

Business Ethics Statement

Introduction

Our Business Ethics Statement guides commercial partners and suppliers on how to work with us.

NSW Trustee & Guardian is a government agency operating within the NSW Stronger Communities cluster, offering a full range of trustee services as well as serving as financial manager or guardian for some of the state's most vulnerable people. The agency provides a critical community service by protecting, promoting and supporting the rights, dignity, choices and wishes of its customers.

NSW Trustee & Guardian demands integrity, ethical conduct and accountability in all areas of public administration. Our strong customer focus means that we make decisions in the best interests for our customers. We aim to work within an open and competitive marketplace that achieves the best value for money. We acknowledge the need to manage the assets of customers and provide services that support and meet the needs and expectations of our customers.

Our Business Ethics Statement provides a framework of mutual obligations, roles and constraints in business operations conducted for both NSW Trustee & Guardian and on behalf of our customers.

All business partners, suppliers and contractors of NSW Trustee & Guardian are expected to satisfy this Business Ethics Statement, observe the law and comply with our policies and procedures.

NSW Trustee & Guardian is guided by the following Customer Excellence Principles:



When doing business with NSW Trustee & Guardian, all commercial partners and suppliers are required to:

- Comply with all applicable laws and regulations.
- Comply with conditions and requirements set out in documents supplied by NSW Trustee & Guardian.
- Comply with applicable NSW Government procurement frameworks, policies, and codes of practice.
- Respect the obligation of our employees, contractors and suppliers to comply with government procurement policies and guidelines.
- Declare actual or perceived conflicts of interest as soon as such matters arise.
- Act ethically, fairly and honestly in all dealings.
- Prevent the disclosure of confidential information and protect intellectual property and privacy of our customers and NSW Trustee & Guardian.
- Not discuss the operations of NSW Trustee & Guardian, or our customers, with the media or any third party unless prior approval is given by NSW Trustee & Guardian.
- Respond to reasonable requests by NSW Trustee & Guardian for advice or information in a timely manner.
- Prioritise the safety and health of our people.
- Not offer our customers, employees, contractors or consultants any financial inducements or any gifts or other benefits.
- Ensure that all of your personnel, including sub-contractors, who perform work for NSW Trustee & Guardian are aware of, and comply with this Business Ethics Statement.
- Not engage in collusive practices.

Expectations Regarding Contractors:

- All contractors and sub-contractors are aware of and comply with the Business Ethics Statement.
- Commercial partners and suppliers are responsible for making their sub-contractors fully aware of this Business Ethics Statement.

Why commercial partners and suppliers should comply:

In order to conduct business with NSW Trustee & Guardian in a fair, safe and ethical manner, all commercial partners and suppliers must comply with:

- Basic principles of probity management.
- NSW Procurement Board's Procurement Policy Framework.
- This Business Ethics Statement.
- All applicable laws and regulations.

Non-compliance with the ethical requirements above, as well as unethical or corrupt conduct, could lead to:

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

What commercial partners and suppliers can expect from our employees:

Employees are bound by the core public sector values of integrity, trust, service and accountability. They are also expected to comply with the NSW Trustee & Guardian Code of Ethics and Conduct, as well as:

- Ensure their decisions and actions are reasonable, fair and appropriate to the circumstances, based on consideration of all relevant facts, and 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.
- Promote the integrity and reputation of the public sector and NSW Trustee & Guardian by always acting in the public interest and not engaging in any activities that would bring the public sector or the agency into disrepute.
- Treat the NSW Government, stakeholders, customers, suppliers and each other ethically, fairly and professionally.
- Provide relevant and responsive service to customers in accordance with agreed service standards act with care and diligence, utilising NSW Trustee & Guardian resources in a proper manner.

Practical Guidelines

Incentives, Gifts, Benefits

Commercial partners and suppliers must not offer incentives, benefits or give gifts to our customers or employees and there is no expectation from our employees that any incentives, benefits or gifts will be provided. Our employees are expected to declare and decline all gifts and benefits offered to them during the course of their work.

Conflicts of Interest

All commercial partners and suppliers of NSW Trustee & Guardian are required to disclose any actual, perceived, or potential conflicts of interest. This includes conflicts of interest that can, or could, arise from personal relationships between our employees and staff of commercial partners and suppliers.

All conflicts of interest are to be declared to NSW Trustee & Guardian as soon as they are identified and managed appropriately by NSW TG.

Sponsorship

We will not ask for, entertain, or enter into any sponsorship, discounts 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.

Confidentiality

Confidential information in any format must be treated as such and protected as appropriate. This includes all personal information in relation to our staff, our customers and their assets.

Intellectual Property

For work that leads to the creation of an intangible or tangible product (computers systems, business plans etc), business partners / suppliers should not assume that they have a claim to intellectual property unless their contract has been specifically negotiated to address this issue. Otherwise, intellectual property is claimed by NSW Trustee & Guardian.

Private Employment and Post-Separation Employment

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

Public Comment

Non-NSW Trustee & Guardian employees must not make any public comment or statement that would lead anyone to believe that they are representing NSW Trustee & Guardian or expressing its views or policies. This includes comments and statements 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.

Modern Slavery

NSW Trustee & Guardian is committed to maintaining and improving systems and processes to avoid complicity in modern slavery or human rights violations related to our own operations, our supply chain, and our services. Suppliers must take all reasonable steps to avoid complicity in modern slavery or human rights violations.

Report Wrongdoing

NSWTG does not tolerate corrupt conduct, maladministration, serious and substantial waste of public money and other forms of serious wrongdoing. Commercial partners and suppliers must report all information that they honestly believe, on reasonable grounds, shows or tends to show, serious wrongdoing.

All commercial partners and suppliers of NSW Trustee & Guardian must report to us if they observe any of the following activities occur during the course of procurement or service provision to NSW Trustee & Guardian:

- Unethical behaviour.
- Unsafe practices.
- Unacceptable customer service.
- Fraud, corrupt conduct or maladministration.
- Serious or substantial waste.
- An employee requests a gift or benefit.
- Collusive practices, including invitations to collude.

Public Interest Disclosures

Individuals and corporations (and employees or officers of these corporations) engaged by NSW Trustee & Guardian to provide services to, or on behalf of, NSW Trustee & Guardian

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.

Reports should be made to:

Director, Strategy, People & Governance
NSW Trustee & Guardian Locked Bag 5115
Parramatta NSW 2124
T: 02 8688 2600

Further Information

For further information about this Business Ethics Statement, contact the NSW Trustee & Guardian Procurement Team: tagprocurement@tag.nsw.gov.au

For information about our policies and guidelines, or to make a complaint please write to:

Customer Resolution Coordinator
NSW Trustee & Guardian Locked Bag 5115
Parramatta NSW 2124
T: 02 8688 2600.