



# Statement of Business Ethics

## DOCUMENT AUTHORISATION

<b>RESPONSIBLE OFFICER:</b>		MANAGER GOVERNANCE, RISK AND CORPORATE PLANNING (MGRCP)			
<b>REVIEWED BY:</b>		Management Executive Team (Manex)			
<b>REVIEW DUE DATE:</b>		September 2026			
<b>VERSIONS:</b>	<b>DATE:</b>	<b>RESOLUTION NO:</b>	<b>DESCRIPTION OF AMENDMENTS:</b>	<b>AUTHOR / EDITOR:</b>	<b>APPROVED / ADOPTED BY:</b>
4	24/08/2023	11.08/23	Added to the new Policy Template with minor amendments including adding 'potential' as a sub-set of Conflict of Interest and adding further legislative detail.	MGRCP	Council
3	25/06/2020	19.06/20		MGRCP	Council
2	27/07/2017	15.07/17		CFO	Council
1	26/02/2015	7.02/15		CFO	Council

.....  
General Manager

5/8/23  
.....  
Date

## ACKNOWLEDGEMENT OF COUNTRY

Glen Innes Severn Council acknowledges and pays respect to the Ngorabul people as the traditional custodians of this land, their elders past, present and emerging and to Torres Strait Islander people and all First Nations people.

## PURPOSE

This Statement provides guidance for the private sector when conducting business with Glen Innes Severn Council (Council).

The Statement outlines Council's ethical standards and its expectation that goods and service providers and contractors will comply with these standards in all their dealings with Council. The Statement also outlines what goods and service providers and contractors can expect from Council.

## APPLICABILITY

This policy applies to:

- The private sector when doing business with Council; and
- Council staff who engage the private sector in business with Council.

## ROLES AND RESPONSIBILITIES

Position	Responsibility
Manager Governance, Risk and Corporate Planning	Incorporate the Statement into the Governance Induction Program.
Managers/Supervisors	Induct contractors regarding this Statement and make it available in the document information pack when requesting for quote, tendering or seeking expressions of interest.
Contractors	Induct your staff and any sub-contractors regarding the Statement.

## DEFINITIONS

Term	Meaning
Actual Conflict of Interest	An actual conflict of interest occurs when there is a direct conflict between current official duties and responsibilities with Council and existing personal interests.
Perceived Conflict of Interest	A perceived conflict of interest occurs when there is a potential for a personal interest to reasonably be perceived as conflicting with official duties and responsibilities of Council. This perception can occur irrespective of whether the conflict is real or not.
Potential Conflict of Interest	A potential conflict of interest occurs when it is reasonable to believe a conflict may arise in the future between official duties and responsibilities with Council and personal interests.

## POLICY STATEMENT

### *Our Key Business Principles*

The principle of best value for money is at the core of all Council's business relationships with private sector suppliers of goods and services.

Best value for money does not automatically mean the lowest initial purchase price. Rather, Council will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability and timeliness in determining true value for money.

The process of obtaining best value for money includes ensuring that all of Council's business relationships are honest, ethical, fair and consistent.

Council's business dealings will be transparent and open to public scrutiny wherever possible.

Council is committed to the purchase of all goods, equipment and services through established contract systems such as Local Government Procurement (LGP), New South Wales (NSW) Government Procurement (ProcurePoint), or Procurement Australia, wherever possible and reasonably practical. In other instances, Council may follow a quotation or tender process, acknowledging that it is a time consuming and resource hungry process which adds cost to Council's operations.

### *What the Private Sector can Expect from Council*

Council will ensure that its policies, procedures and practices related to tendering, contracting and the purchase of goods or services are consistent with legislation, best practice and the highest standards of ethical conduct.

Council's staff members are trained in Council's Code of Conduct for Council Staff. When conducting business with the private sector, Council staff members are accountable for their actions and are expected to:

- Use public resources effectively and efficiently;

- Deal fairly, honestly and ethically with all individuals and organisations; and
- Avoid or manage appropriately any conflicts of interest (whether real, potential or perceived).

In addition, all Council procurement activities are guided by the following core business principles:

- All potential suppliers will be treated with impartiality and fairness, and given equal access to information and opportunities to submit bids;
- All procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and to allow for effective performance review of contracts;
- Energy-efficient equipment, products containing recycled materials, and environmentally friendly products will be purchased wherever reasonably possible;
- Tenders will not be called unless Council has a firm intention to proceed to contract; and
- Council will not disclose confidential or proprietary information.

