

# DOING BUSINESS WITH CESSNOCK CITY COUNCIL



# AN INTRODUCTION TO DOING BUSINESS WITH COUNCIL

Did you know that Cessnock City Council is a big customer when it comes to business and we love to buy locally! To make doing business with us easier to understand we have made this guide to take you through the process of being a supplier for Council.

Procurement in local government has a unique set of requirements for both tendering and quotations. This guide has helpful information on the tender process and quotations. We encourage you to check out the handy checklists on pages 13 and 14. Council looks forward to doing business with you!



## MAYOR'S MESSAGE

Cessnock City Council provides a huge range of services to the community. Everything from building roads, bridges, to providing our community with library services and operating the Hunter Valley Visitor Information Centre.

We are always looking at ways of improving our services. Our own staff do an excellent job at delivering these important services and we often need to engage external suppliers to ensure we're fulfilling our responsibilities.

We're proud to present you with this guide that will give you a better understanding of how to do business with Council. It covers everything from tenders, quotations, safety, risk and environmental management. If you need more information our Procurement team are happy to assist.

Cessnock City Mayor,  
Councillor Bob Pynsent

## ACKNOWLEDGMENT OF COUNTRY

Cessnock City Council acknowledges that within its local government area boundaries are the Traditional Lands of the Wonnarua people, the Awabakal people and the Darkinjung people.

We acknowledge these Aboriginal peoples as the Traditional Custodians of the land on which our offices and operations are located, and pay our respects to Elders past, present and future.

We also acknowledge all other Aboriginal and Torres Strait Islander people who now live within the Cessnock Local Government Area.



# CONTENTS

<b>INTRODUCTION &amp; MAYOR'S MESSAGE</b> .....	1
<b>CONTENTS</b> .....	2
<b>SOME OF THE BASICS</b>	
Request for Quotations.....	3
Preferred Supplier Agreements. Tendering in Local Government	
Purchase Order Numbers.....	4
Vendor Panel	
<b>LET'S TALK TENDERS</b>	
What is Tendering? .....	5
When does Council Tender? Notification & Submission of Tenders Closing of Tenders Late Tenders	
Format of Tenders.....	6
<b>UNDERSTANDING THE TENDER DOCUMENT</b>	
What is a Conforming Tender?.....	7
<b>SAFETY, RISK &amp; ENVIRONMENTAL MANAGEMENT</b> .....	
9	
<b>EVALUATION / SELECTION CRITERIA</b>	
Specifications.....	11
Alternate Offers.....	12
No Reservation of Rights Tender Forms Tenderer Responsibility Statement of Business Ethics	
<b>CHECKLISTS</b>	
Quotation Checklist.....	13
Tenderer Checklist.....	14
<b>OTHER RESPONSIBILITIES</b>	
What is the GIPA Act?.....	15
How does the GIPA Act affect you?	
<b>CODE OF CONDUCT &amp; WHAT IT MEANS FOR YOU</b>	
Personal and Professional Behaviour.....	17
Conflicts of Interest Personal Benefits Inappropriate Interactions	
Official & Confidential Information.....	18
Use of Council Facilities, Equipment and Resources Internet Access & use of Social Media Intellectual Property Public Comment	

# SOME OF THE BASICS

Goods and services are required to support the Council operations. These are sourced through:

- Quotations,
- Preferred supplier agreements and,
- Tenders.

## Request for Quotations

Council requests quotes in a number of ways. Council may publicly advertise a Request for Quotation (RFQ) for goods or services below \$150,000. RFQ documents and schedules will generally be a shortened version of a tender document. The same level of care should be taken when completing the documentation. Which includes supplying all relevant Work Health and Safety (WHS) documentation based on the risks associated with that particular service. RFQ can be accepted by Council officers under delegation. They do not require a resolution of Council.

## Preferred Supplier Agreements

Council may also utilise preferred supplier agreements (PSA). PSA is a contractual agreement between your company and Council. It brings you the benefits of being an approved supplier whom has met specific criteria. This may include insurances and licences relevant to specific services, including provision of WHS documentation, depending on the risks associated with that service. This then identifies you as a supplier that approved quotations can be sorted under the agreements terms and conditions that are pre-established.

