

Frankston City Council Supplier Code of Conduct

Frankston City Council (**Council**) is committed to ensuring its contractors, consultants and suppliers (together the **Suppliers**) engage in ethical and sustainable behaviours when providing goods and services, including construction works and services, to Council.

This code of conduct (**Code**) describes Council's minimum expectations for the achievement of a professional and productive work culture, characterised by the absence of any form of unlawful or inappropriate behaviour. Suppliers are advised to review the Code to ensure that the principles set out below are met when engaging with Council.

Principles of the Supplier Code of Conduct

These Principles include:

1. Compliance with relevant laws and regulations

Suppliers must comply with all applicable federal, state and local laws and regulations.

2. Conflict of Interest

Suppliers must avoid conflicts of interest and disclose interests where necessary.

Suppliers must declare to the relevant Council officer any situation that raises an actual, potential or perceived conflict of interest related to or in connection with its dealings with Council.

3. Handling of Council Information

Suppliers must not use information which is:

- private, confidential or commercially sensitive information in its possession relating to or in connection with its dealings with Council; or
- any other Council information (including documents and electronic data) to gain an improper advantage for themselves or any other person,

(Council Information).

Council Information is not to be used in any way that may cause harm or detriment to any person, body or Council. This includes any improper disclosure or use of any Council Information.

Suppliers are expected to manage all Council Information in accordance with all laws relating to privacy including the *Privacy and Data Collection Act 2014 (Vic)*.

4. Gifts, Hospitality

All Council staff have an obligation to act impartially and with integrity including being aware of actual and potential conflicts of interest. This is particularly important in the context of staff receiving gifts or hospitality from external parties including Suppliers. Council staff must perform their duties without bias or for personal gain.

Suppliers must not:

- offer Council officers any inducements, gifts or hospitality; or
- engage in action to entice or obtain any unfair or improper advantage with Council officers.

5. Engagement of staff

It is essential that Council's staff do not engage in outside employment on business that could raise a conflict of interest. Suppliers who deal with Council are not permitted to offer Council staff outside employment or business proposals of any kind.

6. Using Council Resources

Suppliers may only use Council property, facilities, resources, and/or equipment in accordance with the terms and conditions of their Contract with Council and in no other circumstances.

7. Equal Employment Opportunity Principles

Suppliers are expected to actively encourage a workplace atmosphere that is free from discrimination, harassment and unfair treatment and protects human rights in accordance with the Victorian Charter of Human Rights and responsibilities.

8. Professional Conduct

Suppliers are expected to conduct themselves in a manner that is fair, professional and that will not bring Council into disrepute.

9. Honesty, Integrity and Fairness

Suppliers are expected to maintain the highest standards of honesty, integrity and fairness, and perform their duties on that basis. Suppliers are expected to comply with all anti-bribery, anti-corruption, anti-money laundering, and modern slavery laws. Suppliers must not engage in, either directly or indirectly, fraudulent, corrupt, exploitative or collusive activities.

10. Drugs and Alcohol

Suppliers must not attend for duty affected by intoxicating substances (i.e. drugs, alcohol etc.) and must not consume intoxicating liquor or drugs whilst on duty.

11. Labour and Human Rights

Supplier must ensure that their decisions, advice and actions properly consider the rights set out in the Victorian Charter of Human Rights and Responsibilities and respect the human rights of others. Supplier should ensure that:

- they commit to a workplace free from workplace bullying, victimisation, abuse and harassment. This includes behaviour and abuse which can be verbal, physical, sexual or psychological.
- subject to applicable laws, Supplier do not discriminate for any of the following in their employment practices: age, disability, ethnicity, gender, marital status, political affiliation, race, religion, sexual orientation, gender identity, union membership, or any other status protected by law;
- all applicable laws relating to the payment of its workers (including superannuation), working hours and leave entitlements and workers compensation insurance are adhered to; and
- all work is undertaken without coercion and by people who are the applicable minimum age.

12. Occupational Health and Safety:

Supplier must comply with all applicable laws relating to workplace health and safety, including the *Occupational Health and Safety Act 2004 (Vic)* and the *Occupational Health and Safety Regulations 2017 (Vic)*.

Council is committed to maintaining a safe and healthy working environment for all employees, visitors, contractors, subcontractors and the public, and recognises that this is an integral part of our business and Suppliers must fulfil this commitment.

13. General Conduct

Suppliers must avoid behaviour that could constitute an act of misconduct or misbehaviour. Suppliers should avoid conduct that:

- breaches the Local Government Act;
- is an abuse of power or otherwise amounts to misconduct;
- causes, comprises, or involves intimidation, harassment or verbal abuse;
- causes, comprises or involves discrimination, disadvantage or adverse treatments; or
- causes, comprises or involves prejudice in the provision of service to the community.

Suppliers must act lawfully, honestly and exercise a reasonable degree of care and diligence.

Reporting breaches of the Code

If a Supplier considers that another Supplier has deviated from or breached their obligations under this Code, it is expected to report these concerns to the following area:

[Contracts & Procurement](#) .