

Policy

Business Ethics

Version 1.3

Adopted by Council at its meeting on 17 November 2022

Division:
Section:
File Reference:
Historical Reference:

Corporate Services
Corporate Governance
Council Policies/Protocols/Procedures
See Version Control

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1. Policy objective

To provide clear ethical guidance to Councillors, Council Officers, Contractors and Suppliers, regarding the conduct of Council business.

1.1. Definitions

Not applicable

1.2. Policy background

A business ethics policy outlines the moral standards which will guide the organisation in carrying out its business. It is the morality based structural framework which guides decision making and behaviour by all members of the organisation – in all of their actions and in relation to the responsibilities required by their role within the organisation. This framework exists concurrently with the legislative, regulatory and other policy requirements which mandate or otherwise affect the business of the organisation.

The business ethics of an organisation are based on the principles and values which are held/espoused by the organisation.

This Policy also establishes obligations of standards of behaviour by Contractors or Suppliers in the conduct of the supply of a good or service to Council.

The following business ethics policy is based on the principles of:

- Accountability and Transparency
- Respect for others and for legal authority
- Stewardship and Community Leadership

2. Policy

Councillors and Council Officers will conduct their role within the business of Council in such a way as to maintain the highest level of community accountability, community stewardship and leadership whilst maintaining respect for individuals and the rule of law.

Implementation

1. Councillors and Council Officers will comply with all requirements of state legislation and regulation relating to local government administration and land development.
2. Councillors and Council Officers will comply with requirements of Councils policies and procedures in particular the Code of Conduct and Procurement Policy, ensuring that prospective Contractors or Suppliers are afforded equal opportunity to tender/quote for all goods and services.
3. Behavioural guidance in matters of responsibilities and circumstances is provided by the detail in these policies. In particular Council Officers must not by virtue of their position accept or acquire for a personal advantage any gift, gratuities or hospitality except that which is permitted under Council's Code of Conduct or in accordance with the Local Government Act 1993.
4. The requirements of these policies will be brought to the attention of persons who deal with Council on business matters.
5. Councillors will maintain a clear separation between their work as advocates of particular matters and their work as a member of Council as a determining body.
6. Councillors, Council Officers, Contractors and Suppliers will adopt a conservative approach to the avoidance and declaration of actual or potential conflict of interest and or pecuniary and non-pecuniary interest in matters which become the business of Council.

7. Councillors and Council Officers will be particularly meticulous with regard to the requirements of the Code of Conduct and Implementation 5 in relation to land development matters.
8. Councillors and Council Officers will act honestly and impartially and observe all requirements of equity and procedural fairness in their dealings with people and organizations who are involved in business with Council.
9. Councillors and or Council Officers who believe that their ability to operate within these guidelines has been compromised by the actions of others are required to advise the Mayor or General Manager respectively and withdraw from further action on the matter of business until completion of investigation and action by the Mayor or General Manager.
10. A Councillor and or Council Officers who does report such a matter will be protected by Council's Internal Reporting (Public Interest Disclosures) Policy and the relevant State legislation.
11. Contractors or Suppliers are not to canvass Councillors or Council Officers in respect to gaining an advantage over the contractors or suppliers for the supply of a good or service to Council.
12. Contractors or Suppliers and their staff have a responsibility to report any suspected instances of corruption and/or serious and substantial waste to Council.
13. Failure to comply with this policy may cause termination of contracts, penalty clauses in the contract to be invoked, loss of future work and/or legal proceedings or other action as considered appropriate by Tweed Shire Council.
14. Council is committed to sustainable, indigenous and local procurement, as identified in our Procurement Policy. Council will work to reduce our impact on the natural environment and adapt to climate change for a sustainable future.

3. Related legislation

Local Government Act 1993
Independent Commission Against Corruption Act 1988

4. Compliance

Not applicable.

5. Forms

Not applicable.

6. Review period

This Policy will be reviewed within 12 months of the election of each new Council or more frequently in the event of any legislative changes or change in circumstances.

7. Useful links

[Tweed Shire Council website](#)

8. Version control

Version History		
Version #	Summary of changes made	Date changes made
1		Adopted 15.12.2004
1.1		Adopted 16/11/2005
1.2	Incorporated into new policy template	20/06/2013
1.3	Updated on new policy template and content revised according to date timelines	Adopted by Council 17/11/2022