

# RICHMOND VALLEY COUNCIL POLICY REGISTER

**Policy No:** 1.1.13

**Reference:** Corporate Management - Policy, Standards

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| <b>POLICY:</b>      | <b>BUSINESS ETHICS</b>  |
| <b>FUNCTION:</b>    | Governance  |
| <b>OBJECTIVE:</b>   | To provide clear ethical guidance to Councillors, staff and those doing business with Council (including Contractors), regarding the conduct of Council business. |
| <b>DIRECTORATE:</b> | <b>CORPORATE SERVICES</b>   |

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## **PREAMBLE**

This Policy represents Council's Statement of Business Ethics. It is an important tool in raising awareness about doing business with Council and the respective responsibilities of public officials and private sector suppliers, contractors, consultants, tenderers and partners. The Business Ethics Policy outlines the moral standards which guide the organisation in carrying out its business.

Richmond Valley Council aims to apply integrity, ethical conduct and accountability as part of its processes and this Policy will be utilised in situations where Council deals with private sector suppliers of goods and services. Accordingly, this policy outlines Council's expectations that goods and service providers and contractors will comply with those standards in their dealings with Council.

## **POLICY**

Councillors and staff will conduct their Council roles in such a way as to maintain a high level of accountability, community stewardship and leadership whilst maintaining a respect for individuals and compliance with legislative provisions and policies adopted by Council.

Council expects that service providers, contractors and others who deal with and undertake works for Council should apply the same level of integrity and ethical conduct.

### ***Aims***

- Promote ethical behaviour and relationships with Council and in conducting the business of Council.
- Build and maintain ethical relationships with all sectors of the community and in particular the private sector.
- Encourage transparency and accountability in all dealings including lending, contracting, supply of goods and services and business partnerships.
- Ensure other sector partners understand Council's public duty obligations and expectations of ethical conduct.
- Manage the potential risk and misunderstanding that can occur in business transactions between the public and private sectors.

- Maintain corruption-resistant, ethical work practices. Corrupt acts such as inducements are not acceptable to Council and will be reported to the Independent Commission Against Corruption (ICAC).
- Promote relationships with ethical businesses.

***What Providers Can Expect from Council Staff and Councillors***

In this policy, “provider” means any person or entity that provides a service to Council, supplies a product to Council, or carries out a function on behalf of Council, and includes contractors, lessees, sponsors and the like.

Council will ensure that its policies, procedures and practices related to contracting, purchase of goods and services and tendering 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 tenderers, suppliers, consultants and contractors, Council staff are accountable for their actions and are expected to:

- a) Use public resources effectively and efficiently.
- b) Be accountable and act in the public interest.
- c) Deal fairly, honestly and ethically with all individuals and organisations and be timely in payment accounts.
- d) Not solicit nor accept any benefit from a provider for the discharge of official duties.
- e) Avoid situations where private interest could conflict with public duty (whether real or perceived).
- f) Treat all potential suppliers with impartiality and fairness and give equal access to information and opportunities.
- g) Respond promptly to reasonable requests for advice and information.
- h) Promote fair and open competition while seeking value for money and promoting relationships with ethical business.
- i) Respect and follow Council’s policies and procedures, e.g. Code of Conduct and Procurement Policy.
- j) Abide by the law.
- k) Fully and clearly document all procurement activities and decisions to provide an effective audit trail and to allow for effective performance review of contracts.
- l) Purchase energy efficient equipment, products containing recycled materials and environmentally friendly products wherever reasonably possible and consider lifecycle management issues in costs considerations.
- m) Not disclose confidential or proprietary information.
- n) Not encourage or entertain lobbying or canvassing.
- o) Promote a safe and healthy working environment.

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

Council, in return, has similar expectations of its business clients, contractors, lessees, suppliers and sponsors and asks the business community to:

- a) Deliver value for money.
- b) Comply with Council's Procurement Policy and related procedures.
- c) Respect the conditions set out in documents supplied by Council.
- d) Disclose beneficial interests in contracts wherever possible.
- e) Provide accurate and reliable advice and information when required.
- f) Declare actual or perceived conflicts of interest as soon as they become apparent.
- g) Act ethically, fairly and honestly in all dealings with Council.
- h) Respect the obligation of Council staff and Councillors to adhere to Council's policies.
- i) Refrain from divulging privileged or confidential information to unauthorised persons.
- j) Refrain from engaging in any form of collusive practice, including offering Council staff or Councillors inducements or incentives designed to improperly influence the conduct of their duties. (Corrupt acts such as inducements are not acceptable to Council.)
- k) Refrain from discussing Council business or information in the media without Council's consent.
- l) Assist Council to prevent unethical practices in our business relationships.
- m) Behave in an ethically, socially, economically and environmentally responsible way in the conduct of their business.
- n) Refrain from lobbying or canvassing Council staff during a tender process.
- o) Avoid pressuring Council staff and Councillors to depart from their ethical obligation, inadvertently or otherwise.
- p) Assist Council in providing a safe and healthy working environment.

### ***Why is Compliance Important?***

By complying with this Policy (and in effect Council's Statement of Business Ethics), persons and organisations dealing with Council will be able to advance business objectives and interests in a fair and ethical manner. Compliance with Council's aims and objectives outlined in this Policy will also provide consistency in dealing with other Councils and public sector agencies.

Council will view non compliance as a serious matter and any demonstrated corrupt or unethical conduct will lead to investigation and action by Council.

All of Council's providers of goods and services are required to comply with this Policy. Corrupt conduct and/or non compliance with the requirements of this Policy resulting in demonstrated corrupt or unethical conduct could lead to:

- a) Termination of contracts
- b) Loss of future work
- c) Loss of reputation
- d) Investigation for corruption
- e) Matter being referred for criminal investigation
- f) Disqualification of tender.

### ***Other Information***

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

In general, Council expects Councillors and staff to decline gifts, benefits, travel or hospitality offered during the course of their work. Accordingly, all such incentives will be reported to the General Manager. Council will establish a separate Gifts/Benefits Policy which will establish circumstances in which gifts can be accepted. Corrupt acts such as inducements are not acceptable to Council.

#### **Conflict of Interest**

As Council staff are required to disclose any potential conflicts of interest, Council expects that this requirement will extend to all persons/organisations undertaking business with Council.

#### **Confidentiality**

All Council information should be treated as being publicly available unless otherwise indicated.

#### **Communication between Parties**

All communications should be clear, direct and accountable to minimise the risk of perception of inappropriate influences 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.

#### **Contracting Employees**

All contracted and sub-contracted employees are expected to comply with the Council Business Ethics Policy.

### **VARIATION**

Council reserves the right to amend this Policy from time to time.