

Statement of Business Ethics

Safe, clean and reliable passenger services

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Statement of Business Ethics

Chief Executive Officer's introduction

I expect all dealings between RailCorp employees, contractors and consultants, and suppliers of goods and services to be undertaken in an ethical manner.

The Statement of Business Ethics provides an ethical framework for dealings between RailCorp and suppliers, including purchasing goods and services, joint ventures and the contracting out of activities.

It provides guidelines on what to expect from RailCorp and explains the mutual obligations, roles and constraints on all parties. These ethical standards are integral to good business practice.

All individuals or organisations that deal with RailCorp must apply these standards of ethical behaviour. These standards comply with NSW Government guidelines for procurement, contracting and market testing.

This Statement is designed to ensure that business relationships between RailCorp and suppliers are fair and productive for all.

If you need more information about this Statement or any ethical issue, please contact us on 1800 629 826.

Rob Mason



Chief Executive Officer
RailCorp



Why you must comply

By complying with this Statement of Business Ethics, you will be able to advance your business objectives and interests in a fair and ethical manner. As all RailCorp suppliers of goods and services are required to comply with this Statement, compliance will not disadvantage you in any way.

There may be consequences if you do not comply with RailCorp's ethical requirements. 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

Our business principles

The principle of **best value for money** is at the core of all of RailCorp's business relationships with suppliers of goods and services.

Best value for money does not automatically mean the lowest price. RailCorp will balance all relevant factors including initial cost, whole of life costs, quality, reliability and timeliness to determine actual value for money.

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



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What we expect of you

All suppliers of goods and services to RailCorp must:

- comply with the conditions and requirements stated in documents supplied by RailCorp
- comply with all codes of tendering and practice that apply
- respect the obligation of RailCorp employees, contractors and suppliers to comply with government procurement policies and guidelines
- disclose any situation that involves or could be perceived to involve a conflict of interest
- not act fraudulently or secretly
- prevent the unauthorised release of privileged or confidential information such as commercial-in-confidence information
- not discuss RailCorp dealings with the media without first obtaining RailCorp approval
- respond to reasonable requests for advice and information
- not offer RailCorp employees, contractors and consultants any financial inducements or any gifts or other benefits which may lead to, or be seen as leading to, an unfair advantage in dealings with RailCorp (refer to 'practical guidelines' section)
- ensure that all contractors they engage to perform work for RailCorp are aware of and are required to comply with the Statement of Business Ethics
- not engage in collusive practices

What you can expect from us

We will:

- comply with applicable RailCorp and government policies / procedures
- show fairness in our treatment of all individuals or organisations that supply goods or services to RailCorp
- encourage fair and open competition while seeking value for money
- try to minimise costs to suppliers participating in the procurement process
- protect commercial-in-confidence information
- deal honestly with suppliers
- be accountable and act in the public interest
- avoid situations where private interests conflict with public duty
- disclose any situation that involves or could be perceived to involve a conflict of interest
- not ask for or accept financial or other benefits from a potential, current or past supplier for performing official duties
- respond to reasonable requests for advice and information without delay

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Practical guidelines

Gifts, benefits and hospitality

Entertainment

Suppliers should not pay for any form of entertainment for RailCorp employees, contractors and consultants. Likewise, RailCorp employees, contractors and consultants are generally not entitled to use government funds to pay for entertainment.

Hospitality

RailCorp employees, contractors and consultants are expected to pay for all of their own meals. RailCorp discourages external parties from providing RailCorp employees, contractors and consultants with benefits such as social lunches. Hospitality may only be accepted if a clear underlying business purpose exists and the hospitality provided is modest (eg a sandwich lunch).

Gifts

RailCorp discourages suppliers (past, present or future) from offering or giving gifts to RailCorp employees, contractors and consultants and there should be no expectation that any gifts will be provided.

Travel and accommodation

RailCorp meets all business travel and accommodation costs for its employees. Any variation to this policy must first be agreed with RailCorp, not the individual employee affected, and approved by a senior employee. Public liability and insurance requirements must also be considered.

Conflicts of interest

All RailCorp employees, contractors and consultants are required to disclose any potential and actual conflicts of interest. RailCorp extends this requirement to all of our business partners and suppliers.

Confidentiality

Information which is marked confidential, or which a reasonable person would expect to be confidential, should be treated as such. The information could be in various formats such as hard copy documents or electronically stored.

Suppliers should not assume they have a claim to intellectual property unless their contract has been specifically negotiated to address the issue.

Communication between parties

All communication should be clear and direct with decisions explained if required and where appropriate.

All suppliers are expected to comply with this Statement. If you employ subcontractors in your work for RailCorp you must make them aware of this Statement and ensure they comply with it.

Use of RailCorp equipment or resources

Where suppliers to RailCorp are required and authorised to use RailCorp equipment or resources, such use must only be to conduct RailCorp work. Such work must be carried out in an efficient, effective and economical manner.

Contracting current and former RailCorp employees

Former public sector employees, who have taken voluntary redundancy, are generally required to refund some or all of their severance payment, if it covers a period for which they are engaged as a contractor to RailCorp, whether directly or through a company.

Any organisation intending to use a current or former RailCorp employee for contract work with RailCorp must first discuss this with RailCorp.

This practice protects all parties involved from any potential accusations of impropriety, using undue influence or conflict of interest.

Who to contact for more information

Contact the Corruption Prevention Line:

- for advice on any related issues
- if you are concerned that a breach of the law or unethical conduct may have occurred. This could include fraud, corrupt conduct, maladministration, or serious and substantial waste.

1 800 629 826 (free call)

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