



STATEMENT OF BUSINESS ETHICS

AUGUST 2017



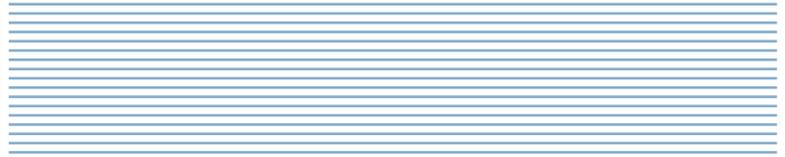
Foreword

To meet community expectation, all NSWEC staff including Returning Officers and election officials need to observe the principles set out in our Code of Conduct.

The NSWEC relies upon our contractors and suppliers being aware of and adhering to the same values when carrying out work on our behalf.

This Statement of Business Ethics provides guidance for suppliers and other contractors when doing business with NSWEC.

The NSWEC is committed to this Statement. The commitment of our contractors and suppliers is essential in maintaining our reputation in the community.



Business Ethics

What we ask of you

We require you to observe the following principles when doing business with NSWEC:

- respect the obligation of NSWEC staff to act in accordance with our Code of Conduct and this statement;
- comply with NSWEC's supplier engagement protocols;
- provide accurate and reliable information;
- declare conflicts of interest (real, potential, or reasonably perceived) as soon as you become aware of them (particularly political associations);
- act ethically, fairly and honestly in all dealings with NSWEC; and
- take all reasonable steps to prevent disclosure of NSWEC information noting that disclosure requires specific NSWEC authorisation.

The NSWEC also requires that all suppliers not engage in business practices that will restrict or limit competition. In particular:

- never discuss or reach an understanding or arrangement with a competitor about supplies, process, terms, tenders, other competitors or other factors relevant to competition;
- never try to influence another supplier's or competitor's dealings with NSWEC;
- do not take advantage of others' disadvantages by acting unfairly or unconscionably;
- do not supply goods or services in a manner that contravenes legislation;
- do not mislead or deceive with advertising, predictions or opinions; and
- refrain from discussing NSWEC's business or information in the media.

Your acknowledgement

In acknowledgement of our values and expectations, you will be required to sign a confidentiality and compliance agreement. Any concerns you may have should be discussed with us.

Work Health and Safety

All persons should protect their own safety and the safety of those around them. NSWEC is responsible for providing a safe work environment and for the health, safety and welfare of its employees/contractors. As appropriate the satisfaction of WHS obligations will be undertaken in consultation with contractors.

Fairness and equity

You are expected to be honest, fair and non-discriminatory in your dealings with NSWEC staff, other contractors/suppliers and their staff, and our clients including the public.

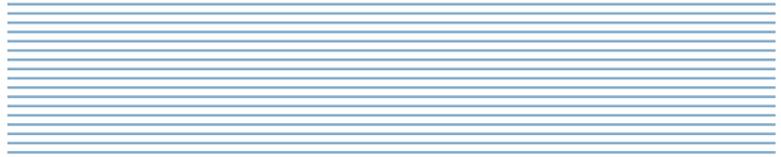
You should respect other people's individual differences and rights including their opinions, and treat all people with courtesy and respect.

Incentives, gifts and benefits

NSWEC's staff as well as contractors and agents acting on behalf of the Commission are not to solicit incentives, gifts or benefits in connection with their employment. Gifts or benefits of more than a nominal value are to be registered and recorded by the Director of Administration. NSWEC's staff, contractors and agents are unable to accept any gifts or benefits of more than a nominal value.

Conflicts of interest

A conflict of interest involves a conflict between your personal or private interests and your duty to serve the best interests of the NSWEC. This encompasses associations which may impact on our key value of political impartiality. Conflicts of interest need to be identified, disclosed and effectively managed to protect against any potential harm to our reputation.



NSW Electoral Commission's Values

Our values

We expect our contractors and agents of the Commission to adhere and promote our values.

1. Integrity in the way we work
2. Impartiality in service provision to maintain the confidence of stakeholders and the community, and to uphold the democratic nature of the NSW Electoral system (particularly political impartiality)
3. Uphold the principle of equal access to democracy for all NSW citizens
4. Professionalism in providing electoral services regardless of size or nature of event
5. A learning culture amongst our staff to ensure we improve service delivery and remain modern, forward thinking and capable of meeting future challenges

There are consequences for failure to comply with NSWEC's Statement of Business Ethics. Demonstrated corrupt, fraudulent or unethical conduct could lead to:

- Loss of reputation
- Termination of contracts
- Loss of future work
- Investigation for corruption
- Matters being referred for criminal investigation

The ICAC Act defines those engaged as consultants or contractors by a public authority as "public officials". You are subject to ICAC's jurisdiction and are considered public officials for the purposes of the ICAC Act.

