

POLICY NAME	STATEMENT OF BUSINESS ETHICS POLICY 2026	
Date Adopted	23 September 2026	
Resolution Number	206/26	
Policy Custodian	Director Corporate Services	
Policy Development Officer	Governance Officer	
Review Date	September 2029	
Relevant Legislation	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2021</i> <i>Independent Commission Against Corruption Act 1988</i> <i>Public Interest Disclosures Act 2022</i>	
Related Documents	Public Interest Disclosure Policy 2024 TSC Code of Conduct 2020 TSC Procedures for the Administration of the Code of Conduct 2020 Fraud and Corruption Prevention Policy 2025	

POLICY SCOPE

The Statement of Business Ethics applies to Council's elected representatives, Council staff, contractors, volunteers and business associates dealing with Council.

Tenterfield Shire Council is committed to conducting its business in a sound commercial and ethical manner and this Statement of Business Ethics Policy sets out the standard Council requires of its elected representatives, Council staff, contractors, volunteers and business associates. Both Tenterfield Shire Council staff and private sector employees must always be aware of the ethical standards the community demands when Tenterfield Shire Council money is used either directly or indirectly.

Tenterfield Shire Council will demonstrate and practice a professional and ethical approach to all its business activities with all staff being required to conduct their activities in accordance with Council's Code of Conduct.

This Statement of Business Ethics Policy applies to all private sector entities, including non-government organisations and other government agencies, supplying goods, and providing services to Tenterfield Shire Council.

All Council contractors and sub-contractors are expected to comply. Suppliers are responsible for making their contractors aware of this statement and requiring their compliance with it.

POLICY STATEMENT

Tenterfield Shire Council's business relationships are based on honesty, fairness, and consistency.

The principle of best value for money does not automatically mean the lowest price, rather, Council will balance all relevant factors such as initial cost, whole-of-life costs, quality, reliability, timeliness, past performance, service, and sustainability in determining true value for money.

Business decisions will be made in a transparent manner and in accordance with adopted Council policies, procedures and legislation so that customers and business partners understand the reasons for actions and the integrity of Tenterfield Shire Council's procurement processes are not compromised.

What you can expect from us

All members of staff, Councillors and delegates are bound by Council's Code of Conduct. They are accountable for their actions and are expected to:

- use Council resources efficiently and effectively
- encourage fair and transparent competition while seeking value for money
- ensure that all procurement activities and decisions are fully and clearly documented so as to provide an effective audit trail
- protect confidential and proprietary information
- deal fairly, ethically and honestly with all individuals and organisations so as to avoid any actual or perceived conflict of interest
- disclose any situation that involves or could be perceived to involve a conflict of interest
- not seek or accept financial or other benefits or personal gain for performing official duties
- treat all potential suppliers with equality, impartiality, fairness and respect
- act honestly and ethically when dealing with the community, business partners (including potential partners) and others
- present the highest standards of professionalism, ethical behaviour and probity in all dealings with suppliers and the community
- provide all suppliers and tenderers with the same information and equal opportunity.

What we require of you

Tenterfield Shire Council require anyone doing business with Council (including all applicants, suppliers of goods and services, political lobbyists, consultants, contractors, and their sub-contractors, owners and applicants) to:

- deliver value for money
- comply with Council's procurement policy and guidelines and all legislative requirements
- act ethically, fairly and honestly in all dealings with the Council
- declare any actual or perceived conflicts of interest as soon as you become aware of the conflict
- take all reasonable measures to prevent disclosure of confidential Council information or proprietary information
- refrain from offering our employees any inducements or incentives
- respect Council's intellectual property rights and formally negotiate any access, licence or other use of those rights
- refrain from discussing Council business or information in the media without Council's consent
- assist Council in providing a safe and healthy working environment

- comply with this policy. Note: If you employ sub-contractors in your work with Council you must make them aware of this policy.

We expect our suppliers to provide a fair and ethical workplace free from workplace bullying, harassment, victimisation and abuse. Our suppliers are expected to make all reasonable efforts to ensure that businesses within their supply chain are not engaged in, or complicit with, human rights abuses, such as forced or child labour or any other form of modern slavery.

If our suppliers become aware of the presence of modern slavery in their operations or supply chain, they must report this to Council as soon as possible. Reporting should outline details of the human rights violation discovered and what remedial and preventive measures are occurring.

Modern slavery includes the most serious forms of worker exploitation; examples include the below:

Modern Slavery

- Coercion (like manipulation, control or violence), threats or lies to force a person to work
- A person has no choice when and where they work
- Working extremely long hours with no time off
- Not paid or paid very little
- Cannot leave the workplace
- Passport or other identity documents taken away

Note: A person may be in modern slavery even if these warning signs are not present.

Dangerous or poor work conditions

- Workplace is unsafe
- A worker is not paid fairly or does not receive all their benefits (such as leave or superannuation)
- Working extremely long hours
- A person feels pressure not to stop or refuse excessive or unsafe work

Examples of Decent work are:

- A person is paid fairly (at least the minimum wage) and receives all their benefits
- Worker rights are respected
- Safe workplace
- A person feels free to change jobs

A copy of this Statement of Business Ethics will be included in all tenders and quotation documentation, relevant Council policies and will accompany any other relevant business documentation where Council requires work to be undertaken on its behalf.

