

DOING BUSINESS WITH **CESSNOCK CITY COUNCIL**



January 2024

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 15 and 16.

Council looks forward to doing business with you!



MAYORS MESSAGE

Cessnock City Council delivers a huge range of services to the local community. From building roads and bridges, to providing library services and operating the Hunter Valley Visitor Information Centre, Council is a large service provider in the Cessnock Local Government Area.

Council staff do an excellent job providing our community with these services. Council is always looking for ways to improve its service delivery in partnership with external providers.

This guide is to help provide an understanding of how to do business with Cessnock City Council. It covers Tendering, Quotations, Safety & Risk and Environmental Management.

Should you require further information, reach out to Council's friendly Procurement team.

Cessnock City Mayor,
Jay Suvaal

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.



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SOME OF THE BASICS

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

- **Quotations;**
- **Preferred supplier agreements; and**
- **Tenders.**

Request for Quotations

Council requests quotes in a number of ways and may publicly advertise a Request for Quotation (**RFQ**) for goods or services below \$250,000.

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. This includes supplying all relevant Work Health and Safety (**WHS**) documentation. RFQ can be accepted by Council officers under delegation. They do not require a resolution of Council.

WHS documentation can be based on the risks associated with that particular service.

Preferred Supplier Agreements

Council may also utilise preferred supplier agreements (**PSAs**). A **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 so 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 2021 \(NSW\)](#).

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 number 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

Postal Address: PO Box 152, CESSNOCK NSW 2325

Phone: 02 4993 4148

VendorPanel

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

Registering onto [VendorPanel Marketplace](#) is a great 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 Council's public tenders published via [VendorPanel](#). Once registered on a supplier list, Council will seek quotations through panel lists of registered suppliers. You as 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 2021 \(NSW\)](#), 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 further information, please contact our Procurement Team.

Notification & Submission of Tenders

Council advertises tenders as per the tendering regulations set out under Part 7 of the [Local Government \(General\) Regulation 2021](#) (NSW) which includes advertising online and in print.

Council advertises in the Sydney Morning Herald, Newcastle Herald 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](#).

All tenders and Expressions of Interest (EOI) are required to have a closing date of 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 and 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 tender which is also known as a competitive tender or public tender.

A tender opening takes place at Council's Administration Building located at 62-78 Vincent Street, Cessnock NSW 2325.

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 would like your submission to be considered and evaluated, then the first step is to ensure that your official tender submission is received in electronic tender (or Tender Box) by the closing date and time as specified within 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 lodged electronically, posted at a Post Office or other recognised delivery agency, before the deadline. This would usually take 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, and it will also protect your commercial information. 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](#) will automatically close 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 documentation 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, a 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. 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. In regards to pricing, sometimes a lump sum may be required or even 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 addressed including GST.



Insurance Requirements

Most tenders will be very specific about the type and level of insurance cover you will require in order to successfully fulfill your obligations under the tender. The most common insurances are Public Liability, Professional Indemnity, Workers Compensation and Motor Vehicle. The type and level of cover may vary from tender to tender. Insurances are maintained via the registered panels in Vendor Panel. 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.



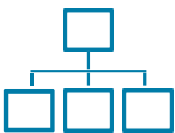
Intellectual Property

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 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 should any preferences be given.



SAFETY, RISK & ENVIRONMENTAL MANAGEMENT

All tenders will include various requirements in relation to Work Health and Safety (**WHS**), risk, environmental and quality 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;
- Copy of sun safe and PPE policy;
- Details of worksite inspection regime;
- Evidence of consultation methods;
- Evidence of Licenses, competency / training for particular high-risk tasks;
- Risk assessment for particular tasks;
- Emergency management plans;
- Project safety management plans;
- 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, a 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, including 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.





“Good procurement is like a good relationship - it requires communication, collaboration and commitment.”

David Loseby - Procurement Professional - MCIQB Chtr'd FAPM FCMI FCIPS Chtr'd FRSA MloD MICW

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, and these weightings are never disclosed to the tenderers. How a tenderer scores against the criteria determines whom the tender will be awarded to.

Council is looking for a tenderer who distinguishes itself from the competition, is innovative, customer focused and provides a value-for-money.

When addressing the tender criteria, you should:

- Always ensure that you read the requirements 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 offer 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 occasion, 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 of 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.

Feedback from Sharp Office about their experience working with Council as part of the Supply of Stationary & Ancillary Items Contract!

