



# BUSINESS ETHICS POLICY

Document Owner:	Council
Responsible Department:	Executive Services
Responsible Section:	Finance
Responsible Officer:	Chief Financial Officer
Effective Date:	17 December 2024

---

## Policy Statement

The Business Ethics Policy (the Policy) establishes a framework for ethical conduct and decision-making in all business dealings with Walgett Shire Council (Council). The Policy sets clear expectations for Council representatives, staff, contractors, suppliers, and consultants, ensuring that business operations are conducted with integrity, fairness, and transparency. It outlines the ethical standards that must be upheld in procurement processes, service delivery, and partnerships, ensuring that Council's values and commitment to ethical business practices are reflected in all interactions.

The Policy aims to promote ethical behaviour, foster accountability, and safeguard public confidence in the Council's operations. The Policy supports sound governance and the responsible use of public resources by adhering to the principles of value for money, impartiality, and fairness. It also ensures that all parties involved in Council's business relationships are aligned with its ethical commitments, reinforcing transparency, integrity, and the responsible management of Council affairs.

---

## 1. Introduction

- 1.1 Walgett Shire Council expects all its representatives, staff and Councillors to behave ethically and to abide by its Code of Conduct. Council also expects private industry and its representatives to maintain similar standards of ethical conduct in their dealings with Council.
- 1.2 It is essential that Councillors and Council staff ensure that every decision they make is in the best interests of both Council and the community. Councillors and Staff must uphold the reputation of Council by acting with integrity, maintaining transparency, and complying with the Council's Code of Conduct at all times.
- 1.3 There are two main principles that form the basis of Walgett Shire Council's business agreements. Firstly, there is the need to get the best possible value for public money. Secondly, Council needs to demonstrate impartiality and fairness at all stages of the process.
- 1.4 These principles enable suppliers to promote their interests productively and avoid potentially questionable activity. Those providing goods and services also benefit from the assurance that their competitors are required to behave in accordance with the same guidelines.
- 1.5 Council is also committed to upholding human rights in its operations and business relationships, including preventing modern-day slavery (also see 4.1) in its supply chains. We expect all contractors, suppliers, and partners to adhere to ethical

standards, ensuring that their operations and those of their subcontractors are free from exploitative labour practices.

- 1.6 Council staff and contractors must refrain from accepting any gifts or benefits of more than nominal or token value as defined by Council's Code of Conduct. Council employees involved in procurement processes (e.g., raising orders or authorising payments) should not accept any gifts of any value from suppliers of goods and services. All gifts, regardless of value, must be reported in writing to the General Manager and recorded in the Gift Register in accordance with Council's Code of Conduct.

## **2. Application**

- 2.1 This Business Ethics Policy applies to all Councillors, Council staff, contractors, suppliers, and consultants engaged in business with Walgett Shire Council.
- 2.2 This Policy applies to all business interactions, including procurement processes, service delivery, and partnerships, whether these interactions take place face-to-face, online (including social media and virtual meeting platforms), by phone, text message, or in writing.
- 2.3 All communication between Council and contractors or suppliers must be clear, direct, and through appropriate channels. This ensures transparency and minimises the risk of perceived inappropriate influence in business relationships.

## **3. Guiding Principles**

### **3.1 Value For Money**

- a. Value for money is determined by considering all the factors which are relevant to a particular process. For example quality, reliability, timeliness, service, initial and ongoing costs are all factors which can make a significant impact on benefits and costs.
- b. Value for money does not mean "lowest price". However, the lowest price bid might offer best value if it meets other essentials such as quality and reliability.

### **3.2 Impartiality and Fairness**

- a. Impartiality and fairness involve being objective, even-handed, and reasonable in all dealings.
- b. An impartial person will work to objectively establish criteria for determining the best value for money and will diligently assess each quotation against those criteria.
- c. A fair person would not introduce or change selection criteria midway through the quotation process without notifying all participants submitting a quotation.
- d. Being impartial requires considering the practicalities of a given situation and does not necessitate inviting bids from firms that have previously performed poorly.
- e. In some instances, fairness may involve accounting for the effects of others' actions.
- f. Fairness does not equate to pleasing everyone, and some individuals may be adversely affected by fair decisions.
- g. The Council aims to act fairly in all dealings and strives to minimise any negative effects arising from its decisions where possible.
- h. Council expects all suppliers to disclose any actual or perceived conflicts of interest immediately upon identification.

