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**Date:** Mon, 25 Jun 2012 11:00:27 +1000  
**Attachments:** Code of Conduct & Ethics.pdf (116.82 kB)

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Hi Ashwin

As you are out of the office for most of the week and I would have preferred we had a face to face discussion about this; however I believe it is important that I bring this to your attention as soon as possible. Over the last couple of days I have received some feedback from site in relation to your representation and around comments that you are making on site while representing RMS. Now I know we work in a very frustrating environment sometimes and we tend to let our emotions cloud our judgement and sense of view; however I must insist we maintain a professional manner while representing RMS.

Our views or commentaries that are not relevant or productive should be kept to ourselves.

Without going in to exact details; some of the feedback I have received on this occasion is in relation to;

- Negative views of the RMS organisation
- Negative views about the staff at RMS – PD&I
- Negative views about the resources engaged to carry out the work on behalf of RMS

Previous feedback, prior to this occasion; where I advised you to be mindful of what is said on site and to whom;

- Negative views about RMS organisation
- Negative views on RMS because they were not going to renew your contract.
- Negative views of resources engaged to carry out work.
- Negative views and commentary in general about the works
- Over the top micro-management of resources when they are carrying out their work
- The manner and tone with which you communicate on site.

While sometimes we may not agree with certain situations we must maintain a professional representation and be courteous. There are times when we must enforce a strict discipline; but maintain professionalism.

I have attached a copy of the RMS Code of Conduct & Ethics for you to read; as well as a copy of the wording on the code of conduct webpage ([http://home.rta.nsw.gov.au/hrrta/responsibilities/conduct\\_performance/coce/index.html](http://home.rta.nsw.gov.au/hrrta/responsibilities/conduct_performance/coce/index.html)) below?

## *Roads and Maritime Services Code of Conduct and Ethics*

*The Code of Conduct and Ethics sets out the ethical and professional framework for our staff. Staff are expected to uphold the values of the public service and the organisation, to conduct themselves in a professional and ethical manner at all times and to ensure their performance and conduct are of the standards expected of them. Staff are expected to show*

*respect at all times: for each other, our customers, clients, indigenous community, people of diverse cultural backgrounds, our resources, information and reputation.*

*The Code of Conduct and Ethics has been developed for staff who work for Roads and Maritime Services, including all professional services contractors and skill hire staff. The current Code is effective from 1 November 2011 .*

If you are experiencing any difficulties/situations that are impacting or clouding your ability to carry out your role; please advise me in the first instance so I can assist where possible? If you are not happy in the role or with the task you are given please let me know?

Please ensure you read the Code of Conduct and modify your representation; keeping all views and opinions to yourself while delivering the objective?

On a positive note I would like to thank you for all the work you have done to date and all the assistance you provide to both Alex and I. Should you need to discuss before you return to the office; please contact me at your convenience?

Thanks

**Craig Steyn**

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# Code of Conduct and Ethics

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## Coverage

This Code of Conduct and Ethics covers all permanent, temporary, casual, skill-hire and contract staff. The Code of Conduct and Ethics also applies to staff on secondment from other NSW Government agencies.

The Statement of Business Ethics applies to tenderers, consultants and contractors.

## Staff Expectations

People who work for or with Roads and Maritime Services are entitled to expect a workplace in which they will:

- Be treated fairly, with respect and without discrimination.
- Be provided with a safe work environment.
- Work in a harmonious and productive environment.
- Have their professional expertise respected by their co-workers.
- Be provided with opportunities to learn and develop in their roles.
- Receive open, inclusive and honest communication.
- Be treated in a professional, helpful and courteous manner.

## Personal responsibilities

Roads and Maritime Services have a responsibility to provide you with access to policies and procedures you are required to comply with.

As a member of staff you have a responsibility to familiarise yourself with these and to cooperate in implementing them. You also have a responsibility to make enquiries on your own behalf if you are unsure about what actions to take.

You must act in a way that promotes public trust and confidence in the integrity of Roads and Maritime Services' operations and administration. You need to be aware that the reputation of Roads and Maritime Services can be affected by your actions at work and, in certain circumstances, by your conduct outside the workplace.

