

Overview

This Statement of Business Ethics (Statement) provides guidance about what contractors, subcontractors and suppliers can expect when conducting business with the City of Mandurah (the City) and the ethical standards the City upholds. It also sets out the City's expectations of those who do business with us.

The City will conduct all business dealings with external parties in a fair, honest and consistent manner. The City requires all contractors, subcontractors and suppliers to observe the principles outlined in this Statement.

What you can expect from our staff

The community has the right to expect that the following general principles will be used to guide the City in the City's behaviours:

- act with reasonable care and diligence;
- act with honesty and integrity;
- act lawfully;
- support the engagement of sustainable suppliers and supply networks;
- avoid damage to the reputation of the City;
- be open and accountable to the public and in their dealings with the City as their employer;
- base decisions on relevant and factually correct information;
- treat others with respect and fairness;
- not be impaired by mind affecting substances such as drugs and alcohol;
- perform all duties to the best of our ability at all times; and
- ensure that decision-making takes into accounts the interests of the City and the Community.

For further information view the [City of Mandurah Employee Code of Conduct](#).

What the City expects from contractors, subcontractors and suppliers

The City requires all contractors, subcontractors and suppliers to observe the following principles when doing business with the City:

- Comply with all relevant legislation;
- Gain an understanding of the City's policies, guidelines and procedures relating to purchasing, including an understanding of this Statement;
- Provide accurate and reliable advice and information when invited or required;
- Declare actual or perceived conflicts of interests as soon as you or your employees become aware of the conflict;
- Act ethically, fairly and honestly in all your dealings with the City, the community and any supply networks, performing any obligations free from modern slavery and where applicable, ensuring compliance with the *Modern Slavery Act 2018* (Cth);
- Take all reasonable measures to prevent the disclosure of confidential City information;

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- Do not engage in any form of collusive practice, including offering City employees or Councillors inducements or incentives designed to improperly influence the conduct of their duties;
- Do not discuss City business or information in the media;
- To carry out and perform the services safely and in the community's best interests; and
- Assist the City to prevent unethical practices in business relationships by reporting such practices.

Why compliance is important

By complying with the City's Statement of Business Ethics, you will be able to advance your business objectives and interests with the City in a fair and ethical manner. All contractors, subcontractors and suppliers to the City are required to comply with this Statement.

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

Complying with the City's business principles will also prepare your business for dealing with the ethical requirements of other local governments and public sector agencies should you choose to do business with them.

City of Mandurah's Procurement Principles

The following principles underpin the City's procurement activities:

- The City supports ethical, environmentally, socially and economically sustainable procurement practices.
- All processes, evaluations and decisions shall be transparent, free from bias, merit based and fully documented in accordance with the Act and Regulations, applicable Policies and Procedures and audit requirements.
- Accountability shall be taken for all procurement decisions, to ensure the efficient, effective and proper expenditure of public monies based on achieving value for money, in accordance with the City's adopted budget.
- Procurement is to be carried out on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently.
- Procurement activities and ongoing monitoring suppliers include reasonable due diligence processes with respect to suppliers to ensure that goods and services procured are ethically sourced.
- Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed.
- All City employees shall observe the highest standards of ethics and integrity in undertaking procurement activity and act in an honest and professional manner.

For further information view the [Council Procurement Policy](#).

Incentives, gifts and benefits

The City's employees, Elected Members and Committee Members never expect to receive, or be the recipient of gifts, benefits or incentives as a result of our business relationship with goods or service providers.

Goods and services providers, contractors or any member of the public engaging in any communications or dealings with the City are requested to refrain from offering such incentives, gifts or benefits to City employees, Elected Members or Committee Members. For more information please view the City's Codes of Conduct for Elected Members, Committee Members and Employees - [City Codes of Conduct](#).

Conflicts of Interest

All City employees, Elected Members and Committee Members are required to disclose any real or potential conflicts of interest. The City extends this requirement to all contractors, subcontractors and suppliers.

