

Ballina Shire Council

Statement of Business Ethics

This Statement of Business Ethics provides guidelines for suppliers, contractors and consultants when engaging in business activities with Ballina Shire Council. This includes the purchasing and supply of goods and services, disposal of goods and equipment, and the contracting out of activities and services.

Ballina Shire Council's employees are required to maintain high standards of integrity and ethical conduct. We expect that all goods and service providers and contractors and their employees respect our employees' commitment to these standards and comply with the same principles whilst undertaking business activities with Ballina Shire Council. These standards comply with NSW Government guidelines for procurement and contracting.

Failure to comply with these principles may include the reduction or termination of the business relationships with Ballina Shire Council. In some cases, unethical behaviour may result in the matter being investigated by the Independent Commission Against Corruption (ICAC).

This Statement is designed to ensure that business relationships between Ballina Shire Council, suppliers, contractors and consultants, both actual and potential, are fair and productive for all parties by:

- Providing guidelines on what to expect from Ballina Shire Council and explaining the mutual obligations, roles and constraints of all parties to an arrangement; and
- Outlining Ballina Shire Council's ethical standards and our expectation that goods and service providers and contractors will comply with these standards in all of their dealings with us.

What to expect from Ballina Shire Council

Ballina Shire Council's principles of business ethics establish obligations and standards of behaviour for Councillors, Council officers and suppliers, contractors and consultants in the conduct of the supply of a good or service to Council.

Our business dealings will be transparent and open to public scrutiny wherever possible. We are committed to the purchasing of all goods and services through transparent processes. It is acknowledged that in achieving this, that the process Council follows must have regard to the purchase of goods, equipment and services in an efficient and effective manner.

Council seeks to purchase goods, equipment and services so that it achieves the best value for money. Best value for money does not automatically mean the lowest price; a number of issues need to be balanced. Part of obtaining best value for money also includes ensuring all our business relationships are honest, ethical, fair and consistent.

- Persons must conduct the procurement process with honesty and fairness;
- Council officers will ensure that prospective contractors and suppliers are afforded equal opportunity to tender/quote for all goods and services;
- Council officers will adhere to all aspects of the Procurement Policy in the matter of procurement including the procedures pertaining to the tendering process;
- Contractors or suppliers are not to canvass Councillors or Council officers in respect to gaining an advantage over other contractors or suppliers for the supply of a good or service to Council;

- Council officers must not by virtue of their position accept or acquire for a personal advantage any gift, gratuities or hospitality except that which is permitted under Council's Code of Conduct or in accordance with the Local Government Act 1993;
- Council officers are not permitted to approach a contractor or supplier to pay a gift or benefit for receipt of advice;
- Any person with a conflict of interest must declare that interest as soon as that person knows of the conflict of interest; and
- In order to protect the commercial interests of all persons, there shall be no disclosure of confidential or proprietary information unless specifically approved. Council officers are only permitted to disclose information in the course of official Council business.

What we ask of suppliers, contractors and consultants

We require all suppliers, contractors and consultants of goods and services to observe the following principles when doing business with Council:

- Comply with the Council's procurement policies and procedures;
- Provide accurate and reliable advice and information when 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;
- Take all reasonable measures to prevent the disclosure of confidential Council information;
- Refrain from engaging in collusion, restraint of trade or other restrictive or anti-competitive practices;
- Refrain from offering Council employees inducements or incentives designed to improperly influence the conduct of their duties; and
- Assist Council to prevent unethical practices in our business relationships.

Sanctions

Non-compliance with the above principles by suppliers, contractors and consultants of goods and services may result in sanctions being applied to that supplier, contractor or consultant.

Sanctions for non-compliance of the principles are based on the Council's right to choose with whom it does business. The sanctions applied will depend on the nature and seriousness of the non-compliance.

The range of sanctions available to be imposed include:

- Formal warnings - that continued non-compliance will lead to more severe sanctions;
- Partial exclusion for the procurement process – that is, a reduction in supply or tendering opportunities; and
- Preclusion from the procurement process for a specified period.

Further Information:

If you require additional information about this statement or any other ethical issue, please contact Ballina Shire Council's Strategic Procurement Co-ordinator, Bert La Fleur on (02) 6686 4444.

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