

## 1 Policy History

Revision No.	Council Meeting Date	Minute No.	Adoption Date
1	27/09/2005	0376	27/09/2005
2	11/05/2010	0142	11/05/2010
3	09/06/2015	15/161	09/06/2015
4	24/09/2019	19/302	25/10/2019
5	23/05/2023	23/133	23/06/2023

## 2 Policy Objective

Griffith City Council's Statement of Business Ethics Policy provides guidance regarding the standards of ethical behaviour that organisations, service providers, small businesses and individuals can expect from Councillors and members of staff and that are expected of them in their dealings with Council.

## 3 Policy Statement

Council is committed to conducting business in a socially responsible and ethical manner. As an organisation, and as individuals, we respect, apply and comply with the law, support human rights and equal opportunity, protect the environment, achieve operational excellence and work for the benefit of our communities.

Council strives to ensure all of its policies, procedures and practices relating to tendering, contracting and the purchasing of goods and services are based on best practice and the highest ethical standards.

Griffith City Council's Code of Conduct sets the requirements of conduct for Council officials in carrying out their functions. The Code of Conduct assists Council officials to understand the standards of conduct that are expected of them; enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence and act in a way that enhances public confidence in the integrity of local government.

**Council's procurement activities are guided by the following business principles:**

- All potential supplies will be treated impartially and be given equal access to information and opportunities to submit bids.
- All procurement activities and decisions will be fully documented to provide an effective audit trail and allow for the effective performance review of contracts.
- Tenders will not be called unless Council has a firm intention to proceed to contract.
- Council (Councillors and staff) will not disclose confidential information.

### **When Council staff do business with the private sector they are expected to:**

- Use public resources effectively and efficiently
- Deal fairly, honestly and ethically with all individuals and organisations
- Avoid conflicts of interest (whether real or perceived)
- Meet or exceed public interest and accountability standards
- Abide by all relevant and applicable laws and regulation
- Treat all tenderers for supply of goods and services equitably
- Follow Council's policies and procedures
- Promote fair and open competition while seeking best value for money
- Protect confidential information
- Never solicit or accept remuneration, gifts or other benefits from a supplier or applicant for the discharge of official duties.

### **What Council Expects from Providers**

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

- Comply with Council's procurement policies and procedures
- Provide accurate and reliable advice and information when required
- Declare actual or perceived conflicts as soon as become aware of the conflict
- Act ethically, fairly and honestly in all dealings with the Council
- Take all reasonable measures preventing the disclosure of confidential Council information
- Refrain from engaging in any form of collusive practice, including offering Council staff any incentive, gifts or benefits
- Refrain from discussing Council business with the media
- Assist Council to prevent unethical practices in our business relationships
- Be courteous towards the public, Council staff and Councillors and not bring Council into disrepute
- Obey all relevant laws and contractual obligations
- Protect the safety of staff and others in the work environment and public arena
- Comply with privacy legislation in relation to personal information obtained through dealings with Council or work undertaken for Council
- Provide Council with a quality product or service on time that gives value for money
- Provide a fair and ethical workplace free from workplace bullying, harassment, victimisation and abuse.

- Make all reasonable efforts to ensure that businesses within their supply chain are not engaged in, or complicit with, human rights abuses, such as forced or child labour or any other form of modern slavery
- If suppliers become aware of the presence of modern slavery in their operations or supply chain, they must report this to Council as soon as possible. Reporting should outline details of the human rights violation discovered and what remedial and preventive measures are occurring.

It is incumbent upon all providers of goods and services to Council to declare to Council (at the earliest opportunity) if they:

- Have been convicted of fraud or a fraud-related offence, or, where the provider is a company, the directors have been convicted of fraud or fraud-related offences;
- Have been declared bankrupt, or are a director of a company that has entered into a Deed of Company Arrangement, been placed into External Administration or into Liquidation, or, where the tenderer is a company, the directors have been declared bankrupt and are a director of a company that has entered into a Deed of Company Arrangement, been placed into External Administration or into Liquidation; or
- Have had any corrupt findings recorded against them, or been identified as a person of interest, by the Independent Commission Against Corruption (ICAC).

### **Why Providers Need to Comply**

All Council suppliers of goods and services are required to comply with this statement. Failure to comply with this statement can lead to:

- Termination of contracts
- Loss of future work
- Damage to reputation
- Investigation for corruption
- Criminal investigation
- Criminal prosecution

The adopted Statement of Business Ethics will be included in the following Council dealings:

- Tenders
- Expressions of Interest
- General Suppliers

## **Gifts and benefits**

In general, Council expects its staff to decline gifts, benefits, travel or hospitality offered by parties with whom Council conducts business. You should refrain from offering any such 'incentives' to Council staff as all offers will be formally reported to Council by its officers. Council staff involved in procurement, tendering or sales activities for Council are not permitted to accept any gift or benefit from a current or potential supplier or buyer. If a gift is accepted, Council requires the staff member to record the gift in a publicly accessible Gifts and Benefits Register.

## **Conflicts of interests**

All Council staff are required to disclose any conflicts of interests. A conflict of interests occurs when a public official is in a position to be influenced, or appears to be influenced, by their private interests when doing their job. A conflict of interests can involve avoiding personal disadvantage as well as gaining personal advantage. A private interest may include social and professional activities, and interests with individuals or groups, including family and friends, as well as financial interests.

## **Confidentiality**

All Council information should be treated as confidential unless otherwise advised by Council.

## **Use of Council equipment, resources and information**

Council equipment, resources and information should only be used for the purpose for which it is made available by Council.

## **Contracted employees**

All contracted employees must comply with this Statement of Business Ethics when doing business with Council. If you employ sub-contractor(s) in your work for Council, you must make your sub-contractor(s) aware of this policy and ensure that they observe this policy.

## **Reporting unethical behaviour**

Council is committed to promoting ethical behaviour. Internal reports of unethical behaviour, fraud, corruption, maladministration or waste can be made to Council's General Manager or Council's Public Officer under the Public Interest Disclosures Act 2013 (refer to Council's Internal Reporting policy).

External reporting can also be made to:

- The Independent Commission Against Corruption (02) 8281 5999
- NSW Ombudsman (02) 9286 1000
- NSW Office of Local Government (02) 4428 4100.

## 4 Definitions

None

## 5 Exceptions

None

## 6 Legislation

Local Government Act 1993

Modern Slavery Act 2018

Public Interest Disclosures Act 2013

## 7 Related Documents

Code of Conduct Policy

Internal Reporting Policy

Procurement Manual

## 8 Directorate

Economic & Organisational Development