

BATHURST REGIONAL COUNCIL - STATEMENT OF BUSINESS ETHICS

COUNCIL'S KEY BUSINESS PRINCIPLES

To achieve the Council's Vision and Mission, the following key principles guide the way in which the Council acts:

- Integrity in all actions
- Transparency and openness in responding to community needs
- Accountability and responsibility in decision making
- Valuing community input in the democratic process
- Delivery of prompt, courteous and helpful service to the community
- Provision of leadership to the region
- Treating others with respect

To achieve these community values Council is committed to the use of ethical business practices when dealing with external service providers and contractors.

Council's key business principle is best value for money and it seeks to achieve this in all its business relationships with private sector suppliers of goods and services.

Best value for money does not necessarily mean the lowest price but will involve a balance of several relevant factors including initial cost, whole of life costs, quality, reliability, timeliness and logistics.

To achieve best value for money, Council aims to ensure all our business relationships are honest, ethical, fair and consistent, as well as open to public scrutiny wherever possible. Some dealings due to their commercial-in-confidence nature will limit the extent of transparency and openness. However, Council will as far as practical and within statutory limitations be transparent and open in these dealings.

WHAT PROVIDERS CAN EXPECT FROM COUNCIL AND COUNCIL OFFICIALS

Council strives to ensure that its Policy, Procedures and Practices are consistent with Best Practice and the highest standard of ethical conduct in all of its tendering, contracting and purchasing activities.

When doing business with private sector providers of goods and services, Council officials are bound by Council's adopted Code of Conduct and 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
- Not place themselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their 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 to submit tenders, quotes, etc.
- Respond promptly to reasonable requests for advice and information
- Promote fair and open competition which seeks value for money
- Fully and clearly document all procurement activities and decisions to provide an effective audit trail and to allow for effective performance review of contracts
- Not call tenders unless Council has a firm intention to proceed to contract
- Not disclose confidential or proprietary information

WHAT COUNCIL EXPECTS FROM PROVIDERS

Council expects that private sector providers of goods and services will observe the following principles in all dealings with Council:

- Deliver value for money
- Comply with Council's purchasing procedures as outlined in its Purchasing Manual
- Disclose beneficial interests in contracts wherever necessary
- Provide accurate and reliable advice and information when required
- Declare actual or perceived conflicts of interests immediately they are identified
- Act ethically, fairly and honestly in all dealings with Council
- Respect the obligation of Council officials to adhere to Council's Policies
- Not divulge privileged or confidential information to an unauthorised person
- Refrain from any activity designed to improperly influence the conduct of Council officials
- Refrain from discussing Council business or information in the media
- Assist Council to prevent unethical practices in its business relationships

WHY PROVIDERS OF GOODS AND SERVICES NEED TO COMPLY

Council expects all providers of goods and services to comply with this statement. Compliance will, in fact, advance your business objectives and interests and chances of dealing with Council in the future.

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

- Termination of contract
- Loss of future work
- Loss of reputation within the Local Government industry
- Investigation for corruption
- Matters being referred for criminal investigation

OTHER IMPORTANT CONSIDERATIONS WHEN CONDUCTING BUSINESS WITH COUNCIL

Gifts and Benefits

Council staff may only accept Gifts and Benefits of a nominal or token value that do not create a sense of obligation on their part. Council's Gifts Policy may require that a gift be reported in writing to the General Manager and be recorded in the Gift Register.

NOTE: Individuals who have any role in the procurement process e.g. raising of orders, authorisation of orders and approval of payments to suppliers, must NOT accept any gifts of ANY value that emanate from their procurement role.

Should a gift be received or offered it should be reported immediately to their supervisor and the corporate governance section.

Conflicts of Interest

All Council staff are required to disclose any potential Conflicts of Interest (whether perceived or real). Council expects all its business partners, contractors and suppliers to do the same.

Confidentiality

All Council information should be treated as confidential unless otherwise indicated.

Communication between parties

All communication should be clear, direct and made through the appropriate channels (i.e. accountable). This will minimise the risk of 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.

Contracting Employees

All Contracted and sub-contracted employees are expected to comply with the Council's Statement of Business Ethics. If you employ sub-contractors in your work for the Council, you must make them aware of this statement.

Intellectual Property Rights

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

Further contact

If you have any questions regarding this statement or to provide information about suspected corrupt conduct, please contact the Council directly by letter, phone, fax or email at the contact details below:

Public Officials reporting misconduct, mal-administration or serious waste of public funds may be protected by the Public Interest Disclosures Act 1994. This Act protects public officials disclosing corruption related matters from reprisal or detrimental action and ensures that disclosures are properly investigated and dealt with. You should discuss any concerns that you may have with either the General Manager or the Manager Corporate Governance (Council's appointed Protected Disclosures Coordinator). Alternatively, a complaint can be made directly to the NSW Ombudsman (maladministration), the ICAC (corruption) or the Director General of the Division of Local Government (serious and substantial waste). The Public Interest Disclosures Act provides strict guidelines as to how a complaint should be lodged and it is suggested that you seek advice prior to making a complaint to ensure any possible protection is available to you.

Contact Details

The General Manager
Bathurst Regional Council
158 Russell Street
PMB 17
BATHURST NSW 2795

Business Hours: 8.30 am to 4.45pm Monday to Friday
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