

# Statement of Business Ethics for Contractors and Suppliers

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The Statement of Business Ethics (“Statement”) is a guide for all contractors and suppliers who wish to conduct business with the City of Swan (“City”). It outlines:

- a) The City’s ethical standards;
- b) The expectation that contractors and suppliers will comply with these standards in their dealings with the City; and
- c) What contractors and suppliers can expect of the City.

## KEY BUSINESS PRINCIPLES

**Ethics and integrity** – The City and its employees will:

- a) Observe the highest standards of ethics and integrity when purchasing goods and services;
- b) Act in an honest and professional manner; and
- c) Treat all parties consistently and fairly.

**Transparency and accountability** – All of the City’s purchasing activities and other commercial operations will comply with relevant legislation, regulations and the City’s policies. The City’s policies and procedures in this area are designed to ensure that the efficient, effective and proper expenditure of public monies.

**Sustainability** – The City is committed to sustainable procurement and, where appropriate, will endeavour to design tenders and quotations to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. However, sustainability considerations will be balanced against best value for money outcomes.

## WHAT CONTRACTORS AND SUPPLIERS CAN EXPECT FROM THE CITY

The City’s employees are bound by the City’s Code of Conduct. Pursuant to this Code of Conduct, City employees are accountable for their actions and are expected to:

- Use public resources effectively and efficiently;
- Deal with all individuals and organisations in an honest and ethical manner;
- Avoid any conflicts of interest; and
- Never seek to obtain personal benefit, whether directly or indirectly, from the City’s procurement processes or any other aspect of the City’s commercial operations.

In addition, the City’s procurement process is guided by the following core business principles:

- All contractors and suppliers will be treated impartially and fairly and given equal access to information to assist with quotations, tendering or supply;
- The City’s procurement processes will be fully and clearly documented by the City to provide an effective audit trail and allow for effective performance review of contracts; and
- Tenders will not be requested unless the City has a firm commitment to proceed to contract, however, the City reserves the right not to proceed with any tender so advertised.

## WHAT THE CITY EXPECTS OF CONTRACTORS AND SUPPLIERS

The City requires all contractors and suppliers to:

- Comply with all applicable Australian Laws and regulations;
- Understand and comply with the City's policies, guidelines and procedures relating to procurement and other aspects of the City's commercial operations, including this Statement (all available on the City's website);
- Provide accurate and reliable advice and information when required;
- Declare actual or perceived conflicts of interest as soon as they become aware of the conflict;
- Act ethically, fairly and honestly in all dealings with the City;
- Take all reasonable measures to prevent the disclosure of confidential City information;
- Not engage in any form of collusion, including offering City employees or Councillors inducements or incentives intended to improperly influence the conduct of their duties;
- Not discuss City business or information in the media; and
- Assist the City to prevent unethical practices in business relationships by reporting any such practices that they become aware of.

## WHY IS COMPLIANCE SO IMPORTANT?

By complying with this Statement, contractors and suppliers will advance their own business objectives and interests in a fair and ethical manner.

Contractors and suppliers should also be aware of the consequences of not complying with this Statement when doing business with the City. Improper or unethical conduct could lead to:

- a) Termination of contracts;
- b) Loss of future work opportunities with the City
- c) Adverse publicity and damage to a contractor or supplier's reputation; and
- d) Legal proceedings being commenced against a contractor or supplier .

## GUIDANCE NOTES

**Incentives, gifts and benefits** – Legislation and the City's Code of Conduct limits the ability of City employees and Councillors to receive incentives, gifts or benefits as a consequence of business relationships with contractors or suppliers. Accordingly, contractors and suppliers are requested to refrain from offering incentives, gifts or benefits to City employees or Councillors.

**Conflicts of interest** - All City employees and Councillors are required to disclose any real or potential conflicts of interest. The City extends this requirement to all City business partners, contractors and suppliers.

**Communication between parties** - All communication should be clear and direct to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship. Canvassing of Councillors during a tender process may disqualify bids from further consideration. Contact with Councillors whilst performing work for the City is prohibited unless expressly authorised by the City.

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**Use of City equipment, resources and information** - All City equipment, resources and information should only be used for its official purpose.

**Contracting employees** – All employees or sub-contractors who are engaged by contractors or suppliers who obtain work with the City must comply with this Statement. If contractors and suppliers employ sub-contractors in their work for the City, then they must make these sub-contractors aware of this statement.

## WHO TO CONTACT?

If contractors or suppliers have any questions regarding this Statement or wish to provide information about suspected corrupt conduct, then they should contact the City by letter, phone, fax or email at the following or through the City’s website at [www.swan.wa.gov.au](http://www.swan.wa.gov.au) :

Chief Executive Officer:  
City of Swan  
2 Midland Square Midland WA

**Please note that the Corruption and Crime Commission 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.**

## Governance References

<b>Statutory Compliance</b>	
<b>Industry Compliance</b>	
<b>Organisational Compliance</b>	Strategic Community Plan 2012-2022 G1.1 provide accountable and transparent leadership; and G1.1.1 continue to develop policy framework that guides decision-making
<b>Decision Maker</b>	Executive team
<b>Process Links</b>	

## Statement Administration

<b>Business Unit Name</b>	<b>Officer Title</b>	<b>Contact:</b>
Governance	Manager Governance	9278 9628
<b>Risk Complexity Classification</b>	5	<b>Review Frequency</b> Annual
		<b>Next Due</b> 1 July 2017

Version	Decision Reference	Synopsis
1.	27 March 2014	Endorsed.
2.		
3.		