1. Impact of Working with Cessnock Council on Business:

- **Positive Local Image:** Working with Cessnock Council has enhanced our local image. With many staff residing in the Cessnock LGA, it reflects positively on our business, showcasing a strong connection to the local community.
- **Credibility and Capabilities:** The association with the local council serves as a testament to our capabilities as a business. It adds a layer of credibility, indicating that we meet the standards and requirements set by a respected local authority.

2. Benefits of Becoming a Supplier for Cessnock Council:

- **Local Business Support:** Being a supplier for Cessnock Council allows us to support and sustain local businesses. It contributes to the economic growth of the region by keeping business within the community.
- **Community Engagement:** As a supplier, we actively contribute to the Council's initiatives and projects, thereby engaging with the community on a broader scale. This not only benefits our business but also enhances our social responsibility.

3. Advice for Businesses Wanting to Work with Cessnock Council:

- **Honesty and Communication:** Building a successful partnership starts with honesty and effective communication. Be transparent about your capabilities, expectations, and any challenges that may arise during collaboration.
- **Openness to Feedback:** Both giving and receiving feedback is crucial. Maintain an open dialogue with the Council team, as this fosters a collaborative environment. The Council is dedicated to positive outcomes, and your willingness to share insights contributes to this.
- **Commitment to Local Growth:** Demonstrate a genuine commitment to the growth and welfare of the local community. Showcase how your business aligns with the Council's objectives and how collaboration can mutually benefit both parties.



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 are 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 addenda 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?

Is the listed referee contact details correct?
Make sure your referees are prepared for Council to contact them.

Ensure you address and acknowledge any addenda that have been issued

Tenders must sign each page of the returnable schedules before submission.

Are you offering Council value for money?

Key Points for Tenders to remember!

✓ Confirm the closing time and 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 to the close of tender.

✓ Ensure all tender forms are signed and dated as instructed.

✓ Ensure you specifically address all the evaluation criteria in your submission.

✓ It is recommended you register with [VendorPanel Marketplace](#) as every opportunity is advertised via this site.

✓ Remember to always check local papers, [VendorPanel Council's Tender page](#) 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 an 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 endeavors 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 whom 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](#).

Privacy

Under NSW privacy laws, public sector agencies and staff in NSW are responsible for protecting the privacy of personal information they collect.

Personal information is defined in section 4 of the [Privacy and Personal Information Protection Act 1998](#) (NSW) (the PPIP Act) as:

"Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual (whether living or dead) whose identity is apparent or can reasonably be ascertained from the information or opinion.

Personal information includes such things as an individual's fingerprints, retina prints, body samples or genetic characteristics"

As a Contractor with Council, you are considered a Council Official and therefore the same privacy responsibilities and requirements apply to you.

The PPIP Act and Council's [Privacy Management Plan](#) outline the following legal obligations we have which we must abide by every time we collect, store, use or disclosure personal information:

Collection - we collect personal information for a lawful purpose that is directly related to Council's functions and is necessary for that purpose. We can only collect personal information directly from the person concerned and that the information we collect is relevant, accurate, up-to-date and not excessive to the point that we would unreasonably intrude into the personal affairs of the individuals.

Use and Disclosure - we can use or disclosure personal information only with the consent of the individual from which it was collected, or if they were informed at the time of collecting that it would be used and/or disclosure. We must ensure that the personal information we use or disclosure is relevant and accurate before doing so. In addition, we can only use or disclosure personal information for the purpose for which it was collected, unless an exemption is applicable.

Storage - personal information must be stored securely, kept no longer than necessary and disposed of appropriately. Personal information should also be protected from unauthorised access, use or disclosure.

Access and Accuracy - individuals are entitled to access their personal information without unreasonable delay or expense. We are obligated to allow individuals to update, correct or amend their personal information where necessary and they can do so by writing to Council's

Privacy Contact Officer, Director Corporate and Community Services or their delegate - Section 10 of the PPIP Act requires that every time we collect personal information, we inform the individual to whom the information relates of the following:

- The fact that the personal information is being collected.
- The purposes for which the information is being collected.
- The intended recipients of the personal information.
- Whether the supply of the personal information by the individual is voluntary or required by law, and whether there are any consequences for the individual if the personal information (or any part of it) is not provided.
- The existence of any right of access to, and correction of, the information.
- The name and address of the agency that is collecting and that is to hold the personal information.

