

Procurement Procedures and Guidelines for Officers

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PROCUREMENT PROCEDURES AND GUIDELINES FOR OFFICERS

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1. PROCUREMENT PROCEDURES AND GUIDELINES FOR OFFICERS

This document has been developed to support the Procurement Policy. It applies to all Cootamundra – Gundagai Regional Council officers involved in procurement including consultants, contractors and others engaged by Council. The Procurement Policy should be considered in unison with this document.

2. CODE OF CONDUCT

All officers must comply with the Council's Code of Conduct. In essence, this requires officers to apply the highest standards of probity and ethical behaviour when conducting procurement activities. Guidelines to assist officers in this regard are included at Section 22 of this document.

3. DEFINITIONS

Authorising Officer	The officer who authorises the raising of an official Council order.
Contract	A legally enforceable agreement used to engage a contractor.
Contractor	A person or entity engaged under contract to supply goods and/or services and includes the contractor, supplier, sub-contractors, consultants, agents and employers.
Consultant	A person or entity that provides professional or expert advice.
Emergency	Means a sudden state of danger or a condition that requires immediate treatment or attention.
Expression of Interest	A selective tendering method as provided in the Tendering Regulations.
Goods and Services	Means all kinds of goods and services, consumables, construction, maintenance, materials, facilities, capital equipment, property and leasing.
Level of Authority	The level of authority granted to a Council officer (delegated authority) to incur a maximum amount of expenditure without further approval.
Open Tender	A method by which tenders for a proposed contract are invited by public advertisement.
Probity	A good and proper process encompassing the principles

	of integrity, honesty and uprightness.
Procurement	The whole process of acquiring goods and services externally, either outright or by lease. Procurement also extends to the disposal of a good.
Preferred Suppliers	The term 'preferred supplier arrangement' describes a contract under which there is a standing offer to provide a particular good or service to the Council over the period of the contract. These contracts are often used for goods and services that need to be procured regularly and/or at short notice. Preferred supplier arrangements will generally be established for a period of up to three years.
Purchase Order	An official Council order issued for the supply of goods and/or services to the Council.
Quotations	An offer, made verbally or in writing, in response to an invitation to supply specified goods or to perform a specific service.
Requisitioner	The officer who requests the raising of an official Council order.
Risk	A risk is the probability of the occurrence of an incident or event that could cause a degree of harm to the Council in terms of economic loss, property, people or the environment over a specified period of time.
Selective Tender	The method by which invitations to tender for a particular proposed contract are made following a public advertisement inviting expressions of interest whereby suppliers are invited to indicate their interest in submitting a tender to provide goods and/or services. Respondents are evaluated against pre-determined criteria and those best meeting the criteria are invited to tender.
Tender	A tender submitted or proposed to be submitted in accordance with the requirements of Part 7 (Tendering) of the Local Government (General) Regulation
Tender Committee	A committee comprising of at least three adequately skilled members established to evaluate and make recommendations to Council regarding tenders received.

4. DELEGATED AUTHORITY FOR EXPENDITURE

The levels of delegated authority will apply to the approval of expenditure that has been allocated via the adopted budget or separate Council approval and covers: -

- The authorising of a purchase order
- The engaging of consultants
- The approval of invoices

(Please refer to current Delegation Authority for Expenditure list)

Officers who have not been issued with delegated authority to approve expenditure must have the invoice counter signed/approved by an authorised officer from the above list.

A payment that exceeds the officer's approval limit must be counter signed/approved by an officer with the correct approval limit.

5. AUTHORISATION OF NEW SUPPLIERS

Prior to a new supplier being approved for inclusion in the Council accounts payable system, the supplier must be vetted and certain details verified. This procedure is coordinated by the Procurement Officer.

A "New Supplier Request Form" must be completed and signed by the manager responsible for the request. The signed form is provided to the Procurement Officer who reviews the information in the form and any supporting documentation to determine that the form has been completed correctly and the requirement to be completed by the new supplier is legitimate.

The Procurement Officer obtains a current company extract from ASIC which lists the names of the company directors and secretaries, as well as ABN and address. The extract is provided to Human Resources who check that none of the company directors or company secretaries are employed by Council. If no directors or company secretaries are employed by Council, the New Supplier Request Form is provided to the Manager Finance for approval.

