

Statement of Business Ethics



Doing business with the Town of Port Hedland

The Statement of Business Ethics provides guidance for all sectors of the community when conducting business with the Town of Port Hedland (Town). It outlines the Town's standards and ethical conduct expected in all of its business dealings with service providers (suppliers). Suppliers are expected to adhere to the Town's Statement of Business Ethics in all their dealings with the Town.

Our key business ethics principles

- Ethics and integrity – The Town and its employees shall observe the highest standards of ethics and integrity in undertaking purchasing activities and act in an honest and professional manner. All parties will be treated equitably, consistently, impartially and fairly. The Town shall strive to be fair by ensuring its processes are appropriate and accountable wherever practicable.
- Transparency and accountability – All purchasing activities shall comply with relevant legislation, regulations and the Town's policies and be free from bias. Full documentation and accountability will be taken for purchasing decisions to ensure the efficient, effective and proper expenditure of public monies.
- Sustainability – The Town is committed to sustainable procurement and where appropriate shall endeavour to design tenders and quotations to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations will be balanced against best value for money outcomes.
- Value for Money - Obtaining Value for Money (VFM) in procurement enables the Town to achieve the best possible outcome in its business dealings with Suppliers. Therefore VFM is not based on price alone, but considers other non-price factors that seek to derive maximum efficiency and effectiveness from the intended procurement. The effort to achieve this VFM must be commensurate with the nature of the dealing and the level of associated risk.
- Governance - All Town employees shall observe the highest standards of ethics and integrity in undertaking all business dealings including procurement. They will act in an honest and professional manner that supports the standing of the Town and complies with the Town's policies and legislative requirements. The Town maintains a robust framework that supports internal and external accountabilities and audits these activities to ensure these objectives are met.

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What you can expect from the Town

The Town will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods and services are consistent with industry leading practice and the highest standards of ethical conduct.

Our employees are bound by the Town's Code of Conduct. When doing business with the private sector, Town employees are accountable for their actions and are expected to:

- Respect and uphold the laws and system of all forms of Government as well as carry out official Town decisions and policies faithfully and impartially.
- Respond to reasonable requests for advice.
- Ensure that duty of care obligations are met.
- Ensure that public resources are not wasted, abused, used improperly or extravagantly.
- Deal with all individuals and organisations in a fair, honest and ethical manner.
- Avoid any conflicts of interests (whether real, potential or perceived).
- Never seek gifts or other personal benefits.
- Maintain and enhance public confidence in the integrity of public administration and advance the common good of the community.
- Promote the principles of this Statement.

In addition, all Town procurement activities are guided by the following core business principles:

- All suppliers (whether invited to make a submission through tender or through direct quotation process) will be treated with impartiality and fairness and given equal access to information to assist with quotations, tendering or supply.
- All procurement activities and decisions will be fully and clearly documented by the Town to provide an effective audit trail and to allow for effective performance review of contracts.
- Tenders will not be called unless the Town has a firm commitment to proceed to contract although the Council reserves the right not to proceed with any tender or quotation so advertised.
- The Town will not disclose confidential or proprietary information.

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What we ask of you

The Town requires all Suppliers of goods and services to observe the following principles when doing business with the Town:

- Comply with all Australian Laws.
- Comply with Town of Port Hedland's Code of Conduct.
- Perform all services in a diligent manner with the necessary care and skill.
- Comply with and respect the Town's policies, guidelines, and procedures relating to purchasing, including an understanding of this Statement (all available on the Town website).
- Not supply products or services unless directed by contract or supported by a compliant procurement practice.
- Provide accurate and reliable advice and information when invited or required.
- Declare actual, potential or perceived conflicts of interests as soon as you or your employees become aware of the conflict.
- Act ethically, fairly, honestly and lawfully in all your dealings with the Town.
- Take all reasonable measures to prevent the disclosure of confidential Town information.
- Do not engage in any form of collusive practice, including offering Town employees or Councillors inducements or incentives designed to improperly influence the conduct of their duties.
- Do not discuss Town business or information in the media.
- Assist the Town to prevent fraud, corruption and unethical practices in business relationships by reporting such practices.

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Why is compliance important?

By complying with the Town's Statement of Business Ethics, you will be able to advance your business objectives and interests in a fair and ethical manner. As all Town suppliers of goods and services are required to comply with this Statement, compliance will not disadvantage you in any way.

You should also be aware of the consequences of not complying with the Town's ethical requirements when doing business with the Town. Improper or unethical conduct could lead to termination of contracts or loss of future work with the Town. Overall any business reputation can also be detrimentally effected if corrupt and criminal behaviour is made public.

Complying with and upholding the Town's business principles will also prepare your business for dealing with the ethical requirements of other local governments and the broader public sector community.

Guidance notes

Incentives, gifts and benefits:

The Town's employees and Councillors do not expect to receive, or be the recipients of gifts, benefits or incentives as a result of our business relationship with goods or service providers. Goods and service providers are requested to refrain from offering such incentives, gifts or benefits to employees or Councillors. The Town's Code of Conduct provides for the type of incentives, gifts and benefits that can be received by Councillors and employees. If wanting to give a gift, please check with the proposed recipient as to whether a gift can be accepted, or alternatively view the Town's Code of Conduct.

Conflicts of interest:

A conflict of interest exists when an employee could be influenced, or a reasonable person would perceive that they could be influenced, by a personal interest when carrying out their public duty. All Town employees and Councillors are required to disclose any real or potential conflicts of interest. The Town extends this requirement to all Town business partners, contractors and suppliers. Conflicts of interest must be resolved in favour of the public interest.

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Confidentiality:

The Town reasonably expects that all parties will respect each other's intellectual property rights, and formally negotiate any access, license or use of intellectual property. All information gained by a supplier in the dealings with the Town will be treated as confidential unless otherwise indicated.

Communication between parties:

All communications should be clear, direct and accountable to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship. Canvassing of Councillors during a tender process will disqualify bids from further consideration and contact with Councillors during work for the Town is prohibited unless expressly authorised by the Town.

Use of Town equipment, resources and information:

All Town equipment, resources and information should only be used for its proper official purpose.

Contracting employees:

All contracted and sub-contracted employees are expected to comply with this Statement. If you employ sub-contractors in your work for the Town, they are expected to comply with this statement.

Definitions

Nil

Date of last review	11 November 2015 06 June 2019 5 February 2020 – Ordinary Council Meeting
Directorate	Corporate Services
Business Unit	Governance
Relevant Legislation, Regulation, Local Law	<i>Local Government Act 1995</i> and its subsidiary legislation
Delegated Authority	N/A
Review Frequency	As required