

STATEMENT OF BUSINESS ETHICS

This document outlines the minimum set of expectations and behaviours for doing business with Northern Beaches Council.

INTRODUCTION

Northern Beaches Council (Council) is committed to conducting its business in a sound commercial and ethical manner having regard to NSW Government and Council policies. Council staff will observe a high standard of probity, ethical behaviour and integrity in their business dealings and are bound by, and required to conduct their activities in accordance with:

- Councils Values
- Council's Code of Conduct
- *The Local Government Act 1993* (NSW)
- Relevant delegations
- Modern Slavery Act 2018
- *Work Health and Safety Act 2011* (NSW)

Suppliers doing business with Council are required to respect and acknowledge the way Council conducts its business and ensure that they maintain a similar level of ethical behaviour in their dealings with Council.

COUNCIL PROCUREMENT

Council undertakes the procurement of goods and services in compliance with the *Local Government Act 1993* (NSW), Local Government (General) Regulation 2021 and Councils' Procurement Policy and framework.

In undertaking its business, in addition to obtaining value for money, these policies require that:

- a high standard of probity, ethics and integrity is demonstrated by all parties in the supply chain;
- a fair opportunity is given for prospective service providers to compete for Council business;
- there is a commitment to continuous improvement by all parties in the supply chain; and
- there is accountability, consistency and transparency by Council in its procurement practices.

Council promotes open, fair and effective competition and aims to provide opportunities to suppliers through its quotation and tendering processes.

OUR VALUES

Council's values of Trust, Teamwork, Respect, Integrity, Service and Leadership are the underlying attitudes that consistently affect all of our actions and decision-making processes.

In line with its values, Council has a zero tolerance of violence against women (defined by the United Nations as "any act of gender based violence that results in or is likely to result in physical, sexual or physiological harm or suffering to women").

WHAT SHOULD YOU EXPECT FROM COUNCIL?

All members of staff and Councillors are accountable for their actions and are committed to:

- Complying with the law, Council and NSW Local Government policies and Guidelines.
- Using Council resources efficiently and effectively
- Encouraging fair and transparent competition and seeking value for money
- Dealing in ethically, fairly and honestly in all relationships.
- Avoiding and where necessary declaring situations where there is (or could be perceived to be) a conflict of interest.
- Treating all suppliers and potential suppliers with equality, impartiality and respect and being timely in paying accounts
- Being transparent in our dealings and being information centred in decision-making.
- Protecting confidential information and intellectual property.
- Being accountable for all decisions and providing feedback

WHAT DOES COUNCIL EXPECT FROM SUPPLIERS?

Council requires anyone doing business with them to:

- Respect the obligations placed upon Council staff to comply with its procurement policies and procedures.
- Comply with Council Procurement procedures.
- Provide accurate, concise and reliable information when required.
- Act ethically and honestly and disclose actual, potential or perceived conflicts of interests.
- Prevent the unauthorised disclosure of Council confidential information.
- Refrain from offering Council staff inducements or incentives designed to act contrary to their duties, or influencing Council staff in any manner whatsoever.
- Refrain from discussing Council business in the media prior to obtaining Council's written consent.

SOCIAL VALUE

We expect our suppliers to look for and embrace opportunities to engage local workers, service providers and/or businesses, where practicable. This includes opportunities for the employment of disadvantaged people and social enterprises within our community.

LABOUR AND HUMAN RIGHTS

We expect our suppliers to provide a fair and ethical workplace free from workplace bullying, harassment, victimisation and abuse. Our suppliers must take all reasonable steps to ensure that businesses within their supply chain are not supplying products of modern slavery.

We expect our suppliers to ensure that businesses within their supply chain are not engaged in, or complicit with other human rights abuses.

If our suppliers become aware of the presence of modern slavery in their operations or supply chain, they must report this to Northern Beaches Council as soon as possible.

Reporting should outline details of the human rights violation discovered and what remedial and preventive measures are occurring.

REPORTING WRONGDOING

Council promotes organisational integrity, ethics and accountability. Should you suspect that Council, Councillors or Council staff have engaged in or condoned acts of fraud, corrupt conduct, maladministration or serious and substantial waste, you can raise your concerns directly with Council on (02) 8495 5136 or integrityoffice@northernbeaches.nsw.gov.au. A matter may also be reported to the Independent Commission Against Corruption (ICAC), the NSW Ombudsman, or NSW Police, where appropriate.

If a public official makes a disclosure about corrupt conduct, maladministration or waste of public funds, they may be protected under the Public Interest Disclosures Act 2022 (PID Act).

NOTES:**CONFLICTS OF INTEREST**

Real, perceived or potential conflict of interests must be disclosed by Council staff and our suppliers to ensure their actions are capable of withstanding public scrutiny. This applies to pecuniary and non-pecuniary interests. In determining whether or not a conflict of interest exists, public perception must be considered, and it is your duty to identify a conflict and take appropriate action to manage the conflict in favour of your public duty. Conflict of interests may arise at any time and must be disclosed to the person for whom you are working or manages the contract.

GIFTS AND BENEFITS

Council has a zero gift and benefit position which establishes an unambiguous position and consistency of approach as it applies to council officials, which can be communicated clearly to ratepayers, residents, customers and suppliers alike.

Individuals should be aware that corruptly receiving, soliciting or offering any benefit is a criminal offence under the Crimes Act 1900 (Section 249B).

CONFIDENTIALITY

Council will ensure that commercial in confidence or proprietary information contained in tenders, quotations, expressions of interest etc. is not disclosed to unauthorized persons or those with a competing interest. Suppliers must ensure that the security of any confidential or personal information gained during their engagement by Council is maintained; all Council information must be treated as confidential unless otherwise indicated. No-one is permitted to access use or remove (from Council premises) any Council or personal information pertaining to another person, unless they need that information for their work for Council and have the necessary authority to do so.

COMMUNICATION

All communication should be clear, direct and accountable. Any canvassing of Council staff or Councilors during a tender process will disqualify the bid from further consideration.

POST SEPARATION EMPLOYMENT

Suppliers should be aware that Council employees, as public officials will act honestly, fairly and impartially and will not use commercially sensitive information to facilitate future employment opportunities in the private sector. In general following separation from Council there should be a 12 month separation period before conducting business with Council on behalf of a new employer.