specified requirements and also social and environmental responsibilities. Note that this may not be the lowest price
- **Transparency** – this means visible and verifiable confirmation of the integrity of the purchasing process and compliance with relevant legislation and adopted Council procedures
- **Impartiality** – this means that our purchasing process will be undertaken in a fair, objective, consistent and business-like manner. It does not mean pleasing everyone.
- **Local Content** – Council will support local suppliers by ensuring that they have a full, fair and reasonable opportunity to supply council in accordance with the Uralla Shire Council procurement policy.
- **Risk Management** – Suppliers and contractors are expected to be aware of risk management and legislative requirements and must take appropriate action to manage any risks that may impact on the delivery of service to our community
- **Competitiveness** – Council will use competitive processes to the greatest extent possible

What you can expect from us

All members of staff, Councillors and delegates are bound by Council's Code of Conduct. They are accountable for their actions and are expected to:

- use Council resources efficiently and effectively
- encourage fair and transparent competition while seeking value for money
- ensure that all procurement activities and decisions are fully and clearly documented so as to provide an effective audit trail
- protect confidential and proprietary information
- deal fairly, ethically and honestly with all individuals and organisations so as to avoid any actual or perceived conflict of interest
- disclose any situation that involves or could be perceived to involve a conflict of interest
- not seek or accept financial or other benefits or personal gain for performing official duties
- treat all potential suppliers equally, impartiality, fairness and respect
- act honestly and ethically when dealing with the community, business partners (including potential partners) and others
- present the highest standards of professionalism, ethical behaviour and probity in all dealings with suppliers and the community
- Provide all suppliers and tenderers with the same information and equal opportunity.

What we require of you:

We require anyone doing business with Council (including all applicants, suppliers of goods and services, political lobbyists, consultants, contractors, and their sub-contractors, owners and applicants) to:

- deliver value for money
- comply with Council's procurement policy and guidelines and all legislative requirements
- act ethically, fairly and honestly in all dealing with the Council
- declare any actual or perceived conflicts of interests as soon as you become aware of the conflict
- take all reasonable measures to prevent disclosure of confidential Council information or proprietary information
- refrain from offering our employees any inducements or incentives
- respect Council's intellectual property rights and formally negotiate any access, licence or other use of those rights
- refrain from discussing Council business or information in the media without Council's consent
- assist Council in providing a safe and healthy working environment.
- comply with this Statement. Note: If you employ sub-contractors in your work with Council you must make them aware of this Statement

Why you must comply

Our Statement of Business Ethics is about being able to conduct business in a fair and ethical manner that advances the interests and objectives of Council as well as your business.

There may be consequences for not complying with this Statement. Demonstrated corrupt or unethical conduct could lead to:

- Termination of contracts and tendering opportunities
- Loss of future works
- Loss of reputation
- Matters being referred to investigating authorities
- Dismissal for Council employees, and
- Potential criminal charges

Practical Guidelines

Gifts and Benefits

Gifts, benefits and incentives must not be offered to our employees and we expect them to decline any offers. Our employees are not permitted to ask for any incentive or reward for doing their job.

We award business on the basis of merit taking into account what is 'best value for money'.

Conflicts of interest

Council staff and Councillors are required to disclose any potential, actual or perceived

conflicts of interest. We extend this requirement to all our business partners and suppliers. Our business partners are required to disclose in writing any perceived or actual conflicts of interest. Conflicts of interest should be disclosed in writing to the General Manager.

Confidentiality & intellectual property

Information which is marked confidential, or which a reasonable person would expect to be confidential, should be treated as such. In our business relationships all parties will respect each other's intellectual property rights and will formally negotiate any access, licence or use of intellectual property

Other employment or business

Our employees shall not engage in outside employment or business that relates to the business of Council, or could conflict, with their duties with the Council. They can only engage in such a second job or business if they have the written approval of the General Manager.

Communication between parties

To avoid any perception of inappropriate behaviour or influence, all communications should be clear, direct and accountable. Communications should, where possible be in writing.

Who to contact

If you have any enquires about this statement or wish to report or have concerns about corrupt conduct, maladministration or serious waste of public funds, please contact the General Manager or the Manager Governance & Service Centre on (02) 6778 6300

The Public Interest Disclosures Act protects public officials disclosing corruption related matters from reprisal of detrimental action and ensures disclosures are dealt with properly.

External reporting can also be made to:

Independent Commission against Corruption (ICAC)

T: 1800 463 909

E: icac@icac.nsw.gov.au

NSW Office of Local Government

T: 02 4428 4100

E: olg@olg.nsw.gov.au

NSW Ombudsman

T: 1800 451 524

E: nswombo@ombo.nsw.gov.au