



Natural
Resources
Commission

STATEMENT OF BUSINESS ETHICS

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Table of Contents

1	Purpose	3
2	Risk management	3
3	Key features	3
4	Key responsibilities	3
5	Commission's key business principles	4
6	What you can expect from the Commission	4
7	What the Commission asks of you	5
8	Why compliance is essential	5
9	Facts to be aware of when engaging with the Commission	6
9.1	Confidentiality	6
9.2	Incentives, gifts and benefits	6
9.3	Conflicts of interest	6
9.4	Communication between parties	6
9.5	Intellectual property rights	6
9.6	Use of Commission equipment, resources and information	6
9.7	Public interest disclosures	6
9.8	Contracting employees	7
10	Who to contact	7
11	Document control	7

1 Purpose

The Natural Resources Commission (the Commission) is committed to undertaking ethical business practices and having transparent, fair and honest business relationships with its contractors and providers of goods and services.

This Statement of Business Ethics (the Statement):

- provides direction for contractors and suppliers of goods and services when doing business with the Commission
- outlines the Commission's ethical standards and its expectation that contractors and providers of goods and service will comply with these standards in all their dealings with the Commission
- outlines what contractors and providers of goods and services can expect of the Commission.

2 Risk management

Conforming to the Commission's Statement of Business Ethics will considerably reduce the following risks:

- inappropriate business operations occurring between Commission staff and contractors and the providers of all goods and services to the Commission
- occurrence of actual or perceived conflicts of interest

3 Key features

The Statement of Business Ethics is based on a number of clear principles, including:

- ethical, honest, fair and professional behaviour in all business transactions
- transparency in procurement, business and service delivery
- best value for money in business relationships
- utilising the NSW Government contracts scheme wherever possible and practicable.

4 Key responsibilities

The Commissioner is responsible for supporting this Statement of Business Ethics.

Executives and Managers are responsible for:

- ensuring staff are informed of the principles of this Statement
- ensuring contractors and the providers of all goods and services are made aware of this Statement.

All employees are expected to:

- behave ethically and comply with the Commission's Code of Ethics and Conduct.
- understand the terms of this Statement of Business Ethics.

5 Commission's key business principles

The principles of transparency and honesty are fundamental to the Commission's business relationships with contractors and the providers of goods and services. The Commission's business dealings will be fair and open to public scrutiny wherever possible. The Commission is committed to purchasing all goods, equipment and services through the established NSW Government contracts systems, where possible and reasonably practical.

The principle of best value for money is also at the core of all Commission's business relationships with private and public sector providers of goods and services. Best value for money does not automatically mean the lowest price. Rather, the Commission will balance all relevant factors including initial cost, whole-of-life costs, quality, reliability, and timeliness in determining true value for money.

Part of obtaining best value for money also includes ensuring all our business relationships are honest, ethical, fair and consistent.

6 What you can expect from the Commission

The Commission will ensure that all policies, procedures and practices related to tendering, contracting and the purchase of goods or services are consistent with best practice and the highest standards of ethical conduct.

The Commission's procurement activities are guided by the following business principles:

- existing public sector procurement policies
- all procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and to allow for effective performance review of contracts
- all potential suppliers will be treated with impartiality, fairness and consistency, and given equal access to information and opportunities to submit bids.

The Commission has a Resource Efficiency Policy. In an endeavour to achieve targets, the Commission is committed to purchasing, wherever possible, energy-efficient equipment containing recycled materials and environmentally friendly products.

The Commission will not call tenders unless it has a firm intention to proceed to contract nor will it disclose confidential or proprietary information.

The Commission staff are bound by the Commission's policies and Code of Ethics and Conduct. When doing business with the private sector, the staff are accountable for their actions and are expected to:

- deal fairly, honestly and ethically with all individuals and organisations
- avoid any conflicts of interest (whether real or perceived)
- use public resources effectively and efficiently.

