

Our statement of business ethics

Guidance for doing business with Council



This statement provides guidance for doing business with Eurobodalla 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 dealings with us.

This statement also outlines what goods and service providers and contractors can expect of Council.

Our key business principles

The principle of best value for money is at the core of all of Council's business relationships with suppliers of goods and services.

Best value for money does not automatically mean the lowest price.

Rather, Council will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability, and timeliness in determining true value for money.

Part of obtaining best value for money also includes ensuring all our business relationships are honest, ethical, fair and consistent.

Our business dealings will be transparent and open to public scrutiny wherever possible.

Given the nature of some Council work, there may be times when details of some business relationships cannot be made publicly available.

Ethical communication

As a general principle, all communication between Council and other parties should be clear, direct and accountable.

All suppliers and contractors have an obligation to ensure that their communication with the Council follows this principle, to minimise the risk of perception of

inappropriate influence being brought to bear on the business relationship.

It is important to remember that the public perception of inappropriate influence can be very damaging to the reputation of both parties, even if nothing inappropriate has occurred.

What you can expect from us

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

Our staff are bound by Council's Code of Conduct. They are held accountable for their actions and are expected to:

- use public resources effectively and efficiently;
- deal fairly, honestly and ethically with all individuals and organisations;
- avoid any conflicts of interest (whether real or perceived).

In addition, all Council procurement activities are guided by these core business principles:

- all potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids;
- all procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and to allow for effective performance review of contracts;
- energy-efficient equipment, products containing recycled materials and environmentally friendly products will be purchased wherever reasonably possible;
- tenders will not be called unless Council has a firm intention to proceed to contract;
- Council will not disclose confidential, proprietary or commercial-in-confidence information.

What we ask of you

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

- act ethically, fairly and honestly in all dealings with Council;
- respect the obligation upon Council staff to act in accordance with this statement;
- refrain from exerting pressure on Council officers to act in ways that contravene this statement or our Code of Conduct;
- comply with Council's procurement policies and procedures;
- provide accurate and reliable advice and information when required;
- declare actual or perceived conflicts of interest as soon as you become aware of the conflict;
- take all reasonable measures to prevent the disclosure of confidential Council information;
- refrain from engaging in any form of collusive practice, including offering Council staff inducements or incentives (gifts, money, entertainment, meals, accommodation, travel, or employment opportunities) 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.

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 or your business 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 also be aware of the consequences of not complying with Council's ethical requirements when doing business with the Council.

Demonstrated corrupt or unethical conduct could lead to:

- termination of contracts;
- loss of future work;
- loss of reputation;
- investigation for corruption;
- referral for criminal investigation.

Incentives, gifts, benefits

In general, Council expects its staff to decline gifts, money, benefits, travel, entertainment, or hospitality offered during the course of their work.

You should refrain from offering any 'incentives' to Council staff. All such offers will be formally reported.

Council only permits staff to accept gifts if:

- gifts are token and of a nominal value;
- refusing a gift is likely to be perceived as rude or offensive;
- the offer is not targeted at an individual officer.

If a gift is accepted, Council requires the staff member to advise their supervisor and record the gift in a public Gifts and Benefits Register.

Please refer to our Gifts and Benefits policy for more information.

Expectations of contractors and sub-contractors

All contracted and sub-contracted 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.

Use of Council equipment, resources and information

All Council equipment, resources and information should only be used for its proper official purpose.

Confidentiality

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

Council complies with the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002*.

Members of the public may apply for access to Council information via the provisions of the *Government Information (Public Access) Act 2009*.

Conflicts of interest

All Council staff are required to disclose any potential conflicts of interest.

Council extends this requirement to all our business partners, contractors and suppliers.

Please refer to Part 4 of our Code of Conduct for more information.

Intellectual property rights

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

Secondary employment

Council staff require approval from the General Manager to enter into any secondary employment arrangements.

Secondary employment will not be approved if it has the potential to create a real or perceived conflict of interest between the staff member's public official role and their private interests.

Private sector businesses should be aware of this if considering making an offer of employment to a Council staff member.

Contact us

If you have any questions regarding this statement, contracts or tenders, or to provide information about suspected unethical conduct, please contact us directly:

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