

## FOREWORD FROM THE CITY MANAGER

Fairfield City Council is committed to doing business in a sound commercial and ethical manner. That means making sure our community is well represented and governed, with Council and its business partners acting ethically and in the interest of the community.

The people of Fairfield expect Council to manage public money honestly and effectively to meet community goals. Our 2012-2022 City Plan and Code of Conduct set the highest standards of probity, ethical behaviour and integrity for Council officials.

This Statement of Business Ethics summarises those standards and expectations. The Statement outlines what you can expect from Council when you do business with us – and what we expect from you.

If we all follow the minimum standards of behaviour described in this Statement, the community can be confident that Council's business relationships are effective, honest and fair.

For the purposes of this Statement, Council is defined as:

Mayor and Councillors

Council employees

Consultants and contractors of the Council

Council owned business

Council Committees (including those which may be established under Section 355 of the Local Government Act)

Volunteers of Council

## 1. OUR COMMITMENT TO THE COMMUNITY

Council officials must always act in ways that strengthen the community's confidence in Council's decisions, services and integrity. Council's partnership with the community is based on the following key principles:

**Leadership:** We actively promote the Community's Vision for the City.

**Commitment:** We care for the community and the people Council employs.

**Sustainability:** We must consider the environmental, social, governance and economic impacts of our decisions.

**Integrity:** We are fair, open, ethical and consistent in all our activities.

**Participation:** All parties are given genuine opportunities to take part in Council decisions and activities.

**Best Value:** We use our resources effectively to ensure that people get the highest quality service Council can afford.

**Improvement:** We learn from experience to find better ways to do business.

## **2. WHAT YOU CAN EXPECT FROM US**

We will try to ensure that all our policies, procedures and practices relating to procurement, recruitment, assessment and determination of applications, use of consultants and/or contractors and interaction with lobbyists, meet the highest ethical standards.

Council officials are bound by Council's Code of Conduct and are accountable for their actions in business dealings. They must:

- Use Council resources efficiently and effectively
- Act respectfully, honestly and ethically when dealing with the community and others
- Avoid conflicts of interest, both real and perceived
- Act in a manner which enhances public confidence in the integrity of local government

To be honest and fair when doing business with you, we will always consider the following essential factors:

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

## **3. WHAT WE EXPECT FROM YOU**

You must follow these principles:

- Deliver value for money
- Act respectfully, ethically and honestly in all dealings with Council
- Declare actual or perceived conflicts of interest as soon as you know about them
- Comply with Council's Procurement policies and procedures
- Provide accurate and reliable information when required
- Take all reasonable measures to prevent disclosure of confidential Council information
- Avoid any form of collusive practice such as offering inducements or incentives designed to improperly influence Council officials in the conduct of their duties
- Help Council prevent unethical practices in our business relationships

#### 4. COMPLYING WITH THIS STATEMENT IMPORTANT

By complying with this Statement of Business Ethics, you will be able to advance your and Council's business objectives and interests in a fair and ethical manner. Failing to comply with Council's ethical requirements may have serious consequences.

Corrupt or unethical conduct could lead to:

- Termination of contracts
- Loss of reputation
- Investigation for corruption
- Loss of future opportunities with Council
- Matters being referred for investigation

Consequences for Council officials may include:

- Investigation
- Dismissal or loss of civic office
- Disciplinary action
- Criminal charges

#### 5. ADDITIONAL REQUIREMENTS

##### 5.1 INCENTIVES, GIFTS, BENEFITS, HOSPITALITY, MEALS ETC

Council awards contracts and determines applications solely on the basis of merit. Gifts (including token gifts) must **not** be offered in connection with any business dealings and Council officials are not permitted to ask for any reward or incentive for doing their job.

Offering gifts and benefits may be seen as an attempt to unfairly influence us in our roles.

##### 5.1.1 TENDERING

Council's tendering process does not permit applicants to canvass, lobby or contact Council officials other than the advertised contact person.

