



Statement of Business Ethics

Standards for people working with Council

August 2010

Introduction

Kiama Council is committed to high ethical standards. This Statement of Business Ethics sets out the standards required of all Council officials and delegates of Council including councillors and employees, contractors and their employees and other business associates, consultants, volunteers, students and work experience participants.

The Local Government Act 1993 requires every council to adopt a Code of Conduct. The standards in this Statement of Business Ethics are based on our Code of Conduct.

When you are working for Council you are responsible for helping us to maintain our high ethical standards and we expect you to act with integrity and honesty to ensure your actions reflect positively on Council.

To whom does this apply?

This Statement of Business Ethics applies to all officials and delegates of Kiama Municipal Council including:

- councillors and/or administrators
- employees
- contractors and their employees and other business associates
- consultants
- volunteers
- students and work experience participants.

The Statement of Business Ethics summarises the standards in the Code of Conduct. Full copies of the Code of Conduct are available from our website www.kiama.nsw.gov.au or from the Customer Service Desk.

Your responsibilities

You are responsible for ensuring that you act ethically when dealing with Council and our officials. You are required to know, understand and follow the standards in this Statement of Business Ethics.

- You must always be courteous and ensure that your actions reflect professionally and positively upon Council.
- You must obey all relevant legislation, standards, regulations and/or contractual obligations.
- You must act ethically, consistently, promptly and fairly.
- You must deal with matters in accordance with established procedures and in a non-discriminatory manner.
- You must consider all relevant facts known to you, or that of which you should be reasonably aware, and have regard to the particular merits of each case.
- You must comply with Council's Purchasing and Procurement policies and procedures.
- You must declare any real or perceived conflict of interest as soon as you become aware of the conflict.
- You must not take irrelevant matters or circumstances into consideration when making decisions.
- You must not harass or discriminate against others or support others who do so and you must not bully others or support such behaviour.
- You must ensure your performance is not impaired by alcohol/other drugs.
- You must not consume alcohol or other drugs whilst carrying out work for Council.
- You must protect your own safety and that of others in the work environment and the public arena.
- You must act responsibly and appropriately in regard to use of resources to minimise cost and impact on the environment.
- You must not act in any form of collusive practices including offering employees inducements or incentives to improperly influence their conduct.

Council's Key Business Principles

The principle of best value for money is at the centre of all Council's business relationships with all sector suppliers of goods and services. This does not necessarily mean that best value for money equates to the lowest price. Council will balance all relevant factors including quality, reliability, timeliness, whole-of-life costs and of course initial cost.

Obtaining best value for money includes ensuring Council's business relationships are honest, ethical, fair and consistent. Council's business dealings will be transparent and open to public scrutiny whenever possible.

Council has adopted a Local Preference Purchasing Policy to encourage and support local suppliers and support economic activity within the municipality where it is efficient to do so. This policy complements Council's Procurement Policy and Procedures.

What you can expect from Council employees

Council will ensure that its policies, procedures and practices related to contracting, purchase of goods and services and tendering are consistent with best practice and the highest standards of ethical conduct. Council employees are bound by our Code of Conduct, accountable for their actions and expected to:

- use public resources effectively and efficiently
- avoid any real or perceived conflict of interest
- deal honestly, fairly and ethically with all individuals and organisations.

In procuring supplies Council will ensure:

- energy efficient products and products containing recycled material that are environmentally friendly will be purchased wherever reasonably possible
- all potential suppliers will be treated fairly, given equal access to information and opportunities to submit bids
- confidential or proprietary information is not disclosed.

In accordance with right to information legislation, Council is required to disclose specified details of contracts however we will ensure that confidential or proprietary information is not disclosed.

Conflicts of Interest

When working for Council you are required to act in Council's interest. A conflict of interest would exist if you have a personal interest, or your relative, company, employer or another person you know has an interest that could influence the way you carry out your duties for Council. In determining whether or not a conflict of interest occurs Council must also consider the public perception. If, in your work with Council, a conflict of interest exists or arises, you must disclose it to the person with whom you are working or who is managing your contract.

Offers of Secondary Employment to Council staff

If you offer a Kiama Council employee a second job or contract work whilst they are still employed with Council, the employee will need to seek approval from the General Manager. Approval will not be given if there is a conflict of interest.

Gifts or Benefits

Council officials must not offer or receive gifts or benefits of value or that are designed or may be perceived to influence them. Gifts and benefits may be accepted if the gift is not likely to be seen as compromising. Token gifts include ties, scarves, tie pins, diaries, chocolates, flowers and small amounts of reasonably priced beverages. Cash must not, in any circumstances, be offered or accepted. Regardless of whether or not they accept them, Council officials are required to register gifts/benefits in Council's Gift Register.

As a delegate of Council you must also not accept any gift or benefit in relation to your work at Council that could influence, or be seen to influence, you.

Confidential and Personal Information

You must take care to maintain the security of any confidential or personal information you become aware of in your work with Council. You must abide by legislation governing the collection, holding, use, correction, disclosure or transfer of personal information obtained through your dealings with Council. Personal information is any information about a person that can be used to identify them.

You must not access, use or remove from Council premises any information unless it is used for genuine Council business and you have proper authorisation to do so. Any breach of security or misuse of Council's information must be reported to Council's Privacy Contact Officer on 4232 0481.

Council Resources

Council resources include employees, material, equipment, vehicles, documents, records, data and information. They must only be used for Council purposes and with Council's approval.

Public Comment

You must not make any public comment or statement that would lead anyone to believe that you are representing Council, or expressing its views or policies. This includes comments or statements made at public and community meetings, via the media, or when it could be reasonably foreseen that the comments, or statements, will become known to the public at large.

Alcohol and Other Drugs

You must ensure your performance is not impaired by alcohol or other drugs and you must not consume alcohol or other drugs whilst carrying out work for Council.

Reporting Corruption Maladministration and Wastage

When working for Council in a paid, unpaid or contracted capacity, you are considered to be a public official for the purposes of the Independent Commission Against Corruption (ICAC) Act and you are therefore subject to the ICAC's jurisdiction.

When doing work for Council you have a responsibility to report any suspected instances of corruption, maladministration or serious and substantial waste to Council's Disclosures Co-ordinator on 4232 0481 or the General Manager on 4232 0402.

Alternatively you can report any suspected instances of corruption to the ICAC, maladministration to the Ombudsman and serious wastage to the Department of Local Government.

Corruption occurs when a public official carries out public duties dishonestly or unfairly or when something happens that could result in a public official carrying out their duties dishonestly or unfairly.

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law; unreasonable, unjust, oppressive or improperly discriminatory; or based wholly or partly on improper motives.

Breaches of the Code

Failure to comply with the standards in this Statement of Business Ethics would constitute a breach of the Code of Conduct. Where a breach occurs the penalty clauses in a contract may be invoked and/or civil/criminal proceedings may be brought or the agreement for your services may be terminated.

If you are aware of a breach of Council's Code of Conduct by others that may not involve corruption, maladministration or waste, you should report it to Council's General Manager, preferably in writing.

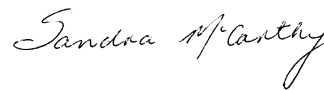
Kiama Council's Commitment

Council is committed to the standards in this Statement of Business Ethics. They reflect the high standards expected by our community and you are expected to maintain these standards and principles when undertaking work for, or on behalf of our council.

If you have any questions about this Statement of Business Ethics please contact Council's Public Officer on 4232 0481.



Michael Forsyth
General Manager



Sandra McCarthy
Mayor