

# Statement of Business Ethics



From the Director-General

Housing NSW's purpose is helping build a stronger community by providing housing solutions to people in need. As public officials, we hold a position of trust in the community, and the decisions we make each day affect the lives of others. In everything we do, we are expected to act, and be seen to act, in the public interest. We set high ethical standards for ourselves and we expect the same of our private sector partners and suppliers.

When you adhere to this Statement of Business Ethics, it tells us that you, as a partner or supplier, respect our responsibility to deliver an ethical service to the people of NSW and are committed to helping us achieve this.

We look forward to doing business with you.

Mike Allen  
Director-General

## Who does our Statement of Business Ethics apply to?

Housing NSW requires all of its employees, agents and anyone acting on behalf of Housing NSW to abide by this Statement of Business Ethics. **We also require our commercial partners to maintain similar ethical standards.** We expect that our commercial partners will make their employees, agents, subcontractors or anyone working on Housing NSW business aware of this Statement and their obligation to respect its principles.

## What are our core business principles?

Housing NSW conducts all of our business activities with honesty, fairness and consistency. We aim to work within an open and competitive marketplace that achieves the best value for public money. We are committed to transparency in all of our business endeavours. Our commercial activities are open to public scrutiny, subject to the limitations placed upon us by legislation and NSW Government policies and procedures.

In the context of this Statement, fairness means that we will be objective, reasonable and accountable for our decisions. We acknowledge that there may be differences between the way the public and private sectors do business, and the expectations each has of the other. We will do our best to reconcile those differences in a way that respects the rights and obligations of both parties. We expect our commercial partners to take the same approach in their dealings with us.

Housing NSW will balance all relevant factors in making its commercial decisions. These include, but are not limited to, initial and whole-of-life costs, quality, reliability and timeliness of delivery, as well as community and social policy imperatives.

## What can you expect from our officials?

We believe that personal integrity is an essential part of Housing NSW's role as the leading provider of sustainable and affordable social housing in NSW. Public officials of Housing NSW pledge to operate under and uphold the highest of ethical standards. In their commercial dealings on behalf of Housing NSW, officials are bound by our Code of Conduct and Ethics. Our

A commercial partner is considered to be any individual or organisation which enters into a contractual relationship to provide goods or services to Housing NSW.



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officials are required to carry out their duties using common sense and good judgment. Acting in accordance with the Code, they are expected to:

- act in a courteous, respectful and unbiased manner
- communicate in a clear, direct and accountable fashion
- use public resources effectively, efficiently and economically
- avoid conflicts of interest
- keep accurate records of all business dealings on behalf of Housing NSW
- maintain the confidentiality of Housing NSW's and our commercial partners' proprietary and sensitive information
- not accept gifts or other benefits offered during the course of their duties.

If Housing NSW officials do not adhere to our Statement of Business Ethics, they will be held accountable and may be subject to disciplinary proceedings, including possible loss of employment, as well as criminal and other legal sanctions.

## What are our key commercial practices?

Housing NSW is committed to purchasing goods and services through established NSW Government contracts systems and pursuant to the State Government's Code of Practice for Procurement.

That Code stipulates standards which all parties to procurement will adhere to, and covers:

- honesty and fairness
- accountability and transparency
- no conflict of interest
- rule of law
- no anti-competitive practices
- no improper advantage
- intention to proceed (prior to seeking or submitting tenders) and
- co-operation.

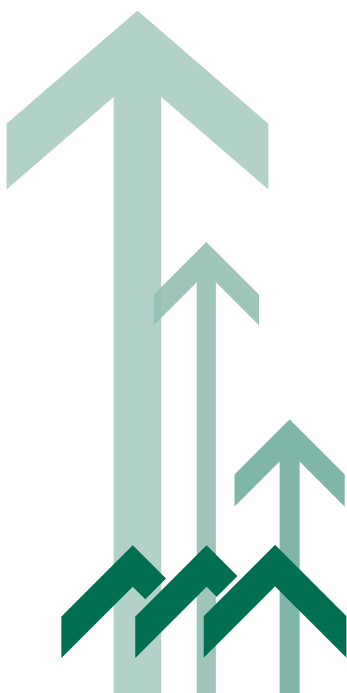
All communications made or received by Housing NSW will be treated as confidential, unless otherwise indicated. Housing NSW keeps records of all commercial transactions to ensure that there is an effective audit trail and a basis upon which to monitor and review the performance of contracts. Our commercial partners can also expect:

- to be treated with impartiality and fairness
- to receive equal access to information
- to have the same opportunities to submit bids or tenders
- to be subject to probity and audit checks if required
- to have their intellectual property rights respected and to receive fair compensation for any access, license or use of those rights
- to receive fair consideration when providing goods or services to Housing NSW.