## Tendering in Local Government

Tendering in Local Government is regulated under Section 55 of the *Local Government Act 1993* (NSW) and Part 7 of the *Local Government (General) Regulation 2005* (NSW). Additionally, Council has its own Tendering Procedures.



## Purchase Order Numbers

Council requires all invoices received to have a valid purchase order number. The purchase order number must be obtained from a Council Officer prior to any goods or service being supplied. Invoices received without a purchase order may be returned to the supplier. The words 'Verbal' or a person's name in the purchase order field is not acceptable.

To ensure invoices are processed correctly and in a timely manner please:

- Quote the council purchase order on the invoice so it can be approved for payment; and
- Send all invoices directly to the Accounts Payable Team.

**Email for invoices/statements:** [accounts.payable@cessnock.nsw.gov.au](mailto:accounts.payable@cessnock.nsw.gov.au)

**Address:** PO Box 152, CESSNOCK NSW 2325

**Phone:** 02 4993 4148

## Vendor Panel

Council has implemented Vendor Panel and Vendor Panel Marketplace for part of its procurement functions. This will give Council tools to manage commodities with a preferred supplier list with greater local content. It will make the quotation process more efficient, at the same time supporting the local community.

Registering onto Vendor Panel Marketplace is a smart idea for any supplier. You'll get notified of opportunities from Council when looking for local supplier quotes and proposals, as well as access to their public tenders published via Vendor Panel. Once registered on a supplier list, Council will seek quotations through panel lists of registered suppliers. The supplier can tailor your company's profile information to suit that list. It only takes a couple of minutes.



# LET'S TALK TENDERS

## What is Tendering?

Tendering is the selling of goods and services to Council through the request of formal bids –otherwise known as tenders.

## When does Council Tender?

In accordance with Part 7 of the *Local Government (General) Regulation 2005* (NSW), tenders are to be called where it is anticipated that expenditure will be greater than \$250,000 (including GST) for the life of the contract. Council may choose to formally tender for amounts below this value at their discretion, however for expenditure over \$250,000 formal tenders must be called.

All formal tenders must be reported to Council for adoption and approval. There are circumstances where Council is not required to formally tender where expenditure is over \$250,000. For an explanation of these circumstances, please contact Council.

## Notification & Submission of Tenders

Council advertises tenders as per the tendering regulations set out under Part 7 of the *Local Government (General) Regulation 2005* (NSW). This includes advertising online and in print. Council advertises in one Sydney daily newspaper, local papers and on other platforms if required. Advertisements of Council tenders in newspapers will appear under the Council Notices section. Information relating to current Council tenders can also be found online at [www.tenderlink.com/cessnock/](http://www.tenderlink.com/cessnock/).

All tenders and Expressions of Interest (EOI) are required to have a closing date at least 21 days from the date of the first published advertisement. Many tenders are open longer than this depending on the complexity of what is being tendered.

## Closing of Tenders

Council closes all tenders at the time stated on the invitation to tender. An official tender opening begins, this process is open to all qualified bidders and the public to view. The sealed bids are opened for analysis and are evaluated on the basis of the selection criteria identified in the document. This is also known as competitive tender or public tender. A tender opening takes place at Council's administration building in 62-78 Vincent Street, Cessnock NSW 2325. To find out more about this process visit [www.businessdictionary.com/definition/open-tender.html](http://www.businessdictionary.com/definition/open-tender.html).

## Late Tenders

To ensure the tendering process remains transparent and equitable for all suppliers, Council **does not accept late tenders**. The closing date and time of tenders is one of the most important milestones in the entire tendering process. If you want your submission to be considered and evaluated, then the first step is to ensure that your official tender submission is received in Council's Tender Box (or electronic Tender Box) by the closing date and time as specified in the tender documents. These details will appear several times throughout the tender documents. Council can only receive a late tender if evidence can be provided by the tenderer that all the essential information was posted or lodged at a Post Office or other recognised delivery agency, before the deadline. This would usually take the form of a Post Office receipt or some other relevant information (electronic footprint) that is time and date stamped.