You are required to:

- Behave in a lawful manner.
- Act within your delegated authority and in accordance with Roads and Maritime Services policies and procedures, and any relevant legislative, industrial and administrative requirements.
- Conduct yourself in a professional and ethical manner at all times while at work or when your actions can be associated with Roads and Maritime Services.
- Ensure you present an image of professionalism Roads and Maritime Services wishes to present to its customers and that what you wear to work is suitable for your duties.
- Not bring Roads and Maritime Services into disrepute by your actions or conduct.
- Be prepared to take personal responsibility and be accountable for your own conduct, actions or omissions.
- Co-operate with and obey lawful requests, directions or instructions given to you in the course of your employment by any person having the authority to do so.
- Keep up to date with advances and changes in your area of expertise and in Roads and Maritime Services.
- Disclose to your manager or supervisor any charge or conviction, that may impact on your capacity to carry out your duties (e.g. loss of driver licence).
- Report behaviour that breaches Roads and Maritime Services policy.

### Case Study: “Don’t blow it”

**Issue.** You are away on Roads and Maritime Services' business. At the end of the day you catch up with your friend and have a few drinks. You are sure you're okay and drive back to your motel; but you are stopped by the Police and charged for mid-range Blood Alcohol Concentration (BAC). Because of other driving offences you know you will possibly lose your licence. You realise this will affect your work because driving is an essential part of your duties.

**Response.** The next day at work – you take responsibility and decide it would be wrong to hide that you've been charged. You tell your manager about the charge and the possibility of losing your licence.

## Key documents and contacts

- Appropriate Use of the Internet and Email Policy
- Delegations Manual
- Drug and Alcohol Policy
- Occupational Health and Safety Policy Statement
- Personal Use of Roads and Maritime Services' Resources Policy
- Safe Driving Policy

## Manager and supervisor responsibilities

An essential function of all managers and supervisors is the fair and effective management of their staff.

If you are a manager or supervisor you are expected to promote and demonstrate ethical conduct, fairness and equity, and to lead by good example. You are required to:

- Be accountable for your own actions or omissions.
- Carry out activities in ways that are lawful, fair, ethical, reasonable and professional.
- Ensure your staff are held properly accountable for their conduct, performance and use of Roads and Maritime Services' resources and monitor compliance effectively.
- Be aware of acts or omissions that are sufficiently serious, repeated, or widespread enough that you should have been aware of and corrected them.
- Be fully informed about the matters you deal with.
- Record and give reasons for your decisions and actions to those people who are affected.
- Ensure workplace systems, procedures and practices are promoted, developed, complied with, and regularly reviewed in your area.
- Ensure your staff are informed of their duties and responsibilities, and receive adequate information, instruction and training to perform them effectively, efficiently and safely.
- Inform staff of the performance standards and results expected, provide your staff with constructive feedback on their performance and deal with any concerns as they arise.
- Promote open, honest and two-way communication in the workplace.
- Share information with your staff and encourage open communication and staff participation in the business of the workplace through individual and team consultation.
- Make sure the workplace is free from all forms of harassment, discrimination and bullying and resolve workplace disputes and grievances in a fair and timely manner and in accordance with the relevant policy.
- Ensure a safe workplace by undertaking appropriate risk assessments and establish safe work methods.
- Treat your staff courteously and fairly and consider different views.
- Value your staff by treating them with respect, honesty and courtesy, respecting their rights.
- Promote and acknowledge excellence and innovation and deal fairly and effectively with instances of under performance.
- Ensure work practices consider the diversity of staff members and customers.
- Ensure adequate supervision so all tasks are developed, performed and completed safely and with regard to the safety of others.

**Case Study: “Take responsibility”**

**Issue.** You notice one of your staff is not as punctual as usual and is having difficulties focusing on their tasks. This is impacting on the morale and productivity of the team. Rather than letting it go, you meet confidentially with the staff member who discloses a serious family issue. The staff member believes it is a short-term issue.

**Response.** You offer support by way of Roads and Maritime Services’ Employee Assistance Program, and ongoing opportunities for the staff member to discuss their concerns with you.

**Key documents and contacts**

- Flexible Work Practices Policy
- Grievance Resolution Policy
- Harassment, Discrimination and Workplace Bullying Policy
- Hour of Work including Flexible Working Hours Policy
- Managing Unsatisfactory Performance and Conduct Policy
- Roads and Maritime Services Leadership Framework
- Sick Leave Policy
- Anti Discrimination Act 1977
- Occupational Health and Safety Act 2000
- Protected Disclosures Act 1994
- Employee Assistance Program (1300 366 789)

## Working ethically

Working ethically is about ensuring we make decisions in accordance with Roads and Maritime Services and public sector values.