Applicants will be disqualified from tendering if they do anything that may be considered as an attempt to influence Council's decision.

##### 5.1.2 SUPPLIER INTERACTION

Suppliers, consultants and contractors must deliver value for money and not engage in relational selling techniques. Business relationships should always be conducted professionally, with attendance at Council sites by appointment only.

Businesses wanting to tell Council about new products or services should email [procurement@fairfieldcity.nsw.gov.au](mailto:procurement@fairfieldcity.nsw.gov.au).

## **5.2 CONFLICTS OF INTEREST**

Council officials must disclose actual and potential conflicts of interest to ensure their actions withstand public scrutiny. A conflict of interest exists when it is likely that a Council official may be influenced or seen to be influenced by a personal interest when carrying out their public duty.

Conflicts of interest that lead to favouritism in decision-making may constitute corrupt conduct. Perception of a conflict of interest can be as important as an actual conflict.

Council officials must disclose in writing any perceived or actual conflicts of interest. Disclosures will be recorded on the relevant files.

### **5.2.1 SECONDARY EMPLOYMENT**

Council will not authorise officials to undertake secondary employment if it could create a real or perceived conflict of interest between the official's public role and private interests.

Council officials have a duty to maintain public trust and not use any commercially sensitive information to help get future employment in the private sector.

You must not offer employment to Council officials because it may be publicly seen as obtaining an unfair advantage or trying to unfairly influence us in carrying out our public duty.

## **5.3 APPROPRIATE USE OF COUNCIL RESOURCES**

Council maintains a lot of information about its customers and the community. Council has an obligation to protect this information and maintain its integrity. It is expected that you will treat all Council information appropriately and use it for the purpose it was provided.

Council resources are to be used ethically, effectively, efficiently and carefully in the course of official duties and must not be used for private purposes, except where private use has been authorised. It is expected that you will treat our resources in the same manner.

### **5.3.1 INTELLECTUAL PROPERTY**

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

Transfer of intellectual property will be addressed via contractual agreement.

## **5.4 WORKPLACE SAFETY**

When you work with Council you must give workplace safety top priority and comply with all safety laws, regulations and procedures.

## **5.5 SPONSORSHIP**

Council sometimes seeks financial or in-kind sponsorship from the private sector to support Council activities and events. Council also regularly provides sponsorship and grants to community organisations for their activities and events.

Sponsorships, grants or donations must not interfere with Council's ability to carry out its functions and the process of seeking and providing sponsorships, grants and donations must be open and transparent.

## **5.6 DEVELOPMENT AND REZONING APPLICATIONS**

Everyone including Council officials should understand that Council must determine a Development or Rezoning Application according to law and in a way that is open, transparent and seen to be fair to all parties involved.

All those involved in assessing and determining applications will treat all aspects of the application process in a professional and ethical manner.

### **5.6.1 POLITICAL DONATIONS**

The law requires persons who have a financial interest in or have made a submission in relation to a development or rezoning application or a planning instrument, to disclose certain information about political donations and other gifts.

You must make this disclosure if a donation or gift has been made to a Council official within the 2 years before the application or submission.

For more information or to get a Disclosure Form, contact our Customer Service Team on 9725 0222.

## **6 REPORTING UNETHICAL BEHAVIOUR**

Council is committed to promoting ethical behaviour. Reports of unethical behaviour, fraud, corruption, maladministration or waste can be made to Council's Public Interest Disclosures (PID) Co-ordinator on 9725 0226 or Public Officer on 9725 0836.

External reports can be made to the:

Independent Commission Against Corruption	02 8281 5999
NSW Ombudsman	02 9286 1000
NSW Department of Local Government	02 4428 4100

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

## **7 CONTACT**

If you have any questions regarding this Statement of Business Ethics, including how it applies to you, please contact the Public Officer on 9725 0105, the Manager Governance & Legal on 9725 0226 or email Council at [mail@fairfieldcity.nsw.gov.au](mailto:mail@fairfieldcity.nsw.gov.au).