## What do we expect from our commercial partners?

Housing NSW expects our commercial partners to mirror the ethical standards and practices that we follow. In particular, we expect our commercial partners to:

- comply with Housing NSW's procurement policies and procedures in all their dealings with Housing NSW
- provide accurate and reliable advice and information
- declare any conflicts of interest arising in their commercial activities with Housing NSW
- not engage in any form of collusive practice, including offering Housing NSW officials inducements or incentives
- not disclose confidential information
- refrain from discussing Housing NSW business practices or information in the media or other public forums



*Housing NSW is committed to purchasing goods and services through established NSW Government contracts systems and pursuant to the State Government's Code of Practice for Procurement.*

- provide fair value for money in supplying Housing NSW with goods and services
- co-operate in preventing unethical practices
- assist Housing NSW in continuously improving its business practice and relationships.

### **What do we expect of our officials?**

In dealing with our business partners, Housing NSW officials are expected to:

- promote the integrity of the public sector
- always act in the public interest
- disclose and manage any conflicts of interest
- not accept or solicit money, gifts, hospitality, benefits or travel
- treat clients and partners with fairness
- not engage in any discriminatory or harassing behaviour
- not disclose any confidential information obtained in the conduct of their work
- ensure that information is kept securely to prevent unauthorised access
- obtain approval for any secondary employment outside their official duties
- respect the confidentiality of any information obtained in their employment with Housing NSW when or if they move on to other employment
- report corrupt conduct.

### **Why is compliance important?**

By complying with our Statement of Business Ethics, our commercial partners will be able to advance their reputation, business objectives and interests in the broader market and community.

Considering that all of Housing NSW's commercial partners must adhere to these ethical standards, there is no disadvantage in complying. However,

there are serious disadvantages to non-compliance. In particular, demonstrated corrupt or unethical conduct could lead to the termination of contracts, loss of work in the future, damage to business reputation, public exposure and even criminal prosecution.

### **Gifts and benefits**

As a general rule, Housing NSW requires its officials to decline gifts, benefits, travel or hospitality offered during the course of their duties. As such, our commercial partners should refrain from offering any such incentives to Housing NSW officials - all such offers will be formally reported. Housing NSW only permits its officials to accept gifts if:

- they are a token and of nominal value
- refusing a gift is likely to be perceived as rude or offensive
- the offer is not targeted at an individual official.

If a gift is accepted, officials must record the gift in Housing NSW's Gifts and Benefits Register, which is a publicly accessible document.

### **Disclosing and registering conflicts of interest**

A conflict of interest exists, or may exist, where a person's private affairs (may) impact upon their professional responsibilities. A conflict can be:

- actual, where the conflict already exists – for example, an official has a family relationship with somebody working on a project for Housing NSW
- potential, where there is no current conflict but one may exist in the future – for example, an official has a family relationship with someone who works for a company which may tender for a Housing NSW contract in the future



## Questions and contacts

If you have any questions regarding this Statement or wish to provide information about suspected corrupt conduct, please contact Housing NSW's Business Assurance Unit directly.

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- perceived, where there is no actual conflict but to an outside observer there may appear to be one – for example, where an employee has a family relationship with someone who works for a Housing NSW contractor, but in a role which has no bearing on the contract work being undertaken.

Conflicts of interest are not inherently bad or damaging. However, where there is an actual or potential conflict, it is essential that it be declared and strategies be put in place to manage it, so as to prevent the conflict from having a detrimental effect on any of the parties involved.

Housing NSW requires all officials to disclose any potential or actual conflicts of interest. **This requirement extends to our commercial partners.** Conflicts of interest must be brought to Housing NSW's attention as soon as they become known. It is strongly advised that any commercial partner who is aware of a conflict of interest contact Housing NSW's Business Assurance Unit to report the conflict and, as necessary, seek advice on managing it effectively. Housing NSW will record the conflict in its Conflict of Interest Register, along with details of how the conflict will be managed.

## Reporting corrupt conduct

Corrupt conduct is conduct of any person (public official or not) that adversely affects the honest or impartial exercise of official functions by any public official or authority. It includes the offering or acceptance of bribes and the misuse of Housing NSW resources.

Under legislation and Housing NSW's Code of Conduct and Ethics, officials are required to report any suspected corrupt conduct. Housing NSW complies with the provisions of the *Protected Disclosures Act 1994*, which provides some protection for public officers who report corrupt conduct. Under the Act it is an offence to take any detrimental action against individuals who report corrupt conduct, maladministration or the serious waste of public resources.

The *Protected Disclosures Act 1994* does not apply to individuals who are not public officials (which includes people working for our commercial partners). **However Housing NSW would expect its business partners to report to it any suspected corruption, fraud or misconduct** by a Housing NSW official in the conduct of the partnership's business activities.

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