



## THE STATEMENT OF BUSINESS ETHICS

The Uralla Shire Council (Council) is committed to conducting its businesses at the highest ethical standard.

### **Overview:**

The Uralla Shire Council Statement of Business Ethics (Statement) is a guide for the Shire's current and potential suppliers. The Statement outlines specifically the standard of ethics that the Shire will adhere to in all aspects of its procurement activities as well as the level of expectation that it has for its suppliers. The Statement is a guide for all sectors of the Community conducting business with Council. This Statement also outlines what providers of goods and services may expect of the Council and what is expected of them.

### **Overriding Principles:**

Council expects all its representatives; including Councillors, Staff, Contractors and Volunteers; to behave in an ethical manner and abide by the Council's Code of Conduct. The key principles detailed on pages 5 and 6 of the Code of Conduct are: Integrity\*, Leadership, Selflessness, Impartiality\*, Accountability\*, Openness\*, Honesty\* and Respect\*. The principles marked\* underpin the key business principles of (a) Ethics and Integrity, (b) Transparency and Accountability. (c) Best Value for Money and (d) Social and Environmental Responsibility.

### **Key Business Principles:**

#### **(a) Ethics and Integrity,**

The Uralla Shire Council believes that an ethical and professional workplace reduces the risks associated with misconduct and corruption. Council requires our elected members and employees to exhibit the highest standard of ethics and integrity in all areas of their decision making and work, including procurement and applying statutory and administrative discretion. All parties will be treated equitably, consistently, impartially and fairly.

## THE STATEMENT OF BUSINESS ETHICS (Continued)

### **Key Business Principles (Continued):**

#### **(b) Transparency and Accountability.**

To ensure that Council will make ethics and integrity a reality in our business dealings, purchasing and provision of services; Council will conform to all relevant legislation and policies and maintain robust systems that support internal and external accountabilities. Council will utilise its Internal Audit Plan and Committee to ensure that these objectives are achieved.

#### **(c) Best Value for Money**

Purchasing decisions will ensure the efficient, effective and proper expenditure of public monies. Value for money is an overarching principle that seeks to enable the best possible outcome. True value for money is determined by considering the impact of factors such as quality, reliability, timeliness, service, sustainability, initial and ongoing costs on the whole life cost of the purchase. This does not automatically mean purchasing at the lowest price but at the most effective and effective purchase price.

#### **(d) Social and Environmental Responsibility**

The Uralla Shire Council is committed to Sustainability. Therefore Council will conduct its affairs in a socially and environmentally responsible manner. Council will endeavour to design tenders and quotations to ensure that goods, services and processes that minimise environmental and negative social impacts are not disadvantaged.

### **What can you expect from the Uralla Shire Council?:**

The Uralla Shire Council will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods and services are consistent with Part 7 of the Local Government (General) Regulations 2005, Sections 55 and 55A of the Local Government Act 1993, leading industry practice and the highest standards of ethical practice.

All procurements will be managed under the aforementioned Key Business Principles and governed by the eight Key Principles of the Code of Conduct; Integrity, Leadership, Selflessness, Impartiality, Accountability, Openness, Honesty and Respect.

Our Councillors and employees are bound by Council's Code of Conduct. When doing business with the private sector, employees are accountable for their actions and are expected to:

- Use public resources effectively and efficiently.
- Abide by and follow Council's policies, practice notes and procedures.
- Assess all tenders and quotes for the supply of goods and services in an equitable manner.
- Deal with all individuals and organisations in a fair, honest, transparent, accountable and ethical manner; meeting and exceeding public interest and accountability standards.
- Avoid any perceived or actual conflict of interest.
- Avoid accepting gifts or other personal benefits.
- Not disclose any confidential information provided in a tender or quotation.

## THE STATEMENT OF BUSINESS ETHICS (Continued)

### **What can you expect from the Uralla Shire Council? (Continued):**

Council will deal honestly with suppliers and pay accounts in full and on time. Any queries on accounts will be conveyed to the respective accounts section in a timely manner.

Council will not require a tender or quotation unless there is a firm commitment to proceed to a contract or purchase. However the Council will not necessarily proceed with the lowest or any tender.

### **What the Uralla Shire Council asks of you?:**

The Uralla Shire Council requires that all individuals and organisations providing goods and services to Council will:

- Comply with Council's Code of Conduct and all Australian Laws.
- Respect the conditions set out in documents supplied by Council.
- Provide goods and services based upon a properly authorised Council Order.
- Act in a fair, honest, transparent, accountable and ethical manner.
- Declare any perceived or actual conflict of interest as soon as you or your employees become aware of such conflicts.
- Abstain from any form of collusion, including the offering of incentives or gifts, to influence the decision making process.
- Not disclose any confidential Council information obtained during the tender or quotation process and provision of goods and services.
- Read and understand Council's policies and procedures, including safe working practices, relating to the provision of goods and services.

