



Jim Montague PSM
General Manager

Introduction

Canterbury City Council delivers an extensive range of services to the community. Quality service delivery at a reasonable cost increasingly requires Council to work in partnership with external service providers. Council also has a number of regulatory functions which include giving approval for certain activities or as a part of the development consent process.

Our community expects high standards of ethical conduct from public officials. These standards are expressed in our Code of Conduct, to which all Councillors and staff must adhere. Similarly the community expects high standards of ethical conduct from suppliers of goods and services, and people making or objecting to applications for approval, in their dealings with Council.

The Statement of Business Ethics is a means of providing guidance regarding the standards of ethical behaviour that organisations, service providers, small businesses and individuals can expect from Councillors and staff, and that are expected of them, in their dealings with Council.

I hope you find these guidelines are of assistance to your business dealings with Council.

Statement of Business Ethics

BUSINESS PRINCIPLES

There are four key principles which guide dealings with applicants, objectors and suppliers.

OBJECTIVITY

We establish criteria and objectively assess matters against these criteria. We take into account all relevant and material facts and circumstances that apply to a given situation, and make decisions based on merit. Objectivity does not require inviting bids from firms which have performed poorly in the past, or taking into account irrelevant factors in making decisions.

FAIRNESS

We treat all parties involved in an even-handed manner. Applicants will be advised of all the information required to make an application and, when a decision is made, of the reasons for the decision. Potential suppliers will be given equal access to information and opportunities to submit bids. Tenders will not be called unless there is the intention to award a contract subject to a satisfactory offer. Changes to or introduction of new selection criteria midway through a tendering process will not occur without advice of such changes being provided to all tenderers.

OPENNESS

All our dealings are transparent and open to public scrutiny. This includes both the process surrounding the dealing, and where appropriate the nature of the dealing itself. We will maintain appropriate confidentiality, protect private information, and not disclose commercial-in-confidence or proprietary information unless legally required to do so.

VALUE FOR MONEY

We consider all the factors which are relevant to a particular purchase. These include initial and ongoing costs; quality and reliability; timeliness and continuity of supply; and commitment to public health, employee safety, environmental sustainability, and other legislative compliance. Value for money does not necessarily mean 'lowest price'. The lowest price might, however, represent best value for money if it satisfies the other essential criteria such as quality and reliability.

Who to contact

If you have any questions regarding this Statement, or you wish to provide information about an apparent breach of any standard of ethical conduct or suspected corrupt conduct, please contact our Public Officer on (02) 9789 9300.

Reports of unethical behaviour can also be made to:

- Independent Commission Against Corruption (ICAC) - 8281 5999
- NSW Ombudsman - 9286 1000
- NSW Division of Local Government - 4428 4100

What you can expect from Council

Council will ensure that all policies, procedures and practices related to approvals, tendering, contracting, and the procurement of goods and services are consistent with best practice and the highest standards of ethical conduct. All approvals and procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and allow for effective performance review. Councillors and members of staff must adhere to Council's Code of Conduct. As a result they are expected to:

- Use public resources effectively and efficiently.
- Abide by all relevant and applicable laws and regulations.
- Respect and comply with Council's policies and procedures.
- Deal fairly, honestly and ethically with all individuals and organisations.
- Assess applications objectively, considering all relevant and material factors.
- Promote fair and open competition while seeking best value for money.
- Avoid actual, potential or perceived conflicts of interest.
- Protect confidential information.
- Never solicit or accept remuneration, gifts or other benefits from a supplier or applicant in the discharge of official duties.
- Respond promptly to reasonable requests for advice and information.

What is expected of you?

We ask all members of the public, applicants, objectors, suppliers and business partners to observe the following when doing business with Council:

- Deliver value for money
- Act ethically, fairly and honestly in all dealings with Council.
- Respect the obligation of staff to abide by Council policies.
- Comply with Council's approvals and procurement policies and procedures.
- Respect and comply with the conditions set out in documents supplied by Council.
- Provide accurate and reliable advice and information when required.
- Declare actual, potential or perceived conflicts of interest as soon as possible.
- Take all measures to prevent unauthorised release of privileged information, including confidential information.
- Refrain from lobbying or canvassing Councillors or members of staff during tender processes.
- Refrain from engaging in any form of collusive practice, including offering Council officials 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 its business relationships.

Why comply with this statement?

By complying with the principles and standards of behaviour outlined in this statement, members of the public, applicants, objectors and suppliers will be able to advance their objectives and interests in a fair and ethical manner. As all stakeholders are required to comply with this statement, compliance will not place any party at a disadvantage.

Complying with these principles and standards of behaviour will also prepare suppliers to deal with the ethical requirements of other public sector organisations, should they choose to do business with them. There are consequences of not complying with the standards of behaviour outlined in this statement.

Demonstrated corrupt or unethical conduct could lead to:

- Disqualification of tender, or termination of contracts;
- Loss of future work;
- Investigation for corruption;
- Loss of reputation; and
- Matters being referred for criminal investigation.

Doing business with Council

Gifts and benefits

Council awards contracts and determines applications based solely on merit. Gifts must not be given in connection with any prospective business dealings and Council officials are not permitted to ask for any reward or incentive for doing their job.

The acceptance of gifts by Councillors and staff is permitted provided the gift has a value not exceeding an amount of \$20. All gifts accepted and all offers of gifts whether token or not are required to be disclosed, and in many circumstances must be recorded in Council's Gifts Register.

Conflicts of interest

Councillors and staff are required to disclose and resolve any actual or potential conflicts of interest. Applicants, objectors, business partners, contractors and suppliers are asked to do the same.

Use of Council equipment & resources

All Council equipment, resources and information should only be used for their proper official purpose and in accordance with the relevant policies of Council.

Use of Council information

Any confidential Council information should be treated as such and should not be revealed to persons other than those with a genuine need and authority. Private, confidential, commercial-in-confidence or proprietary information contained within applications, objections, tenders, quotations, expressions of interest, proposals, heads of agreements and the like, should never be given to competing interests nor unauthorised persons.

Suppliers handling private information on behalf of Council are expected to adhere to Council's Privacy Management Plan.

Communication

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

Secondary and post-separation employment

Staff have a duty to maintain public trust and confidence, and not use commercially sensitive information to facilitate future employment opportunities.

Contractors & sub-contractors

All contracted and sub-contracted employees are expected to comply with this statement. It is the responsibility of contractors to make sub-contractors they engage aware of this statement.

Intellectual property rights

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

Workplace Safety

It is expected that Council and those who conduct business with Council will ensure that workplace safety is of paramount importance and that all legislative and procedural safety requirements are complied with.

Political Donations

The law requires that persons who have a financial interest in, or have made a submission in relation to, a Development Application or a planning instrument, disclose certain information about political donations and other gifts. This is a mandatory requirement if a donation or gift has been made to a Councillor or Council employee within the previous two years of the application or submission.

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Our Administration Centre is located on the Ground Floor, 137 Beamish Street, Campsie, open 9 am to 5 pm, Monday to Friday.

PHONE: 9789 9300 | **FAX:** 9789 1542 | **MAIL:** General Manager, PO Box 77, Campsie, 2194
EMAIL: council@canterbury.nsw.gov.au | **WEBSITE:** www.canterbury.nsw.gov.au