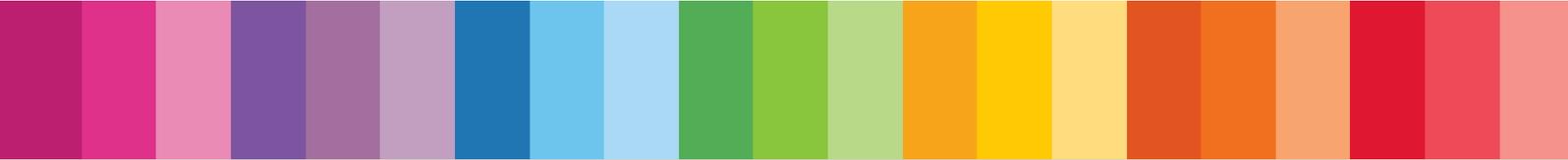




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Statement of Business Ethics

Statement of Business Ethics

Document Version Control

Document Name:	Statement of Business Ethics
CM Reference WORD:	D21/47864
CM Reference PDF:	D21/49048
Document Status:	Approved by Council
Version Number:	Version 3.1
Review Date:	19 May 2021
Owner:	City of Ryde
Endorsed By:	Council on 27 July 2021
Distribution:	Internal and External

Change History

Version	Review Date	Author	Reason for Change
1.0	2005	Corporate Governance	Adopted by City of Ryde Executive Team
2.0	11 February 2014 Adopted by Council	Corporate Governance	Policy reviewed and updated throughout. Adopted by Council. Changes include new message from General Manager; update the City of Ryde Values of Safety, Teamwork, Ethics and Professionalism; references to Public Interest Disclosure Policy applying to contractors, Gifts and Benefits Policy, social media, intellectual property, electronic information.
3.0	24 July 2018 Adopted by Council	Corporate Governance	Policy reviewed and updated throughout. Adopted by Council. Changes include references to: expectations of business partners providing a safe work environment that is free of harassment; expectations regarding work health and safety; preferred types of communication (preferably in writing); updates to management of information; and Sponsorship Policy. Also a new table of contents and purpose statement. Adopted by Council in July 2018.
3.1	27 July 2021	Corporate Governance	Review of the Statement, includes reference to zero tolerance policy for violence against women, updated WHS terminology and legislation, reference to zero alcohol limit at work. Adopted by Council on 27 July 2021.

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1. Message from the General Manager

City of Ryde Council is committed to serving our community with integrity, efficiency, professionalism, fairness and impartiality. In conducting business, we will put our public duty to the community of Ryde first, based on the following business principles:

- Business relationships with external parties will be transparent
- Procurement decisions will be based on merit, and be impartial
- Council procurement decision-making processes will be open, consistent and accountable.

The people of Ryde, and those who come in contact with Council, expect nothing less.

This Statement of Business Ethics articulates what to expect and how to behave when conducting business with Council. This business may include supply of goods and/or services; use of contractors and/or consultants, assessment of development applications; and other business partnerships and alliances.

These ethical standards are not an additional requirement in doing business with us but are an integral part of sound commercial practice.

Staff and other Council officials are required to observe a high standard of ethical behaviour and comply with legislation and conduct standards and procedures. Therefore, we expect that while doing business with Council you will abide by this Statement of Business Ethics in all your dealings.

If you feel Council is not meeting the standards set in this Statement, please make a submission to Council's Manager, Corporate Governance or Director, Corporate Services.



George Dedes
General Manager

27 July 2021

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2. Introduction

City of Ryde aims to achieve the best value for money in the expenditure of public funds while being fair, ethical and transparent. To achieve this, we rely on our business partners, contractors, sub-contractors, suppliers, and other business associates. We expect high standards of behaviour from all organisations and individuals that we partner with.

City of Ryde is committed to high ethical standards and accountability. The Statement of Business Ethics sets out the standards that Council requires of its business partners, contractors, sub-contractors, suppliers and other business associates.

These standards are reinforced in the *City of Ryde Code of Conduct*, which applies to all Councillors, Council employees, contractors, volunteers, committees and advisory committees. We expect all parties to perform their duties with integrity, honesty, fairness and transparency.

City of Ryde is committed to providing a work environment free of harassment, bullying or discrimination. Both those who engage in, cause, instruct, aid or knowingly permit another person to engage in, bullying, harassment or discrimination in the workplace will be held responsible. Council is committed to preventing injury to ourselves, our team and our community.

City of Ryde also has zero tolerance towards violence against women and is committed to Equal Employment and Child Safety.

3. Purpose

The purpose of this Statement of Business Ethics is to clarify the relationship between the private sector and Council. It provides important information about Council's values, business principles, and expectations of staff, Councillors, business partners, contractors, sub-contractors, suppliers and other business associates. It also addresses how to report unethical behaviour.

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4. Council's Values

Our business partners are required to be committed to Council's values. Our business partners must ensure all their employees and sub-contractors working on Council business are aware of, and comply with, this Statement.

Our Values Are:

Safety – We are committed to preventing injury to ourselves, our team and our community.

Teamwork – We work together with respect and support.

