

MANAGEMENT POLICY:	BUSINESS ETHICS STATEMENT
Ref:	

Contact Officer	Director Corporate & Economic Services, Corporate Services
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Approval Authority	Council
Reviewed	November 2009
Date of Next Review	March 2012

1 Policy statement

This statement reinforces Council's ethical values and provides guidance for the private sector when doing business with Council. Council's ethical standards are outlined in the statement. It is Council's expectation that contractors and other goods and services providers will comply with these standards when conducting business with Council. The statement conversely outlines what the private sector can expect from Council.

Council's key business principles

Council expects its Councillors, staff and representatives (Council officials) to comply with its adopted Code of Conduct. The Code of Conduct is actively promoted and developed by Council to ensure the highest standard of integrity and ethical conduct is maintained. Council also expects the private sector and its representatives to maintain similar standards of ethical conduct in their dealings with Council.

At the core of Council's business relationships with private sector suppliers of goods and services (providers) is the principle of value for money. In this context, Council will consider all relevant factors including initial and on-going costs, quality reliability, safety and timelines.

All business relationships will be honest, impartial, ethical, fair and consistent and all dealings not subject to commercial-in-confidence limitations will be transparent and open to public scrutiny. The process surrounding any commercial-in-confidence transactions will nonetheless be transparent and open.

What Providers can expect from Council officials

In its tendering, contracting and purchasing activities, Council strives to ensure that its policies, procedures and practices are consistent with best practice and the highest standards of ethical conduct.

When doing business with the private sector providers of goods and services including tenders, suppliers, consultants and contractors, Council officials are accountable for their actions and are expected to:

- Use public resources effectively and efficiently;
- Be accountable and act in the public interest;
- Deal fairly, honestly and ethically with all individuals and organisations and be timely in paying accounts;
- Not solicit nor accept any benefit from a provider for the discharge of official duties;
- Avoid situations where private interest could conflict with public duty (whether real or perceived);
- Treat all potential suppliers with impartiality and fairness and give equal access to information and opportunities;
- Respond promptly to reasonable requests for advice and information;
- Promote fair and open competition while seeking value for money;
- Respect and follow Council's policies and procedures and abide by the law;
- Fully and clearly document all procurement activities and decisions to provide an effective audit trail to allow for effective performance review of contracts;
- Purchase energy efficient equipment, products containing recycled materials and environmentally friendly products wherever reasonable possible;
- Not call tenders unless Council has a firm intention to proceed to contract;
- Not disclose confidential or property information;
- Not encourage or entertain lobbying or canvassing;
- Promote a safe and healthy working environment;

What Council expects from providers

Private sector providers of goods and services will observe the following principles when doing business with Council:

- Deliver value for money;
- Comply with Council's policies and procedures;
- Respect the conditions set out in documents supplied by Council;
- Disclose beneficial interests in contracts wherever possible;
- Provide accurate and reliable advice and information where required;
- Declare actual or perceived conflicts of interest as soon as you become aware of the conflict;
- Act ethically, fairly and honestly in all dealings with Council;
- Respect the obligation of Council officials to adhere to Council's policies;
- Refrain from divulging privileged or confidential information to unauthorised persons;
- 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 without Council's consent;
- Co-operate with Council's post separation employment requirements;
- Assist Council to prevent unethical practices in our business relationship;
- Behave in an ethically, socially and economically responsible way in the conduct of their business;
- Refrain from lobbying or canvassing Council officials during the tender process;
- Assist Council in providing a safe and healthy working environment;

Why you need to comply

All of Council's providers of goods and services are required to comply with this statement. The principles of this statement are consistent with the ethical requirements of other public sector agencies. So far from being a disadvantage, compliance will in fact advance your business objectives and interests in a fair and ethical manner.

Non compliance with the requirements of this statement resulting in demonstrated corrupt or unethical conduct could lead to:

- Termination of contracts;
- Loss of future work;
- Loss of reputation;
- Investigation for corruption;
- Matters being referred for criminal investigation;
- Disqualification of tender;

Conducting business with Council

Gifts and benefits

Council only permits the acceptance of gifts and benefits if they are of a nominal or token value and do not create a sense of obligation. All gifts accepted and all offers of gifts whether token or not of a token nature are required to be reported in writing to the Public Officer and are recorded in the Gift Register.

Conflict of interest

Council officials are required to disclose any potential conflicts of interest. This statement requires business partners, contractors and suppliers to do the same.

Communication between parties

All communication should be clear, direct and accountable to minimise the risk or perception of inappropriate influence being brought to bear on the business relationship.

Use of Council equipment, resources and information

All Council equipment, resources and information should only be used for its proper official purpose. Any confidential Council information should be treated as such and should not be revealed to persons other than those with a genuine need to know. Commercial-in-confidence or proprietary information contained within tenders, quotations, expressions of interest, proposals, heads of agreements and the like should never be given to competing interests nor unauthorised persons.

Post Separation employment

Council employees, as public officials, have been directed not to breach public trust and will at all times act honestly, fairly and impartially and will not use commercially sensitive information to facilitate future employment opportunities in the private sector.

Contracting employees

All contracted and sub-contracted employees are expected to comply with this statement and should be made aware of it.

Intellectual property rights

In business relationships with Council, parties will respect each others intellectual rights and will formally negotiate any access, licence or use of intellectual property.

Further contact

Should you have any questions regarding this statement or wish to provide information about apparent breach of any standard of ethical conduct with Council's Public Officer on ph: 0267 288 288.