

Shire of Esperance

Statement of Business Ethics



Contractors and Suppliers

Overview

This Statement of Business Ethics (**Statement**) provides guidance for all sectors of the community when conducting business with the Shire of Esperance (**Shire**). It outlines the Shire's ethical standards and expectations that suppliers and contractors are to adhere with in any dealings with the Shire. This Statement also outlines what suppliers and contractors can expect from the Shire.

Shire of Esperance's Key Business Principles

Ethics and integrity

Every Shire business relationship is to be honest, respectful, responsible, ethical, fair and consistent. All parties involved in business activities with the Shire must operate with integrity and maintain high standards of ethical conduct to preserve sound decision making processes and ensure community confidence and trust in the Shire.

Transparency and accountability

Business activities are to be open, transparent and comply with relevant legislation and the Shire's policies, procedures and practices, and accessible for public scrutiny wherever possible.

Value for money

Value for money is an overarching principle governing business that allows the best possible outcome to be achieved for the Shire. Compliance with specifications is more important than obtaining the lowest price.

Sustainability

The Shire is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities and will consider the environmental and social impacts when purchasing goods and services.

Why Compliance is Important?

By complying with this Statement, all sectors of the community undertaking business with the Shire will be able to advance objectives and interests fairly and ethically. Complying with the Shire's business principles will also prepare businesses for dealing with the ethical requirements of other local governments and public sector agencies.

Non-compliance with the Shire's ethical requirements when doing business with the Shire and/or improper or unethical conduct could lead to negative consequences such as termination of contracts, being excluded from procurement and business activities or loss of future work with the Shire. Overall business reputations can also be detrimentally affected if corrupt and criminal behaviour is made public.

What to Expect From the Shire

All employees, Councillors and committee members are accountable for their actions and are expected to:

- Deal fairly, ethically, lawfully, honestly and transparently with all individuals and organisations;
- Act in a professional and responsible manner, respect others, and observe a high standard of behaviour;
- Protect and responsibly manage the resources of the Shire and confidential information;
- Utilise opportunities to achieve continual social, economic and environmental improvement in operations and activities carried out by and on behalf of the Shire;
- Disclose any situation that involves, or could be perceived to involve, a conflict of interest;
- Immediately report any unethical behaviour (actual or perceived); and
- Not seek or accept any financial or other benefits for performing official duties.

What the Shire Expects

The Shire expects that all suppliers and contractors will:

- Ensure compliance with all Australian laws and regulations, the Shire's procurement policies and procedures, and this Statement;
- Be aware of the relevant legislation, Codes of Practice, Australian Standards and occupational safety and health requirements when undertaking work or supplying goods and services to the Shire;
- Gain an understanding of other Shire policies, procedures and practices in relation to conducting business with the Shire;
- Act ethically, honestly and fairly when dealing with the Shire;
- Give reliable advice and accurate information when requested;
- Take all necessary measures to prevent the disclosure of confidential information;
- Consider the environmental and economic impacts when providing goods and services;
- Take all necessary steps to ensure the supply of goods and services is sourced in an ethical and socially responsible manner;
- Not engage in any form of collusion;
- Not make any statement or behave in any way that could mislead anyone to believe that they are representing the Shire, or expressing Shire views or policies without the appropriate authorisation;
- Not offer Shire employees, Councillors, contractors, sub-contractors and consultants any financial inducements, or any gifts or other benefits (including employment);
- Declare any actual, perceived or potential conflicts of interest;
- Notify the Shire immediately if there are any errors or omissions in documents; and
- Immediately report any unethical behaviour (actual or perceived).

Practical Guidelines

Incentives, gifts and benefits

The Shire's employees, Councillors and committee members are to refrain from accepting incentives, gifts or benefits as a consequence of business relationships, in accordance with the Shire's Code of Conduct.

Conflicts of interest

All Shire employees, Councillors, committee members, contractors and business partners must disclose any actual, perceived or potential conflicts of interest. The Shire extends this requirement to all sectors of the community undertaking business with the Shire.

Misconduct

Where a breach of this Statement or procurement activity is suspected during a business activity, it should be reported in a confidential manner to the Shire's Chief Executive Officer via the details listed over leaf.

Confidentiality

Information which is marked confidential, or which a reasonable person would expect to be confidential, should be treated as such.

Communication between parties

All communication shall be clear, direct and accountable to minimise the risk or perception of inappropriate influence being brought to bear on the business relationship.

Code of conduct

All employees, Councillors and committee members are bound by the Shire's Code of Conduct.

Use of Shire equipment, resources and information

All Shire equipment, resources, and information must only be used for acceptable purposes.

Contracting employees

All contracted and sub-contracted employees are expected to comply with this Statement. If sub-contractors are employed to assist with work for the Shire, they must be made aware of this Statement.

Intellectual property rights

All parties are to respect intellectual property rights and formally negotiate any access, licence or use of intellectual property.

Safety

All parties shall observe legal and moral obligations to protect the safety of Shire employees, Councillors, committee members, contractors, and the public.

Who to Contact?

If you have any questions regarding this Statement or wish to provide information about suspected corrupt conduct, please contact the Shire via the details below. For more information, visit the Shire's website at www.esperance.wa.gov.au.

Chief Executive Officer

Shire of Esperance

PO Box 507

Esperance WA 6450

Phone: 08 9071 0666

Email: shire@esperance.wa.gov.au

The *Corruption, Crime and Misconduct Act 2003* and other 'whistleblower' protection laws (*such as the Public Interest Disclosure Act 2003*) protect persons disclosing misconduct or corruption-related matters from reprisal or detrimental action and ensure disclosures are properly investigated and dealt with.

Links

Relevant Legislation

Local Government Act 1995

Corruption, Crime and Misconduct Act 2003

Public Interest Disclosure Act 2003

Local Government (Rules of Conduct) Regulations 2007

Local Government (Functions and General) Regulations 1996

Local Government (Administration) Regulations 1996

Link: www.slp.wa.gov.au/legislation/statutes.nsf/default.html

Public Interest Disclosures

Link: http://www.esperance.wa.gov.au/2/245/1/public_interest_disclosure.pm

Shire of Esperance Policy Manual

Link: <http://www.esperance.wa.gov.au/3/61/1/policies.pm>