## Format of Tenders

Please take note of the format Council wishes to receive your tender submission. Under no circumstances are standard emailed tender submissions acceptable. If you wish to submit an electronic tender, this must be done via Council's tendering website only. This is done to ensure submissions are received in a consistent, secure and encrypted manner. Encryption is a way to enhance the security of a message or file by scrambling the contents so that it can be read only by someone who has the right encryption key to unscramble it.

It is the tenderers responsibility to ensure that all tender documents are lodged following the instructions included in the tender documents. Please ensure that you do not leave compiling your submission until the last moment. If you are late delivering your tender it will not be considered for evaluation.

Council's tendering website automatically closes at 2.00 pm. Any submission that has not been fully uploaded will not be accepted. It is critical that any submission that is uploaded must be done so in a timely manner so as to be fully received before the closing time. A submission lodged close to the closing time may not be accepted. Make sure you lodge your submission with plenty of time.

“ We were invited to supply products to the Hunter Valley Visitor Information Centre in 2014. We are an Australian made boutique/niche products, petroleum free, chemical free and environmentally friendly. Visitors naturally look for a broad range of local products to purchase during their visit. We are told our products are a best seller. ”

*Laguna Lavender*



# UNDERSTANDING THE TENDER DOCUMENT

## What is a Conforming Tender?

To submit a conforming tender, you must ensure that you have signed and completed all the relevant forms and supplied Council with all the information required as part of the tender document. You must ensure that you have addressed the formal evaluation/selection criteria that are listed in the tender document. Failure to do so will result in your submission being considered non-conforming. This means your tender submission may not be evaluated. Each evaluation/selection criteria needs to be addressed separately in your submission. It is important to carefully check if any further information is required to address the selection criteria beyond that requested in the schedules or forms provided. On occasion, a company overview, Gantt chart or extra information may be required. In this section we provide an overview of some of the information you may be required to provide Council. However, it is important to remember that all tenders are different; therefore the information you may be required to provide may be different to that listed below:



### Pricing Requirements

Always ensure you are aware of and understand the requirements for pricing in any particular tender. Sometimes a lump sum may be required, sometimes a schedule of rates. Pricing is often an important criterion in the evaluation of tenders, so it is critical that you consider any of the conditions that are attached to the pricing request i.e. is there a period where Council requires the pricing to be fixed; what are the mechanisms within the tender agreement to request a price increase?

It is important not to amend or vary the format of any pricing schedule included in the tender documents. Prices should be provided as requested, if circumstances arise where prices are unable to be provided as requested clarification may be provided by the contact person for that tender. If additional information needs to be provided it should be listed as a separate attachment. Generally all pricing requirements should be provided as excluding GST.



### Insurance Requirements

Most tenders will be very specific about the type and level of insurance cover you will require in order to successfully fulfil your obligations under the tender. The most common insurances are Public Liability, Professional Indemnity, Workers Compensation & Motor Vehicle. The type and level of cover may vary from tender to tender. Registration with BNG Conserve is a requirement of doing business with Council. This will be a cost the supplier will bear, which is an annual cost and must be maintained to be accredited for Council works. You may be required to submit copies of your Certificates of Currency for whichever insurances are required.



### Confidentiality

Tenders are treated as Commercial in Confidence; therefore you must not disclose information about your offer to any third parties during the tender process. Council will ensure there is no disclosure of confidential information to parties other than those involved in the evaluation or adoption of the final tender recommendation other than as required by legislation.



### Ordering Solutions

If you are tendering for a general goods and services tender, you may be required to submit information relating to the methods of order placement that are available. Council will be looking to gain as much efficiency as possible throughout the life of the tender, the more flexible and streamlined that order placement can be, the more beneficial it can be for both parties.



### Reporting Requirements

Some tenders may be very specific about the type of reporting required throughout the life of the tender agreement. Ensure that you are aware of these particular requests and address them in your submission.



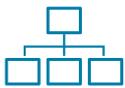
### Intellectual Property

If your submission contains specific intellectual property information that might be contained in the way you are suggesting fulfilling the obligations under the tender, then you must ensure that you are entitled to use this intellectual property and indemnify Council against any future claims that might be related to the use of such intellectual property.



