



## STATEMENT OF BUSINESS ETHICS

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## **Introduction**

This statement provides guidance for the private sector when doing business with Narromine Shire Council. It outlines Council's ethical standards and our expectation that goods and service providers and contractors will comply with these standards in all their dealings with us. This statement also outlines what goods and service providers and contractors can expect of Council.

## **Scope**

This statement applies to all Councillors, Council staff, Contractors, Subcontractors, Consultants, Tenderers, Suppliers and Business Partners (e.g. in joint ventures or alliance arrangements).

## **Legal and Policy Framework**

This statement is based on the recommendations from the Independent Commission Against Corruption (ICAC), Section 55 of the Local Government Act 1993, Part 7 of the Local Government (General) Regulation 2005 and Council's Code of Conduct and Procedures.

## **Our Key Business Principles**

Our business principles are as follows:-

- Work Health and Safety is a Council priority. We require our Contractors and Suppliers to have a similar commitment to health and safety.
- Providing quality services to our community.
- Best value for money is at the core of all Council's business relationships with private sector suppliers of goods and services. Best value for money does not automatically mean selecting the lowest price. Rather, Council will balance all relevant factors including initial cost, whole of life costs, quality, reliability, timeliness, and where relevant social and environmental responsibilities in determining true value for money.
- Our business dealings will be transparent and open to public scrutiny wherever possible and practical.
- Council strives to ensure our business relationships are honest, ethical, fair and consistent.

## **What You Can Expect From Us**

Council will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods or services are consistent with best practice and the highest standards of ethical conduct.

Council officials are bound by our Code of Conduct and Procedures. Council officials are accountable for their actions and are expected to:-

- Comply with Council policy and procedures.
- Use public resources effectively and efficiently

- Deal fairly, honestly and ethically with all individuals and organisations.
- Avoid any conflicts of interest.
- Protect confidential or proprietary information.
- Treat all potential suppliers with impartiality and fairness and give equal access to information and opportunities to submit bids.
- Document procurement activities and decisions to provide an effective audit trail and allow for effective performance review of contracts.

### **What We Ask Of You**

We require all providers of goods and services to observe the following principles when doing business with Council.

- Comply with our procurement policies and procedures.
- Provide accurate and reliable advice and information when required.
- Declare conflicts of interest as soon as you become aware of the conflict.
- Act ethically, fairly and honestly in all dealings with Council.
- Take all reasonable measures to prevent the disclosure of confidential Council information.
- Refrain from engaging in any form of collusive practice, including offering Council employees inducements or incentives designed to improperly influence the conduct of their duties.
- Refrain from discussing Council business or information in the media.
- Assist Council to prevent unethical practices in our business relationships.
- Ensure that all sub-contractors you engage to perform work for Council comply with their obligations under the Work Health & Safety Act 2011.

### **Why Is Compliance Important?**

By complying with our statement of business ethics, you will be able to advance your business objectives and interests in a fair and ethical manner. As all Council suppliers of goods and services are required to comply with this statement, compliance will not disadvantage you in any way.

Complying with Council's principles will also prepare your business for dealing with the ethical requirements of other public sector agencies, should you choose to do business with them.

You should be aware of the consequences of not complying with Council's ethical requirements when doing business with the Council. Demonstrated corrupt or unethical behaviour could lead to:-

- Termination of contracts
- Loss of future work
- Loss of reputation
- Investigation for corruption
- Matters being referred for criminal investigation

Similarly consequences for Council officials may include investigation, disciplinary action, termination, such other penalty permitted under the relevant industrial award or potential criminal charges.

## **GUIDANCE NOTES**

### **Incentives, gifts and benefits**

In general, Council expects its officials to decline gifts, benefits, travel or hospitality offered during the course of their work. You should refrain from offering any such “incentives” to Council officials. All such offers will be formally reported.

Council only permits its officials to accept gifts and benefits if:

- Gifts and benefits are token and less than token value (for example a calendar at Christmas)
- Refusing a gift is likely to be perceived as rude or offensive
- The offer is not targeted at an individual officer

If a gift or benefit is accepted, Council requires the official to record the gift or benefit in a public Gifts and Benefits Register.

### **Conflicts of Interest**

All Council officials are required to disclose any potential conflicts of interest. Council extends this requirement to all our business partners, contractors, consultants, subcontractors, tenderers and suppliers.

### **Confidentiality**

All Council information should be treated as confidential unless otherwise indicated.

### **Communication Between Parties**

All communication should be clear, direct and accountable to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship.

### **Use of Council Equipment, Resources and Information**

All Council equipment, resources and information should only be used ethically, effectively, efficiently and carefully in the course of official duties and must not be used for private purposes unless use is lawfully authorised and proper payment is made where appropriate.

### **Contracting Employees**

All contracting and subcontracting employees are expected to comply with Council's statement of business ethics. If you employ sub-contractors in your work for Council you must make them aware of this statement.

### **Intellectual Property Rights**

In business relationships with Council, parties will be scrupulous in their use of each other's intellectual property and will formally negotiate any access, license or use of intellectual property.

### **Who to Contact**

If you have any queries regarding this statement or provide information about suspected corrupt conduct, please contact the General Manager on 6889 9999. Public officials reporting corrupt conduct, maladministration, serious and substantial waste, government information contravention and pecuniary interest contravention

are protected by the *Public Interest Disclosures Act 1994*. This Act protects public officials disclosing corruption related matters from reprisal or detrimental action and ensures disclosures are properly investigated and dealt with.