

Ballina Shire Council

Statement of Business Ethics

This Statement of Business Ethics provides guidelines for suppliers, contractors, customers and consultants when engaging in business activities with Ballina Shire Council. This includes the purchasing and supply of goods and services, disposal of goods and equipment, the contracting out of activities and services and the use of Council's services and other resources.

Ballina Shire Council's employees are required to maintain high standards of integrity and ethical conduct. We expect that all goods and service providers, customers and contractors and their employees respect our employees' commitment to these standards and comply with the same principles whilst undertaking business activities with Ballina Shire Council. These standards comply with NSW Government guidelines for procurement and contracting.

Failure to comply with these principles may include the reduction or termination of the business relationships with Ballina Shire Council. In some cases, unethical behaviour may result in the matter being investigated by the Independent Commission Against Corruption (ICAC) or the restriction of access to Council services.

This Statement is designed to ensure that business relationships between Ballina Shire Council, suppliers, customers, contractors and consultants, both actual and potential, are fair and productive for all parties by:

- Providing guidelines on what to expect from Ballina Shire Council and explaining the mutual obligations, roles and constraints of all parties to an arrangement; and
- Outlining Ballina Shire Council's ethical standards and our expectation that goods and service providers, customers and contractors will comply with these standards in all of their dealings with us.

What to expect from Ballina Shire Council

Ballina Shire Council's principles of business ethics establish obligations and standards of behaviour for Councillors, Council officers and suppliers, customers, contractors and consultants in relation to the supply of goods or services by or to the Council.

Our business dealings will be transparent and open to public scrutiny wherever possible.

We are committed to the purchasing of all goods and services through transparent processes. It is acknowledged that in achieving this, that the process Council follows must have regard to the purchase of goods, equipment and services in an efficient and effective manner.

Council seeks to purchase goods, equipment and services so that it achieves the best value for money. Best value for money does not automatically mean the lowest price; a number of issues need to be balanced. Part of obtaining best value for money also includes ensuring all our business relationships are honest, ethical, fair and consistent.

- Persons must conduct the procurement process with honesty and fairness;
- Council officers will ensure that prospective contractors and suppliers are afforded equal opportunity to tender/quote for all goods and services;
- Council officers will adhere to all aspects of the Procurement Policy in the matter of procurement including the procedures pertaining to the tendering process;
- Contractors or suppliers are not to canvass Councillors or Council officers in respect to gaining an advantage over other contractors or suppliers for the supply of a good or service to Council;

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- Council officers must not by virtue of their position accept or acquire for a personal advantage any gift, gratuities or hospitality except that which is permitted under Council's Code of Conduct or in accordance with the Local Government Act 1993;
- Council officers are not permitted to approach a contractor or supplier to pay a gift or benefit for receipt of advice;
- Any person with a conflict of interest must declare that interest as soon as that person knows of the conflict of interest; and
- In order to protect the commercial interests of all persons, there shall be no disclosure of confidential or proprietary information unless specifically approved. Council officers are only permitted to disclose information in the course of official Council business.

The Council acts fairly, ethically and without bias in relation to access by customers to services and other resources, but subject to, its consideration in any particular case of the interests of the local community including as to public safety. Access may be restricted or denied in an appropriate case.

What we ask of suppliers, contractors and consultants

We require all suppliers, contractors and consultants of goods and services to observe the following principles when doing business with Council:

- Comply with the Council's procurement policies and procedures;
- Provide accurate and reliable advice and information when required;
- Declare actual or perceived conflicts of interest as soon as you become aware of the conflict;
- Act ethically, fairly and honestly in all dealings with Council;
- Take all reasonable measures to prevent the disclosure of confidential Council information;
- Refrain from engaging in collusion, restraint of trade or other restrictive or anti-competitive practices;
- Refrain from offering Council employees inducements or incentives designed to improperly influence the conduct of their duties; and
- Assist Council to prevent unethical practices in our business relationships.

Sanctions

Non-compliance with the above principles by suppliers, contractors and consultants of goods and services may result in sanctions being applied to that supplier, contractor or consultant.

Sanctions for non-compliance with the procurement principles, or the restriction or exclusion of customers from access to services and resources, are based on the Council's right to choose with whom it does business in furtherance of its guiding principles and applicable policies. The sanctions applied will depend on the nature and seriousness of the non-compliance.

The range of sanctions available to be imposed in relation to procurement include:

- Formal warnings - that continued non-compliance will lead to more severe sanctions;
- Partial exclusion for the procurement process – that is, a reduction in supply or tendering opportunities; and
- Preclusion from the procurement process for a specified period.

Further Information:

If you require additional information about this statement or any other ethical issue, please contact Ballina Shire Council's Strategic Procurement Coordinator, Matt Dunne on 1300 864 444.

