

# Statement of Business Ethics

## Forward



This Statement of Business Ethics provides an ethical framework for individuals & organisations that enter into a business relationship with Coffs Harbour City Council.

That business may include the supply of goods &/or services, use of contractors &/or consultants & other business partnerships & alliances.

It provides guidelines on what to expect from Council & what we will expect from you. This Statement will set out the mutual obligations, roles & constraints that apply to all parties involved in the business relationship.

All individuals & organisations that deal with Council must apply these standards of ethical behaviour – this is not an additional requirement of doing business with us but an integral part of our business model.

This Statement is designed to ensure that all our business relationships are fair, productive & ethical for all.

**Steve McGrath**  
General Manager

## Our business principles

**Best value for money** – this is determined by taking into account factors such as quality, supplier experience, past performance, reliability, service, timeliness, initial & whole of life cost, WH &S, sustainability & local content. It does not necessarily mean 'lowest price'

**Fairness & impartiality** – Fairness means being objective, reasonable & even handed. It does not mean pleasing everyone. If some people are adversely affected by a particular decision, that may be unfortunate, but not necessarily unfair. We strive to be fair by ensuring that our processes are appropriate & demonstrate this by being open & accountable, wherever practicable. This does not mean that we will always go to open public tender. We will deal exclusively with parties in exceptional circumstances & where we can demonstrate valid reasons, in accordance with the Local Gov Act.

## What you can expect of us

**All staff & delegates of Council are bound by our Code of Conduct & they are expected to:**

- be accountable for their actions & act in the public interest;
- act honestly & ethically;
- disclose any situation that involves or could be perceived to involve a conflict of interest;
- respond to reasonable requests for information & advice without delay;
- encourage fair & open competition while seeking value for money;
- protect commercial-in-confidence information;
- not solicit or accept financial or other benefits for performing official duties.

All potential suppliers will be treated with impartiality & fairness & we will ensure that they are given equal access to information.

## What we expect of you

**We require individuals & organisations that do or expect to do business with Council to observe the following principles:**

- act ethically & honestly in all dealings with Council
- declare any real or perceived conflicts of interest
- not offer Council employees, contractors & suppliers any financial inducements, gifts, benefits, entertainment or employment opportunities to influence the conduct of their duties
- respect the obligation of Council employees, contractors & suppliers to comply with its procurement policies & procedures
- prevent the unauthorised release of privileged or commercial-in-confidence information
- refrain from discussing Council business or information with the media
- not to directly or indirectly canvass support from Council staff or delegates during a formal tender period
- deliver value for money
- act without discrimination
- comply with privacy legislation



# **Statement of Business Ethics**

## **Why you must comply**

**Our Statement of Business Ethics** is about being able to conduct business in a fair & ethical manner that advances both the interests & objectives of Coffs Harbour City 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 & tendering opportunities
- loss of future works;
- loss of reputation
- matters being referred to investigating authorities
- dismissal for Council employees & delegates
- potential criminal charges

## **Practical guidelines**

### **Gifts & benefits**

The Council discourages our business partners offering gifts & benefits to our staff. We award business on the basis of merit taking into account what is 'best value for money'.

Gifts & benefits should not be given in connection with any current or prospective business dealings & Council officials are not permitted to ask for any incentive or reward for doing their job.

### **Conflicts of interest**

All Council employees & staff are required to disclose any potential, actual or perceived conflicts of interest. We extend this requirement to all our business partners & suppliers.

Conflicts of interest exist when it is likely that a Councillor or staff member may be influenced, or perceived to be influenced, by a personal interest in carrying out their public duty.

Councillors, staff & customers doing business with Council are required to disclose in writing any perceived or actual conflicts of interest. Conflicts of interest should be disclosed in writing.

### **Confidentiality & intellectual property rights**

Information which is marked confidential, or which a reasonable person would expect to be confidential, should be treated as such.

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

### **Other employment or business**

Staff 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 Manger.

### **Communication**

All communication between parties should be clear, direct & accountable.

Ideally all meetings between Council staff or its delegates should be on Council premises or on-site. A written record of any decision or commitment made at the meeting must be made & endorsed by all parties.

### **Who to contact for more information**

If you have any enquires about this document or wish to report or have concerns about corrupt conduct, maladministration or serious waste of public funds, please contact one of Council's Directors, the General Manager or Council' s Manager of Governance Services.

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

External reporting can also be made to:

- ICAC
- NSW Division of Local Government
- NSW Ombudsman