Any information or advice you give or any decision you make should:

- Always be consistent with relevant legislation, Roads and Maritime Services policies and procedures.
- Be justifiable reasonable, fair and equitable in the circumstances.
- Consider the consequences of the decision on yourself, Roads and Maritime Services staff, customers and clients.
- Not raise a conflict of interest or lead to a personal gain to which you would not be otherwise entitled.
- Should not give rise to perceptions of unfair treatment towards Roads and Maritime Services staff, customers and clients.
- Be able to withstand external scrutiny.

Be aware that

You are making an ethical decision when you:

- Take into account all the relevant facts.
- Take reasonable steps to obtain the necessary information to make a decision.
- Be reasonably satisfied that the information is factual and correct.
- Consider the merits of the case, including the consequences of any proposed action, and don't take irrelevant matters into consideration.
- Ensure you make decisions in a fair and impartial manner.
- Keep full records of any decision you make.

Staff are required to follow principles of procedural fairness in decision making where those decisions impact on the rights or entitlements of others. Where your personal views conflict with the performance of your official duties - or you believe you cannot act impartially – discuss ways to resolve this with your manager. When exercising discretionary power, ensure the power is being used properly, impartially, equitably and consistently with relevant policies, guidelines and delegations.

Decisions and actions should be made in a timely fashion, so that the persons affected by the decision are not disadvantaged by undue delay.

### Case Study: “Above board”

**Issue.** Your duties with Roads and Maritime Services mean that you do fieldwork for days at a time. You are working on a project that is located near some of the best surfing beaches you know. Your colleague, also a keen surfer, tries to convince you to take longer, unrecorded breaks so you can have a decent surf.

**Response.** You remind your colleague that it's important to accurately record your working hours and that it would be better to go surfing at the end of the day when you can both enjoy it more.

### Key documents and contacts

- Statement of Business Ethics
- Ethics Hotline (1800 043 642)
- GM Governance Branch



## Responsibility to Roads and Maritime Services, the State Government and people of NSW

The people of NSW elect the State Government to put into practice policies believed to be in the best interests of the wider community.

As a member of this community you have a right to enter into public debate on political and social issues. However, regardless of your political and social views, when performing your duties as a NSW public sector employee and a member of staff of Roads and Maritime Services, you are required to:

- Implement the policies and decisions of the State Government in an impartial, efficient and effective manner.
- Provide impartial and accurate advice.
- Put the interests of the public above your personal interests or the interests of another individual or group.
- Ensure that any participation in political activities does not conflict with your Roads and Maritime Services duties.
- Ensure there is no likelihood that your comment on public issues could be interpreted as being official Roads and Maritime Services comment made in your capacity as a staff member, unless you are authorised to make such public comment.
- Direct all media enquiries to the Manager, Media Unit and do not speak to the media without prior and written authorisation.
- Observe any requirements to resign or take leave if standing for election to State or Federal Parliament.

### Case Study: “No comment”

**Issue.** You are working on a sensitive, high profile project that has attracted media attention. You walk outside to get some lunch and notice a group of people from the media. They ask you if you have any information on the project and urge you to discuss it.

**Response.** You decline to do so because you are not an authorised Roads and Maritime Services representative. You advise the media to contact Roads and Maritime Services’ Media Unit.

### Case Study: “Business only”

**Issue.** You have a passion for politics and are an active member of a political party. You are proud of your political activities and you have a number of badges and pins supporting the party. Your employment with Roads and Maritime Services requires you to wear a Roads and Maritime Services uniform.

**Response.** You always make sure that you don’t wear any of your party political badges on your uniform to ensure your political affiliation is not mistaken as official Roads and Maritime Services endorsement.

### Key documents and contacts

- Community and Political Participation Policy
- Conflict of Interest Policy

## Lobbyist Code of Conduct

Roads and Maritime Services will engage with professional lobbyists only if they are on the Department of Premier and Cabinet Register of Lobbyists. Roads and Maritime Services staff are not to permit lobbying by lobbyists not on the Register of Lobbyists. Only staff at General Manager level or above may engage with Lobbyists.

Any Roads and Maritime Services staff meeting with Lobbyists will ensure another Roads and Maritime Services representative is present at all times and must ensure that the professional lobbyist discloses:

- That they are a Lobbyist or employee, contractor or person otherwise engaged by the Lobbyist who is currently listed on the Register of Lobbyist.
- That they are making the contact on behalf of a third party.
- The name of the third party, and
- The nature of that third party's issue.

