

# Business Ethics Statement

NSW CROWN HOLIDAY PARKS LAND MANAGER  
VERSION 1 – 5TH APRIL 2017

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## BUSINESS ETHICS

NSW Crown Holiday Parks Land Manager (NSWCHPLM) operates Holiday Reserves on Crown Land. The Trust undertakes a wide variety of activities to support this core business, including capital works, human resources, marketing, strategic planning, operational activity, finance and I.C.T. support.

NSWCHPLM employees are expected to behave ethically and comply with the Code of Ethics and Conduct. NSWCHPLM also expects high standards of behaviour from firms and individuals that do business with the Trust.

The NSWCHPLM Business Ethics Statement gives guidance to commercial partners and suppliers on expected behaviours. All individuals and organisations that deal with NSWCHPLM must adopt these standards of ethical behaviour. NSWCHPLM, as a Land Manager of Crown Land Reserves created by the Crown Land Management Act 2016, is committed to promoting integrity, ethical conduct and accountability in all areas of public administration.

## WHAT NSWCHPLM ASKS OF COMMERCIAL PARTNERS AND SUPPLIERS

All commercial partners and suppliers are required to observe the following principles when doing business with NSWCHPLM:

- Comply with applicable NSW Government procurement frameworks, policies, and codes of practice and NSWCHPLM's procurement policies and procedures and act ethically, fairly and honestly in all dealings.
- Not offer employees, contractors and consultants any financial inducements or any gifts, benefits, or hospitality.
- Declare actual, potential or perceived conflicts of interest as soon as such matters arise.
- Prevent the disclosure of confidential NSWCHPLM information and protect NSWCHPLM intellectual property.
- Assist NSWCHPLM to prevent fraud, corruption and unethical practices in business relationships by reporting wrongdoing (refer to practical guidelines below).

## NSWCHPLM KEY BUSINESS PRINCIPLES

NSWCHPLM delivers public value by making or enabling sustained improvements to business operations by applying the following core values:

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### INTEGRITY

- Consider people equally without prejudice or favour.
- Act professionally with honesty, consistency and impartiality.
- Take responsibility for situations, showing leadership and courage.
- Place the public interest over personal interest.

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### TRUST

- Appreciate difference and welcome learning from others.
- Build relationships based on mutual respect.
- Uphold the law, institutions of government and democratic principles.
- Communicate intentions clearly and invite teamwork and collaboration.
- Provide apolitical and non-partisan advice.

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### SERVICE

- Provide services fairly with a focus on customer needs.
- Be flexible, innovative and reliable in service delivery.
- Engage with the not-for-profit and business sectors to develop and implement service solutions.
- Focus on quality while maximising service delivery.

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### ACCOUNTABILITY

- Recruit and promote employees on merit.
- Take responsibility for decisions and actions.
- Provide transparency to enable public scrutiny.
- Observe standards for safety.
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

NSWCHPLM's key business principles include achieving **value for money** in the expenditure of funds while being fair, ethical and transparent.

NSWCHPLM's committed to the NSW Procurement Board's NSW Procurement Policy Framework.

## WHY NSWCHPT COMMERCIAL PARTNERS AND SUPPLIERS SHOULD COMPLY

Commercial partners and suppliers will be able to advance their business objectives and interests in a fair and ethical manner through complying with the basic principles of probity management as well as the NSW Procurement Board's **Procurement Policy Framework**, and

this Business Ethics Statement. There is no disadvantage as all NSWCHPLM commercial partners and suppliers must comply with these requirements.

Non-compliance with stated ethical requirements when doing business with NSWCHPLM, as well as demonstrated corrupt or unethical conduct, could lead to:

- Termination of contracts;
- Loss of future work;
- Loss of reputation;
- Investigation for corruption; and / or
- Matters being referred for criminal investigation.

## WHAT COMMERCIAL PARTNERS AND SUPPLIERS CAN EXPECT FROM NSWCHPT EMPLOYEES

NSWCHPLM employees are bound by the core public sector values of integrity, trust, service and accountability as well as the Code of Conduct and are expected to:

- Ensure that decisions and actions are reasonable, fair and appropriate to the circumstances, based on consideration of all the relevant facts, and be supported by relevant legislation, policies and procedures.
- Accept responsibility and be accountable for their actions in accordance with delegated functions, accountabilities, and the requirements of the Code of Conduct.
- Actively promote the integrity and reputation of the public sector by always acting in the public interest and not engage in any activities that would bring NSWCHPLM, Crown Lands, Department of Industry, or the Government generally, into disrepute.
- Achieve the highest standards of ethics by treating Government, stakeholders, clients, suppliers and each other fairly and professionally.
- Provide relevant and responsive service to clients and customers, with all necessary and appropriate assistance in accordance with agreed service standards.
- Always act with care and diligence, utilising NSWCHPLM's resources in a proper manner.