Authorised by: Paul Hickey **General Manager Ballina Shire Council**

APN NETWORK

BREAKING NEWS

REVEALED: What the jury said about 'socially harmful cult'



by [LIANA TURNER](#)

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Subscriber only

A SUPREME Court jury this week handed down its decision that a Far North Coast woman did not defame Universal Medicine leader Serge Benhayon.

The jury found the conduct of Esther Rockett, a former acupuncturist based in Byron Bay, had not defamed Mr Benhayon.

Of 60 imputations Mr Benhayon alleged, 16 were not made out at all, according to a 58-page document containing a host of questions answered by the jury, which has been obtained by The Northern Star.

The jury found of the 44 remaining imputations, all were covered by Ms Rockett's defences of truth or honest opinion, many by both.

The jury found Ms Rockett's actions were not "actuated by malice" and that her conduct was "reasonable in all of the circumstances".

For the bulk of matters, the jury found Ms Rockett presented comments she published as opinion rather than fact, that the material involved was "substantially true" and that Mr Benhayon did not establish in court Ms Rockett's views weren't an honestly held opinion.

This included comments that Mr Benhayon is the leader of a "socially harmful cult", that he has "intentionally indecently touched his client Esther Rockett during a consultation in his treatment room", that he had indecently touched a number of other clients, and "instructed students ... to touch the genitals of victims of sexual assault".

The jury found the same to be the case in relation to statements Mr Behnayon "dishonestly promotes fraudulent ideas of karma for self-gain", that he is "sexually manipulative of his cult followers" and "preys on cancer patients".

Of the 44 imputations made out by Mr Benhayon, 30 were found to stand up to three tests: to be "substantially true", presented as opinion rather than fact and that this opinion was based on "substantially true" material, including:

- Serge Benhayon had intentionally indecently touched a number of his clients in his treatment room.
- Serge Benhayon instructed students at Universal Medicine training workshops to touch the genitals of victims of sexual assault.
- Serge Benhayon has an indecent interest in young girls as young as ten whom he causes to stay at his house unaccompanied.
- Serge Benhayon is the leader of a socially harmful cult.

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- Serge Benhayon is the leader of Universal Medicine, a group which to his knowledge engages in misleading conduct in promoting the healing services it offers.
- Serge Benhayon is the leader of Universal Medicine, a group which to his knowledge makes false claims about healing that cause harm to others.
- Serge Benhayon as the leader of Universal Medicine exploits the followers of that group through his false and harmful teachings.
- Serge Benhayon is dishonest.
- Serge Benhayon is the leader of Universal Medicine, a group which to his knowledge preys on cancer patients.
- Serge Benhayon engages in inappropriate conduct towards women.
- Serge Benhayon is the leader of a socially harmful cult.
- Serge Benhayon dishonestly promotes fraudulent ideas of karma for self-gain.
- Serge Benhayon engages in bizarre sexual manipulation to make money for his business.
- Serge Benhayon is a hypocrite because his Esoteric Healing has death as its goal.
- Serge Benhayon is the leader of a socially harmful cult.
- Serge Benhayon denigrates life and glorifies death.
- Serge Benhayon is the leader of a socially harmful cult, which to his knowledge had engaged in dishonest healing practices.
- Serge Benhayon, the leader of Universal Medicine, had exploited children by having them vouch for Universal Medicine's dishonest healing practices.
- Serge Benhayon is the leader of a socially harmful cult.
- Serge Benhayon is guilty of inappropriate behaviour with children.
- Serge Benhayon is not a fit person to hold a Working with Children Certificate.
- Serge Benhayon vilifies people with disabilities.
- Serge Benhayon is the leader of a socially harmful cult that is paternalistic to women.
- Serge Benhayon is sexually manipulative of his cult followers.
- Serge Benhayon preys on cancer patients.
- Serge Benhayon is a charlatan who makes fraudulent medical claims.
- Serge Benhayon was to inherit the bulk of a follower's million-dollar estate as a result of exercising his undue influence on her.
- Serge Benhayon is the leader of an exploitative cult.
- Serge Benhayon makes bogus healing claims.
- Serge Benhayon is dishonest.

The jury found further imputations to be "substantially true":

- Serge Benhayon had intentionally indecently touched his client Esther Rockett during a consultation in his treatment room.
- Serge Benhayon has persuaded followers to shun loved ones who won't join his cult.
- Serge Benhayon is the leader of a socially dangerous cult.

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- Serge Benhayon has engaged in bullying to stop Esther Rockett exposing that he is guilty of inappropriate behaviour with children.
- Serge Benhayon exploits cancer patients by targeting them to leave him bequests in their wills.
- Serge Benhayon swindles cancer patients.
- Serge Benhayon is engaged in a healing fraud that harms people.
- Serge Benhayon is guilty of exploitative behaviour.

According to the documents, the jury found Mr Benhayon had not established Ms Rockett did not honestly hold opinions of any of the above imputations.