“Contact” for the purposes of lobbying activities by a Lobbyist includes:

- Telephone contact.
- Email contact.
- Written mail contact, and
- Face-to-face contact.

Roads and Maritime Services staff, or persons representing Roads and Maritime Services such as contractors and consultants who are involved in professional lobbying and are contracted or engaged to represent the interests of a third party to a Government Representative, must comply with the NSW Government Lobbyist Code of Conduct.

Access to the Lobbyist Code of Conduct, the Register of Lobbyists and an e-Learning module for Roads and Maritime Services staff and representatives involved in professional lobbying are available on the website of the Department of Premier and Cabinet: [www.dpc.nsw.gov.au](http://www.dpc.nsw.gov.au)

## Corrupt conduct and unlawful conduct

As a NSW public sector employee, corrupt or unlawful conduct by you in the course of your duties is not acceptable and will not be tolerated.

Corrupt conduct includes any dishonest or improper use of position or information which provides – or may provide – a benefit to you, any other person, or organisation.

Corrupt conduct also includes any action by a member of the public to influence you to act corruptly when carrying out your duties. Certain types of corrupt conduct and unlawful conduct may amount to a breach of NSW or Commonwealth law and may be referred to the police for investigation.

Corrupt conduct or unlawful conduct in the course of employment may include, but is not limited to:

- Theft and misappropriation of Roads and Maritime Services material or financial resources.
- Offering or accepting bribes, commissions or secret payments.
- Accepting a gift or benefit that is intended to, or is likely to cause you to act in a biased manner.
- Fraudulent or criminal conduct.
- Forgery and making false or fraudulent claims.
- Misuse or unauthorised disclosure of information or material owned, held or maintained by Roads and Maritime Services.
- Wilful or negligent damage to Roads and Maritime Services or third party resources.
- Discriminatory behaviour.
- Assault or other forms of unlawful violence against a person.
- Possession or distribution of illegal drugs.
- Possession or distribution of illegal pornography.

### Case Study: “Letter of the law”

**Issue.** Your friend runs a garden business and tells you he has noticed sand and gravel at a Roads and Maritime Services stockpile near town. Your friend tries to convince you that a big organisation like Roads and Maritime Services would not notice some missing sand and gravel, and asks you to deliver a truck load to his business address.

**Response.** You tell him you won’t because the sand and gravel belong to the public of NSW and to use a Roads and Maritime Services truck to deliver the goods would also be a misuse of Roads and Maritime Services resources. You advise your supervisor of the situation.

### Case Study: “Work not play”

**Issue.** Your sister is setting up a new business and asks you to design and print 1000 flyers for her, assuming you will do this at work. You have estimated that designing the flyer will take approximately six hours. You realise that spending this amount of time on non-work related tasks will stop you from carrying out your duties for Roads and Maritime Services. You also know that printing 1000 flyers is an inappropriate use of Roads and Maritime Services resources.

**Response.** You tell your sister that you cannot use work time or Roads and Maritime Services resources for this, but you’re more than happy to help her in your own time

away from work.

### **Key documents and contacts**

- Bribes, Gifts and Other Benefits Policy
- Corrupt Conduct and Maladministration Prevention Policy
- Personal Use of Roads and Maritime Services Resources Policy
- Probity plan template
- Security Classification and Protection for Records and Information Policy
- Independent Commission Against Corruption Act 1988
- Ethics Hotline (1800 043 642)

## Protected disclosures

If you report suspected corrupt conduct, maladministration or serious and substantial waste of public monies in accordance with the reporting system set out below, it will be deemed a protected disclosure under the *Protected Disclosures Act 1994*.

To have the report treated as a protected disclosure, you are required to report suspected wrong doing to one of the following Disclosure Officers:

- Your general manager or director.
- The General Manager, Governance or a Roads and Maritime Services investigator.
- The Chief Executive.

Any manager who receives a report of suspected corrupt conduct must treat the report seriously and advise and encourage the staff member to inform one of the disclosure officers listed above. The report must be treated impartially and kept confidential.

You can also report wrong doing to specific external agencies such as:

- Independent Commission Against Corruption (ICAC) – for corrupt conduct.
- The NSW Ombudsman – for maladministration.
- The Auditor-General – for substantial and serious waste of public monies.