Should a conflict of interest or risk of conflict of interest arise at any time during the evaluation period the tenderer (or respondent) must immediately notify the City in writing of that conflict of interest or risk of conflict of interest. The tenderer (or respondent) acknowledges that the City may, in its absolute discretion, determine that such a conflict of interest renders the offer non-conforming.

Confidentiality

All City information or information which is marked "Confidential" must be treated as confidential unless otherwise indicated by the City.

Use of City equipment, resources and information

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

Canvassing of Elected Members or City employees

If a potential provider or contractor, whether personally or by an agent, canvasses any of City employees or Elected Members with a view to influencing:

- the acceptance of a tender or quotation response made by it or by any other tenderer or respondent;
- decision making in relation to any potential future projects, works, tender or quotation;

then regardless of whether the canvassing had or may have had any influence on the decision-making or acceptance of such present or future works, project, tender or quotation response, the City may at its discretion decline the Tender or quotation response from further consideration.

Safety

The City of Mandurah regards the health and safety of City employees, Elected Members, Committee Members, goods and service providers, contractors, subcontractors, volunteers and the public as having the utmost importance and is committed to striving for continuous improvement in providing a healthy and safe work environment. The City regards the provision of a healthy and safe work environment as fundamental to all organisational activities and essential to maintaining high standards of organisational sustainability, performance and governance. City Policies, guidelines (including the [City's Guideline and Procedure for Contractor Work Health and Safety](#)), directions, procedures and practices relating to safety and all relevant legislative requirements relating to work health and safety (WHS) must be followed at all times. All employees, including volunteers and contractors, are required to take all reasonable care to ensure their own safety and that of others in the workplace.

The City of Mandurah aims to put the best interests of children and young people first. For more information on what constitutes a Child Safe Organisation please go to the following link: [Child Safe Organisations](#).

WHS Induction

Dependant on the works being undertaken, contractors and sub-contractors may be required to undertake a WHS induction process prior to commencing business with the City.

Misconduct

Where a breach of this Statement is suspected, it should be reported in a confidential manner to the City's Chief Executive Officer or Public Interest Disclosure Officer via details listed below.

Chief Executive Officer, City of Mandurah
PO Box 210, Mandurah WA 6210, Phone: 9550 3777
Email: CEO@mandurah.wa.gov.au

Public Interest Disclosure

The *Public Interest Disclosure Act 2003* (the Act) enables members of the public, to make disclosures about wrongdoing within the Local Government sector without fear of reprisal.

The Act allows public interest information to be disclosed and provides protection for disclosures when doing so. Making a public interest disclosure (a disclosure) enables public authorities to investigate and deal straight away with matters that may otherwise have gone unnoticed or unreported.

For more information about Public Interest Disclosure visit the [Public Sector Commission](#), contact the PID Advice and Referral Line on 1800 355 835 or view the [City of Mandurah Public Interest Disclosure Internal Procedure Guide](#).

Alternatively, you can report suspected corrupt conduct to the external agencies as outlined below:

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Public Sector Commission

Phone: PID Advice and Referral Line on 1800 355 835
Email: minormisconduct@psc.wa.gov.au
Website: <https://www.wa.gov.au/organisation/public-sector-commission>

Corruption and Crime Commission

Email: info@ccc.wa.gov.au
Contact: Complete the [online reporting form](#)
Website: <https://www.ccc.wa.gov.au/>

In circumstances where you suspect there could be victims of modern slavery, you can report this to:

Australian Federal Police

Phone: 131 237
Website: www.afp.gov.au

Who to contact?

If you have any questions regarding this Statement of Business Ethics please contact the Executive Manager Governance Services:

Phone: 08 9550 3777
Email: Governance@mandurah.wa.gov.au

Legislative Context

- *Local Government Act 1995*
- *Corruption, Crime & Misconduct Act 2003*
- *Public Interest Disclosures Act 2003*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Local Government (Functions and General) Regulations 1996*
- *Local Government (Administration) Regulations 1996*
- *Modern Slavery Act 2018 (Cth)*

City of Mandurah links

- [City of Mandurah Conduct](#)
- [Procurement Policy](#)

| Amendments | | | |
|------------|----------------------------|------------|--------|
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