

Statement of Business Ethics

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Introduction

This Statement of Business Ethics (Statement) provides guidance to business partners, contractors and suppliers on the values and ethical standards the Shire of West Arthur (the Shire) upholds when conducting business, and the conduct and standards the Shire expects from its business partners, contractors and suppliers in return.

Our Primary Values and Behavioural Principles

The Shire's Code of Conduct (the Code) sets out principles and standards of behaviour that Elected Members, Committee Members and employees must observe when performing their duties and is intended to promote accountable and ethical decision-making. The Code includes the following primary values which the Shire believes should be inherent within any well-functioning and community-driven organisation:

- **Transparent** – We facilitate appropriate levels of scrutiny by recording our decisions and making them accessible.
- **Accountable** – We accept responsibility for our actions and decisions that are within our control.
- **Honest** – We earn and sustain public trust by being honest and open in all our actions and always acting in the public interest.
- **Ethical** – We demonstrate moral behaviour that is free from corruption.
- **Respectful** – We treat people fairly and objectively and without discrimination.
- **Sustainable** – We manage our natural resources and public assets adaptively, ensuring equitable outcomes for future generations.
- **Professional** – We demonstrate strong skills and good judgment and behaviour in delivering our services.

The following principles, as set out in the Local Government (Rules of Conduct) Regulations 2007, also guide the behaviours of Elected Members, Committee Members and employees while performing their role at the Shire:

- Act with reasonable care and diligence.
- Act with honesty and integrity.

- Act lawfully.
- Avoid damage to the reputation of the Shire.
- Be open and accountable to the public.
- Base decisions on relevant and factually correct information.
- Treat others with respect and fairness.
- Not be impaired by mind affecting substances.

What you can expect from the Shire

The Shire will maintain and update all relevant policies, protocols and procedures to reflect legislation and industry best practice to guide employees' actions and decisions and ensure they are reasonable and fair. You can expect Shire employees to:

- Accept responsibility and be accountable for their decisions and actions which at all times will be fair, ethical, transparent and legal.
- Promote and uphold the integrity of the Shire and the wider local government community.
- Act professionally always and provide a proactive and responsive service to maintain excellent and efficient working relationships with all our business partners.
- Disclose any real or perceived conflicts of interest and immediately report any real or perceived unethical behaviour.
- Utilise public resources efficiently and effectively.
- Secure and protect your proprietary and commercial-in-confidence information.

What the Shire expects from you

The Shire expects all business partners, contractors and suppliers (and any of their sub-contractors) to become familiar with this Statement and be aware of the Shire's obligations and commitment to comply with the law and applicable legislation. The Shire expects all business partners, contractors and suppliers to act ethically, fairly and legally and provide goods and services in compliance with contract and purchasing requirements.

Why compliance is important

Compliance with this Statement will enable fair and ethical partnerships to be built to the advantage of both parties. The Shire takes a zero-tolerance approach to

unethical behaviour, including fraud and corruption, and non-compliance with this Statement can result in negative consequences which includes:

- Termination of contracts and loss of future work with the Shire;
- Exclusion from quotation and tendering processes;
- Damage to business reputation;
- Referral to investigative bodies including the Corruption and Crime Commission and the Public Sector Commission; and/or
- Referral for criminal investigation.

Practical Guidelines

Conflicts of interest

All Elected Members, Committee Members and employees must ensure there is no actual, perceived or potential conflicts of interest between their personal interests and the impartial fulfilment of their public duties and functions. This includes those that exist, or could arise, from personal relationships between employees and staff of contractors and the suppliers of goods and services.

Any conflicts of interest must be disclosed and the offering of inducements to any employee, or collusion with employees or other contractors, must be scrupulously avoided. The Shire has systems to manage any actual, perceived or potential conflicts of interest which may include, for example, the removal of an employee from a tendering process. Any conflict of interest must be resolved in favour of the public interest.

Confidentiality and intellectual property

The Shire will take all reasonable steps to protect your proprietary and commercial-in-confidence information. Such information will not be released without your permission or as required by the Freedom of Information Act 1992 or other applicable legislation. The specific requirements of copyright laws and individual contracts must be adhered to in relation to confidentiality and intellectual property.

Communication and cooperation

The Shire and its business partners, contractors and suppliers will maintain business relationships based on open and effective communication, respect and trust and adopt a non-adversarial approach to dispute resolution.

Secondary employment

Business partners, contractors and suppliers must not offer Shire employees secondary employment that conflicts with the employee's public duties.

Incentives, gifts and hospitality

Elected Members, Committee Members and employees do not expect, and will not seek, from business partners, contractors and suppliers any incentives, gifts or acts of hospitality for carrying out normal business activity. Any incentive, gift or hospitality offered may be disclosed and recorded in the Shire's Gift Register and published accordingly in compliance with relevant legislation. The offer of incentives, gifts and benefits must not be encumbered by an obligation or to seek a favourable outcome that creates a real or perceived conflict of interest (for example during a tendering process or prior to a contract performance review).

Public comment

Employees or representatives of business partners, contractors and suppliers must not make any public comment or statement that may lead anyone to believe that they are representing the Shire.

Public Interest Disclosure

The Shire does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of its public functions, and is committed to the aims of the *Public Interest Disclosure Act 2003*. If you wish to make a disclosure please visit the Shire's website at westarthur.wa.gov.au or contact the Shire's Public Interest Disclosure Officer (Manager Corporate Services) on 9736 2400.

Reporting Misconduct to External Agencies

The *Public Interest Disclosure Act 2003* and the *Corruption, Crime and Misconduct Act 2003* protect persons who disclose misconduct from reprisal or detrimental action and ensure disclosures are properly assessed and dealt with. Information on how to make disclosures to the Public Sector Commission (PSC) or the Corruption and Crime Commission (CCC) can be obtained by visiting their websites at publicsector.wa.gov.au and ccc.wa.gov.au