If directors or company secretaries are identified by Human Resources as being employed by Council, the Procurement Officer advises the Manager Finance and Manager Governance and Business Systems of the relationship between the company and the Council employee.

Once new suppliers have been approved and entered into the accounts payable system, the Procurement Officer will send the new supplier Council's Statement of Business Ethics for information and review.

6. FUEL CARD, PETTY CASH AND CREDIT CARD

Control of these accounts is carried out by the Procurement Officer.

Fuel Cards	Every Council vehicle will be allocated a card from Shell or Caltex. The card will be approved for the purchase of fuel and oil only
Petty Cash	Council's petty cash limit is \$50.00. Cash purchases must be supported by receipts. Only the General Manager or the relevant Director may approve reimbursements of expenditure without the production of a receipt in certain circumstances. All petty cash reimbursements must be submitted to the Finance Department for verification and identification of GST, prior to reimbursement.
Credit Cards	<p>Council operates a credit card system for nominated Council officers to use in the course of their work. Purchases can be made on the card only if funds have been specifically authorised by way of a Council approved budget line and the person using the card has delegated authority for that expenditure. The card is to be used solely for the purposes in which it is issued to the nominated person. The card should not be used for:</p> <ul style="list-style-type: none">• Any personal or non job function related purposes; or• To obtain cash advances, over the counter withdrawals or for the purchasing of bank cheques, except with the express permission of the General Manager.• The use of a credit card does not eliminate the need to obtain quotations as outlined in Section 7.

7. PROCUREMENT ACTIVITY

7.1 Procurement Principles

'Value for money' – "value for money" is the core principle applying to the procurement process so as to ensure the best possible procurement outcome is achieved. 'Value for Money' is determined by taking into account the whole of life cycle of the procurement activity. This involves

evaluating all proposals for a particular procurement activity against the applicable evaluation criteria and assessing all the relevant factors including initial costs, transportation costs, disposal, end of contract costs, suitability, flexibility, reliability, on-going costs, reputation and performance history of the supplier, work health and safety requirements, relevant risks, legal compliance and environmental sustainability. A decision on price alone does not necessarily represent the best value for money.

Open and Effective Competition - where all potential suppliers will have the same opportunities to compete for Council's business and will be treated equitably based upon their legal, commercial, technical and financial abilities. Specifications must not be prepared to favour a particular supplier or group of suppliers, unless the procurement outcome cannot be reasonably met without such specifications.

Probity and ethical behaviour - All Cootamundra Gundagai Regional Council officers involved in procurement activities must comply with the highest standards of probity and ethical behaviour. Specifically, officers will:

- Conduct all procurement activity fairly, impartially, consistently and professionally with all suppliers;
- Where Council officers involved in procurement negotiations or evaluation of offers identifies a conflict of interest they must withdraw from the transaction and advise their manager of the conflict of interest immediately;
- Maintain the confidentiality of all aspects of offers and information received in response to an Expression of Interest, Request for Quotation or a Request for Tender;
- Maintain adequate and appropriate documentation throughout the procurement activity;
- Ensure that their knowledge and understanding of the market is as thorough and up-to-date as practicable prior to commencing a procurement activity.

Risk management - Officers will assess the risks of the procurement activity and manage and apply appropriate risk mitigation strategies.

Sound financial management - Officers will apply the principles of good financial management at all times during the procurement activity;

7.2 Other Requirements

Resources – only purchase necessary products and services and select products and services that reduce Council's consumption footprint.

Waste – purchase in accordance with the waste hierarchy – “avoid, reuse, recycle”.

Water and energy – purchase products energy wise and/or water saving products, including products with recycled content and those that reduce greenhouse emissions.

Pollution – avoid products that pollute the air, soil and water.

Toxicity – avoid purchasing hazardous chemicals that may be harmful to human health and/or the environment.

Biodiversity and habitat protection – purchase in accordance with biodiversity and conservation objectives.

Australian Standards - Goods and services acquired by Council will meet all relevant Australian Standards and be fit for the purposes acquired.

Unethical Suppliers - Council will not seek to benefit from suppliers that may be dishonest, unethical or unsafe. If there is evidence to support such behaviour, Council will discontinue dealing with such suppliers.

