

Supplier Code of Conduct

The City of Stonnington (Council) is committed to ethical, sustainable and socially responsible procurement and we expect the same high standards of our Suppliers. We view our Suppliers as partners and we care about the way they do business when providing goods or services to the Council.

The Supplier Code of Conduct (Code) sets out the expectations that Council has of businesses describing the minimum expectations in the areas of integrity, ethics and conduct; conflict of interest, gifts, benefits and hospitality; corporate governance; labour and human rights; health and safety; environmental management, and child safety. Suppliers to the Council are advised to review the Code and ensure that relevant areas of their business and supply chain meet these standards.

Application of this Code

- **The Code applies to all procurement activities regardless of their value.**
- **Suppliers should refer to the Code when considering providing goods, services or works to the Council.**
- **Council reserves the right to work with suppliers who demonstrate compliance with this Code.**

By Supplier, Council means any entity that supplies goods or services, including construction works and services, to the Council.

Where the Code refers to workers, it includes employees, contractors, agency and temporary staff of the Supplier and its related entities. Where the Code refers to the law it means the laws in the jurisdiction that apply where the goods are procured, or services are performed. Fundamental to this Code is an expectation that all Suppliers operate in full compliance with all laws, rules, and regulations of the jurisdictions in which they do business.

The expectations outlined in the Code are not intended to supersede or alter the Supplier's contractual obligations, regulatory commitments and must comply with all relevant legislation and standards.

It is the Suppliers obligation to ensure the Code is communicated to their related entities and subcontractors who support them in supplying goods and services to the Council, so that they are aware of, understand and comply with the Code.

Reporting misconduct, unethical behaviour or suspected corruption

If a Supplier considers that another Supplier has deviated from or breached their obligations under this Code or that a Council employee has breached Council's Procurement Policy, it is expected to report these concerns to one of the following bodies:

- a) in relation to other Suppliers or in relation to Council personnel breaching Council's Procurement Policy, the Council's Procurement Manager;
- b) in relation to serious misconduct of Council personnel, the Council's Chief People Officer or Council's [Public Interest Disclosure Coordinator](#) or the [Independent broad-based Anti-corruption Commission](#); or
- c) in relation to allegations of suspected corruption involving Suppliers or Council personnel, to the [Independent Broad-based Anti-Corruption Commission](#).

Corrective action process

Suppliers are expected to proactively self-assess compliance and take action to remedy any shortcomings.

If requested by Council, Suppliers must provide evidence and confirmation of their compliance with the Code, including the provision of documents and records that support their compliance. Suppliers are expected to support the Council in reviewing compliance with the Code.

A. Integrity, ethics and conduct

The Council expects high standards of ethical conduct and compliance with all applicable laws. Suppliers are expected to be ethical in their business activities, including relationships, practices, sourcing and operations.

Business integrity

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.

Record keeping and documentation

Suppliers are expected to maintain adequate records that accurately record all financial transactions and information regarding its business activities, labour, health and safety and environmental practices in accordance with applicable

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laws, policies and procedures. Disclosure of information is expected to be undertaken without falsification or misrepresentation.

Professional conduct

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

Confidentiality

Suppliers must not improperly use any private, confidential or commercially sensitive information in its possession relating to or in connection with its dealings with the Council.

Procurement Policy and values

The Council's Procurement Policy describes the behaviours that exemplify the Council's values. The six values are:

- Cooperation: we know that working together means we get better results. We are a team and together we achieve great things for our community.
- Change and New Ideas: Finding better ways to do things and sometimes doing things that haven't been done before keeps us challenged, inspired and relevant.
- Learning: We encourage learning and create opportunities for people to grow and succeed for the benefit of our community.
- Achievement: We work hard to achieve great outcomes and we like how it feels when people stop to say, great job! So we strive for excellence and celebrate our success.
- Communication: we communicate in a respectful, transparent and inclusive manner. Being open and honest in our communications allows us to make better decisions.
- Accountability: We do things the right way for the right reasons. We are responsible and accountable for the work we do and the way we do it.

Suppliers should respect these values in their dealings with Council's employees.

The Council's Procurement Policy can be viewed at <https://www.stonnington.vic.gov.au/About/Tenders>.

B. Conflict of interest; gifts, benefits and hospitality

The Council believes that all business activities should be undertaken with impartiality and any conflict of interest should be raised and managed.

Conflict of interest

Suppliers must:

- (a) declare to the Council's Procurement Manager any situation that raises an actual, potential or perceived conflict of interest related to or in connection with its dealings with the Council; and
- (b) avoid financial, business or other relationships which may compromise the performance of their duties under their business arrangement with the Council. Under the Council's Procurement Policy, Council employees are expected to avoid actual, perceived and potential conflicts of interest wherever possible. Any conflicts of interest that cannot be avoided are expected to be declared and managed appropriately.

Gifts, benefits and hospitality

Council personnel must conduct themselves with the highest standards of integrity, impartiality and accountability; and perform public duties without favouritism, bias or for personal gain.