## PRACTICAL GUIDELINES

### INCENTIVES, GIFTS, BENEFITS AND HOSPITALITY

Commercial partners and suppliers must not offer or give gifts to NSWCHPLM employees and there is no expectation from NSWCHPLM employees that any gifts will be provided. NSWCHPLM employees will decline gifts, benefits, or travel offered during the course of their work. Cash gifts (or equivalent, e.g. gift vouchers) are never acceptable.

NSWCHPLM commercial partners and suppliers must not pay or offer to pay for any form of entertainment for NSWCHPLM employees. This includes such things as tickets to sporting or social events, social meals at restaurants, travel expenses to attend either local or interstate meetings or conferences, or accommodation expenses. NSWCHPLM meets all such business costs for employees.

NSWCHPLM employee participation in some modest forms of hospitality is permitted where: a clear underlying business purpose exists; it is in the normal course of business; relates to the work of the Trust; has a public benefit; and is disclosed by the employee.

Offers, acceptance, and non-acceptance, of gifts, benefits and hospitality are required to be disclosed by NSWCHPLM employees in accordance with the Gifts and Benefits Policy.

NSWCHPLM acknowledges that judgement by both commercial partners/suppliers and employees needs to be exercised regarding the offer and acceptance of such hospitality – the essence is that it must be modest (both actual and in perception) and not be encumbered by obligation. It must also not be offered at a time that could raise general concerns about conflicts of interest, for example during a tender or contract negotiation period. Modest hospitality could include basic refreshments at meetings, and simple light working luncheons.

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#### CONFLICTS OF INTEREST

All NSWCHPLM employees are required to disclose any actual, perceived, or potential conflicts of interest. This includes those that can, or could, arise from personal relationships between NSWCHPLM employees and staff of commercial partners and suppliers. This requirement is extended to all NSWCHPLM commercial partners and suppliers.

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#### SPONSORSHIP

NSWCHPLM will not ask for, entertain, or enter into any sponsorship or similar arrangement that is not open and transparent or where such activity creates a perception that it could be part of an attempt to improperly influence decision-making processes. Where applicable, specific policies and processes developed within NSWCHPLM for sponsorship arrangements are to be adhered to.

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#### CONFIDENTIALITY AND INTELLECTUAL PROPERTY

Confidential information (in whatever form – hard copy, electronic, etc.) must be treated as such and protected as appropriate. The specific requirements of copyright laws and individual contracts must be adhered to in relation to confidentiality and intellectual property.

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#### COMMUNICATION AND COOPERATION

In line with applicable NSW Government procurement frameworks, policies, and codes of practice, NSWCHPLM and commercial partners, contractors, sub-contractors and suppliers will maintain business relationships based on open and effective communication, respect and trust, and adopt a non-adversarial approach to dispute resolution.

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#### PRIVATE EMPLOYMENT AND POST-SEPARATION EMPLOYMENT

NSWCHPLM requires employees to obtain the approval of the Human Resources Manager and/or Executive prior to entering into any private/secondary employment arrangement. This will not be approved if it has the potential to create an actual or

perceived conflict of interest between the employee's public official role and their private interests. NSWCHPLM employees are not to use either their position, government information, or intellectual property developed while serving NSWCHPLM to secure private employment.

Commercial partners and suppliers must not offer NSWCHPLM employees private employment which conflicts with their public duties. Former employees who have dealings with NSWCHPLM need to ensure that they do not seek, or appear to seek, favourable treatment or access to confidential information.

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#### EXPECTATIONS REGARDING CONTRACTORS

All contractors and sub-contractors are expected to comply with the NSWCHPLM Business Ethics Statement. Commercial partners and suppliers are responsible for making any of their sub-contractors aware of this statement.

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#### PUBLIC COMMENT

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

NSWCHPLM employees are not permitted to provide public endorsement, on NSWCHPLM's behalf, of companies or their products.

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#### PUBLIC INTEREST DISCLOSURES

NSWCHPLM does not tolerate corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and other forms of serious wrongdoing. NSWCHPLM 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 NSWCHPLM and its related entities.

Individuals and corporations (and employees or officers of these corporations) engaged by NSWCHPLM under a contract to provide services to, or on behalf of, NSWCHPLM may be 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.

#### FURTHER ASSISTANCE

Questions regarding the Statement of Business Ethics:

NSWCHPLM Contracts Manager  
Tel: [\(02\) 4914 5530](tel:0249145530)

Concerns about a possible breach or any conduct that could involve fraud, corrupt conduct, maladministration, or serious and substantial waste of public funds:

Independent Commission Against Corruption  
Level 7, 255 Elizabeth Street  
Sydney NSW 2000  
Australia  
Tel: 02 8281 5999

[1] 'Employees' refers to all individuals employed, appointed or otherwise engaged. This includes permanent, temporary and casual employees, as well as consultants, contractors and agency employees engaged to perform work for or on behalf of NSW CHPT