Judicial decisions - Council will not enter into contracts with suppliers who have had a judicial decision made against them (not including decisions under appeal) relating to employee entitlements that have not been paid.

Australian Owned - Where appropriate, and to the extent permissible by law, Council supports Australian owned suppliers and/or suppliers who manufacture in Australia.

Local Businesses - Where all other factors are equal, Council will give preference to local suppliers of goods and services.

7.3 Pre-Planning

- a. Is there a need to acquire the goods or services? Before considering the procurement of a good or service you should establish whether there is a need.
- b. Are there sufficient funds available in the current budget to cover the costs associated with the procurement of the goods or services?
- c. Do you have the authority to commence the procurement activity?
- d. Do you understand Council's Procurement Policy, Procedures and Guidelines?
- e. Do you have the necessary skills to undertake the procurement activity?

- f. Identify any potential risk factors.

If you have any concerns about any of these issues, you should discuss them with your supervisor.

7.4 Planning

- a. Develop an understanding of what the goods or services will be used for.
- b. Identify factors that should be considered for inclusion in the selection criteria.
- c. Determine what method of procurement is required i.e. open (value is less than \$1000), preferred supplier list, quotation, Expression of Interest, tender.
- d. Ensure you have a sound and up-to-date knowledge of the market for the goods and/or services required;
- e. In planning the appropriate procurement process consideration should be given to the approach that best: -
 - ii. Encourages competition that delivers the most favourable response from suppliers;
 - iii. Ensures that the process does not limit or discriminate against a particular supplier or group of suppliers;
- f. Adopt procedures that are consistent with the complexity of the procurement;
- g. Recognise any industry regulations and/or licensing requirements that may affect the availability of suppliers;
- h. Develop contractual and procurement documentation and specifications that will best protect the Council and its interests;
- i. If there are any reasons why the procurement process cannot proceed in accordance with the requirements under the Policy or these procedures, the circumstances must be documented and referred to the relevant Director for consideration;

If you have any concerns about any of these issues, you should discuss them with your supervisor.

8. METHOD OF PROCUREMENT

It is the responsibility of the Council officer, with an approved level of authority, to select the method of procurement that best suits the particular procurement activity. Consideration must be given to factors such as 'value for money', the level of risk, timely supply etc.

Purchases less than \$150,000.00 inclusive of GST will be authorised by appropriate council officers in accordance with the criteria listed in the categories below. Appropriate council officers will be delegated authority by the General Manager to approve purchases of goods and services within specified limits. These limits will be strictly adhered to and will be monitored regularly with the onus being on the individual employee to ensure they do not abuse their authority level.

The categories are as follows:

- (i) *Goods and Services less than \$1000.00 - Direct Procurement* Council Officers with appropriate authority are granted the ability to purchase goods and services up to the value of \$1000.00 depending entirely on each individual's level of authority. A supplier may be selected directly to provide goods and services where the expenditure is less than \$1000.00. Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's delegated authority level.
- (ii) *Goods and Services between \$1000.00 and \$5,000.00 - Verbal Quotations* At least two written or verbal quotations are to be sought and documented where expenditure is between \$1000.00 and \$5,000.00. If two written or verbal quotations are not possible the reason should be documented. Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's delegated authority level. The officer will review all quotations and if not accepting the lowest quotation, then the reasons must be documented and forwarded to their direct supervisor for acceptance. If the relevant supervisor decides to accept a supplier other than the supplier recommended, full justification for this decision must be documented and recorded.
- (iii) *Goods and Services between \$5001.00 and \$149,999 - Written Quotations* At least two written quotations are to be sought and documented where expenditure is between \$5001.00 and \$149,999.99. Under no circumstances are orders to be split so that the total value of the order falls under the amount of the individual's delegated authority level. The officer will review all quotations and if not accepting the lowest quotation, then the reasons must be documented and forwarded to their direct supervisor for acceptance. If the relevant supervisor decides to accept a supplier other than the supplier recommended, full justification for this decision must be documented and recorded.

- (iv) *Expressions of Interest – Schedule of Rates* Expressions of interest must be publicly advertised calling for fixed rates from contractors for work, plant hire and projects (under the \$150,000.00 threshold) on an 'as required basis'. Expressions of Interest for the Schedule of Rates may be invited by Council directly. The outcome of the expression of interest process, through which the relevant contractors are selected, must be approved by the General Manager.

