



Wollondilly
Shire Council

BUSINESS ETHICS STATEMENT

· 1915 ·
WOLLONDILL
SHIRE HALL

2023



Acknowledgement*

Wollondilly Shire Council acknowledges the traditional custodians of the land in Wollondilly, the Dharawal and Gundungurra peoples.

We acknowledge the living culture and spiritual connections to the land for the Dharawal and Gundungurra people and that Wollondilly is remarkably placed as the intersection of these two tribal lands.

We recognise the traditional Custodians have occupied and cared for this Country over countless generations and celebrate their continuing contribution to the Shire.

We also acknowledge and remember the Dharawal and Gundungurra peoples who were killed in the Appin Massacre on 17 April 1816.

**We acknowledge our collaboration with the Tharawal Local Aboriginal Land Council*

BUSINESS ETHICS STATEMENT



Consistent with our Fraud and Corruption Control/Prevention framework, this Business Ethics Statement provides guidance to commercial partners and suppliers on how to work with us to build productive, trusted and sustainable relationships.

Wollondilly Shire Council tolerates and promotes only the highest standards of integrity, ethical conduct and accountability in how it provides services to the community.

Accordingly, commercial partners and suppliers can expect Council officials to behave ethically and comply with Council's adopted Code of Conduct in all their dealings with us.

Equally, in delivering value to the community on behalf of Council, we demand the same high standards of ethics and conduct in the way external firms and individuals interact and transact with us and all our stakeholders.

WHAT WE REQUIRE FROM YOU

When doing business with us to ensure you meet our ethical standards, all commercial partners and suppliers are required to:

- Comply with all applicable Local Government and NSW Government procurement frameworks, policies and codes of practice
- Comply with basic principles of probity management
- Comply with this Business Ethics Statement
- Act in line with Council's values of Accountability, Agility, Service Excellence, Integrity and Collaboration
- Not offer any council official any form of gift or benefit, regardless of value or intent
- Declare any real, potential or perceived conflicts of interest as they arise
- Prevent unnecessary disclosure of any confidential Council information
- Demonstrate compliance with the provisions of the Modern Slavery Act 2022
- Cooperate with Council in preventing fraud, corruption and unethical business practices by reporting any suspected wrongdoing through Council's reporting procedure.

WHY YOU MUST COMPLY

Non-compliance with the requirements set out in this document as well as corrupt or ethical conduct could lead to:

- Termination of contracts
- Loss of future work
- Loss of reputation
- Legal action
- Matters being referred for criminal investigation.

WHAT COMMERCIAL PARTNERS AND SUPPLIERS CAN EXPECT FROM COUNCIL OFFICIALS

Council officials are expected to behave in line with Council's values and must comply with its adopted Code of Conduct to:

- Ensure best value for money through the considered, ethical, diligent, effective and efficient use of public and Council resources
- Accept responsibility and be accountable for their decisions and actions in line with delegated functions, accountabilities and the Code of Conduct
- Promote the integrity and reputation of Local Government and the public sector more broadly by always acting in the public interest
- Not engage in any activities that would put Council or any individual reputations at risk or that could bring Council or the public sector into disrepute
- Treat all internal and external stakeholders, transparently, fairly, ethically and in line with Council's values
- Consider all available, relevant facts supported by relevant legislation, statutory obligations, policies and procedures to ensure decisions and actions are reasonable, fair and appropriate to each circumstance.

PRACTICAL GUIDELINES: GIFTS AND BENEFITS

Decisions made and actions taken by public officials in using public monies and resources in dealing with commercial partners and suppliers are under constant and intense scrutiny. Council has a zero tolerance approach to any form of fraud or corruption and the consequences to Council Officials for seeking or accepting any form of inducement, bribe or gratuity, can be severe.

Commercial partners or suppliers must not offer or provide any inducement, bribe or gratuity in any form and are obliged to make a report to the CEO or to Council's Manager Governance, Integrity and Ethics, if a Council Official seeks the same. This includes, but is not limited to:

- Cash or cash-like gifts (loyalty points, vouchers, prepayments such as phone or internet credits, lottery tickets, credit/debit cards, memberships or entitlements to discounts which are not normally available to the general public or a broad class of persons)
- Alcohol
- Tickets to non-work related events
- Meals at restaurants
- Access to corporate boxes at sporting or social events
- Free or discounted products or services that are normally available to the general public or a broad class of persons
- Use of holiday homes
- Artworks
- Free or discounted travel or travel related benefits.

