

Statement of Business Ethics

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1. Scope

This Statement of Business Ethics provides guidance to all sectors of the community when conducting business with Council and explains the mutual obligations and role of all parties. Business may include the supply of goods and services, use of contractors and consultants, assessment of development applications and other general dealings.

2. Purpose

The purpose of this Statement of Business Ethics policy is to ensure all sectors of the community who conduct business with Council, Council staff and delegates maintain the highest ethical business standards.

Council officials and staff are required to comply with Council's standard of conduct, procedures and relevant legislation governing ethical behaviour. The same standard is expected of all individuals and organisations that deal with Council to reduce the risk of inappropriate business activities and actual, potential or perceived conflicts of interest occurring.

This Statement supports and complements Council's Good Governance Framework, of which Council's Code of Conduct is a central component. The mechanisms in both the Statement and the Code of Conduct aim to protect the integrity and reputation of Council, and ensure that decision-making is made in a fair and ethical manner.

3. Policy – Business Ethics Principles

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Amendment 3	Date of Next Review: 2023	Review period: every 4 years

City of Parramatta Council has adopted a set of Corporate Values to guide the conduct of its officials and provide a foundation in its approach to delivering services to the community.

3.1 Corporate Values

Customer Focus

We communicate openly with our customers, are responsive to their needs and create new relationships as our city grows

Innovation

We build on our strengths, champion creative solutions and seek new and sustainable ways to deliver superior outcomes

Integrity

We deliver on promises, act ethically, take responsibility for our actions, and speak up respectively.

Integrity is the foundation on what everything is based

Teamwork

We support the role of leadership, collaborate within and across our teams, build effective partnerships with colleagues and our community to achieve our goals

3.2 Key Business Principles

Council is committed to ethical business practices based on Council's values and Code of Conduct and as part of this commitment, Council will ensure:

- Business dealings will be ethical and transparent and open to public scrutiny whenever possible.
- All Council decision and considerations will be based on merit and made in a fair and impartial manner.
- Ethically managed potential conflicts of interest.

3.3 What You Can Expect From Us

Council will ensure that all its policies, procedures and practices relating to tendering, contracting, purchasing of goods or services, assessment of development applications, use of

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consultants and/or contractors, and engagement of strategic partners and sponsors are all consistent with best practice and the highest standards of ethical conduct.

Councillors, staff and delegates are bound by Council's Code of Conduct and the documents contained within the Code of Conduct Framework. This means there is an expectation that Council staff will be courteous and act with transparency and integrity in all its interactions with members of the public.

All approvals, decisions and procurement activities will be clearly documented to enable transparent and effective governance across the organisation. Council will assess all applications objectively, considering all relevant and material factors in determining a decision on matters that come before the Council.

When doing business with all sectors of the community, Councillors, staff and delegates are accountable for their actions and are expected to exercise:

- integrity
- leadership
- selflessness
- impartiality
- accountability
- openness
- honesty
- respect

To achieve probity, Council will consider at all stages of the purchasing, tendering, contracting, partnership, sponsorship and development application processes and adhere to the following essential factors:

- Transparency of process.
- Accountability.
- Ethically managing conflicts of interest.
- Obtaining best value.
- Monitoring and evaluating performance.
- Environmental & social outcomes.

Whilst Council's dealings will be transparent, accountable and open to public scrutiny wherever possible, there may be times when confidentiality will be required by Council.

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3.4 What Is Expected From You

We require all suppliers of goods and services, applicants, consultants, contactors, owners and applicants of development applications and anyone doing business with Council to observe the following principles:

- Act ethically and honestly in all dealings with Council.
- Declare actual or perceived conflicts of interests as soon as you become aware of the conflict.
- Respect the obligations of Councillors and staff to abide with Council's Code of Conduct.
- Be aware and comply with legislation, Council's policies and procedures as they pertain to the business before Council, and the conditions set out in documents supplied by Council.
- Comply with Council's procurement policies and procedures.
- Provide accurate and reliable advice and information when required.
- Prevent the disclosure of confidential Council information.
- Refrain from engaging in any form of collusive practice including offering, staff and delegates inducements or incentives, including gifts and benefits, designed to improperly influence the conduct of their business.
- Refrain from any action or contact that may be considered an attempt to influence a decision of Councilors or staff.
- Assist Council to prevent unethical practices in our business relationships.
- Maintain records of all dealings with Council.
- Refrain from discussing Council business or information in the media.

3.5 Why Comply with this Statement

As all stakeholders are required to comply with this Statement, compliance will not place any party at a disadvantage. Stakeholders should be aware of the consequences of not complying with Council's ethical requirements when doing business with Council and may include:

- Investigation, including referral of matters for criminal investigation where appropriate
- Damage to reputation
- Loss of future work or approval

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- Immediate termination of contract or order, at any stage

Council officials who do not comply with this Statement will be considered in breach of Council's Code of Conduct and subject to disciplinary action under the Code.

3.6 Gifts and Benefits

Gifts, benefits or hospitality must not be given in connection with any prospective business dealings. Councillors, staff or delegates are not permitted to ask for any reward or incentive from external parties, and are expected to decline such offers of gifts and benefits during the course of their work.

Councillors, staff or delegates who are involved in exercising regulatory and procurement processes, are prohibited under any circumstances to accept gifts, hospitality and benefits of any kind, where the staff are dealing with persons seeking a decision from Council, or who have sought a decision from Council within the previous 12 months.