If you are unclear on the selecting of the appropriate method of procurement, you should discuss the issue with your supervisor.

9. SELECTION CRITERIA

A selection criteria needs to be established to enable an evaluation to ensure that Council receives the best 'value for money'. This includes considering factors such as:-

- Whole of life costs including initial, ongoing, transportation, and disposal costs;
- Ability to meet Policy and Policy Procedure and Guideline requirements;
- Innovation offered;
- Quality offered;
- Delivery and supply timeframes offered;
- Previous performance of supplier;
- Capability of the supplier, including technical, management, human resource, organisational and financial capability and capacity as well as adequacy and currency of insurances;
- Supplier's Work Health and Safety management practices and performance;
- Experience of supplier and personnel proposed;
- Suppliers workplace and industrial relations management practices and performance;
- Suppliers environmental management practices and performance;
- Value adding components such as economic, social and environmental development initiatives, if appropriate and relevant to the procurement;
- Assessment of high risk factors and action plans for the elimination or reduction of risks to an acceptable level; and

- Conformity of proposal with Council requirements;

A weighting system of assessment of such factors, and/or other factors, as appropriate, should be developed prior to considering tenders. The General Manager or Directors may also specify the requirement to undertake such assessment for purchases of a value between \$50,001 and \$149,000, or for other amounts as determined.

10. SUPPLIERS TO BE EXCLUDED

Council will not knowingly enter into contracts for the supply of goods and services from suppliers who: -

- Are subject to exclusion from procurement activity as a result of a breach of Council's Policies, Codes or Guidelines;
- Are bankrupt;
- Are subject to a winding up order;
- Are corporate entities with persons involved directly or indirectly in the management of the entity who are disqualified under corporations law;
- Have had a judicial decision made against them (not including decisions under appeal) relating to employee entitlements that have not been paid;
- Demonstrate an inability to meet the requirements of the Council's Policy, Code or Guidelines;

11. TENDERS

The Act and associated Regulations place a mandatory obligation on Council to invite tenders for proposed purchases of goods and/or services valued at \$150,000 and over. However, consideration should be given to sourcing such purchases from in-house service providers, supply agreements/period contracts or government contracts, or where Council has approved otherwise due to extenuating circumstances. If there is any doubt that Council's existing arrangements may not offer the best value, then tenders should be invited.

To ensure Council obtains best value for money in the procurement of goods and services, tendering should also be considered for goods and services valued at less than the \$150,000 mandatory level.

Officers should ensure that all requirements under the Local Government (General) Regulation, Part 7, Tendering, are complied with. Key aspects of the Regulation are as follows:

Selecting the Tender Method

There are two types of tender processes that Council can use:

i. Selective Tenders

A Selective Tender strategy may be undertaken by either:

- Advertising an expression of interest and then inviting tenders from suitable respondents; or
- Inviting tenders from a list of recognised contractors which has been prepared following public advertisement. The basis for selecting the list of recognised tenderers must be clearly documented and address issues of equity and best value.

ii. Open Tenders

Open tendering is the most widely used system utilised by Council for the purchase of goods or services valued at \$150,000 or more. Tender invitations must be advertised. Open tendering is undertaken through public advertisements (i.e. in newspapers) inviting interested persons to submit a tender.

The tendering method must be approved by a resolution of Council.

Council must document the reasons for the selection of a particular tendering method.

Tender Documents

The tender documents should be prepared and must consist of:

- Conditions for tendering
- General conditions of contract
- Plans and specifications or a description of the services being sought

Refer to the Tendering Guidelines for NSW Local Government for more details about what information should be included in these documents.

Tender Panels

A tender panel must be established at the outset to assist with all aspects of the tender process, including consideration and selection of tenders. A tender panel must consist of a minimum of three (3) council officers and comprise representatives from major user business units and may include at least one independent member with knowledge and expertise relating to the goods and / or service being procured.

Tender Periods

Generally, a period of at least three (3) weeks will be allowed for closure of tenders.

Council may shorten or extend a tender period in certain circumstances in accordance with clauses 171 and 172 of the Regulation.

Submission of Tenders

All tenders and Expressions of Interest are made available on 'Tenderlink', Council's third party e-tendering portal.

