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INDEPENDENT COMMISSION  
AGAINST CORRUPTION

NEW SOUTH WALES

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**STATEMENT OF  
BUSINESS ETHICS**

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**NOVEMBER 2024**

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Business Hours: 9.00 am - 5.00 pm Monday to Friday

This *Statement of Business Ethics* (“the/this Statement”) applies to all commercial partners and suppliers – including non-government organisations and other government agencies – supplying goods and services to the NSW Independent Commission Against Corruption (“the Commission”).

All Commission contractors and sub-contractors are expected to comply with these ethical standards. Suppliers are responsible for ensuring that their own contractors are made aware of this statement and adhere to its principles. This commitment to ethical conduct extends to all stakeholders interacting with the Commission, fostering an environment of integrity, transparency and accountability in all operations.

## Commission responsibilities

In line with NSW Government procurement frameworks, policies and codes of conduct, the Commission’s business relationships are based on honesty, fairness and consistency. Adherence to these principles includes, for example, treating tenderers’ intellectual property confidentially and ensuring fairness in procurement processes.

The principle of best-value-for-money is central to all the Commission’s business relationships with private-sector suppliers. Best-value-for-money does not simply mean the lowest price. Instead, the Commission considers all relevant factors – such as initial cost, whole-of-life costs, quality, reliability and timeliness – when determining the true value of goods or services.

Wherever feasible, the Commission’s business dealings will be transparent and open to public scrutiny. However, given the sensitive nature of its work, some details may not be publicly disclosed.

All Commission employees are held accountable for their actions and are expected to comply with the Commission’s Code of Conduct and to act in alignment with the public interest.

## Your responsibilities

When dealing with the Commission, you must take all reasonable steps to ensure that you, your staff and your contractors comply with the Statement. We expect you to act ethically, fairly and honestly in all dealings with the Commission.

Your general responsibilities include:

- complying with all applicable legislation, regulations, Commission policies, written procedures and lawful instructions

- actively promoting the Statement and fostering a culture of compliance among your staff, contractors and other relevant entities
- taking reasonable measures to prevent unethical practices within your business
- ensuring the health, safety and welfare of individuals in connection with your dealings with the Commission
- maintaining business relationships with the Commission based on open and effective communication, respect and trust
- providing fair value for money when supplying goods and services to the Commission
- making reasonable efforts to ensure that your supply chain is free from engagement in, or complicity with, human rights abuses, such as forced or child labour
- seeking assistance when uncertain about how to implement or apply the Statement.

## Conflicts of interest

The Commission and the public expect you to conduct all activities with the Commission free from any conflicts of interest.

A conflict of interest occurs when a reasonable person might perceive that:

- a public official’s personal interest(s) could be favoured over their public duties and/or
- an entity undertaking official duties, or those associated with it, could favour their personal interests over their public duties.

Private or personal interests include the interests of your entity, associated entities and individuals (for example, the officeholders, managers or staff of your entity).

You must disclose any conflicts of interest and potential conflicts related to your dealings with the Commission in writing to the Solicitor to the Commission ([icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au) or GPO Box 500 Sydney NSW 2001). It is advisable to err on the side of caution in declaring and resolving conflicts of interest.

Any conflict of interest must be resolved in favour of the Commission and the public interest. You are required to comply with the Commission’s policies regarding the management or resolution of conflicts.

You must also avoid intentionally placing Commission staff in situations that could create a conflict of interest.

## Gifts and benefits

Gifts, entertainment, travel or any other form of benefit must not be given or received as a reward, encouragement or improper influence for preferential treatment in your dealings with the Commission. You are also prohibited from offering or allowing Commission staff the private use of your assets.

Commission officers are explicitly prohibited from accepting gifts from a supplier or potential supplier, except in limited circumstances such as attending a conference, receiving training or accepting promotional material (such as inexpensive pens). If a gift or benefit is offered to a Commission employee in the course of their work, it must be declared and recorded in the Commission's gift register, in accordance with Commission policy, regardless of whether the gift is accepted or declined.

Commission staff are also prohibited from soliciting gifts, benefits or hospitality. Any instances of staff requesting such items must be reported to the Solicitor to the Commission.

## Bribery

You must promptly report any instances of Commission staff, or others, offering or seeking bribes, in connection with your dealings with the Commission, to the Solicitor to the Commission.

## Information, confidentiality and intellectual property

You must adhere to all copyright laws and contractual provisions related to confidentiality and intellectual property. Any information obtained through your dealings with the Commission, whether in hardcopy, electronic or any other form, must be handled in accordance with these requirements.

Specifically, you must:

- treat all the information as confidential unless advised otherwise
- take appropriate measures to protect the information and ensure it is not released without express permission
- comply with relevant legislation governing the handling or treatment of the information
- only access the information if it is needed to complete your activities for, or on behalf of, the Commission
- not use the information for private or any other non-Commission purposes
- not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other entity, from the information to which you have access by virtue of your work with the Commission.

## Former Commission staff

Former Commission staff who have dealings with the Commission must ensure that they do not seek, or appear to seek, any favourable treatment or access to confidential information.

## Use of resources

Commission resources – including equipment, facilities, vehicles and staff time – may only be used for purposes connected to your business with the Commission. You must avoid any action or situation in which Commission resources are being improperly used (or appear to be improperly used) for private benefit.

## Public comment

Unless explicitly permitted, you must not make any public comment or statement that could lead others to believe that you are representing the Commission or expressing its views. This applies to public meetings, community forums, media interactions, and any other context where the public might interpret your statement as representing the Commission.

## Endorsements

You should be aware that Commission staff cannot provide public endorsements of your company or its products on behalf of the Commission, or in any other way connected to the Commission.