In accordance with Council's Gifts and Benefits Policy, any offer or acceptance of a gift by Councillors or staff is required to be disclosed and recorded in Council's Gifts and Benefits Register.

3.7 Conflicts of interest

Councillors, staff and delegates are required to disclose, in writing, any actual, perceived or potential conflicts of interest, as well as provide Council with any other related disclosures that may be required. Council extends this requirement to any applicants, business partners, contractors and suppliers.

Conflicts of interest exist when it is likely that an individual may be influenced or perceived to be influenced by a personal interest in carrying out their public duty.

Conflicts of interest that lead to partial or biased decision making may constitute corrupt conduct and for Council officials, will be dealt with under Council's Code of Conduct.

3.8 Privacy & Confidentially

Council has an obligation to protect the information collected about our customers and the community.

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Council expects that customers will treat all information appropriately and all information collected must be used for the purpose it was provided.

Any confidential information should be treated as such and should not be revealed to persons other than those with a genuine need and authority. Suppliers handling private information on behalf of Council are expected to adhere to Council's Privacy Management Plan.

The information could be in various formats and the Government Information (Public Access) Act 2009 provides mechanisms for the public to gain access to Council's information, except in certain circumstances.

3.9 Intellectual property

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

Transfer of intellectual property will be addressed via contractual agreement.

3.10 Legislative & policy requirements

All legislative and policy requirements must be adhered to by staff, delegates, business associates and suppliers involved in the contracting or tendering for services or supplies, or other business relationships.

3.11 Development applications

In its formal role in determining a development application Council has to consider the matters prescribed in legislation in a way that is open and transparent and is seen to be fair to all parties involved.

Staff and delegates are to ensure that no action, statement or communication with applicants, proponents or objectors conveys any suggestion of willingness to provide concessions or preferential treatment.

Staff and delegates should not be expected to offer support or otherwise for any party associated with the development application process. Staff are professional people and will treat all aspects of the development application process in a professional and ethical manner.

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3.12 Council resources

Council resources should only be used for Council purposes and in the public interest. Members of staff, delegates and customers doing business with Council are expected to be efficient, economical and ethical in their use and management of Council resources, including staff time.

3.13 Secondary or future employment of staff

Staff have a duty to maintain public trust and confidence, and not to disclose confidential information obtained during the course of their employment, or use this information to facilitate future employment opportunities. Staff are required to obtain written approval from Council before entering any secondary employment arrangements.

3.14 Contractors and subcontractors

All contracted and sub-contracted employees are expected to comply with this Statement. It is the responsibility of contractors to ensure sub-contractors they engage are aware of this Statement as they are equally bound by it.

3.15 Reporting unethical behaviour (Public Interest Disclosure Policy)

Council is committed to promoting ethical behaviour. Reports of unethical behaviour, fraud, corruption, maladministration or waste can be made to Council's Internal Ombudsman, the Chief Executive Officer or Council's Disclosures Officer.

Reports of unethical or corrupt behaviour can also be made to:

- Independent Commission Against Corruption (ICAC) – 1800 463 909
- NSW Ombudsman – 9286 1000
- Office of Local Government – 4428 4100

Public officials reporting corrupt conduct, maladministration or waste can be protected by the Protected Disclosures Act 1994. This Act protects public officials who are disclosing corrupt conduct from reprisal or detrimental action and ensures disclosures are properly dealt with.

3.16 Lobbying

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Lobbying is a normal, and in some circumstances an acceptable, part of the democratic process. However, lobbying that is not fair and undermines public confidence in impartial decision making falls outside the bounds of appropriate and lawful behavior.

The lobbying of Councillors and staff in certain situations is not permissible. These situations may include, but are not limited to: tender processes, engagement of services, development applications under assessment or a matter subject to legal action.

3.17 Attempts to influence Council decisions

Any action or contact that may be considered or perceived to be an attempt to influence a decision of Councillors or staff will constitute a breach of this Statement.

Any such attempt during a tender process will immediately disqualify the relevant tenderer or service provider. Councils tender documentation will contain statements prohibiting proponents from approaching Councillors and Council Staff not nominated as contact people during a tender process.

3.18 Use of Council equipment and resources and information

All Council equipment and resources should only be used for its proper official purpose. Equipment remains the property of Council at all times.

3.19 Confidentiality

Any confidential information should be treated as such and should not be revealed to persons other than those with a genuine need and authority. Suppliers handling private information on behalf of Council are expected to adhere to Councils Privacy Management Plan

3.20 Communication

All communication between parties should be made in a clear and cordial manner to minimize the risk of perception of inappropriate influence.

3.21 Workplace Safety

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Workplace safety is of paramount importance to Council. It is expected that all parties who do business with Council comply with legislative and procedural safety requirements.

3.22 Political Donations

The law requires that persons with a financial interest in, or who have made a submission in relation to a Development Application or a planning instrument, disclose certain information about political donations and other gifts that have been made to a Councillor or Council employees within the previous two years of the application or submission.

3.23 Who to contact

The *Guidance Notes* contain a number of supporting policies. If you have any questions regarding this Statement of Business Ethics or these policies, including how it applies to you, please contact Council's Public Officer or the Chief Executive Officer.

4.0 Associated documents

Policy 005: Secondary Employment
 Policy 334: Gifts and Benefits
 Policy 218: Code of Conduct
 Policy 219: Code of Meeting Practice
 Policy 228: Public Interests Disclosure
 Policy 333: DA and S94 Contributions
 Policy 318: Fraud and Corruption

REFERENCES	
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