



# **Code of Conduct**

**A Guide for Contractors, Consultants and Suppliers**

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## INTRODUCTION

Woollahra Council is committed to fair dealing and high standards of ethical behavior in the care, control and management of the Woollahra Municipality. The community places its trust in Woollahra's Councillors, Council staff and Council delegates to ensure that they serve it faithfully and honestly and that they manage its resources on behalf of the community.

As a contractor, consultant or supplier dealing with Council, you are required to observe a standard of professional behavior that maintains and promotes confidence and trust in the work of Council. You must avoid any form of conduct that would bring Council, Councillors, staff or Council delegates into disrepute.

The community is entitled to expect that the business of Council will be conducted with efficiency, impartiality and integrity and that the duty to the public will always have absolute priority over private interests.

## A GUIDE FOR CONTRACTORS, CONSULTANTS AND SUPPLIERS

When dealing with Council in your capacity as a provider of goods and/or services, you must conduct your business within the guidelines set out in Council's Code of Conduct.

This Guide provides a summary of Council's Code of Conduct provisions, including in particular, information on how they affect you as a service provider to Council. Our Code of Conduct reflects our determination to earn the highest level of confidence from our community.

Breaches of the Code on your behalf could jeopardise your working relationship with Council and compromise the Council officer dealing with you.

## Conflicts of Interest

If Council is to keep the trust and confidence of the community, you must ensure that the Council officer's actions and decisions involving your business dealings are free from any conflicts of interest and are also clearly seen to be free from any conflicts of interest.

Your working relationship with Council would result in a conflict of interest where:

- A Council officer has a personal interest that could lead them, or a reasonable and informed person, to think it could lead them to be influenced in the way they carry out their Council work or public dealings with you.
- A Council officer is a family member, relative, friend, associate or anybody else close to you, that has an interest that could lead them to being influenced, or a reasonable and informed person to think that they could be influenced, in the way they carry out their Council work or public dealings with you.

The law places the onus on you and the Council officer to identify and declare possible conflicts of interests or pecuniary interests.

A pecuniary interest is an interest in a matter where there is a reasonable likelihood, or expectation, of an appreciable financial gain or loss to yourself or another person with whom you are associated.

## Use of Information

It is important that the community has confidence that any information acquired by Council is used only for Council purposes.

If you or your organisation obtains any confidential, commercial or personal information from Woollahra Council during the course of your business dealings with Council, you must:

- Protect the confidential, commercial or personal information;
- Only access it when needed for your work for Council;
- Not use the confidential, commercial or personal information for any unofficial purpose outside the Council work;
- Only release the confidential, commercial or personal information when you have the authority to do so;
- Only use confidential, commercial or personal information for the purpose it is intended to be used; and
- Not use Council information for personal purposes.

## Gifts and Benefits

Councillors and staff must never demand or request any gift or benefit for themselves or anyone else in connection with Council work or public duties.

Do not offer Council officers or Councillors any type of gift or benefit as this may jeopardise your working relationship with Council and compromise the Council officer or Councillor.

## Use of Council's Resources

Council equipment, facilities, property and other resources:

- Must be used ethically, effectively, efficiently and carefully in connection with your work for Council.
- Must not be used for private purposes.

You must be scrupulous in your use of Council property, including intellectual property, official services and facilities, and must not permit their misuse.

You or your organisation may only use Council resources and equipment in accordance with specific conditions of a formal contract or agreement with Council.

## General Conduct

You must not conduct yourself, in carrying out your functions, in a manner that is likely to bring Council into disrepute. Specifically, you must avoid conduct that:

- Contravenes the Local Government Act, associated regulations and Council's relevant administrative requirements and policies;
- Is detrimental to the pursuit of the charter of Council;
- Is improper or unethical;
- Is an abuse of power or otherwise amounts to misconduct;
- Causes, comprises or involves intimidation, harassment or verbal abuse;
- Causes, comprises or involves discrimination, disadvantage or adverse treatment; or
- Causes, comprises or involves prejudice in the provision of a service to the community.

You must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Local Government Act or any other Act.

You must treat others with respect at all times.

## Outside Employment or Business by Staff

It is essential staff do not engage in outside employment or contract work that could raise a conflict of interest with their Council duties. Before engaging in outside employment or business that may conflict, or be seen to conflict with their Council duties, staff must advise the General Manager.

Contractors, consultants and suppliers who deal with Council are not permitted to offer Council staff outside employment or business proposals of any kind.

Such offers would immediately create:

- A conflict of interest situation for the staff member involved.
- The perception that the contractor, consultant or supplier is attempting to offer an inappropriate gift or benefit with the intent to influence the staff member.

## Corruption, Maladministration or Serious and Substantial Waste

Councillors and staff who are aware of possible corruption, maladministration or serious and substantial waste must report it immediately to either their supervisor, Manager, Director or the General Manager.

As a contractor, consultant or supplier, you must report such instances to the General Manager.

## Breaches

Council contractors, consultants and suppliers are required to both act in accordance with Council's Code of Conduct and to immediately report any breaches of the Code.

As a contractor, consultant or supplier you should report such incidents to the General Manager. Breaches of the Code may lead to disciplinary action, sanctions and/or matters being referred to the appropriate investigative body, such as the Police, NSW Ombudsman or the Independent Commission Against Corruption (ICAC).

## Social and Environmental Sustainability

Council is committed using its procurement processes to drive positive sustainability outcomes, using our buying power to generate social, economic and environmental impacts beyond the financial value of goods and services procured. As a contractor, consultant or supplier you must take reasonable steps (appropriate to your size and circumstance) to identify, address and implement sustainable procurement practices within your operations and supply chains.

Council uses procurement to help prevent modern slavery, support Indigenous businesses, disability employment organisations and social enterprises.

### Further Information

Please feel free to contact Council's Governance Department on 9391 7012 for further information. For a copy of Council's Code of Conduct, visit [www.woollahra.nsw.gov.au](http://www.woollahra.nsw.gov.au).