Tenders may be submitted either through the Tenderlink portal or in writing and posted or delivered in a sealed envelope.

Custody of Tenders

Tenders submitted through the Tenderlink portal are secured by that party. Council will also provide a secure tender / quotation box in the Customer Service Centre and all hardcopy tenders will be kept in the tender box.

Opening and Registering of Tenders

All tenders will be opened, identified and registered by Council officers with delegated authority.

All tenders will be registered in the Tender Register and Council's electronic records management system along with relevant details.

Consideration of Tenders

The Tender Panel will evaluate the tenders received in accordance with the Conditions of Tendering and any associated evaluation criteria.

Council Submission

The panel chairperson must prepare a report for Council or the General Manager seeking approval to proceed as recommended by the tender panel. A decision to accept a tender to provide services that are currently provided by members of staff of the Council can only be made by resolution of Council.

Offer of Contract

Where Council has resolved to accept a tender, then Council will enter into a contract with the successful tenderer. Contracts are used where the value of works or services exceed, or are likely to exceed, \$150,000.

Other areas where contractual arrangements are used are:

- Period/ supply contracts for goods / equipment in an unspecified quantity.
- Any projects / goods / services even if under \$150,000 in value, which the department manager considers appropriate for the formation of a contract.

Normally a contract is awarded using a Letter of Acceptance or a Deed of Agreement or both.

12. COMMERCIAL IN CONFIDENCE

Commercial in Confidence information is information that, if released, may prejudice the business dealings of a party e.g. prices, discounts, profits, process information etc. Commercial in Confidence information should not be disclosed to third parties.

13. DOCUMENTATION

Full and complete documentation must be completed and retained in Authority, InfoExpert, or other appropriate corporate systems (excluding individual staff email or network drives) for all aspects of the procurement process in order to support and justify decision- making. This documentation includes quotations received, correspondence received or sent, orders issued, tender submissions, delivery dockets, evaluations and recommendations, Council reports and resolutions etc.

14. OFFICIAL COUNCIL PURCHASE ORDERS

An official Council Purchase Order must be issued for the procurement of all goods and services. The only exceptions to apply are utility services, legal costs, petty cash, credit cards and the like. Written 'agreements' or 'contracts' may apply in certain circumstances.

A purchase order is an official document issued by Council to accept goods or services from an external supplier. A purchase order confirms the contractual arrangement between Council and the supplier and is used primarily to procure supply items and services.

The purchase order is for internal use only in recording the commitment in the financial system and to facilitate payment, including progress payments.

Purchase orders are also raised for contracts, however in this situation the purchase order is not issued to the Contractor. Contractors are notified either by a 'Letter of Acceptance' or by entering into an 'Agreement'.

To maintain probity there must be a clear segregation of duties by officers performing any of the purchase order process functions. At no time should the

one officer be able to process an order, receive the goods and authorise payment for any order. A segregation of duties needs to apply to these functions to maintain probity.

The following are the steps for issuing a purchase order for items of a value greater than \$1000:

- Requisitioner identifies purchasing requirement.
- Requisitioner to identify an appropriate supplier in accordance with Part 8 of these Procedures (Methods of Procurement)
- Requisitioner creates requisition within Council's financial system including account number, asset number and item number
- Authorising Officer to review requisition to ensure it is for goods / services for use by Council, the appropriate general ledger / project costing / item numbers are used and authorises the purchase in Council's finance system
- Purchase order forwarded to the supplier
- Receiving Officer receives goods and/or service and/or delivery docket for same, matches quantities and specifications to approved purchase order, certifies receipt through Council's finance system and forwards to Finance
- Invoice is forwarded by supplier to Finance.
- Invoice forwarded to Requisitioner if there is no matching service/delivery docket. In such case requisitioner signs invoice and returns to Finance.
- Authorised invoice and delivery dockets etc scanned and processed by Finance.

NOTE:

- The Authorising Officer is a Council officer who has formal, delegated authority to purchase from nominated accounts and budgets
- It is important that the process for authorizing/signing of invoices and forwarding to Finance occurs in a timely manner to facilitate payment within applicable terms.
- The Requisitioner and Authorising Officer must not be the same person for any purchase.