Employee participation in some modest forms of hospitality is permitted where:

- There is a clear business purpose
- It is in the course of normal public service business
- It has a public benefit
- It is disclosed by the employee.

Any offers, acceptance and refusal of any form of gift or benefit, regardless of value or intent must be disclosed by employees in accordance with Council's adopted Code of Conduct and Gifts and Benefits policy.

CONFLICTS OF INTEREST

All Council Officials are required to disclose any perceived, potential or actual conflicts of interest, including those which could arise from personal relationships between Council employees and employees of commercial partners and suppliers. This requirement is also extended to commercial partners and suppliers.

SPONSORSHIP

Council does not seek or enter into any sponsorship or referral arrangements that are not open and transparent or where doing so may create a perception of favouritism and/or that the arrangement could influence the decision-making process. Where Council is able to participate in such arrangements, all parties must do so in accordance with Council's applicable policies and protocols.

CONFIDENTIALITY AND INTELLECTUAL PROPERTY

Council respects the confidentiality and intellectual property needs of commercial partners and suppliers and will apply the same principles it applies to protecting and securing Council information. This includes specific provisions contained within individual contracts and relevant copyright laws.

COMMUNICATION, COOPERATION AND ISSUES RESOLUTION

In line with relevant codes of practice, legislation, frameworks, policies and individual contracts and arrangements, Council and commercial partners and suppliers will maintain all business relationships based on:

- Transparent and accurate communication
- Respect
- Trust, and
- Integrity.

In dealing with issues, both parties will employ these communication principles to seek to understand each other's position through a non-adversarial and cooperative approach.

PRIVATE EMPLOYMENT AND POST SEPERATION EMPLOYMENT

Council requires that its employees obtain CEO approval prior to entering into any private or secondary employment arrangement. Secondary employment will not be approved if it has the potential to create an actual or perceived conflict of interest between the employee's official duties and their private interests.

Employees and all other Council Officials are not to use their position, government information, or intellectual property obtained or developed while serving Council to secure private employment.

Commercial partners and suppliers must not offer Council Officials private employment which may conflict with their public duties. Former Council Officials who have dealings with Council need to ensure that they do not seek, or appear to seek, favourable treatment or access to confidential information based on their former public service status.

COMMERCIAL PARTNER AND SUPPLIER CONTRACTORS

Commercial partners or suppliers working with Council are responsible for ensuring all contractors and sub-contractors are aware of, and adhere to, the requirements in this statement.

MODERN SLAVERY STATEMENT OF COMMITMENT

This Modern Slavery Statement of Commitment is provided by Wollondilly Shire Council in accordance with Section 428 (4) of the NSW Local Government Act 1993.

Council is committed to ensuring:

- a) its operations and supply chains do not cause, involve, or contribute to modern slavery; and
- b) its suppliers, relevant stakeholders, and others with whom we do business respect and share our commitment regarding minimising the risk of modern slavery.

PUBLIC COMMENT

Commercial partners and suppliers and their contractors must not make any public comment or statement which may suggest they represent Council or expresses its view or policies. This requirement also applies to Council Officials in regards to public comment or statements about commercial partners or suppliers working with Council.

PUBLIC INTEREST DISCLOSURES

Individuals, businesses and corporations (and their employees and contractors) engaged by Council under contract or a supply arrangement are classified as 'public officials' for the purposes of the Public Interest Disclosures (PID) Act 2022.

The Act protects public officials from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing in line with requirements of the Act. The Act also ensures that disclosures are appropriately investigated and dealt with.

Commercial partners and suppliers working with Council are obliged to report to the CEO or Council's Manager Governance, Integrity and Ethics any activity which they honestly believe, on reasonable grounds, shows or tends to show serious wrongdoing within Council or any of its other commercial partners or suppliers.

Recent changes to the PID Act may require some commercial partners/delegates to actively participate in PID training.

FURTHER ASSISTANCE

For further information regarding the Statement of Business Ethics, please contact:

Eric Imbs

Manager Governance, Integrity and Ethics

Eric.imbs@wollondilly.nsw.gov.au

02 4677 9521



www.wollondilly.nsw.gov.au

PO Box 21, Picton NSW 2571 Australia | [E council@wollondilly.nsw.gov.au](mailto:council@wollondilly.nsw.gov.au) | **P** 02 4677 1100