### **The roles of both parties:**

The Uralla Shire Council expects both its permanent and contract employees to behave ethically and comply with its Code of Conduct and this Statement of Business Ethics.

The Uralla Shire Council also relies on industry and its employees to maintain similar standards of ethical conduct in their dealings with Council.

A common understanding between the Uralla Shire Council and the private sector on ethical issues will help both sectors to develop a productive and mutually beneficial working relationship.

### **Why is compliance important?:**

Complying with this Statement of Business Ethics; when dealing with the Uralla Shire Council; will be mutually advantageous for the business objectives of our organisations by removing any confusion.

Compliance will not disadvantage any individual or organisation as all suppliers will be treated evenly with transparency and accountability. On the other hand, non compliance will result in negative consequences to both our organisations, termination of contracts and loss of future work for Council.

## THE STATEMENT OF BUSINESS ETHICS (Continued)

### **Guidance Notes:**

#### **Incentives, gifts and benefits**

The Uralla Shire Council Councillors and Employees do not expect to receive incentives, gifts or benefits as a consequence of any business relationship with the providers of goods or services. Whilst the Code of Conduct allows for token gifts and benefits, Council requests that no incentive, gift, even token gifts, or benefit be provided to Councillors or employees. Council will return any unsolicited gift received through the mail and Councillors and employees are advised to refuse any incentive, gift or benefit. All gifts will be recorded in the Gift Register, which is published on the Council's website:

[http://www.uralla.nsw.gov.au/index.cfm?page\\_id=1187](http://www.uralla.nsw.gov.au/index.cfm?page_id=1187)

#### **Conflict of Interest**

Councillors and designated persons (employees with reporting responsibilities) are required to declare any perceived or actual conflict of interest during the Council meeting at which the matter is being considered. Depending upon the

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

Council equipment, resources and information should only be used for its official purpose.

#### **Confidentiality**

Council information, other than documents of public interest listed in the publication guide and available on the Council website, is treated as confidential. The Publication Guide December 2010 may be downloaded from:

[http://www.uralla.nsw.gov.au/files/uploaded/file/Your%20Council/GIPA%20Act/Publication\\_Guide\\_December\\_2010.pdf](http://www.uralla.nsw.gov.au/files/uploaded/file/Your%20Council/GIPA%20Act/Publication_Guide_December_2010.pdf)

#### **Communication between parties**

All communication should be clear, direct and accountable to minimise the risk of the perception of inappropriate influence being brought to bear on a business relationship. To avoid misunderstandings it is important to use written correspondence (letter, fax or email) for communications involving a business related decision. Telephone communications, in business matters, should be followed up with written confirmation of any decisions or commitments made.

Unless good reasons exist not to, all meetings should be either at the Council offices, on-site or in the suppliers' offices. A written record of commitments given at meetings must be made and endorsed by all parties.

Business and Administrative correspondence with the Uralla Shire Council is with and through the General Manager. Canvassing of Councillors during a tender process will disqualify bids from further consideration. Correspondence addressed to the Mayor or Councillors, will be responded to by the addressee and may not necessarily become official Council documents and recorded in Council's Records Management System.

## THE STATEMENT OF BUSINESS ETHICS (Continued)

### **Guidance Notes (Continued):**

#### **Contracting Individuals and Employees**

The Uralla Shire Council expects all contracted and sub-contracted individuals and the employees of contracted and sub-contracted organisations to comply with this Statement.

Contracted organisations, who engage sub-contractors, are required to ensure that those sub-contractors are made aware of this Statement.

#### **Intellectual property rights**

In business relationships the Uralla Shire Council will respect the intellectual property rights of business associates and expects that Council's intellectual property rights to be so respected. Council will formally negotiate any access, licence or use of intellectual property when required.

#### **Reporting corrupt behaviour:**

Under Section 11 the Independent Commission Against Corruption Act 1988 (NSW) the General Manager, as the principal officer of a [public authority](#), has an obligation to inform the ICAC about any matter that he or she suspects on reasonable grounds concerns or may concern corrupt behaviour. This would include reporting incidents that the General Manager believes constitutes bribery.

ICAC has an advice service, which can be used to obtain corruption prevention information about specific circumstances that may involve bribery, corrupt commissions or rewards. Telephone (02) 8281 5999 or for callers outside of Sydney the toll free 1800 463 909. The contact telephone for hearing impaired callers is (02) 8281 5773.

Additional information:

ICAC website [www.icic.nsw.gov.au](http://www.icic.nsw.gov.au)

### Acknowledgements

The Uralla Shire Council acknowledges the information provided by the Statements of Business Ethics of the Armidale Dumaresq Council, City of Melville, City of Stirling and the NSW Department of Transport, Roads & Marine Services. Council also acknowledges the Independent Commission Against Corruption Tip sheet for NSW public officials on Bribery, corrupt commission and rewards November 2009.