Ethics – We are honest, responsible and accountable for our actions.

Professionalism – We deliver effective services to the community with consistent decision-making.

5. The Responsibilities of our Business Partners

All business partners, their employees, sub-contractors and other business associates are expected to act ethically when dealing with City of Ryde and its officials. All parties working for City of Ryde are also expected to know and understand the standards in this Statement of Business Ethics.

We expect our business partners to:

- Act ethically, fairly and honestly in all dealings with Council;
- Be courteous towards the public, Councillors and Council employees;
- Uphold Council's positive reputation within the community;
- Obey all relevant laws and contractual obligations including:
 1. Compensate employees through fair wages and sustainable workloads that meet or exceed legally required minimum obligations and industry benchmarks;
 2. Recognise the existence of Modern Slavery risks in a company's supply chain by maintaining an ethical work conduct; and
 3. Ensure the prompt and proper payment of any wages or benefits owed to their employees.
- Honour Council's community and environmental responsibilities;
- Comply with work health and safety legislation as a minimum.

Contractors and suppliers are to ensure that their staff and sub-contractors are made aware of their responsibilities under this Statement of Business Ethics and to take appropriate measures to ensure their compliance.

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Safety is paramount at the City of Ryde. Council has a shared responsibility on this with contractors and business associates. All persons working with or for Council have a responsibility to follow safe systems of work and a safe work environment to protect their own safety and that of others.

6. What you can expect from Council

When partnering with the private sector, Council staff are accountable for their actions. Council staff must:

- Act in the public interest;
- Respect and comply with Council's Code of Conduct, other policies and procedures, and abide by the law;
- Act with integrity and transparency;
- Promote fair and open competition by obtaining value for money.

Council will maintain a safe workplace and comply with current Work Health and Safety (WHS) legislation and relevant codes of practice.

7. Ethical communication

As a general principle, communication should be clear, direct and accountable. Private sector suppliers, contractors and consultants have an obligation to ensure their communication with Council abides by this general principle to minimise the risk of inappropriate influences on the business relationship.

Where appropriate, communications should be confirmed in writing.

8. Conflicts of Interest

If a conflict of interest, whether real or perceived, arises, you must disclose it to Council in an effective manner. A conflict of interest arises if your own interests or those of other people close to you, conflict with your obligations to the Council.

A conflict would exist where you have a personal interest, or your relative, company, employer or another person known to you has an interest that could influence the way you carry out your duties for the Council in order to gain either a financial or non-financial benefit.

Where there is a conflict of interest, you must put Council's interest ahead of your own private interest.

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9. Lobbying

Lobbying is an acceptable part of the democratic process. However, lobbying is not acceptable if it undermines public confidence in impartial decision-making and falls outside the bounds of appropriate and lawful behaviour. Inappropriate or unlawful conduct on the part of someone lobbying a Councillor usually involves an attempt to obtain preferential consideration or treatment based on factors other than the merits of a matter.

Communication between Council and our business partners should be clear, open, direct, and accountable to ensure there is no influence on the business relationship.

10. Council Resources

The use of Council resources by contractors, sub-contractors, suppliers and business associates may only occur if approved by a Council official. Council resources include but are not limited to material, equipment, vehicles, documents, records, data and information.

11. Gifts and benefits

City of Ryde's 'Thank you is Enough' - Gifts and Benefits policy requires all Council public officials (Councillors, staff, Council committee members etc.) to refuse gifts and benefits offered by any customers or business partners. Public officials are required to declare any offers of gifts or benefits (including hospitality), even when refused, no matter what the value. Records of the declarations are maintained in a public register.

As a condition of engagement with the City of Ryde, you accept that you will not offer any gifts or benefits to staff, Councillors or other public officials and that if you do so, your contract could be affected.

Specifically:

- Business partners should not give any gifts to City of Ryde officials (including Councillors, Council staff, committee members and volunteers) and there should be no expectation that any gifts will be provided.
- City of Ryde business partners should not pay for any form of entertainment for City of Ryde employees or Councillors.
- Business partners should not provide City of Ryde officials with benefits such as meals, travel or accommodation. The City of Ryde meets all such business costs for its officials.

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Any gift or benefit offered to influence a Council official's decision-making will be considered corrupt conduct and will be reported to the Independent Commission Against Corruption (ICAC).

As a business partner to the City of Ryde, you are also required to refuse any offer of a gift, benefit or hospitality, from another external party that is associated in any way with your engagement with the City of Ryde.

12. Confidential and Personal Information

You must take care to maintain the security of any confidential or personal information (in whatever form – hardcopy, electronic etc.) you become aware of in your work with the Council.

You must abide by the *Government Information (Public Access) Act 2009 and Government Information (Public Access) Regulation 2009*, and the *Privacy Act 1988*. These Acts govern the collection, holding, use, correction, disclosure or transfer of personal information obtained through your dealings with the Council. Personal information is any information about a person where you know who the person is, or you can guess who the person is.

No one should access, use or remove any Council information or personal information from Council premises, unless they need it for their work with the Council and have authorisation to use or disclose the information.

