

BUSINESS ETHICS POLICY

Responsible Department: Corporate and Commercial Services
Responsible Section: Governance and Risk
Responsible Officer: Manager Governance and Risk

Objective

This policy aims to:

- Provide clear guidance to those conducting business with Council of its values and ethical stance on a number of matters.
- Provide information to those conducting business with Council on the effect of some Council Policies that may not exist in the private sector.

Introduction

Business dealings between Narrabri Shire Council and the private sector are becoming more extensive and may raise sensitive ethical questions. For this reason, Narrabri Shire Council has developed a Business Ethics Policy for behaviour appropriate to business dealings with Council.

This policy aims to provide external organisations, service providers, small business and individuals with an understanding of Council's expectation in relation to standards of ethical behaviour that meet Councils' requirements. It also provides guidelines for staff on Council's expectations when conducting business.

Policy

1. Our Shire Vision

- 1.1. The Narrabri Shire Community has identified the below as its vision in its Community Strategic Plan:
"The Narrabri Shire will continue to be a strong and vibrant regional economic growth centre providing a quality living environment for the entire community."

2. Council Values

Value	Description
Wellbeing	Recognising safety, health, and wellbeing as a priority for all, especially our staff
Integrity	Ensuring transparency and honesty in all activities
Leadership	Providing guidance and direction to our community and our people
Community focus	Delivering prompt, courteous, collaborative, and helpful service, while empowering and responding to the community's changing needs.

Value	Description
Accountability	Accepting our responsibility for the provision of quality services and information to ensure transparency and honesty in all our activities
Respect	Treating everyone fairly with courtesy, dignity, and empathy
Excellence	Providing services, programs, and information which consistently meets and exceeds standards.

3. Key Business Principles

- 3.1. The principle of best value for money is at the core of council's business relationships with private sector suppliers of goods and services. Best value for money does not automatically mean the lower price. Rather, Council will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability and timelessness in determining true value for money.
- 3.2. Part of obtaining best value for money also includes ensuring all of our business relationships are honest, ethical, fair and consistent.
- 3.3. Our business dealings will be transparent and open to public scrutiny wherever possible. Given the nature of some Council work, there will be times when the details of some business relationships will not be made publicly available.
- 3.4. We are committed to the purchase of all goods, equipment and services through established NSW Government contracts systems, where possible and reasonably practical. Where Council does not use this established system, Council will define the reasons for this action.
- 3.5. Narrabri Shire Council will ensure that all its policies, procedures and practices related to tendering, contracting and the purchase of goods and services are consistent with best practice and the highest standards of ethical conduct.

4. What to Expect from Council

- 4.1. Our staff are bound by Council's Code of Conduct. When doing business with the private sector, Narrabri Shire Council will:
 - (a) Use public resources effectively and efficiently.
 - (b) Deal fairly, honestly and ethically with all individuals and organisations.
 - (c) Avoid any conflicts of interest (whether real or perceived).
- 4.2. In addition, all Council procurement activities are guided by the following core business principles:
 - (a) All potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids.
 - (b) All procurement activities and decisions will be fully and clearly documented to provide an audit trail and to allow for an efficient performance review of contracts.
 - (c) Energy efficient equipment, products containing recycled materials and environmentally friendly products will be purchased wherever reasonably possible.
 - (d) Tenders will not be called unless Council has a firm intention to proceed to contract.
 - (e) This Council will not disclose confidential or proprietary information unless required by law to do so or to Council's legal advisors.

5. What Council Expects

- 5.1. We require all private sector providers of goods and services to observe the following principles when doing business with Council:
- (a) Comply with Council's procurement policies and procedures.
 - (b) Provide accurate and reliable advice and information when required.
 - (c) Declare actual or perceived conflicts of interest as soon as you become aware of the conflict.
 - (d) Act ethically, fairly and honestly in all dealings with Council.
 - (e) Take all reasonable measures to prevent the disclosure of confidential Council information.
 - (f) 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.
 - (g) Refrain from discussing Council business or information in the media.
 - (h) Assist Council to prevent unethical practices in our business relationships.
 - (i) Not make unsolicited contact with Councillors, staff and or delegates of the Council regarding submitted tenders until such time that the tender has been determined.

6. Why compliance Is Important

- 6.1. 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 Narrabri Shire Council suppliers of goods and services are required to comply with this statement, compliance will not cause disadvantage to suppliers in any way.
- 6.2. Complying with Council's stated principles will also prepare suppliers for dealing with the ethical requirements of other public-sector agencies, should they choose to do business with them.
- 6.3. Non-compliance with the Council's ethical requirements when doing business with the Council such as demonstrated corrupt or unethical conduct could lead to:
- (a) Termination of contracts.
 - (b) Loss of future work.
 - (c) Loss of reputation.
 - (d) Matters being referred for criminal investigation.

7. Incentives, Gifts, Benefits

- 7.1. Council expects its staff to decline gifts, benefits, travel or hospitality offered during the course of their work. Suppliers should refrain from offering any such "incentives" to Council staff.
- 7.2. Suppliers and potential suppliers should note that gifts or benefits intended to incentivise or influence public decision-making may be considered corrupt conduct and referred to the Independent Commission Against Corruption for investigation.
- 7.3. If a gift is accepted, Council requires the staff member to provide a written report and to record the gift in a Public Gifts and Benefits Register. Inappropriate acceptance of gifts as an inducement to purchase goods and services may lead to disciplinary action.

8. Conflicts of Interest

- 8.1. Council staff are required to disclose any potential conflicts of interest under the Code of Conduct. Council extends this requirement to all our business partners, contractors and suppliers.

9. Confidentiality

9.1. All Council information should be treated as confidential unless otherwise indicated or as required by law.

10. Communication Between Parties

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

11. Use of Narrabri Shire Council Equipment, Resources and Information

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

12. Discrimination and Harassment

12.1. Council will not discriminate against anyone on the grounds of:

- (a) race;
- (b) sex;
- (c) gender;
- (d) colour;
- (e) nationality;
- (f) religious conviction, or lack thereof;
- (g) ethno-religious background;
- (h) marital status;
- (i) age;
- (j) pregnancy;
- (k) physical, intellectual and / or psychiatric disability;
- (l) sexual preference; or
- (m) association or political conviction.

13. Review

13.1. This policy will be reviewed within 12 months of an Ordinary Council Election or such other time on an as-needs basis.

References

- *Local Government Act 1993* (NSW)
- *Local Government (General) Regulation 2021* (NSW).
- *Code of Conduct*
- *Customer Service Policy*
- *Record Management Policy*
- *Privacy Management Policy*

History

Minute Number	Meeting Date	Description of Change
42/2015	February 17, 2015	Adopted
164/2017	August 15, 2017	Reviewed
	September 2, 2021	Rebranded
336/2022	October 18, 2022	Endorsed for Public Exhibition
362/2022	November 22, 2022	Adopted