PRACTICAL GUIDELINES

1. Code of Conduct

Council has adopted the Model Code of Conduct (the Code) for its staff and Councillors. The Code embraces the concept of integrity, ethical conduct, and accountability throughout the organisation.

Staff and Councillors are expected to act in accordance with the Code and to maintain the highest standards of ethical behaviour consistent with the positions they hold. Equally, suppliers and business partners are expected to demonstrate equivalent behavioural standards.

2. Conflicts of Interest

Council staff and Councillors are required to disclose any potential, actual or perceived conflicts of interest. This requirement is extended to all Council's business partners and suppliers. Business partners are required to disclose in writing any perceived or actual conflicts of interest. Conflicts of interest should be disclosed in writing to the General Manager.

3. Information, Confidentiality, and Intellectual Property

Information which is marked confidential, or which a reasonable person would expect to be confidential, should be treated as such. In business relationships all parties will respect each other's intellectual property rights and will formally negotiate any access, licence, or use of intellectual property.

4. Endorsements

Council staff cannot provide public endorsement of a business or its products on Council's behalf or in any other way connected with Council.

5. Gifts, Benefits, and Incentives

Gifts, Benefits, and Incentives reflect the Tenterfield Shire Council Code of Conduct 2020: **Part 6 Personal Benefit**.

6. Personal Benefit

6.1

For the purposes of this Part, a gift or a benefit is something offered to or received by a Council official, or someone personally associated with them for their personal use and enjoyment.

6.2

A reference to a gift or benefit in this Part does not include:

- a) items with a value of \$10 or less
- b) a political donation for the purposes of the *Electoral Funding Act 2018*
- c) a gift provided to the Council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual Council official or someone personally associated with them
- d) a benefit or facility provided by the Council to an employee or Councillor
- e) attendance by a Council official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments of token value provided to Council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i. the discussion of official business
 - ii. work-related events such as Council-sponsored or community events, training, education sessions or workshops
 - iii. conferences
 - iv. Council functions or events

- v. social functions organised by groups, such as Council committees and community organisations.

6.3 Gifts and benefits

You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4

A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

6.5 How are offers of gifts and benefits to be dealt with?

You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the Council being in or entering into a customer-supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the Council.

6.6

Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the General Manager in writing. The recipient, manager, or General Manager must ensure that, at a minimum, the following details are recorded in the Council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7

Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the Council, unless the nature of the gift or benefit makes this impractical.

6.8 Gifts and benefits of token value

You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100.

They include, but are not limited to:

- a) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- b) prizes or awards that do not exceed \$100 in value.

6.9 Gifts and benefits of more than token value

Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10

Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11

Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

6.12

For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

6.13 "Cash-like gifts"

For the purposes of clause 6.5(e), "cash-like gifts" include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class or persons.

7. Bribery

The General Manager or Directors is to be notified of any instances of Council staff, or others, offering or seeking bribes.

8. Communication

As a general principle, all communication with suppliers and business partners and Council should be clear, direct and accountable. Communications should, where possible be in writing.

9. Other Employment

Council employees shall not engage in outside employment or business that relates to the business of Council, or could conflict, with their duties with the Council. They can only engage in a second job or business if they have the written approval of the General Manager.

10. Breaches

Tenterfield Shire Council's Statement of Business Ethics Policy is about being able to conduct business in a fair and ethical manner that advances the interests and objectives of Council as well as private business.

There may be consequences for not complying with this policy. Demonstrated corrupt or unethical conduct could lead to:

- termination of contracts and tendering opportunities
- loss of future work
- loss of reputation
- investigation and/or administrative action
- reporting to other relevant organisations
- dismissal of Council employees
- potential criminal charges.

9. Who to contact if you think there is a breach

If you are concerned about a possible breach of this statement, wish to report or have concerns about corrupt conduct, maladministration, or serious waste of public funds, please contact the General Manager, Directors or Manager Workforce, Safety, Risk and Records. This can be done by:

Telephone: 02 6736 6000

In Person: 247 Rouse Street, Tenterfield

Email: council@tenterfield.nsw.gov.au

Mail: The General Manager, PO Box 214, Tenterfield NSW 2372

The Public Interest Disclosures Act 2022 protects public officials disclosing corruption related matters from reprisal of detrimental action and ensures disclosures are dealt with properly.

External reporting can also be made to:

Independent Commission Against Corruption (ICAC)

Telephone: 1800 463 909

Email: icac@icac.nsw.gov.au

NSW Ombudsman

Telephone: 1800 451 524

Email: nswombo@ombo.nsw.gov.au

NSW Office of Local Government

Telephone: 02 4428 4100

Email: olg@olg.nsw.gov.au

VERSION CONTROL & CHANGE HISTORY

Previous Versions	Date of Adoption by Council	Resolution #	Author/Editor	Summary of Changes
V.1	26 July 2023	126/23	N/A	New Policy
V.2	25 Feb 2026	31/26	Governance	Substantive changes and updates to original
V.3	23 Sept 2026	206/26	Governance	Addition of provision from the <i>Modern Slavery Act 2018</i>