15. CHEQUE REQUISITION

In certain circumstance, payment for services by cheque requisition is permissible on the approval of the General Manager or a Director.

16. COSTING

The expenditure for goods and services procured must be accurately costed to the correct General Ledger Costing Account or Work Order. This is the responsibility of the authorizing officer with budget managers responsible for ensuring invoices are costed correctly.

17. ORDER BREAKING

Orders cannot be divided into components or split for the purpose of avoiding the requirements of the Procurement Policy, the Procurement Policies and Procedures or the requirements under the Tender Regulation.

18. DELIVERY ACCEPTANCE

All incoming goods must be identified against the order, examined and certified as being correct and undamaged.

19. GOODS REJECTED/RETURNED

If goods received are not acceptable for reasons of incorrect supply, faulty of damaged goods etc, the delivery docket should be marked "Goods returned" or "Goods to be returned" and submitted to the Creditors Clerk. It is the responsibility of the responsible officer to quarantine the goods, ready for collection, and to liaise with the supplier of the goods.

20. AUDIT

Council's Governance Section may conduct spot audits to ensure compliance with the Procurement Policy and Procurement Policies and Procedures.

Council's External Auditor may also conduct audits as part of their audit process.

All staff will provide their cooperation during these audit processes.

21. BREACHES

If you are concerned that an officer has breached Council's Procurement Policy you should report the details to your supervisor or the Council's General Manager.

22. GUIDELINES FOR OFFICERS AND PRINCIPALS OF GOOD CONDUCT

22.1 Guide to Ethical Decision Making

If you are unsure about the ethical issues around an action or decision you are about to take, you should consider these five points:

- Is the decision or conduct lawful?
- Is the decision or conduct consistent with Council's policy and with Council's objectives and the Code of Conduct?
- What will the outcome be for the employee or Councillor, work colleagues, the Council, persons with whom you are associated and any other parties?
- Do these outcomes raise a conflict of interest or lead to private gain or loss at public expense?
- Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

22.2 Conflict of Interests

A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.

If you are unsure as to whether or not you have a conflict of interests in relation to a matter, you should consider these six points:

- Do you have a personal interest in a matter you are officially involved with?
- Is it likely you could be influenced by a personal interest in carrying out your public duty?
- Would a reasonable person believe you could be so influenced?
- What would be the public perception of whether or not you have a conflict of interests?
- Do your personal interests conflict with your official role?
- What steps do you need to take and that a reasonable person would expect you to take to appropriately manage any conflict of interests?

You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.

If you believe that you may have a conflict of interest in relation to any procurement activity, or any other aspect of your employment with Council, you should refer to Council's Code of Conduct for guidance or speak to your supervisor.

22.3 Fairness and Equity

You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

22.4 Use and Security of Confidential Information

You must maintain the integrity and security of confidential documents or information in your possession, or for which you are responsible.

In addition to your general obligations relating to the use of Council information, you must:

- a) Protect confidential information;
- b) Only release confidential information if you have authority to do so;
- c) Only use confidential information for the purpose it is intended to be used;
- d) Not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person;
- e) Not use confidential information with the intention to cause harm or detriment to your Council or any other person or body;
- f) Not disclose any information discussed during a confidential session of a council meeting.

22.5 Personal Information

When dealing with personal information you must comply with:

- a) The Privacy and Personal Information Protection Act 1998,
- b) The Health Records and Information Privacy Act 2002,
- c) The Information Protection Principles and Health Privacy Principles,
- d) Council's Privacy Management Plan,
- e) The Privacy Code of Practice for Local Government

22.6 Use of Council Resources

You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.

Union delegates and consultative committee members may have reasonable access to Council resources for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) The representation of members with respect to disciplinary matters
- b) The representation of employees with respect to grievances and disputes
- c) Functions associated with the role of the local consultative committee.

You must be scrupulous in your use of Council property, including intellectual property, official services and facilities, and must not permit their misuse by any other person or body.

You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

You must not convert any property of the Council to your own use unless properly authorised.

You must not use Council's computer resources to search for, access,

download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

22.7 Reporting Breaches of the Code of Conduct

You should report suspected breaches of the code of conduct by members of staff of Council (excluding the General Manager) or delegates to the General Manager in writing. Suspected breaches of the code of conduct by the General Manager should be reported to the Mayor in writing.