The appropriate handling of offers of gifts, benefits and hospitality is critical to earning and sustaining public trust. As such, Suppliers should not:

- (a) offer Council personnel gifts or benefits, either directly or indirectly, and offers of hospitality will be limited to those acceptable under the Council's Receiving Gifts, Benefits and Hospitality Policy and Procedure; or
- (b) take any action in order to entice or obtain any unfair or improper advantage.

C. Corporate governance

Commitment to sound management administration, risk and corrective action systems, are key to a reliable supply chain for the Council. Suppliers are expected to maintain sound administration processes.

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Risk assessment and management

Suppliers should develop and maintain a process to identify, manage and control relevant risks associated with its operations. These include supply chain risks and risks relating to labour and human rights, health and safety, the environment, business ethics, and corporate governance.

Critical incident management

Suppliers should:

- (a) identify and assess potential critical incident, emergency situations and business continuity risks; and
- (b) develop and implement emergency plans and response procedures that minimise harm to life, environment and property, while minimising disruption to business continuity.

Audits and assessments

To ensure compliance with this Code and the applicable laws, Suppliers are expected to:

- (a) perform periodic evaluations of their facilities and operations, and the facilities and operations of their subcontractors; and
- (b) co-operate openly and honestly with any Council audit, assessment or review.

D. Labour and human rights

The Council believes that all workers in its supply chain deserve to be treated with dignity and respect. Suppliers are expected to provide a fair and ethical workplace, which upholds high standards of human rights and integrates appropriate labour and human rights policies and practices into its business.

Anti-discrimination

Subject to applicable laws, Suppliers are expected not to discriminate against any worker based on age, disability, ethnicity, gender, marital status, political affiliation, race, religion, sexual orientation, gender identity, union membership, or any other status protected by law, in hiring and other employment practices.

Anti-harassment

Suppliers are expected to commit to a workplace free from workplace bullying, harassment, victimisation and abuse. Suppliers are expected not to bully workers or threaten workers with, or subject them to, unlawful or inhumane treatment. This includes, but is not limited to, abuse and harassment which can be verbal, physical, sexual or psychological.

Human rights

Suppliers are expected to provide goods and services in a manner consistent with any applicable human rights obligations.

Consistent with relevant modern slavery legislation, Suppliers are expected to proactively identify, address and – where required by legislation – report on risks of modern slavery practices (defined broadly to include all forms of human trafficking, forced labour and slavery-like practices) in their business operations and supply chains.

Prevention of involuntary and underage labour

Suppliers are expected to:

- (a) ensure that all work is undertaken without coercion;
- (b) not use any form of forced, bonded or indentured labour; and
- (c) employ only workers who are the applicable minimum legal age.

All use of temporary and outsourced labour should be within the limits of the law. Suppliers are therefore expected to:

- (a) use all reasonable endeavours to ensure that the third-party recruitment agencies it uses are compliant with the provisions of this Code and applicable law; and
- (b) be responsible for payment of all recruitment-related fees and expenses in recruiting foreign contract workers either directly or through third party agencies.

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Working hours, wages and benefits

Suppliers must:

- (a) follow all applicable laws and regulations with respect to wages, working hours and workers compensation insurance;
- (b) ensure that all workers receive their legally mandated minimum wages, benefits, superannuation, leave entitlements and time off for legally recognised holidays; and
- (c) pay workers' wages as required under applicable laws in a timely manner and not be expected to use wage deductions as a disciplinary measure. All overtime is expected to be reasonable and paid at the rate and in accordance with the applicable laws.

Freedom of association and collective bargaining

Suppliers are expected to freely allow workers to associate with others, form and join (or refrain from joining) industrial organisations or associations of their choice and bargain collectively, or engage in any lawful industrial activity without interference, discrimination, retaliation or harassment.

E. Health and safety

Worker health, safety and well-being is important to the Council. Suppliers are expected to provide a healthy and safe work environment and integrate sound health and safety management practices into its business.

Workplace health and safety management

Suppliers must comply with all applicable laws relating to workplace health and safety. Suppliers are expected to:

- (a) manage occupational health and safety hazards; and
- (b) provide workers with job-related training and consult with employees in relation to the provision of information and training.

F. Child safety

Suppliers delivering activities, programs or services that interact with children and young people must understand and comply with legislation and regulations relating to child safety including the Victorian Child Safe Standards, Council's Child Safe Policy and Code of Conduct.

G. Environmental management

Council is committed to taking climate action. In 2020, the City of Stonnington declared a climate emergency, recognising that immediate and urgent climate action is required to ensure a safe and sustainable future for all. Council's climate response is focused around three priorities:

- (a) Zero carbon Stonnington - reducing corporate emissions and supporting our community
- (b) Thriving in a changing climate - adapting to climate impacts
- (c) Working together for change - partnering for a sustainable future.

The City of Stonnington is committed to working in partnership with suppliers to take action on climate change and minimise climate-related impacts and their effects on the health and wellbeing of our community and natural environment.

Council is seeking to engage suppliers that will work with us to achieve our environmental objectives. This includes suppliers that have made environmental sustainability commitments for their own operations as well as ensuring the sustainability of the goods and services purchased by Council. For more information, see Council's website www.stonnington.vic.gov.au/Community/Sustainability.