



Introduction

Council conducts a range of business with private, public and non-profit sectors to deliver a range of services for the community, who expect a high ethical standard of behaviour from Council.

This Statement gives guidance to commercial partners and suppliers including providers of goods and services, contractors, tenderers and consultants on the behaviours expected of them, when doing business.

It is essential that all Council officials (includes councillors, administrators, members of staff, council committee members and delegates of council), individuals and organisations comply with Council's standards of conduct, procedures and relevant legislation governing ethical behaviour.

This Statement supports and compliments Council's Good Governance Framework, of which the Code of Conduct is a central component. The mechanisms in both the Statement and the Code of Conduct aim to protect the integrity and reputation of Council, and ensure that decision making is made in a fair and ethical manner.

What you can expect from us

Council officials are bound by the core public sector values of integrity, trust, service and accountability, as well as the standards of behaviour described in detail in the Model Code of Conduct and are expected to:

- Use council resources ethically, effectively and efficiently;
- Encourage fair and open competition while seeking to achieve value for money in the expenditure of funds;
- Protect confidential and proprietary information;
- Be fair, ethical and transparent with commercial partners and suppliers;
- Disclose and appropriately manage conflicts of interest;
- Not seek or accept financial or other benefits for performing official duties; and
- Document all procurement activities and decisions to provide a transparent audit trail.

What we ask of you

All commercial partners and suppliers are required to observe the following principles when doing business with Council:

- Deliver value for money;
- Act ethically, fairly and honestly in all dealings;
- Comply with Council's procurement policies and procedures;
- Declare any actual or perceived conflicts of interest as soon as you become aware of them;
- Take all reasonable measures to prevent the disclosure of confidential information;
- Use equipment or resources supplied by Council for the agreed purpose;
- Provide accurate and reliable advice and information when requested;
- Not canvass Councillors to influence procurement activities;
- Not offer Council officials, contractors and consultants any financial inducements or any gifts benefits or hospitality;
- Assist Council in providing a safe and healthy working environment; and
- Assist Council to prevent fraud, corruption and unethical practices in business relationships by reporting wrongdoing.

Why comply with this Statement

A supplier's failure to comply with this Statement may result in possible loss of future work, termination of contracts, loss of reputation or formal investigation for corruption or other offences.

The consequences for Council officials may be formal investigation, disciplinary action, dismissal or potential criminal charges.

Council staff should refer to Council's Internal Reporting Policy for more information on the processes for receiving, assessing and dealing with public interest disclosures (PIDs).

It is important to remember that any member of the public may raise or report wrongdoing, breaches of this Statement or get advice by contacting Council's General Manager or Disclosures Coordinator, ICAC, NSW Ombudsman or the Office of Local Government.

Guidelines on doing business with council

Conflicts of Interest

If a conflict of interest in your work with Council exists or arises, you must disclose it to the Council. A conflict of interest arises if your own interests, or those of other people close to you, conflict with your obligations to the Council.

A conflict would exist where you have a personal interest, or your relative, company, employer or other person known to you has an interest that could lead you to be influenced in the way you carry out your duties for Council.

Incentives, Gifts or Benefits

Incentives, gifts or benefits designed to gain an advantage for yourself or your organisation must not be offered to any Council official, including those which the public could reasonably see as likely to cause that Council official to depart from his or her proper course of duty.

Council expects its officials to decline any gifts, benefits or travel offered during the course of their work. Cash gifts are never acceptable. If a gift or benefit is offered to a Council official to influence the way they do their work, they must report it immediately under the Council's policies and procedures.

If you would like to convey your appreciation for the work of Council, or the efforts of a particular Council official, consider providing your feedback to our online customer service portal.

Workplace safety

Safety is of paramount importance to Council and therefore our expectations are that all parties doing business with Council comply with legislative and procedural safety requirements.

Council Resources

Council resources including materials, equipment, vehicles, documents, records, data and information, may only be used to do work for Council with Council's approval.

Contracting and Subcontracting Employees

All contracted or sub-contracted employees are expected to comply with this Statement. Commercial partners and suppliers are responsible for making their subcontractors aware of this Statement.

Intellectual Property Rights

In business relationships with Council, parties will respect each other's intellectual property rights and will formally negotiate any access, licence or other use of intellectual property.

Public Interest Disclosures

Commercial partners and suppliers have a responsibility to report any suspected instances of corruption, maladministration or serious and substantial waste of Council resources.

Individuals and corporations (and employees or officers of these corporations) engaged by Council under a contract to provide services to, or on behalf of Council are classified as 'public officials' under the *Public Interest Disclosures Act 1994*. The Act protects public officials from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing in accordance with the requirements of the Act. The Act also ensures that disclosures are appropriately investigated and dealt with.

You can report any suspected instances of corruption to ICAC, maladministration to the Ombudsman and serious and substantial waste to the NSW Office of Local Government or NSW Department of Premier and Cabinet.

Offers of Employment to Council Staff

If you offer a Council staff member private or secondary employment, whilst they are still employed with the Council, the staff member will need to seek approval from Council's Chief Executive Officer.

Approval will not be given if it has the potential to create a real or perceived conflict of interest between the staff member's public official role and his or her private interests.

Sponsorship

Council will not ask for, entertain or enter into any sponsorship or similar arrangements that is not open and transparent or where such activity creates a perception that it could be part of an attempt to improperly influence decision making processes. Where applicable, specific policies and processes for sponsorship arrangements are to be adhered to.

Confidentially and Personal Information

You must take care to maintain the security of any confidential or personal information you become aware of in your work with the Council. You must abide by the privacy legislation governing the collection, holding, use, correction, disclosure or transfer of personal information obtained through your dealings with the Council.

Personal information is any information about a person where you know who the person is or you can guess who the person is. No one should access, use or remove from Council premises any Council information or personal information, unless they need it for their work with the Council and have authorisation to use or disclose the information.

Any breach of the security, or misuse, of the Council's confidential or personal information must be reported to Council's Public Officer.

Alcohol and Drugs

No one should come to work for the Council, or return to work, under the influence of alcohol, or other drugs that could impair their ability to carry out their job or cause danger to the safety of themselves or others.

Communication and Cooperation

Council and commercial partners, contractors, sub-contractors and suppliers will maintain business relationships based on open and effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.

Political donations

The law requires that persons with a financial interest in, or who have made a submission in relation to a Development Application or a planning instrument, disclose certain information about political donations and other gifts that have been made to a Councillor or council employee within the previous two years of the application or submission.

Public Comment

Non Council employees must not make any public comment or statement that would lead anyone to believe that they are representing or expressing the views or policies of Council. This includes comments or statements made at public and community meetings, via the media, or when it is reasonably foreseeable that the comments, or statements, will become known to the public at large.

Who to contact

Contact Council's Public Officer if you have any questions about this statement or wish to provide information about suspected corrupt or unethical conduct.

Public officials reporting corrupt conduct, maladministration or serious waste of public funds are protected under the *Public Interest Disclosures Act 1994*. The Act protects public officials disclosing corruption related matters from reprisal or detrimental action and ensure disclosures are dealt with.

Reports of unethical or corrupt behaviour can also be made to:

- Independent Commission Against Corruption (ICAC) – 02 8281 5999 or 1800 463 909
- NSW Ombudsman – 02 9286 1000 or 1800 451 524
- Office of Local Government – 02 4428 4100

Authorisation

Endorsed by Senior Leadership Team on <>.