Roads and Maritime Services will support you if you:

- Report any suspected wrong doing in accordance with Roads and Maritime Services' procedure for making a protected disclosure.
- Deal properly and quickly with reports you receive of suspected wrong doing.

The *Protected Disclosures Act 1994* affords protection against victimisation or discrimination to people who report suspected corrupt conduct to one of the persons or agencies specified above.

Roads and Maritime Services may take disciplinary action against:

- Any staff member found to have taken detrimental action against a person making a report of suspected corrupt conduct.
- Any staff member who makes reports proven to be vexatious, malicious, or lacking in foundation.

### Case Study: “Honesty is the best policy”

**Issue.** You are responsible for creating all accounts payable cover sheets in your section. You come across a completed cover sheet for a supplier unknown to you. You seek clarification with the Accounts Payable section and are advised the supplier has been paid on many occasions over the past year. You have not seen the authorisation signature before and suspect corrupt conduct. You discuss your concerns with your manager who tells you they do not know who the supplier is or who approved the payment.

**Response.** You contact a Disclosure Officer to discuss your concerns as you are unaware of who the supplier is and who approved the payment.

## Key documents and contacts

- Bribes, Gifts and Other Benefits Policy
- Corrupt Conduct and Maladministration Prevention Policy
- Procedure for making a protected disclosure
- Protected Disclosures Act 1994
- Ethics Hotline (1800 043 642)

## Conflict of interest

A conflict of interest exists when it is likely that you could be influenced, or may appear to be influenced, by a personal interest (financial or otherwise) in carrying out your Roads and Maritime Services duties.

Conflicts of interest that lead to partial or biased decisions may constitute corrupt conduct. Some circumstances that may give rise to a conflict of interest include:

- Where you, a family member, relative, friend or associate has a financial interest in a matter you deal with or have the power to influence.
- Secondary employment or activities that conflict with your duties, or the efficient and safe work of the Roads and Maritime Services.
- Personal political activities that conflict with your responsibility to undertake your duties in an impartial way.
- Making adverse public comments that relate to Roads and Maritime Services work or affect your capacity to undertake your duties effectively.
- Misusing your position or business information you have access to, to secure future employment advantages outside Roads and Maritime Services or to benefit any other person or organisation.

You may often be the only person aware of the potential for conflict. To ensure that your honesty and integrity is not questioned, it is your responsibility to:

- Recognise and disclose any actual or potential conflict of interest to your immediate manager or other senior manager.
- Take appropriate steps to resolve the conflict of interest in accordance with policy and prior to engaging in the affected work.
- Not misuse your position or make decisions that may, or may appear to obtain a benefit of any kind for yourself, family members, relatives, close friends or associates.
- Ensure that your work is not influenced by plans for, or offers of, employment outside Roads and Maritime Services.
- Seek approval in accordance with relevant policy prior to embarking on any proposed private employment while giving employment with Roads and Maritime Services primary consideration.

When you are uncertain whether a conflict exists, you should discuss this with your manager.

### Case Study: “Better to be safe than sorry”

**Issue.** You are on a panel to select a new cleaning company for the regional office. A close friend recently set up a cleaning business and told you the contract would really help establish the business. He has submitted a tender for the contract.

**Response.** You speak with your manager and disclose the relationship with your friend. You both agree it’s best if you withdraw from the selection panel.

### Key documents and contacts

- Community and Political Participation Policy
- Conflict of Interest Policy
- Secondary Employment Policy

## Respect for people

Roads and Maritime Services is committed to creating an environment where we can all enjoy rewarding and fulfilling professional working relationships and where differences are respected.

Administrative decisions are to be based on sound management principles and on respect for people. As a member of staff you are required to:

- Treat other staff, customers or members of the public fairly, with courtesy, respect and not give any preferential treatment.
- Respect the professional expertise of other staff
- Ensure you do not discriminate against, harass, intimidate, bully or threaten staff, customers or members of the public.
- Ensure you do not victimise staff, customers, or members of the public for any reason. Not use the internet or email to access, create, store or distribute offensive documents or images including material that may be discriminatory, harassing, offensive, graphic or pornographic. Any inappropriate email inadvertently opened by you should be deleted and/or reported immediately.
- Commit to resolving personal or work-related disputes or differences in a constructive, co-operative and timely manner.
- Be sensitive to and respect the culture of the indigenous community of Australia and the diverse ethnic and cultural background of staff, customers and members of the public.