To ensure you meet the above obligations, all forms (both electronic or hard-copy), documents, attendance sheets, submissions and any other proforma that you use to collect personal information (including platforms such as Survey Monkey) must contain a Privacy Notice. This notice is usually placed at the end of a document/form, informing individuals of details required by section 10 of the PPIP Act. To obtain a template Privacy Notice, please contact Council's Governance team at Council.

MODERN SLAVERY AND COMPLIANCE

Cessnock City Council has a social and legislative requirement to ensure that its suppliers are aware of and are not engaging in practices covered under the [Modern Slavery Act \(Cth\) 2018](#).

Modern slavery is a serious violation of an individual's dignity and human rights. Exploitative practices including human trafficking, slavery, servitude, forced labour, debt bondage and forced marriage are all considered modern slavery and are serious crimes under Australian law.

For further information regarding Modern Slavery, please view this [statement](#) located on Council's website.

”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. Conflicts 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

Throughout your engagement by Council, 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. You must be scrupulous in your use of any intellectual property you obtain or are given access to during and after your engagement with Council, and must not permit their misuse by any other person or body.

Public comment

The official spokesperson for Council is the Mayor and 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 CCC for many years. We began in our old store and progressed to our current 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**

(Supplier is used by the construction/ maintenance teams to maintain and improve areas and structures they are working on)

MODERN SLAVERY STATEMENT

Cessnock City Council has a social and legislative requirement to ensure that its suppliers are aware of and are not engaging in practices covered under the [Modern Slavery Act \(Cth\) 2018](#).

Modern slavery is a serious violation of an individual's dignity and human rights. Exploitative practices including human trafficking, slavery, servitude, forced labour, debt bondage and forced marriage are all considered modern slavery and are serious crimes under Australian law.

- The International Labour Organisation estimates there are more than 40 million people in modern slavery conditions worldwide.
- The commencement of the [Modern Slavery Act 2018 \(NSW\)](#), introduces new obligations for councils under the [Local Government Act 1993](#) relating to modern slavery.
- "Modern slavery" is defined in the *Modern Slavery Act 2018 (NSW)* as any conduct constituting a modern slavery offence within the meaning of that Act and any conduct involving the use of any form of slavery, servitude or forced labour to exploit children or other persons taking place in the supply chains of organisations.
- From 1 July 2022, Councils will be required to take reasonable steps to ensure that goods and services procured by and for Council are not the product of modern slavery within the meaning of the [Modern Slavery Act 2018 \(NSW\)](#).
- Commencing from the 2022/23 financial year, each Council will be required to publish in their annual reports:
 - a statement of the action taken by the council in relation to any issue raised by the Anti-Slavery Commissioner during the year concerning the operations of the Council and identified by the Commissioner as being a significant issue, and
 - a statement of steps taken to ensure that goods and services procured by and for the Council during the year were not the product of modern slavery within the meaning of the [Modern Slavery Act 2018 \(NSW\)](#).

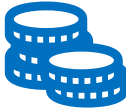
Your role in relation to the legislation is to advise if or how you have complied with the Act. A simple statement tabling measures taken i.e. Policy Management would be required or that you are not required to report under the Act due to company expenditure.

Council will review your submission and note accordingly through our Vendor management System VendorPanel.



OUR PROCUREMENT VALUES

We are committed to ethical business practices and expect the people we deal with to have the same ethical behaviour.



Value for Money

Obtaining the best quality and value for the price.



Open and fair competition

All prospective suppliers will be treated fairly in an open and transparent manner with the same access to information about the engagement.



Accountability

A clear framework and process lines of responsibility and accountability with all relevant transactions documented.



Risk Management

Recognising risk and developing strategies to deal with the risk.



Probity and transparency

Conducting business in an honest and principled manner, demonstrating the highest levels of integrity consistent with the public interest.

REGISTER OF GOVERNMENT CONTRACTS

In accordance with the requirements of Section 27 of the [Government Information \(Public Access\) Act 2009](#), we're required to maintain a register that records information about each government contract.

Contracts that must be included in the register are those between Council and a private sector contractor which has (or is likely to have) a value of \$50,000 or more.

The register involves:

- the contractor undertaking a specific project
- the contractor agreeing to provide specific goods and services
- the transfer of real property or
- the rent payable for the term of the lease.

Employment contracts don't need to be included in the register.

Browse our current [Contracts Register](#) or contact us and ask to speak with our GIPA Officer for more information.



ADVANCE
GREATER CESSNOCK