### Warranties

The requirement and scope for warranties will vary with each individual tender and depends entirely on the particular goods and services being tendered. Always ensure you have read and understood these requirements, as you may incur costs associated with the provision of the warranties as contained in the tender document.



### Tenderers Resources

In most cases, tender documents will request information about your business and its resources, which may include financial resources and human resources (meaning personnel). You may also be required to submit an organisational chart and a brief history of your business. Council can also ask you to provide references and referees that can attest to your capabilities in your particular field.

## ABORIGINAL AND TORRES STRAIT ISLANDER SUPPLIERS

Council provides procurement opportunities to Aboriginal and Torres Strait Islander Suppliers of goods and services locally, which has a direct positive impact on Aboriginal and Torres Strait Islander business growth and employment. We ensure that Aboriginal and Torres Strait Islander businesses are considered first when procuring goods and services for NAIDOC Week and National Reconciliation Week.



# SAFETY, RISK & ENVIRONMENTAL MANAGEMENT

All tenders will include various requirements in relation to work health and safety (WHS), risk and environmental management. Depending on the nature of the scope of works in the tender there may be additional requirements required. These requirements could include, but not be limited to, providing:

- Copy of WHS policy;
- Details of worksite inspection regime;
- Evidence of competency / training for particular high risk tasks;
- Evidence of licences for particular tasks;
- Risk assessment for particular tasks;
- Safe Work Method Statements for particular tasks; and
- Details of safety equipment, mobile plant or powered equipment, including evidence of registration or maintenance schedules.

It is critical that you address these requirements in your submission. Often there are evaluation criteria developed around these issues, which will require a more formal response.

Upon successful tender and before commencing work, contractor induction will be required for all personnel performing work on Council worksites. All contractors engaged by Council to work on Council sites will adhere to Council's Work Health and Safety Management System and related policies and procedures, this includes Council's Alcohol and Other Drugs Policy.



## OUR ENVIRONMENTAL COMMITMENT

Council is committed to sustainable procurement. We aim to incorporate the principles of environmental sustainability including 'whole of life' costing, waste minimisation, recycled material content and energy and water saving operation stimulate demand for sustainable products. We look for all opportunities to become a purchaser of supplies and services that enable us to work towards becoming an environmentally sustainable organisation.



“ Dealing with a large organisation you are always meeting new people, which leaves the door open for new business. ”

*Flanagan's Menswear and Corporate Specialists*

# EVALUATION / SELECTION CRITERIA

All tenders will include specific evaluation criteria. The responses to these criteria are critical as they are used to evaluate tenders. All criteria will have a percentage weighting applied to them, these weightings are never disclosed to the tenderers. How a tenderer scores against the criteria determines whom the tender will be awarded to.

Council are looking for a tenderer who distinguishes itself from the competition, is innovative, customer focused and provides a value-for-money. When addressing the criteria you should:

- Always ensure that you read the criterion carefully and understand what is being asked of you;
- List each criterion as a heading in your response in order to draw the evaluation panel to your responses;
- Provide examples of how and when you have previously been able to meet this criterion in your business. Discuss how well you can do this and what previous results have been like – you need to sell yourself and your business's capability;
- Ensure your responses to the criteria are clear and concise. You only need to provide information that has been requested to help demonstrate your ability to meet the criteria. A large submission does not mean it is a comprehensive or quality submission;
- Set yourself apart from your competitors by emphasising areas within the tender criteria that you feel your business excels at and where you feel this can add value to Council.

Always be aware that Council is not bound to accept the lowest or any tender. Often price is not the only major determining factor in the evaluation of tenders. Council is looking to award the tender to someone who is able to offer best value to Council, This will be determined by considering experience, quality, reliability, timeliness, service initial and ongoing costs and potentially a range of other criteria.

You must ensure you have addressed the formal evaluation / selection criteria that are listed in the tender document. Failure to do so will result in your submission being considered non-conforming. This will result in your submission not being evaluated.