Harassment or discrimination on the grounds of sex, marital status, pregnancy, age, race, social origin, carers' responsibility, religion, disability or illness, political opinion, industrial activity and irrelevant criminal record, transgender status (actual or presumed), or sexual preference (actual or presumed) may be an offence under the *Anti-Discrimination Act 1977*. In addition, staff must not harass or discriminate against others on the grounds of political or religious conviction or membership of a union.

Report instances of discrimination, intimidation, victimisation, harassment or workplace bullying that come to your attention to your manager or other senior manager. All such reports must also be referred to the General Manager, Human Resource Strategy.

### Case Study: "Respect for others"

**Issue.** You find it hard to get along with a particular colleague at work. Sometimes you are even tempted to avoid talking to your colleague about work-related issues.

**Response.** You know it is important to be professional in the workplace and you put aside your differences to effectively resolve work-related issues. However, if your differences escalate, try and resolve it yourselves. If this fails, then consult your manager.

### Key documents and contacts

- Appropriate Use of the Internet and Email Policy
- Grievance Resolution Policy
- Harassment, Discrimination and Workplace Bullying Policy
- Anti-discrimination legislation
- GM, Human Resource Strategy
- Grievance Network Co-ordinator
- Human Resource Advisor



## Customer service

The people of NSW and other Roads and Maritime Services staff have a legitimate expectation that the service they receive from Roads and Maritime Services staff is of the highest standard that can be achieved with the available resources. Where appropriate, members of the public who deal with Roads and Maritime Services should be informed of their right to appeal any decision by Roads and Maritime Services and how that appeal may be made.

In order to achieve a high level of customer service, Roads and Maritime Services and you as a staff member are required to:

- Ensure our customers are provided with accurate information and timely service delivery.
- Deal with customers and their enquiries sensitively, consistently, promptly, fairly, with respect and courtesy.
- Provide our customers with information that is clear, appropriate to their enquiry, up to date and without undue delay.
- Provide our customers with appropriate assistance in undertaking follow-up action and keep them informed if there is a delay.
- Deliver services in the most efficient and timely way.
- Strive to improve standards of service.
- Listen to and understand what the customer wants and allow them an opportunity to express their opinion.
- If you cannot provide the service requested, explain why.
- Raise any anomalies with your management and consider alternative outcomes.
- Ensure that correspondence with Roads and Maritime Services customers and clients is written in plain language, using simple terms and in easily understandable formats.
- Where required, ensure that appropriate interpreting or translating services are used.

### Case Study: “Keeping cool under fire”

**Issue.** It is a particularly busy day and the customer you are serving has been rude and difficult to deal with. You know it is very important to continue to act professionally and provide a high level of service. Despite your best endeavours, your customer continues to be abusive.

**Response.** You maintain a professional approach while dealing with the customer; however you think the situation might be getting out of control and decide to ask your manager for assistance.

## Working efficiently

Roads and Maritime Services is entrusted with managing substantial public financial and material resources by the State Government for the benefit of the people of NSW.

While you are carrying out your duties you are required to:

- Ensure that your work is performed in an efficient, economical and effective manner, and to a standard acceptable to Roads and Maritime Services.
- Be conscientious in carrying out your duties and make the most productive use of your time while on duty.
- Be productive, work proactively and demonstrate initiative as appropriate.
- Work diligently with respect for timeframes and associated commitments.
- Work co-operatively and effectively within a team environment.
- Look for ways to improve the way work is performed and services are delivered.
- Ensure value for money is provided in all Roads and Maritime Services activities including services provided by, or purchased from, other public and private sector organisations.
- Avoid waste in the use of Roads and Maritime Services financial, material and human resources.
- Be economical and efficient in the use of Roads and Maritime Services resources and use them for official purposes only, unless personal use is approved within policy guidelines.

### Case Study: “Timely reminder”

**Issue.** You notice that one of the staff you supervise has been arriving to work late. The staff member also takes several long breaks during the day and seems to be having long private phone calls.

**Response.** You take the staff member aside for a confidential and informal discussion about the need to focus on their work. Once you are satisfied there are no personal or health factors affecting the staff member’s behaviour, you advise that a more formal approach may need to be taken if performance does not improve.

## Official and personal information

All staff members are required to make full and accurate records of activities undertaken in the course of their work. You must take care to maintain the integrity and security of all Roads and Maritime Services records and information, particularly personal information concerning staff and members of the public held by Roads and Maritime Services. You may only release authorised information once you are satisfied the request is legitimate.