7 What the Commission asks of you

The Commission requires all contractors and providers of goods and services to observe the following principles when doing business with the Commission:

- act ethically, fairly and honestly in all dealings the Commission
- assist the Commission to prevent unethical practices in our business relationships
- declare actual or perceived conflicts of interest as soon as you become aware of the conflict
- comply with the Commission's:
 - procurement policies and procedures
 - Work, Health and Safety policy
 - Code of Ethics and Conduct
- provide accurate and reliable advice and information, when required
- take all reasonable measures to prevent the disclosure of confidential Commission information
- refrain from engaging in any form of collusive practice, including offering the Commission employees inducements or incentives designed to improperly influence the conduct of their duties
- refrain from discussing the Commission business or information in the media.

8 Why compliance is essential

All the Commission contractors and providers of goods and services are required to comply with this Statement of Business Ethics. By complying with this, you will be able to advance your business objectives and interests in a fair and ethical manner.

Complying with the Commission's principles will also prepare your business for dealing with the ethical requirements of other public sector agencies, should you choose to do business with them.

You should also be aware of the consequences of not complying with the Commission's ethical requirements when doing business with the Commission. Demonstrated corrupt or unethical conduct could lead to:

- termination of contracts
- loss of future work
- loss of reputation
- investigation for corruption
- matters being referred for criminal investigation.

9 Facts to be aware of when engaging with the Commission

9.1 Confidentiality

All Commission information should be treated as confidential, unless otherwise indicated.

9.2 Incentives, gifts and benefits

The Commission expects its staff to decline gifts, benefits, travel or hospitality offered during the course of their work. You should refrain from offering any such 'incentives' to the Commission staff. All such offers must be formally reported.

The Commission only permits its staff to accept gifts if:

- gifts are token and of nominal value (less than \$50)
- refusing a gift is likely to be perceived as culturally rude or offensive.

If a gift is accepted, the Commission requires the staff member to record the gift in the Commission's Gifts and Benefits Register, and the Director Corporate Services will determine suitable action.

9.3 Conflicts of interest

All Commission staff are required to disclose any real, perceived or potential conflicts of interest. The Commission extends this requirement to all our business partners, contractors, consultants and suppliers.

9.4 Communication between parties

All communication should be honest, clear, direct and accountable to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship.

9.5 Intellectual property rights

In business relationships with the Commission, parties will respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property and record the rights in the contract for services.

9.6 Use of Commission equipment, resources and information

All Commission equipment, resources and information should only be used for its proper official purpose.

9.7 Public interest disclosures

The Commission does not tolerate corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and other forms of serious wrongdoing. The Commission's commercial partners and suppliers are required to report all information that they become aware of that they honestly believe, on reasonable grounds, shows or tends to show, serious wrongdoing inside or outside the Commission.

Individuals and corporations (and employees or officers of these corporations) engaged by the Commission under a contract to provide services to, or on behalf of, the Commission are classified as 'public officials' under the *Public Interest Disclosures Act 1994*. The Act protects public officials

from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing in line with requirements of the Act. The Act also ensures that disclosures are appropriately investigated and dealt with.

9.8 Contracting employees

All contracted and sub-contracted employees are expected to comply with the Commission's Statement of Business Ethics. If you employ sub-contractors in your work for the Commission, you must make them aware of this Statement of Business Ethics.

10 Who to contact?

If you have any questions regarding this Statement of Business Ethics or to provide information about suspected corrupt conduct, please contact the Commission directly by letter, phone, fax or email at the contact details displayed on our website.

Alternatively, the following external organisations may be contacted if corrupt conduct or maladministration are suspected:

- Independent Commission Against Corruption (<http://www.icac.nsw.gov.au>)
- NSW Ombudsman (<http://www.ombo.nsw.gov.au>)

Public officials reporting corrupt conduct, maladministration or serious waste of public funds are protected by the *NSW Public Interest Disclosures Act 1994*. This Act protects public officials disclosing corruption-related matters from reprisal or detrimental action and ensures disclosures are properly investigated and dealt with.

For information concerning contracts and tenders, please contact the Commission's Director Corporate Services on telephone number (02) 9228 4844.

11 Document control

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