

Document Name	Document Version Number	Review Date
Statement of Business Ethics Policy	1.0.4	As required
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## Purpose

This statement provides guidance for the private sector when doing business with Greater Hume Council.

It outlines Council's ethical standards and expectations of goods and vs and contractors in all of their dealings with Council. The Statement will also outline what goods and service providers and contractors can expect of Council.

Council aims to promote integrity, ethical conduct and accountability throughout Council's operations.

Council staff are expected to maintain high standards of integrity and ethical conduct, consistent with the positions of trust they hold and we expect no less of the service providers and contractors that undertake work for Council.

## Scope

This policy applies to Councillors, employees, suppliers and/or service providers when doing business.

## Definitions

- **Contractor** - a contractor executes recommendations at the direction of an employee of the Council. Independent contractors provide services. They aren't employed by Council. Independent contractors usually negotiate their own fees and working arrangements and can work for more than one client at a time. Independent contractors are also called contractors, subcontractors, service providers or consultants
- **Councillors** - all elected representatives of Greater Hume Shire Council as defined by the Local Government Act 1993.
- **Employee** – is someone who is employed by Council.
- **Modern Slavery** - is a relationship based on exploitation. It is defined by a range of practices that include: trafficking in persons; slavery; servitude; forced marriage; forced labour; forced marriage, debt bondage; deceptive recruiting for labour or services; and the worst forms of child labour. Modern slavery is visible in many global supply chains.
- **Supplier** - is anyone from whom Council (the organisation) receives goods or services. This includes every individual, business and other entity that provides material, equipment or labour

## Policy Content

### Council's business principles

This statement will ensure that all Council's business relationships are honest, ethical, fair and consistent in obtaining best value for money. Best value for money does not automatically mean the lowest price. Council will balance all relevant factors including initial cost, whole of life cost, quality, reliability and timeliness in determining true value for money.

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

Council business will be transparent and open to public scrutiny where ever possible.

## **What you can expect from Council**

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

Council staff are bound by Council's Code of Conduct when doing business with the private sector and will be expected to:

- Abide by the law and all relevant policies and procedures
- Use public resources effectively and efficiently
- Deal fairly honestly and ethically with all individuals and organisations
- Avoid conflicts of interest (whether real or perceived)
- Make appropriate Related Parties Declarations as required

In addition, all Council procurement activities are guided by the following 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 allow for effective performance review of contracts
- Tenders will not be called unless Council has a firm intention to proceed to contract
- Council will not disclose confidential or proprietary information

## **What Council expects of suppliers, consultants and contractors**

Council requires all private sector providers to observe the following principles when doing business with Greater Hume Council:

- Respect the obligations of Council staff to act in accordance with this statement
- Not exert pressure on Council staff to act in ways that contravene the business ethics or code of conduct of Council
- Not offer staff inducements or incentives such as money, gifts, benefits, and entertainment or employment opportunities
- Provide accurate advice and information when required
- Act ethically, fairly and honestly in all dealings with Council
- Declare any actual or perceived conflicts of interest as soon as you become aware of the conflict
- Prevent the unauthorised release of privileged or confidential information, such as commercial-in-confidence information
- Council has a zero tolerance approach to fraud, corruption or modern slavery in its business dealings

## **Why should the private sector comply with the statement?**

By complying with Council's Statement of Business Ethics you will be able to advance your business through the opportunity to bid for public sector work on a level playing field. You will also enhance your capacity to undertake public sector work with similar compliance requirements in the future.

As all Council suppliers of goods and services are required to comply with this statement, no provider will be disadvantaged in any way. By complying with Council's principles this will also prepare your business for dealing with the ethical requirements of other government agencies, should you wish to

do business with them.

Consequences for not complying with the principles of business ethics as outlined in this statement can be significant for both public officials and people doing business with Council.

Consequences for Council staff include investigation, disciplinary action, dismissal or potential criminal charges.

Consequences for private sector partners could lead to:

- Investigation for corruption or other offences
- Possible loss of work
- Damage to reputation
- Termination of contracts
- Loss of rights (such as loss of operating or trade licences or loss of development approval).

It should be noted that any individual can be found corrupt by the Independent Commission Against Corruption (even if they are not a public official) if they try to improperly influence a public official or a public authority's honest or impartial exercise of their official functions.

## Conflicts of Interest

All Council staff are required to disclose any potential conflicts of interest. Council also extends this requirement to business partners, contractors and suppliers. A conflict of interest can be either:

1. Pecuniary – An interest that a person or company has in a matter because of a reasonable likelihood or expectation of financial gain or loss to the person with whom the person is associated or,
2. Non Pecuniary – A private or personal interest of an official or staff member or delegate that does not amount to a pecuniary interest as defined in the Local Government Act 1993 (eg: a friendship, membership of an association, society or trade union, or involvement or interest in an activity and may include an interest of a financial nature (DLG Model Code of Conduct).

Any complaints about possible conflict of interest should be directed to Council's General Manager for attention.

## Sponsorship and related practices

Council will not ask for, entertain or enter into any sponsorship or similar arrangement that is not open and transparent or if such sponsorship creates a perception that it could be part of an attempt to improperly influence any organisational decision-making process.

## Confidentiality

Information that is considered sensitive may have commercial implications for Council together with staff matters of a personal nature will be considered confidential.

Under the Government Information (Public Access) Act 2009, confidential information may be accessed upon payment of the appropriate application fees and application to Council's Public Officer.

## Ethical Communication

Providers of goods and services should ensure that communication is clear, direct and accountable to minimise the risk of perception of inappropriate influence on any business relationship.

If communication needs to be confidential for commercial in confidence or personal reasons, the communication shall still abide by the principles of clear, direct and accountable.

### **Expectations of Contractors and Sub Contractors**

Council emphasizes that all Contractors and Sub Contractors will be expected to be aware of and comply with the Statement of Business Ethics.

### **Who to contact about the Statement of Business Ethics**

If you are concerned about a possible breach of this Statement, or about conduct that could involve fraud, corrupt conduct, maladministration or serious and substantial waste of public funds, please contact the General Manager, Greater Hume Council by one of the following methods:

Letter: PO Box 99, Holbrook NSW 2644

Email: [mail@greaterhume.nsw.gov.au](mailto:mail@greaterhume.nsw.gov.au)

Phone: (02) 6036 0100

### **Links to Policy**

[Access to Information Policy](#)

[Procurement Policy](#)

[Internal Reporting \(Public Interest\) Disclosure Policy](#)

[Related Parties Disclosure Policy](#)

[Secondary Employment Policy](#)

### **Links to Procedure**

[Procurement Procedure](#)

### **Links to Forms**

[Government Information \(Public Access\) Act 2009 Access Application Form](#)

[Bribes, Gifts and Benefits Register Form](#)

### **References**

Nil

### **Responsibility**

Councillors, staff, delegates and suppliers/contractors

### **Document Author**

Director Corporate & Community Services

### **Relevant Legislation**

Local Government Act 1993

Government Information (Public Access) Act 2009

Public Interest Disclosures Act 1994

### **Associated Records**

Nil