Copyright and intellectual property laws and standards must also be adhered to. In business relationships with Council, parties will respect each other's intellectual property rights and will formally negotiate any access, licence or use of intellectual property.

Any breach of the security, or misuse, of the Council's confidential or personal information must be reported to Council's Privacy Contact Officer – 9952 8080.

All Council information is to be treated as confidential unless otherwise indicated.

13. Public Comment

You must not make any public comment or statement that would lead anyone to believe you are representing Council or expressing its views or policies.

This includes comments or statements made at public and community meetings, via the media including social media, or when it is reasonably foreseeable that the comments or statements will become known to the public at large.

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14. Alcohol and Other Drugs

No contractor, subcontractor, supplier or business associate should come to work for Council, or return to work, under the influence of alcohol or other drugs that could impair their ability to carry out their job or cause danger to the safety of themselves or others. In line with our Alcohol and Other Drugs Procedure, all persons are to have a zero level of alcohol in their system when at work.

15. Offers of Secondary Employment to Council Employees

Do not offer a second job to a Council employee if the job would conflict with a Council employee's duties or role at Council.

Under Council's Code of Conduct, all staff are required to seek approval from the General Manager prior to undertaking secondary employment. Approval will not be given if the second job is likely to result in unmanageable conflict or the appearance of conflict with their Council duties.

16. Sponsorship

Sponsorship accepted by City of Ryde will not influence decisions or actions by City of Ryde, limit its ability to carry out its functions fully or impartially.

Council will not seek, accept, or provide sponsorship to an organisation if the sponsorship arrangement could compromise, or be seen to compromise, Council's ability to exercise its regulatory and planning functions.

All sponsorship arrangements must comply with Council's Sponsorship Policy.

17. Reporting corruption, maladministration and wastage

When doing work for the Council, you have a responsibility to report any suspected instances of corruption, maladministration, serious and substantial waste, pecuniary interest or government information contraventions. Reports can be made to:

- Council's Public Interest Disclosures Coordinator,
- Council's General Manager or Manager, Corporate Governance,
- The NSW Ombudsman,
- The ICAC, or
- The Office of Local Government (OLG) as appropriate.

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As a business partner to the City of Ryde, you are a public official for the purposes of the *Independent Commission Against Corruption (ICAC) Act 1988* and are subject to ICAC's jurisdiction. You are also classified as a 'public official' under the *Public Interest Disclosures Act 1994*. This Act protects public officials from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing to a nominated PID Officer. Further information is available in Council's Public Interest Disclosure Internal Reporting Policy.

You can also report unethical behaviour to Council's Manager, Corporate Governance on 9952 8022.

18. Breaches of this Code

Failure to comply with this Statement of Business Ethics may cause penalty clauses in the contract to be invoked and/or civil or potential legal proceedings. Other consequences for not complying with Council's ethical requirements could include:

- Termination of contracts,
- Loss of future work opportunities,
- Loss of reputation, and
- Investigation for corruption.

19. Our Commitment to this Statement of Business Ethics

City of Ryde is committed to the standards in this Statement of Business Ethics. This statement reflects the high standards expected by our community and you are expected to maintain these standards when undertaking work for, or on behalf of Council.

Council believes that compliance with this statement benefits all and upholds public trust and confidence in City of Ryde Council.

If you have any questions regarding this Statement of Business Ethics, including how it applies to you, you can contact:

- Council's Director, Corporate Services – 9952 8011
- Council's Manager, Corporate Governance – 9952 8022

People reporting corrupt conduct, maladministration, serious or substantial waste of local government money, government information contravention or local government pecuniary interest are protected by the Public Interest Disclosures Act 1994. This Act protects individuals disclosing corruption-related matters from reprisal or detrimental actions and ensures that disclosures are properly investigated and dealt with.

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You are encouraged to make these reports to Council if you believe you are aware of wrongdoing. Reports may also be made to:

- The Independent Commission Against Corruption (ICAC) – (02) 8281 5999
- NSW Ombudsman – (02) 9286 1000
- NSW Office of Local Government – (02) 4428 4100

20. Related Legislation, Guidance and Policies

Related Legislation and Guidance:

Copyright Act 1968
Government Information (Public Access) Act 2009
Government Information (Public Access) Regulation 2009
Environmental Planning and Assessment Act 1979
Privacy Act 1988 (Commonwealth)
Intellectual Property Laws Amendment (Raising Bar) Act 2012
Intellectual Property Laws Amendment Bill 2014
Privacy and Personal Information Protection Act 1998 N133
Public Interest Disclosures Act 1994
Work Health and Safety Act 2011
Work Health and Safety Regulation 2017

Related Council Policies:

Alcohol and other Drugs Procedure
Code of Conduct – Policy, Standards of Conduct, and Complaints Procedure
'Thank you is Enough' – Gifts and Benefits Policy
Sponsorship Policy
Procurement Policy
Public Interest Disclosures – Internal Reporting Policy and Procedure
Work Health and Safety Policy

This Statement of Business Ethics is published on Council's website and provided to tenderers, contractors and others which Council has dealings with.

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