### ***What Council Expects From The Private Sector***

Council requires all private sector providers of goods and services to observe the following principles when conducting business with Council:

- Compliance with Council procurement policies and procedures;
- Provision of accurate and reliable advice and information when required;
- Declaration of actual, potential or perceived conflicts of interest as soon as possible;
- To act ethically, fairly and honestly in all dealings with Council;
- To take all reasonable measures to prevent the disclosure of confidential Council information;
- To refrain from engaging in any form of collusive practice, including offering Council employees inducements or incentives designed to improperly influence the conduct of their duties;
- To refrain from discussing Council business or information in the media; and
- To assist Council to prevent unethical practices in Councils business relationships.

### ***Why is Compliance Important from the Public Sector?***

By complying with Council's Statement of Business Ethics, suppliers will be able to advance their business objectives and interests in a fair and ethical manner. As all Council suppliers of goods and services are required to comply with this Statement, compliance will not disadvantage suppliers in any way.

Complying with Council's principles will also prepare suppliers' business for dealing with the ethical requirements of other public sector agencies should they choose to do business with them.

Suppliers should also be aware of the consequences of not complying with Council's ethical requirement when conducting business with Council. Demonstrated corrupt or unethical conduct could lead to the:

- Termination of contracts;
- Loss of future work;
- Loss of reputation; and
- Matters being referred for criminal investigation.

### ***Confidentiality***

Council information should be treated as confidential unless otherwise indicated.

### ***Communication Between Parties***

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

### ***Use of Council Equipment, Resources and Information***

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

### ***Contract Employees***

Contracted and sub-contracted employees are expected to comply with Council's Statement of Business Ethics. If suppliers employ sub-contractors in their work for Council, they must ensure that such sub-contractors are aware of this Statement.

### ***Intellectual Property Rights***

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

### ***Incentives, Gifts and Benefits***

Council expects its staff to decline gifts, benefits, travel or hospitality offered during their work.

Suppliers should refrain from offering any such 'incentives' to Council staff. Council's Code of Conduct for Council Staff requires that all such offers must be formally reported.

### **Conflicts of Interest**

Council staff members are required, under the Code of Conduct for Council Staff, to disclose any potential, perceived or actual conflicts of interest. Council extends this requirement to all business partners, contractors and suppliers.

Such interest may be pecuniary or non-pecuniary and may relate directly to the individual or in relation to spouse, children or relatives, or private or personal interests relating to family, friends, and involvement in sporting, social, religious or other cultural groups or associations.

## **LEGISLATION AND SUPPORTING DOCUMENTS**

### **Relevant Legislation, Regulations and Industry Standards include:**

- *Local Government Act 1993*
  - s 8A (1)(b) *Councils should carry out functions in a way that provides the best possible value for residents and ratepayers;*
  - s 8A (1)(f) *Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way;*
  - s 8A (1)(h) *Councils should act fairly, ethically and without bias in the interests of the local community;*
  - **s 8B Principles of sound financial management**  
*The following principles of sound financial management apply to councils—*
    - (a) *Council spending should be responsible and sustainable, aligning general revenue and expenses.*
    - (b) *Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.*
    - (c) *Councils should have effective financial and asset management, including sound policies and processes for the following—*
      - (i) *performance management and reporting,*
      - (ii) *asset maintenance and enhancement,*
      - (iii) *funding decisions,*
      - (iv) *risk management practices.*
    - (d) *Councils should have regard to achieving intergenerational equity, including ensuring the following—*
      - (i) *policy decisions are made after considering their financial effects on future generations,*
      - (ii) *the current generation funds the cost of its services.*
- *Local Government (General) Regulation 2021*

### **Relevant Council Policies and Procedures include:**

- Code of Conduct
  - For Council Staff;
  - For Councillors; and
  - For Council Committee Members, Delegates and Advisers;

- Fraud and Corruption Prevention Policy;
- Fraud Control Plan; and
- Procurement Policy and Procedures.

This Statement is a part of Council's Ethical Framework and a part of Council's Fraud and Corruption Prevention Responsibility Structure.

## **VARIATION AND REVIEW**

The Statement of Business Ethics will be reviewed every three years, or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the Policy does not expire on the review date, but will continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.