Business Principles – What to Expect

The NSWEC operates in a mission critical environment, where deadlines associated with the conduct of elections are set in legislation and are non-negotiable. In this context the timely provision of goods and services is of utmost importance.

The NSWEC will ensure that all its policies, procedures and practices related to the purchase, tendering and contracting of goods and services are consistent with NSW Government Procurement and Tendering Guidelines, regulations and high standards of ethical conduct.

Fairness and value for money are the core principles of all NSWEC's business relationships. Fairness means being objective, reasonable and even handed. We strive to ensure our processes are appropriate, open and accountable wherever practicable. We will only deal exclusively with parties in exceptional circumstances, where there are compelling reasons for doing so, based on sound probity principles. Value for money is the combination of a range of factors, including but not solely limited to price.

We will balance all relevant factors in determining value for money including:

- compliance with specification;
- capacity to deliver;
- quality;
- timeliness;
- capital and recurring (ongoing) costs;
- and reliability.

Responsibilities of contractors, clients and agencies

In dealing with NSWEC, you are responsible for maintaining high ethical standards in all works.

The NSWEC expects all parties to perform their duties with integrity. Behaviour must be courteous and adhere to all relevant laws and contractual obligations.

All business associates and staff are responsible for their own conduct and are expected to understand their responsibilities, what work is to be done, how it is to be done and expected outcomes.

Personal and confidential information

NSWEC expects its suppliers to take all reasonable steps to protect confidential information.

You must abide by privacy legislation governing the collection, holding, use, correction, disclosure or transfer of personal information obtained through your dealings with NSWEC.

Personal information collected or provided in the provision of services to the NSWEC will be subject to protection via the completion of a Personal Information Safeguard Agreement. The disclosure of confidential or personal information requires NSWEC authorisation.

Intellectual property rights

In business relationships all parties are expected to identify and respect each other's intellectual property rights, and formally negotiate any access, license or use of intellectual property.

Secondary employment of our staff

NSWEC's code of conduct details the limitations of secondary employment for its staff. Engaging in any secondary employment requires the prior approval of the Electoral Commissioner.

Use of NSWEC equipment, resources and information

It is required that NSWEC's resources and information be only utilised for official NSWEC business. Such is to be negotiated as an item within any contract.

The use of any telecommunications system to make or send fraudulent, unlawful, or abusive information, calls or messages is prohibited.

NSWEC resources must not be used to access or disseminate material on illegal drugs, pornography, unlawful or abusive messages, dangerous materials or other illegal activity; or material which promotes hatred or discrimination based on age, race, religion, gender or sexual preference.

Travel and accommodation

The travel and accommodation of your employees in the provision of services to the NSWEC will not be covered by the NSWEC, unless formally negotiated and provided for in a contract.

Sponsorship

The NSWEC will not engage in any sponsorship agreement which may jeopardise its reputation for independence and integrity. Such are subject to the approval of the Electoral Commissioner.

Public comment or statement

Non NSWEC personnel must not make any public comment or statement that would lead anyone to believe that they are representing NSWEC, or expressing its views or policies whether at public and community meetings, via the media, or when it is reasonably foreseeable that the comments or statement will become known to the public at large.

Corruption prevention

As a contractor in the NSWEC should you discover evidence of corrupt conduct, maladministration or serious waste of public resources you should report it. You may be protected by the *Public Interest Disclosures Act 1994*. This Act protects public officials (including contractors) who disclose corruption-related matters from reprisal or detrimental actions and ensures disclosures are properly investigated and dealt with. Our Public Interest Disclosures policy provides instruction on reporting wrong doing.

Alcohol and drugs

No person should enter any NSWEC site or return to work if they are under the influence of alcohol or other drugs that could impair their work or endanger themselves or others.

Who to contact

If you have any questions regarding this statement or wish to provide information about suspected corrupt conduct, fraud, maladministration, or serious and substantial waste of public funds, please contact NSWEC directly by letter, phone or email utilising the contact details: Executive Director, Corporate, GPO Box 832 Sydney NSW 2001
Phone: 9290 5999 **Fax:** 9290 5991 **Email:** enquiries@elections.nsw.gov.au

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