As a general rule, you may only disclose Roads and Maritime Services' information or records that are deemed to be in the public domain. You may only disclose other Roads and Maritime Services' information or records:

- Where your duties require you to do so.
- When proper authority has been given.
- When required or authorised to do so by law.
- When called to give evidence in court.

In respect of personal information, you are required to only:

- Collect personal information for a lawful and authorised purpose, and where it is required as part of the exercise of your duties, with the express knowledge of the individual to whom the records relate.
- Use personal information for the purpose for which it is collected or held, unless authorised to do otherwise.
- Access, disclose or allow others to access personal information with the proper authority.
- Amend personal information held by Roads and Maritime Services with the proper authorisation.

If there is any reason to believe that another staff member is using Roads and Maritime Services information improperly, this should be raised with a manager or reported in accordance with the Public Interest Disclosures – Internal Reporting Policy and Procedure

Misuse of official information is specifically included in the definition of corrupt conduct in the *Independent Commission Against Corruption Act 1988*. The corrupt use or disclosure of personal information that a Roads and Maritime Services staff member has access to in the exercise of their duties, is an offence under the *Privacy and Personal Information Protection Act 1998* and penalties can be invoked under the *Crimes Act 1900*.

### Case Study: “Protecting privacy”

**Issue.** You use Roads and Maritime Services' Driver & Vehicle System (DRIVES) database for work purposes. Your sister calls you at work to tell you she is going to buy a new car. She asks you to check who the previous owners of the car were and gives you the registration details.

**Response.** You tell her you cannot look at that information on DRIVES because it would be an unauthorised access. You tell her that the information on DRIVES is confidential and can only be accessed for work-related purposes.

### Key documents and contacts

- Employee Personal Records Policy
- Personal Records Policy
- Protection of Personal Information
- Policy
- Records Management Program Policy
- Rules for DRIVES Access
- Security Classification and

- Protection for Records and Information Policy
- Public Interest Disclosures – Internal Reporting Policy and Procedure
- Crimes Act 1900
- Independent Commission Against Corruption Act 1988
- Public Interest Disclosures Amendment Act 2011
- Privacy and Personal Information Protection Act 1998
- State Records Act 1998

## Environmental awareness

Environmental sustainability in design, planning and construction are core values of Roads and Maritime Services that underlie the development and maintenance of the NSW road transport system.

Roads and Maritime Services staff have a responsibility to protect the environment and heritage, and achieve environmental outcomes which can be sustained. Roads and Maritime Services staff should be aware of the impact of work on the environment and make every effort to avoid and reduce impacts, energy use and minimise waste.

As a member of staff, you are required to:

- Comply with environmental legislation and regulations and work in accordance with all Roads and Maritime Services environmental guidelines, standards, and management procedures applicable to your area of work.
- Work carefully at all times to protect the environment in a manner consistent with Roads and Maritime Services' legal environmental obligations.
- Report any environmental impacts, hazards or potential environmental management issues of which you become aware to the responsible officer, including poorly installed or poorly operating equipment encountered in your working day.
- Cooperate in the management of environmental matters, including responding to the reasonable directions of external environmental regulators.
- Participate in relevant environmental management consultation and training and use effective environmental management measures in your work.
- Use environmentally friendly products wherever possible and avoid waste of Roads and Maritime Services resources.
- Be sensitive and responsive to environmental issues raised by the public, interested or affected parties; and where appropriate, involve the community in planning and implementation decisions.

Where appropriate, demonstrate leadership and commitment in assessing and effectively managing environmental risks.

### Case Study: "Go green"

**Issue.** You regularly attend meetings away from your office where you fly or drive alone.

**Response.** Consider opportunities to reduce your carbon footprint by using video or teleconferences, using public transport and car pooling where appropriate. Where you must travel, organise multiple meetings to reduce the frequency of trips.

### Key documents and contacts

- |                                                                                |                                                     |
|--------------------------------------------------------------------------------|-----------------------------------------------------|
| • Environment Policy                                                           | • Heritage Act 1977                                 |
| • (Commonwealth) Environment Protection and Biodiversity Conservation Act 1999 | • National Parks and Wildlife Act 1974              |
| • Environmental Planning and Assessment Act 1979                               | • Protection of the Environment Operations Act 1997 |

## Workplace safety

The *Occupational Health and Safety Act 2000* and the *Occupational Health and Safety Regulation 2001* require Roads and Maritime Services to provide a safe work place for staff wherever they perform their duties, and for visitors to Roads and Maritime Services premises and work sites.