#### **4. Modern Slavery**

- 4.1 Contractors and suppliers must ensure that goods and services procured by and for the Council during the year were not the product of modern slavery within the meaning of the *Modern Slavery Act 2018* and in compliance with *Local Government Act s 428(4)(d)*.

#### **5. Roles and responsibilities**

- 5.1 Walgett Shire Council expects staff and Councillors to:

- a. Respect and follow Council's policies and procedures.
- b. Treat all quotes for the supply of goods and services equitably.
- c. Promote fair and open competition while seeking best value for money.
- d. Protect confidential information.
- e. Meet or exceed public interest and accountability standards.
- f. Respond promptly to reasonable requests for advice and information.
- g. Avoid situations where private interest could conflict with public duty.
- h. Never solicit or accept remuneration, gifts or other benefits from a supplier for the discharge of official duties.
- i. Actively ensure that their actions do not contribute to modern-day slavery practices.
- j. Ensure that all business relationships, including subcontracting, respect intellectual property rights and are formally negotiated if access, licensing, or usage of intellectual property is required.

- 5.2 Council expects contractors, suppliers and consultants to:

- a. Respect the conditions set out in documents supplied by Council,
- b. Respect the obligation of Council staff to abide by Council's procurement and disposal policy.
- c. Abstain from collusive practices.
- d. Prevent unauthorised release of privileged information, including confidential Council information.
- e. Refrain from offering Council employees or Councillors any financial or other inducement which may give any impression of unfair advantage.
- f. Ensure that all business practices, including subcontracting, are free from forced labour or exploitative practices, and actively report any concerns regarding modern-day slavery in their operations.
- g. Disclose any conflicts of interest immediately upon identification, whether real or perceived.
- h. Ensure that all communication with Council is clear, direct, and made through appropriate channels.

#### **6. Code of Conduct and Safety Commitment**

- 6.1 Council contractors are required to observe the relevant provisions of Walgett Shire Council's Code of Conduct and its strong commitment to Work Health and Safety (WHS) and zero harm.
- 6.2 This includes mandatory participation in inductions, training, and risk assessments, as well as involvement in safety assessments, audits, and investigations.

6.3 Contractors must demonstrate a commitment to ensuring the health and safety of all staff, contractors, subcontractors, and the public, prioritising a safe working environment at all times.

## 7. Implementation and complaints

7.1 There is no absolute definition of “ethical behaviour”. If there is any doubt about the ethics of a proposed action, a sensible test is whether or not you would be happy to see your behaviour published in the local newspaper.

7.2 Staff and Councillors of Walgett Shire Council or those in the employ of a contractor, supplier or consultant who are concerned that a breach of the law or of ethical conduct may have taken place, should discuss the matter with Walgett Shire Council on (02) 6828 6100.

7.3 If an apparent breach of any agreed standard of ethical conduct is identified, then the matter should be immediately brought to the attention of the General Manager on (02) 6828 6100.

7.4 Any contractor, supplier, or individual who suspects corrupt conduct may be protected by the *Public Interest Disclosures Act 1994*. Council encourages individuals to report any suspected corruption directly to the General Manager by telephone on (02) 6828 6100 or via confidential email to gm@walgett.nsw.gov.au.

7.5 Alternatively, a complaint can be lodged with the NSW Ombudsman, ICAC, or the Office of Local Government.

## 8. Related Policy/Directive

8.1 Code of Conduct

8.2 Public Interest Disclosure Policy

8.3 Purchasing and Disposal Policy

## History

Minute Number	Meeting Date	Description of Change
	22 October 2024	Draft resolved for exhibition
R-11-12-2024	17 December 2024	Adopted by Council