

Statement of Business Ethics

This Statement is a means of providing guidance for suppliers, service providers, contractors and individuals to adopt standards of ethical behaviour that meet Council's requirements.

Purpose

The Statement of Business Ethics gives guidance to organisations and individuals on expected behaviours when dealing with Council. Council will ensure that all 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. All procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and allow for effective review.

Key Business Principles

Council has six key principles which guide its dealings on procurement and business matters.

Ethical practice

Council officials are at all times required to conduct business that is ethical and of the highest integrity, this includes legislative compliance. All procurement and tendering activities must comply with legal obligations including the requirements of the NSW Local Government Act 1993 and Local Government (General) Regulation 2021, as well as the Competition and Consumer Act 2010 and Modern Slavery Act 2018.

Responsible financial management

The principle of responsible financial management is to be applied to all procurement activities. Council funds are to be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the cost of the procurement process without compromising any of the business principles set out in this statement.

Value for money

Procurement activities are to be carried out on the basis of obtaining value for money. This does not automatically mean the lowest price, but rather minimising the total cost of ownership over the lifetime of the good or service consistent with acceptable quality, reliability, safety and delivery considerations. Value for money factors include experience, reliability and reputation of supplier, after sales service, and both upfront and ongoing costs. Contracts will be sized and packaged with a view to maximising the economies available through the quotation/tender process and ensuring that the process provides real competition.

Environmental sustainability and circular economy

Procurement decisions will incorporate consideration of environmental sustainability impacts including:

- Eliminating inefficiency and unnecessary resource consumption
- Minimising waste and maximise recycling and reuse
- Minimising pollution
- Avoiding toxic chemicals

- Saving water and energy
- Reducing greenhouse gases
- Further stimulate the demand for sustainable products.

Procurement decisions will also incorporate consideration of circular economy principles, such as use of recycled content, designing out waste and pollution and keeping products and material in use for longer.

Social inclusion

Council is committed to generating positive social benefits through its procurement practices. Procurement decisions should consider preferencing, where appropriate and permissible under legislation as follows:

- Suppliers established as disability employment organisations
- Suppliers that are creating opportunities for inclusion of people who have been excluded from work
- Suppliers that can demonstrate workforce diversity and inclusion
- Suppliers that are Aboriginal-owned businesses, as recognised by a suitable organisation such as Supply Nation of NSW Indigenous Chamber of Commerce

Local preference

Council is committed to fostering increased local economic capacity through its procurement processes, ensuring local small to medium size enterprises are provided with opportunities within Council's procurement processes. Procurement decisions should seek to include, where appropriate and permissible under legislation:

- Suppliers located within the Maitland LGA and broader Hunter Region
- Australian-made goods

Council's preference is to source low cost goods or services locally, and where appropriate will seek to request at least one quotation from a business located in the Maitland LGA when purchasing low cost goods and services. Council will give preference to local suppliers if assessment against selection criteria is equal/within tolerances, and in formal tenders and quotations ensure criteria is included for local economic benefit.

What You Can Expect From Us

Our staff, Councillors and delegates are accountable for their actions and are expected to:

- act honestly and ethically when dealing with the community, business partners (including potential partners) and others
- use Council resources efficiently and effectively
- disclose any situation that involves or could be perceived to involve a conflict of interest
- treat all potential suppliers with equality, impartiality, fairness and respect
- encourage fair and transparent competition while seeking value for money
- be able to account for all decisions and provide feedback on these decisions
- protect confidential and proprietary information
- not seek or accept financial or other benefits for performing official duties
- not be involved in activities such as performing work with or for suppliers or consultants or contractors

What We Expect From You

When conducting business with Council we expect that you will:

- act ethically, fairly and honestly in all dealings with Council
- deliver value for money
- comply with Council's procurement policies and procedures
- provide accurate and complete information
- declare actual or perceived conflicts of interest as soon as such matters arise
- keep Council information confidential
- avoid collusion and unfair practices
- do not offer Council officials and financial inducements or incentives or gifts or benefits designed to improperly influence the conduct of their duties
- assist Council in providing a safe and healthy working environment
- do not discuss Council business or information with the media
- help deter unethical practices and/or fraud by reporting your concerns to Council
- respect the environment, comply with environmental laws and have sustainable practices in the use of resources and waste management
- take all reasonable measures to prevent unethical occurrences within your own supply chain

Complying With This Statement

By complying with the principles and standards of behaviour outlined in this Statement, all parties will be able to advance their objectives and interests in a fair and ethical manner. Failure to comply with this Statement may be deemed as a breach of contract. Council may terminate its contract or take other actions considered appropriate

Reporting

To report any unethical behaviour in doing business with Council, please lodge a submission in writing to:

The General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320