## Providing Commission staff with private employment and commercial opportunities

You must not offer Commission staff private employment or other commercial opportunities that could create a conflict of interest with their public duties.

Any secondary employment or business arrangements for Commission staff must be approved by the Commission to ensure there is no conflict with their role or responsibilities.

You should also be aware that Commission staff are not to use their position, government information, or intellectual property developed while serving the Commission to secure private employment or other commercial opportunities.

## Compliance, risk management, and fraud and corruption control

You must comply with the international and Australian standards related to compliance, risk management, and fraud and corruption control. This includes implementing effective internal controls and compliance frameworks that align with these standards.

Your responsibilities include:

- Establishing risk management systems that identify, assess, and manage risks relevant to your dealings with the Commission.
- Implementing fraud and corruption prevention measures to safeguard against unethical practices.
- Ensuring that your compliance and control frameworks are regularly reviewed and updated to remain effective.
- Reporting any identified fraud, corruption, or other serious misconduct related to your dealings with the Commission.

The Commission expects you to take a proactive approach in managing risks and preventing unethical practices with appropriate oversight and controls in place.

## Public interest disclosures and other reports of wrongdoing

Under the *Public Interest Disclosures Act 2022* (“the PID Act”), public officials can report allegations of potential corrupt conduct, maladministration, a government information contravention, a local government pecuniary interest contravention, or serious and substantial waste within the NSW public sector.

Individuals or corporations engaged by the Commission under a contract to provide services to or on behalf of the Commission are public officials for the purposes of the PID Act.

The PID Act provides certain protections against reprisals for public officials who report such matters in accordance with its provisions. The NSW Ombudsman’s website contains [additional information about the PID Act](#).

You must report unacceptable conduct to the Solicitor to the Commission, including conduct covered by the PID Act and breaches of the Statement. You must cooperate fully with the investigation of any suspected or reported occurrences of unacceptable conduct. You must not disadvantage your staff, who report unacceptable conduct that they suspect on reasonable grounds, and must protect them from being disadvantaged because of making a report.

## Assessment and audit

The Commission expects its suppliers to maintain robust assurance frameworks to ensure compliance with this Statement. Periodic assessments and audits may be conducted to verify that you are adhering to the required standards.

As part of this process, you must:

- cooperate fully with any assessment or audit conducted by the Commission or its representatives
- provide access to relevant documentation, records and personnel as requested

- address any issues identified during the assessment or audit promptly and take corrections where necessary
- ensure that your internal systems and controls are regularly reviewed to maintain compliance with the Commission’s standards and expectations.

The Commission reserves the right to terminate contracts, or take other appropriate actions, in case of non-compliance or failure to address audit findings.

## Sustainability

The Commission is committed to reducing its environmental impact and maintaining environmentally responsible practices in its procurement of goods and services.

Suppliers are expected to adopt similar principles by:

- minimising waste and reducing emissions
- using resources efficiently and promoting the use of sustainable materials
- adopting environmentally responsible practices through the supply chain
- complying with relevant environmental regulations and standards.

## Modern slavery

The commission expects its suppliers to maintain fair and ethical workplaces, free from any involvement in human right abuses, such as forced or child labour.

Suppliers are responsible for:

- conducting due diligence to identify and address any risks of modern slavery within their operations and supply chains
- ensuring that all workers are treated fairly, with respect to their rights and working conditions
- complying with the *Modern Slavery Act 2018*, and related legislation, and taking active steps to prevent any forms of exploitation.

Suppliers may refer to the resources provided by the NSW Anti-slavery Commissioner for guidance on best practices in combating modern slavery. Learn more [here](#).

## Work health and safety

The Commission is committed to ensuring a safe and healthy working environment for all its employees, contractors and suppliers. In line with this commitment, suppliers must:

- comply with all applicable work health and safety (WHS) legislation and standards
- implement and maintain effective WHS management systems to minimise risks

- ensure that their employees and subcontractors are trained and equipped to carry out their duties safely
- report any incidents or hazards that occur in connection with their dealings with the Commission.

Suppliers are expected to foster a culture of safety and actively contribute to maintaining safe working conditions in all their activities with the Commission.

## Community and reconciliation

We recognise and acknowledge the Traditional Custodians of the lands across NSW on which we live and work. We value the economic, social and cultural contribution of Aboriginal and Torres Strait Islander peoples in NSW. As detailed in our Procurement Policy and Procedures, we support the economic participation and development of Aboriginal and Torres Strait Islander peoples and communities through government procurement of goods and services from Aboriginal-owned businesses.

## Information security

Suppliers must comply with the Commission's information security requirements to protect the confidentiality, integrity, and availability of Commission data. This includes:

- adhering to relevant cyber security laws, regulations, and standards
- implementing appropriate security measures to safeguard Commission information from unauthorised access, disclosures, modification, or destruction
- ensuring that all personnel handling Commission data are adequately trained in information security protocols
- reporting any information security incidents or breaches involving Commission data to the Commission immediately.

Suppliers are expected to continually review and improve their security practices to address emerging threats and vulnerabilities.

## Breaches

Failure to comply with the requirements of this Statement, or engaging in illegal or corrupt conduct, may result in:

- termination of contracts with the Commission
- loss of future business opportunities with the Commission
- damage to your reputation and public trust
- investigation and/or administrative action
- reporting to other relevant organisations.

The Commission takes breaches seriously and will act swiftly to address any non-compliance. Suppliers are encouraged to maintain high standards of ethical conduct to avoid these consequences.

## Further assistance

The Commission is committed to providing guidance to ensure that suppliers fully understand and comply with the principles outlined in this Statement.

For further clarification or assistance regarding the Statement, suppliers are encouraged to contact the Commission's Executive Director Corporate Services on 02 8281 5999 or via email to [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au).



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