## **Specifications**

All tenders will include a specification or brief of some form for the goods or services that are required under the tender. It is critical that all tenderers ensure that whatever goods or services they are providing meet the stated specifications or brief as listed.

If you do not address the requirements of the specifications, your tender will be considered non-conforming and it will be excluded from evaluation. If you are awarded a tender and the goods or services you are providing do not meet the specification or brief that Council originally tendered for, then this may be grounds to terminate the contract, unless there is formal agreement to vary the specification.

## Alternate Offers

If a tenderer wishes to recommend through their submission an alternate method or process of fulfilling their obligations under the tender, then Council will only consider this alternate offer if a fully conforming tender is also submitted. Ensure that you highlight any aspect of your submission that includes an alternate proposal for Council to consider.

## No Reservation of Rights

Tenderers must be careful to ensure that they do not include any statement in their submission that reserves any right to future negotiations with Council. The inclusion of such a statement would mean that Council could not accept the tender.

## Tender Forms

Tender forms are the essential forms that need to be signed by all tenderers as part of their submission. These generally include a standard tenderers acknowledgement, business details and insurance details. Forms can include declarations that relate to non-collusive practices and ethical standards. Failure to sign these forms may result in your submission being considered non-conforming.

On occasions tender forms may be required to be completed online via Council's tendering website. It is important to provide your submission in the format requested to ensure a conforming bid is considered.

## Tenderers Responsibility

It is your responsibility as tenderers to ensure that you have all the information you require to develop your submission. If you are unclear about any aspects of the tender documentation, then clarify the requirements by contacting Council's official contact person, whose details will be listed in the tender documents.

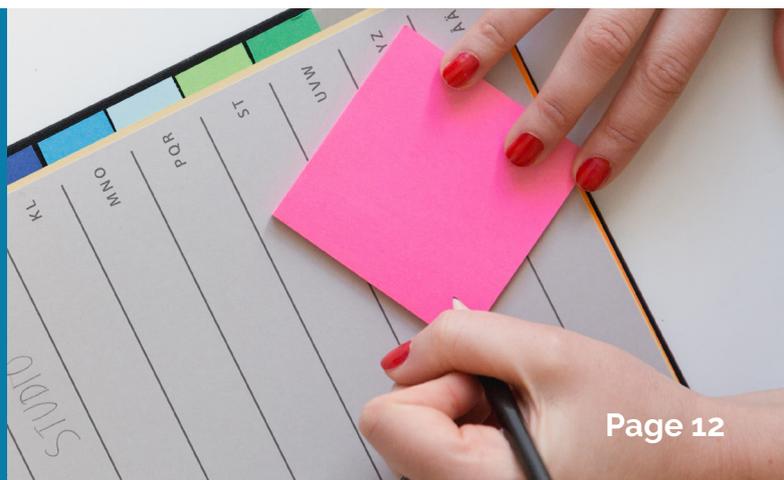
## Statement of Business Ethics

Included in all Council's tender documents is a formal Statement of Business Ethics. This document sets out the ethical standards for all business dealings between Council and the supplier community.

Importantly, you will be asked to sign a declaration that you have read and understood the intent of the Statement of Business Ethics. This signed declaration then becomes part of the formal tender forms that you submit with your tender.

“ We like to say that we partner with local business and not just sell to them. I believe working with local government bodies has also helped show our capabilities when tendering for private business. ”

*Stuart and Dunn Office Choice*



# QUOTATION CHECKLIST

We've put together this checklist to assist you in ensuring you have covered all aspects of the quotation process. This checklist may not be comprehensive. It is your responsibility to ensure you have met all quotation requirements.

