

ITEM 5 POLICY REVIEW: CODE OF BUSINESS ETHICS

Council reviews its Code of Business Ethics on a periodic basis. Following a review, this report presents an updated Code of Business Ethics to Council for endorsement to place on exhibition for 21 days.

RECOMMENDATION

Council place the draft Code of Business Ethics on public exhibition for a period of 21 days, inviting submissions from the public, after which time the Code shall be reported back to Council for adoption with a summary of submissions received.

REPORT AUTHORISATIONS

Report of: Chris Brown, Governance and Risk Manager (Acting)
Authorised by: Todd Hopwood, Director Corporate Services (Acting)

ATTACHMENTS

1 Draft Code of Business Ethics

BACKGROUND

The Code of Business Ethics was recently reviewed in accordance with periodic review requirements under Council's Policy Framework.

PROPOSAL

The review of the Code of Business Ethics identified that the content of the document was relevant and appropriate, and the review does not propose any policy position changes. However, it was identified that the format of the document, in Council's standard policy format, was less than ideal for the targeted business audience for this document.

In consideration that the audience for this document are businesses that Council does business with the Code of Business Ethics has been reformatted as follows:

- Use of more direct and inclusive wording without affecting the intent of the policy
- Change of format to be a brochure-based document that is more appropriate for a public facing. This ensures the document is more accessible and attractive to the audience it is aimed at.

It is proposed that the updated draft Code of Business Ethics be placed on exhibition for 21 days and then reported back to Council. Upon adoption the Code of Business Ethics will also be presented as a separate page on Council's website using similar styling, format, and graphics. This will allow the Code of Business Ethics to be presented to suppliers that deal exclusively with Council in electronic formats.

PLANNING AND POLICY IMPACT

It specifically delivers on core business activities as detailed in the Governance and Customer Service Plan 2022-23. This report contributes to the delivery of Our Wollongong 2032 goal "We are a connected and engaged community".

CONCLUSION

The general content of Code of Business Ethics remains consistent with Council's Codes of Conduct and the only changes are to style, format, and presentation. The format of the document has been changed (brochure style) to provide a professional public facing document. It is appropriate that the updated Code of Business Ethics be placed on exhibition for 21 days inviting submissions from the public, after which time the Code shall be reported back to Council for adoption with a summary of submissions received and returned to Council for endorsement.

What we ask from you

We require all who do business with Council to observe the following principles when doing business with Council:

- Be familiar with and comply with Council's procurement policies and procedures;
- Provide accurate and reliable advice and information when required;
- Declare conflicts of interest as soon as you become aware of the conflict;
- Obey all relevant laws and contractual obligations;
- Assist Council to prevent unethical practices in our business relationships;
- Provide Council with a quality product or service on time that gives value for money; and
- Not offer gifts, benefits or hospitality to our staff at any time.

All providers of goods and services to Council must declare to Council (at the earliest opportunity) if they:

- Have been convicted of fraud or a fraud-related offence; or
- Have been declared bankrupt, or are a director of a company that has entered a Deed of Company Arrangement, been placed into External Administration or into Liquidation; or
- Have had any corrupt findings recorded against them, or been identified as a person of interest, by the Independent Commission Against Corruption (ICAC).

The above disclosure requirements equally apply to Directors of a company providing goods or services to Council.

What you can expect from us

Council ensures that all 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.

All Council procurement activities are based upon the following core business principles –

- Transparency of process;
- Accountability;
- Ethical management of conflicts of interest;
- Obtaining best value; and
- Monitoring and evaluation of performance.

In maintaining these business principles, Council will ensure that:

- Potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids;
- Procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and to allow for effective performance review of contracts;
- Tenders will not be invited unless Council has a firm intention to proceed to contract; and
- Council will not disclose confidential or proprietary information.

We always act with honesty and integrity in an open and transparent manner, performing roles efficiently, effectively, and fairly, thereby attracting the highest level of confidence from our community.



Council's Code of Conduct

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

- Use public resources effectively and efficiently;
- Deal fairly, honestly, and ethically with all individuals and organisations;
- Avoid any conflicts of interest;
- Treat all tenderers for supply of goods and services equitably;
- Meet public interest and accountability standards;
- Abide by all relevant and applicable laws and regulations;
- Respect and follow Council's policies and procedures;
- Promote fair and open competition while seeking best value for money;
- Protect confidential information;
- Never solicit or accept remuneration, gifts or other benefits from a supplier or applicant for the discharge of official duties; and
- Respond promptly to reasonable requests for advice and information.

Providing Guidance on the Standards of Ethical Behaviour Wollongong Council Expects and Adheres To.

Our Values

The Wollongong City Council Codes of Conduct are based on the Model Code of Conduct for Local Councils in NSW and set out the standards of conduct that meet these principles and statutory provisions applicable to local government activities.

• Integrity

We must not place ourselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence us in the performance of our duties.

• Leadership

We have a duty to promote and support the key principles by leadership and example and to maintain and strengthen the public's trust and confidence in the integrity of the Council.

• Selflessness

We have a duty to make decisions in the public interest and not act to gain financial or other benefits for ourselves, our family, friends, or business interests.

• Impartiality

We make decisions on merit and in accordance with our statutory obligations when carrying out public business.

• Accountability

We are accountable to the public for our decisions and actions and should consider issues on their merits, taking into account the views of others.

• Openness

We have a duty to be as open as possible about our decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands.

• Honesty

We have a duty to act honestly. We must declare any private interests relating to our public duties and take steps to resolve any conflicts arising in such a way that protects the public interest.

• Respect

We must always treat others with respect. We do not use derogatory terms towards others, we observe the rights of other people, treating people with courtesy and recognising the different roles others play in local government decision making.

We respect, apply, and comply with the law, support human rights, and equal opportunity, protect the environment, achieve operational excellence and work for the benefit of our communities.

Reporting Unethical Behaviour

Council is committed to promoting ethical behaviour, reports can be made in relation to:

- Unethical Behaviour
- Fraud
- Corruption
- Maladministration or waste

Reports can be made to the following Council Officers:

- General Manager
- Public Officer
- Professional Conduct Coordinator

External reporting can also be made to:

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

**For more information contact
Wollongong City Council
(02) 4227 7111 wollongong.nsw.gov.au**



Wollongong City Council

Code of Business Ethics