

# Code of Business Ethics

**2018**

This Code of Business Ethics outlines the standards of integrity and ethical conduct expected by the City of Greater Geraldton in all of its business dealings with contractors, service providers and suppliers.

The City, take this responsibility seriously and requires that Contractors dealing with the City do likewise.



## **The City of Greater Geraldton conducts all business in accordance with the Business Ethics principles set out in this Code**

### **1.1 What you can expect from the City**

The City of Greater Geraldton (City) will ensure that all of its policies and procedures relating to procurement are consistent with best practice and the highest standards of ethical conduct. The City's Officers and employees are bound by the City's Code of Conduct, are accountable for their actions and are expected at all times to:

- a) respect and uphold the laws and system of all forms of Government as well as carry out official City decisions and policies faithfully and impartially;
- b) treat members of the public, Contractors, Councillors, and colleagues equitably with proper regard for their rights and to ensure behaviour is not harassing, discriminatory or offensive;
- c) respond to reasonable requests for advice;
- d) maintain and enhance public confidence in the integrity of public administration and advance the common good of the community;
- e) ensure that duty of care obligations are met;
- f) ensure that public resources are not wasted, abused, used improperly or extravagantly;
- g) avoid potential or perceived conflicts of interest; and
- h) promote the principles of this Code.

### **1.2 What is expected of you?**

The City requires all contractors, service providers and suppliers (Contractors) to observe the following principles in all business dealings with the City:

- a) perform all services in a diligent manner with the necessary care and skill;
- b) refrain from engaging in any form of collusive practice;
- c) comply with and respect the City's legislative compliance, policies, procedures and contract conditions;
- d) not supply products or services unless directed by contract or supported by a compliant procurement practice;
- e) respect the obligation of all City Officers and employees to act in accordance with this Code;
- f) provide accurate and reliable information when required;
- g) declare potential or perceived conflicts of interest as soon as they become known;
- h) act ethically, fairly, honestly and lawfully in all dealings with the City; and
- i) refrain from exerting pressure on your staff to act in ways that contravene the Business Ethics of your organisation.

## **The City's Key Business Ethics Principles**

### **2.1 Safety**

The City recognizes it has both a moral and legal responsibility to provide and maintain a safe and healthy work environment, and is committed to protecting and promoting the health, safety and wellbeing of all who are employed, interact or engage with the organisation. The City accepts that effective management of occupational safety and health relies on quality information, commitment and resources, and the need to be respected as a shared value by all.

This commitment is demonstrated in policy and practice by visible leadership, a continuously improving safety system, and consultation between decision makers and operational staff enabling innovative and safe project planning and work design. The City's management will support an employee who ceases work due to concern for an imminent risk to safety and health.

## **2.2 Ethics and Integrity**

The City's position is that an ethical and professional workplace reduces the risk of misconduct. With this principle in mind, the City has published an employee Code of Conduct which is primarily a framework for the City's Officers and employees, providing minimum standards of professional and personal behaviour that as an organisation the City will accept.

This means that the City's Officers and employees must act with honesty, integrity, fairness, diligence and exercise a high degree of care in all their actions and decisions. The City shall strive to be fair by ensuring its processes are appropriate and accountable wherever practicable.

## **2.3 Governance**

All City Officers and employees shall observe the highest standards of ethics and integrity in undertaking all business dealings including procurement. They will act in an honest and professional manner that supports the standing of the City and complies with the City's policies and legislative requirements.

The City maintains a robust framework that supports internal and external accountabilities and audits these activities to ensure these objectives are met.

## **2.4 Openness and Effective Competition**

Open and effective competition provides Contractors with fair and equitable access to supply opportunities whilst at all times maintaining transparency and integrity. In providing this opportunity the City will maintain appropriate confidentiality and not disclose proprietary information unless legally obligated to do so. All processes and decisions must be transparent, free from bias and appropriately documented with honest intentions.

## **2.5 Value for Money**

Obtaining Value for Money (VFM) in procurement enables the City to achieve the best possible outcome in its business dealings with Contractors. Therefore VFM is not based on price alone, but considers other non-price factors that seek to derive maximum efficiency and effectiveness from the intended procurement. The effort to achieve this VFM must be commensurate with the nature of the dealing and the level of associated risk.

## **2.6 Sustainability**

The City is committed to sustainable procurement and shall provide a preference to Contractors that demonstrate both sustainable business practices and high levels of corporate social responsibility. The City encourages Contractors to adopt similar practices and demonstrate that the goods and services they provide can make a positive impact on the communities and markets in which they operate.

The City supports the procurement of products and services that create a universally accessible community for people with disability, diverse backgrounds and cultures.

## **2.7 Why Compliance is Important?**

By complying with this Code, contractors and suppliers will advance their own business objectives and interests in a fair and ethical manner and will prepare you for all potential business dealings with local government and the broader public sector community.

Contractors should also be aware of the consequences of not complying with this Code when doing business with the City. Improper or unethical conduct could lead to:

- a) Termination of contracts;
- b) Loss of future work opportunities with the City
- c) Adverse publicity and damage to a contractor or supplier's reputation; and
- d) Legal proceedings being commenced against a contractor or supplier.

## **Guidance Notes Supporting this Code**

The City awards business solely on merit, based on the principles set out in this Code. The City reserves the right to determine its obligations/rights under any contract if the City is restructured by law.

### **3.1 Ethical Communication**

All communication should be clear and direct to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship. Canvassing of Councillors during a tender process may disqualify bids from further consideration.

### **3.2 Gifts, Travel Contributions and Personal Benefits**

Legislation and the City's Code of Conduct limits the ability of City employees and Councillors to receive incentives, gifts, travel contributions or personal benefits as a consequence of business relationships with contractors or suppliers. Accordingly, contractors and suppliers are requested to refrain from offering incentives, gifts or benefits to City employees or Councillors.

### **3.3 Sponsorship and Related Practices**

The City will not ask for nor enter into any sponsorship or similar arrangement that is not open and transparent or if the sponsorship creates a perception of improper influence.

### **3.4 Conflicts of Interest**

A conflict of interest exists when a City employee or Councillor could be influenced, or a reasonable person would perceive that they could be influenced, by a personal interest when carrying out their public duty.

All City employees and Councillors are required to disclose any real or potential conflicts of interest. The City extends this requirement to all City business partners, contractors and suppliers. Conflicts of interest must be resolved in favor of the public interest. When considering whether or not a conflict of interest exists, it is always important to consider how others would view the situation.

### **3.5 Contractors and Sub-Contractors**

All Contractors, Sub-contractors and their employees, are expected to comply with this Code.

### **3.6 Confidentiality**

The City reasonably expects that all parties will respect each other's intellectual property rights, and formally negotiate any access, license or use of intellectual property. All information gained by a Contractor in the dealings with the City will be treated as confidential unless otherwise indicated.

### **3.7 Secondary Employment**

City Officers and employees are not permitted to engage in private work with any person that has an interest in a proposed or current contract with the City.

### **3.8 Procurement Team Contacts**

If you have any procurement queries, please contact the Procurement Team directly via [tenders@cgg.wa.gov.au](mailto:tenders@cgg.wa.gov.au)