- Do you understand all the requirements?**  
Make sure you have read all available quotation documentation and highlighted important points.
- When is the closing date?**  
Make sure you note when the quotation is due and how to lodge. Late quotations will not be accepted.
- What are the conditions for participation?**  
Determine the mandatory requirements that you must meet in order for your quotation to be considered further.
- What are the evaluation criteria?**  
Determine the criteria against which your quotation will be evaluated and plan your quote to respond directly to them.
- What are the contract terms and conditions?**  
If applicable, read the contract terms and conditions and make sure you can comply.
- What format do you respond in?**  
Determine whether there any mandatory forms to be completed. If there are and they are not completed, your quotation will be considered incomplete and will not be considered.
- Are there response schedules?**  
If response schedules have been provided, use them.
- What numbering has been used in the quotation document?**  
If no set format for responses has been specified, follow the general format and numbering of the quotation specification.
- Is your response in a simple format?**  
Your quotation will be evaluated on content not on an elaborate presentation. Stick to the template provided in the tender document.
- Have you answered all the specified requirements?**  
Prepare a checklist and tick off as you complete each requirement.
- Have you provided all the information requested?**  
Cross check whether you been requested to supply other information and documents.
- Have you demonstrated you meet the Conditions for Participation?**  
Make sure you have clearly demonstrated that you comply with the Conditions for Participation.
- Have you demonstrated your ability to meet all of the evaluation criteria?**  
Make sure you have clearly demonstrated (not just asserted) your ability to fulfill all of the evaluation criteria.
- Have you completed the price or cost schedule for all items you are quoting?**  
Make sure you have included your costing for all items and followed the GST requirements.
- Have you indicated whether you comply with the conditions of contract?**  
If you exceed the requirements, or only partially comply, make sure you provide a detailed explanation.
- Are you offering value for money?**  
Review your quote to check whether you have pitched competitively.
- Have you signed all the appropriate forms?**  
Make sure you have correctly signed all appropriate quotation forms. (You can PDF the documents but for large responses we may require an unprotected format).

# TENDERER CHECKLIST

We've put together this checklist to assist you in ensuring you have covered all aspects of the tendering process. This checklist may not be comprehensive. It is your responsibility to ensure you have completed all tender requirements as documented in the formal tender agreement.

- Preparing your response.**  
Are there tenderer response schedules to complete?
- What numbering has been used in the tender document?**
- Is your response in a simple format?**
- Have you answered all the specified requirements?**
- Have you provided all the information requested?**
- Have you demonstrated your ability to meet all of the selection criteria?**
- Have you completed the pricing or cost schedule for all items you are tendering?**
- Is this an alternative tender?**  
Have you clearly identified that this is an "Alternative Tender" Check with Council first, or the tender documents to confirm that an alternative proposal will be considered and the conditions under which it will be considered.
- Have there been any tender addendum issued and have you addressed these?**
- If tenderer response schedules have been provided, use them.**  
If no set format for responding has been specified, follow the general format and numbering of the tender specification.
- Prepare a checklist and tick each of them off as you answer them.**
- Have you been requested to supply other information and documents? If so, have you?**
- Make sure you have clearly demonstrated (not just asserted) your ability to fulfill all the evaluation criteria.**
- Have you included your costing for all items and followed the GST requirements?**
- Are referee contact details correct?**  
Make sure your referees are prepared for Council to contact them.
- Ensure you address and acknowledge any addendum that have been issued?**
- Tenders must sign each page of the returnable schedules before submission.**
- Are you offering Council value for money?**

## Tender

### Things to remember

- √ Confirm the closing time & date of the tender.
- √ Confirm the format the tender needs to be submitted in.
- √ If you need to ask a question during an open tender use the tender forum. This closes seven days prior close of tender.
- √ Ensure you specifically address all the evaluation criteria in your submission.
- √ Ensure all tender forms are signed and dated as instructed.
- √ It is recommended you register with Tenderlink as every opportunity in advertised via this site.
- √ Remember to always check local papers and Tenderlink on a weekly basis for tendering opportunities with Council.

# OTHER RESPONSIBILITIES

## What is the GIPA Act?

The *Government Information (Public Access) Act 2009 (NSW) (GIPA Act)* replaced the *Freedom of Information Act 1989 (NSW)* on 1 July 2010.

The GIPA Act sets out the rules about how GIPA applicants can access government information from NSW government agencies, including local councils. Government information means any information contained in a record held by a NSW government agency. Government information can include records and data about how a government agency works, or personal information that is held by a government agency. Government information also includes all of the information provided in your business dealings with Council.

Council endeavours to proactively make information available on its website, unless there is an overriding public interest against disclosure, or it would be unreasonably costly for Council to publish the information on its website. In these instances, GIPA applicants are required to lodge formal access applications.

