



**ORANGE CITY COUNCIL  
ORDINARY COUNCIL MEETING**

**ATTACHMENTS  
5.3 – STRATEGIC POLICY  
REVIEWS**

**6 DECEMBER 2022**

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# Strategic Policy ST06

## Statement of Business Ethics

FOR EXHIBITION



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All policies can be reviewed or revoked by a resolution of Council, at any time.

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FOR EXHIBITION



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## 1 OVERVIEW

- 1.1 This policy provides guidance regarding the standards of ethical behaviour that organisations, service providers, small businesses and individuals can expect from Councillors and members of staff and that are expected of them, in their dealings with Council.
- 1.2 It outlines the ethical standards and business principles that are expected to be complied with to ensure integrity and professionalism and meet mutual expectations of the relationship.

### Applicability

- 1.3 This policy applies to all Councillors, Council employees, volunteers, tenderers, consultants, suppliers and contractors.
- 1.4 If you engage subcontractor(s) in your work for Council, you must make your subcontractor(s) aware of this policy and ensure they comply with this policy.

### Reference to the Code of Conduct

- 1.5 Council's Code of Conduct sets the requirements of conduct for Council officials in carrying out their functions. It reflects Council's determination to support the highest level of community confidence in the integrity of Council.
- 1.6 The Code of Conduct has been developed to assist Council officials to:
  - Understand the standards of conduct that are expected of them;
  - Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (Section 439 – Local Government Act (NSW) 1993); and
  - Act in a way that enhances public confidence in the integrity of local government.

## Councils Corporate Values

- 1.7 Council's corporate values are the guiding principles on which Council bases its beliefs and behaviour. They underpin all that Council does as an organisation.

### **Respect**

Honest and respectful towards others and works as part of a team.

### **Ownership**

Takes responsibility for actions.

### **High Performance**

Pursues performance excellence and continually looks for improvement.

### **Customer Focus**

Demonstrates a customer focused approach towards internal and external customers.

### **Safety**

Works safely, in accordance with Council's Work Health and Safety policy and procedures.

### **Diversity**

Champion a diverse and inclusive workforce.

### **Leadership**

Council encourages all its employees to lead by example and role model our values. Leaders also need to ensure they provide constructive feedback and encourage high performance by coaching, developing, recognising and managing people effectively.

## 2 KEY BUSINESS PRINCIPLES

### Commitment to (Local) Business

- 2.1 Council recognises the importance of their local (small) business sector as a vital community and economy contributor.
- 2.2 Council values local (small) businesses as an important stakeholder in community consultation and will undertake regular and targeted consultation with the small business sector.
- 2.3 Council acknowledges that a 'one-size-fits-all' approach will not meet the needs of a all small businesses.



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- 2.4 Council actively engages where appropriate with State-based businesses on matters affecting the local economy
- 2.5 Council strives to ensure that strategic and day-to-day decision making is based on the consideration of the needs and potential impacts of all stakeholders including small businesses.
- 2.6 Council supports education, networking and other development opportunities for the local business community.

#### Value for Money

- 2.7 The principle of best value for money is central to Council's business relationship with private sector suppliers of goods and services. Decisions based on price alone are not necessarily representative of best value for money.
- 2.8 Best value requires an assessment of whole of life cycle costs including factor such as initial cost, quality suitability, reliability, on-going costs, legal compliance, timelessness, environmental sustainability in order to determine the true value for money.
- 2.9 An important element in obtaining the best value of money also include ensuring Council's business dealings are impartial, honest, ethical, fair and consistent.

#### Transparency

- 2.10 Transparency means visible and verifiable confirmation of the integrity of the purchasing process and compliance with the relevant legislation and adopted Council procedures.
- 2.11 Council's business decision will be transparent with decisions based upon merit and in accordance with Council's policies and procedures. Under the Government Information (Public Access) Act, there is a presumption to provide access to government information unless there is an overriding public interest against disclosure.

2.12 Impartiality means the purchasing process must be undertaken in a fair, objective consistent and business-like manner leading to improve performance and cost effective business processes and procedures for Council. Council strives to be impartial by ensuring its processes are appropriate.

2.13 Tenders will not be called unless Council has a firm intention to proceed to contract. All potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids. All procurement activities will be clearly documented to allow for effective performance review.

#### Openness and Accountability

2.14 Council is committed to the purchase of goods, equipment and services in accordance with Council's Purchasing policies and legislation and be able to account for all decisions and provide feedback on these decisions.

2.15 Where all other factors are equal, Council may give preference to Australian made products and/or goods and services from local businesses.

### **3 WHAT CAN YOU EXPECT FROM COUNCIL?**

Council will ensure that all its policies, procedures and practices related to tendering, contracting and the purchase of goods or services are consistent with best practice and the highest standards of ethical conduct.

Staff are bound by Council's Code of Conduct. When doing business with external parties Council staff are accountable for their actions and are expected to:

- Act with integrity
- Use public resources effectively and efficiently
- Deal fairly, honestly and ethically with all individuals and organisations
- Avoid actual, potential or perceived personal or professional conflicts of interest



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- Treat all potential suppliers impartially and fairly
- Make decisions solely on merit
- Give reasons for decisions (where appropriate)
- Not call tenders unless there is a firm intention to proceed to contract
- Respect confidentiality of commercial information and privacy of individuals
- Respect and follow Council's policies and procedures
- Promote open competition while seeking best value for money
- Meet or exceed public interest and accountability standards
- Never solicit or accept remuneration, gifts or other benefits from a supplier for the discharge of official duties
- Respond promptly to reasonable requests for advice and information.
- Obtain Council's consent before discussing Council business in the media.
- Ensure that environmental sustainability is a key element of your business practice.
- Provide working conditions for your employees that comply with industrial relations laws and regulations.
- Ensure that you do not lobby or seek to influence Council Officers or Councillors while business proposals or tenders are being considered.
- Advise the General Manager if you believe any person has breached the law, this Statement of Business Ethics or Council's other policies and procedures.

#### 4 WHAT COUNCIL EXPECTS FROM YOU

Council requires all external parties to observe the following principles when conducting business with Council:

- Act ethically, fairly and honestly in all dealings with Council.
- Abstain from collusive practices.
- Comply with the law including legislation and regulations, and relevant Council documentation, policies and procedures including the Code of Conduct, Purchasing Policy, and Equal Employment Opportunity Management Plan.
- Respect the obligation of Council staff to abide by Council policies.
- Not offer Council employees or Councillors or other Council delegates any financial or other inducements, gifts or benefits.
- Provide accurate and reliable information and advice when required.
- Prevent actual, potential or perceived conflicts of interest and declare these as soon as possible if they occur.
- Respect confidentiality of commercial and Council information, and privacy of individuals.

#### 5 INTERACTION WITH COUNCIL OFFICERS

Any interaction between suppliers and Council Officers must comply with the following requirements:

- Meetings are to be by appointment only, unannounced visits to Council sites are not allowed.
- Meetings are to occur only in the designated public areas of Council buildings, not in workplaces, staff lunchrooms or operational areas of work sites.
- Meetings with suppliers are to be attended by more than one Council Officer.
- Businesses wishing to demonstrate a new product or service should provide details to Council's email address, [council@orange.nsw.gov.au](mailto:council@orange.nsw.gov.au) for referral to the Purchasing Officer and other appropriate staff.

#### 6 WHY IS COMPLIANCE IMPORTANT?

- 6.1 By complying with Council's Statement of Business Ethics, you will be able to advance your business objectives and interests in a fair and ethical manner. As all Council suppliers of goods and services are required to comply with this statement, compliance will not disadvantage you in any way.





























