

Statement of Business Ethics

1. Policy Statement

UrbanGrowth NSW Development Corporation (**UGDC**) is committed to ethical business practices and having transparent, fair and honest business relationships with its contractors and providers of goods and services.

This Statement provides guidance for the private sector when doing business with UGDC. It outlines UGDC's ethical standards and our expectation that our contractors and our goods and service providers will comply with these standards in all their dealings with us.

The Statement also outlines what contractors and goods and service providers can expect of UGDC.

Purpose

The purpose of UGDC's Statement of Business Ethics is to:

- provide guidance for the private business sector, other Government agencies and non-government organisations when doing business with UGDC;
- outline UGDC's ethical standards and our expectation that contractors and goods and service providers will comply with these standards in all their dealings with UGDC; and
- outline what contractors and goods and service providers can expect of UGDC.

Risk Management

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

- inappropriate business operations occurring between UGDC staff, private business sector, other Government agencies and non-government organisations; and
- occurrence of actual or perceived conflicts of interest.

Key features

The Statement is based on a number of clear principles, which reflect the NSW Government Procurement Policy Framework and NSW Government Sector Core Values under the *Government Sector Employment Act 2013 (GSE Act)* 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; and
- utilising the NSW Government Contracts and also the Prequalification Scheme wherever possible and practicable.

2. Who does this policy apply to?

This Statement applies to all UGDC employees.

It also applies to all goods and service providers and contractors to UGDC.

3. Key Responsibilities

All employees have a responsibility to:

- understand and abide by the terms of this Statement;
- adhere to the UGDC Code of Conduct and the *Code of Ethics and Conduct for the NSW government sector employees*;
- follow NSW procurement policies;
- adhere to all UGDC policies and guides;
- adhere to the UGDC's financial, procurement, and other delegations; and
- model the Government Sector Core Values under the GSE Act.

Managers are responsible for:

- ensuring their staff are informed of the principles of this Statement;
- ensuring providers of goods and services and contractors they are managing, are made aware of this Statement.

The **CEO** is responsible for supporting this Statement.

4. UGDC Key Business Principles

The principles of transparency and honesty are fundamental to UGDC's business relationships with contractors and the suppliers of goods and services. UGDC's business dealings will be fair and open to public scrutiny wherever possible. UGDC is committed to the purchase of all goods, equipment and services through established NSW Government Contracts and the NSW Prequalification Schemes, where possible and reasonably practical.

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

5. Probity Audits

UGDC engages probity auditors to review the processes that we undertake, including the implementation of any probity advice that we may have received from others during a project. The categories for probity audits include:

- *Reasonable assurance*: we receive qualified assurance about the effectiveness of our control procedures so that we can reduce risk to an acceptably low level.
- *Limited assurance*: we receive limited assurance when the objective is to reduce risk to an acceptable level under certain circumstances (for example, the auditor questions relevant personnel, inspects certain evidence and investigates certain procedures.
- *Advice*: we receive advice about specific matters, such as possible conflict of interest.

The Legal division instructs all probity engagements. The Audit and Risk Committee also receives a list of all probity engagements.

6. What you can expect from UGDC

UGDC will ensure that all its policies, procedures and practices related to tendering, leasing, hiring, sponsorships, contracting and the purchase of goods or services are consistent with NSW Government Procurement Policy Framework, best practice and the highest standards of ethical conduct.

UGDC staff mirror the Government Sector Core Values under the GSE Act:

- Integrity;
- Trust;
- Service; and
- Accountability.

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

- NSW Government procurement policies and UGDC 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; and
- all potential suppliers will be treated with impartiality, fairness and consistency and given equal access to information and opportunities to submit bids.

UGDC complies with the NSW Government Resource Efficiency Policy. The NSW Government Resource Efficiency Policy requires all NSW Government agencies to publicly report compliance and implement programs that drive resource efficiency. The three main target areas are energy, water and waste and reduction of air emissions from government operations. The aim of this policy is to reduce the government's operational costs and ensure

increased resource efficiency.

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

UGDC staff are bound by UGDC's Code of Conduct and policies. When doing business, UGDC 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); and
- use public resources effectively and efficiently.

7. What we ask of you

UGDC requires all contractors and providers of goods and services to observe the following principles when doing business and /or interacting with UGDC:

- act ethically, fairly and honestly in all dealings with UGDC;
- assist UGDC to prevent unethical practices in our business relationships;
- declare actual or perceived conflicts of interest as soon as you become aware of the conflict;
- deliver quality and value for money;
- comply with UGDC procurement policies and procedures and the *NSW Government Code of Practice for Procurement*;
- comply with UGDC'S Work Health and Safety policy and onsite safety requirements;
- comply with the UGDC Code of Conduct for Procurement;
- provide accurate and reliable advice and information when required;
- take all reasonable measures to prevent the disclosure of confidential UGDC and Government information;
- refrain from engaging in any form of collusive practice, including offering UGDC employees inducements or incentives designed to improperly influence the conduct of their duties;
- refrain from discussing UGDC and Government business or information in the media; and
- manage business risks, including those associated with fraud and corruption and as soon as practicable report any serious wrongdoing to UGDC.

7. Why is compliance essential

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

Complying with this Statement 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 UGDC's ethical requirements when doing business with UGDC. Demonstrated corrupt or unethical conduct could lead to:

- termination of contracts;
- termination of business relationships and partnerships;
- loss of future work;
- loss of reputation;
- investigation for corruption; and
- matters being referred for criminal investigation.

8. Facts to be aware of when engaging with us

Confidentiality

All UGDC information should be treated as confidential unless otherwise indicated.

Incentives, gifts, benefits

UGDC 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 UGDC staff. All such offers will be formally reported.

UGDC only permits its staff to accept gifts if:

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

If a gift is accepted, UGDC requires the staff member to provide a written report and to record the gift in the UGDC Gifts, Benefits and Hospitality Register.

Conflicts of interest

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

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.

Intellectual property rights

In business relationships with UGDC, parties will respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property.

Use of UGDC equipment, resources and information

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

Travel and other expenses

In some circumstances, persons who are not UGDC staff, may claim expenses from UGDC for costs associated with delivering a service or product. Claims by contractors for travel and other incidentals, will be assessed in accordance with UGDC policies and procedures.

Contracting employees

All contracted and sub-contracted employees must comply with this Statement. If you employ sub-contractors in your work for UGDC you must make them aware of this Statement.

Bullying, harassment and discrimination

UGDC considers workplace bullying, harassment and discrimination unacceptable. This behaviour is not tolerated by staff or those UGDC does business with.

Secondary and post-separation employment of UGDC staff

You should be aware that UGDC staff are required to obtain written approval to accept secondary employment outside UGDC. Staff must avoid allowing decisions and actions to be influenced by plans for future employment outside UGDC. Former UGDC staff cannot use or disclose confidential or sensitive information acquired while working with UGDC.

Lobbying

Individuals that communicate with NSW Government officials for the purpose of representing the interests of their organisation should be familiar with the rules that apply to lobbying under the NSW Lobbyists Code of Conduct. The Code also has specific provisions aimed at 'third-party lobbyists' who lobby Government officials on behalf of another individual or body.

9. Who to contact

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

Public officials reporting corrupt conduct, maladministration or serious waste of public funds are protected by the *Protected 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.