## How does the GIPA Act affect you?

Section 121 of the GIPA Act allows Council to insert a clause into its contracts giving a right of immediate access to certain information such as:

- Information that relates directly to the performance of the services provided by your business;
- Information collected by your business from members of the public to who it provides, or offers to provide services;
- Information received by your business from Council to enable it to provide the services.

This means that anytime Council receives a formal access application involving your business, you are required to provide the above information.

There are strict time frames in which Council must deal with formal access applications and generally this means within 20 working days. You are a key part of the government's commitment towards increased transparency and accountability and Council appreciates your cooperation in dealing with such requests in a timely manner.

For more information on how the GIPA Act could impact on your business as a government contractor please refer to the Information and Privacy Commission's website:

[www.ipc.nsw.gov.au/contractors-guide-section-121-gipa-act](http://www.ipc.nsw.gov.au/contractors-guide-section-121-gipa-act)

“ Becoming a supplier for Council has been trouble free. Payments have been reliable. Staff always have been helpful, supportive and make an effort to understand our product. ”

*Paxton Honey*



# CODE OF CONDUCT AND WHAT IT MEANS FOR YOU

Performance of work for Council implies a unique obligation to the public interest and requires that we demonstrate standards of professional behaviour and ethics that will maintain public trust. Council's operations involve access to confidential and/or sensitive information. Council is bound by a Code of Conduct outlining the expectations and requirements for Council Officials, which includes you as contractors or consultants. Please note that the information below is a summary of the main requirements that affect your dealings with Council and that you are required to read Council's Code of Conduct in its entirety before your business is engaged by Council.

## **Personal and professional behaviour**

You must always act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your work. 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 comply with your duties under the *Work Health and Safety Act 2011* (NSW) and your responsibilities under any policies or procedures adopted by Council to ensure workplace health and safety.

You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others. You must not engage in bullying behaviour towards others. For more information on what the expected personal and professional behaviour is, please refer to the Code of Conduct.

## **Conflicts of Interest**

You must ensure that your interests, or those of people close to you, do not conflict with the proper performance of your responsibilities while you are engaged by Council. Conflict of interests must be identified and appropriately managed to uphold community confidence in the probity of Council decision-making. The onus is on you to identify any conflict of interests you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with Council's Code of Conduct.

## **Personal 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 Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you. For more information on circumstances where such appearance might arise, please refer to the Code of Conduct.

## **Inappropriate Interactions**

Any interaction with Council is expected to be done so in a respectful and professional manner. You must not approach Councillors or Council staff who are not designated to deal with you, attempting to discuss matters in relation to your business dealings with Council.

## Official and confidential information

During your work you could have access to commercially confidential and/or sensitive information which could relate to clients, Council and other Council Officials. You must ensure the integrity and security of information and documents for which you are responsible. For a comprehensive outline of all the requirements imposed on you in your dealings with Council concerning official and confidential information, please refer to the Code of Conduct.

## Use of Council facilities, equipment and resources

Where you have access to Council property, facilities and resources, you must use them ethically, effectively, efficiently and carefully in exercising your official functions. For more information, please refer to the Code of Conduct

## Internet access and use of social media

You must not use Council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage Council's reputation.

For a comprehensive outline of all the requirements imposed on you in your dealings with Council concerning internet access and use of social media, please refer to the Code of Conduct, Council's Media policy and Council's Social Media policy .

## Intellectual Property

Intellectual property includes rights relating to scientific discoveries, industrial designs, trademarks, service marks, commercial names and designations, inventions and activity in the industrial, scientific, literary or artistic fields.

## Public comment

The official spokesperson for Council is the Mayor. You must not initiate contact with the media at any time, unless instructed to by Council. For more information on expectations around public comment, please refer to the Code of Conduct and Council's Media policy.



“ Bunnings has supplied to Cessnock City Council for many, many years. We began in our old store and progressed to our new store. We supply Council with a variety of pick up items used by the construction/ maintenance teams to maintain and improve areas and structures they are working on. ”

*Bunnings*