The Act and Regulation also impose obligations on all staff to take reasonable care of other persons at the workplace, and to co-operate with the implementation of safe systems of work. To ensure a safe workplace you are required to:

- Follow all safety instructions and approved safe methods of work, including the wearing of safety clothing and equipment provided to you.
- Be familiar with and follow policies and procedures for the safety and security of Roads and Maritime Services staff, customers, premises, plant and equipment.
- Report any unsafe work practices or situations with potential to harm or injure staff or members of the public.
- Take swift and appropriate action to the best of your ability and expertise, to protect and ensure the safety of staff and the public in the event of an accident or incident.
- Take reasonable care for the health and safety of people at a Roads and Maritime Services workplace, who may be affected by your conduct.
- Ensure you are not impaired by drugs or alcohol while at work or while carrying out your duties.
- Participate, when required, in workplace health and safety consultation and training.
- Assist in identifying risks at work and eliminating or controlling risks where requested to do so.
- Not damage or destroy any information, materials, plant or equipment that are designed to ensure safety in the workplace.

Roads and Maritime Services also has reporting obligations under occupational health and safety legislation. Where an accident has occurred at work or on Roads and Maritime Services premises, Roads and Maritime Services must report the incident to WorkCover NSW. As a consequence, you are required to:

- Report any accidents or injuries at work to the EnSafe (OHS Incident) Helpdesk 1300 131 469 in accordance with approved procedures.
- Direct any enquiries relating to incidents at work or on Roads and Maritime Services premises to your supervisor or manager.

### Case Study: “Never let work compromise safety”

**Issue.** You work in a traffic control position. Recently you and your colleagues encountered a number of near misses by on coming vehicles. You and your colleagues are concerned about the safety of everyone at the work site.

**Response.** You immediately raise your concerns with your manager to instigate a review of traffic control plans and relevant Safe Work Method Statements. You make sure near misses are reported using the EnSafe Incident reporting system. Your team drafts up a safe work plan and submits it to your manager for consideration. During the next team meeting opportunities are given to discuss concerns of potential dangers and a new safe work plan.

### Key documents and contacts

- Drug and Alcohol Policy
- OHS Policy Statement
- Occupational Health and Safety Act 2000
- Occupational Health and Safety Regulation 2001
- EnSafe (OHS Incident) Helpdesk 1300 131 469

## Road and water safety

Roads and Maritime Services has a primary responsibility within government for providing a safe, sustainable and efficient road transport system and for the safety of navigation on the State's waterways.

When driving a vehicle or plant or operating a vessel or plant as part of your Roads and Maritime Services duties (including working as the team leader/master or crew), you must:

- Drive Roads and Maritime Services vehicles and operate Roads and Maritime Services vessels and plant safely, in accordance with the law and applicable Roads and Maritime Services policies and procedures including and Safe Work Method Statements.
- Ensure you take frequent breaks when undertaking long distance journeys.
- Not drive Roads and Maritime Services vehicles, vessels or operate Roads and Maritime Services plant while impaired by drugs or alcohol, including prescribed or patented medicines.
- Where required, ensure that appropriate traffic control plans and other road and water safety procedures and protocols are established and followed on Roads and Maritime Services work sites.

You can also personally contribute to safety on our roads and waterways by:

- Adopting low risk driving behaviours when driving in your own time, including driving within speed limits, in accordance with the law, and free of drugs or alcohol.

### Case Study: "Safety first"

**Issue.** You have booked a Roads and Maritime Services vehicle to drive to a meeting at another Roads and Maritime Services office. You are not feeling too well having taken a strong pain killer. You are still feeling light headed and nauseous before you are about to leave.

**Response.** You call the person you were meeting and reschedule for another day.

### Key documents and contacts

- Drug and Alcohol Policy
- Safe Work Method Statement - Coastal Operations Procedures
- Environmental Services – Work Systems Manual
- Incidents involving NSW Maritime Vessels
- Safe Driving Policy



## Breaches of policy

Breaches of the Code, or approved Roads and Maritime Services policies and procedures may result in disciplinary action being taken, up to and including dismissal.

Victimisation of staff who may be involved in investigations of harassment, misconduct or corrupt conduct will not be tolerated and may result in disciplinary action.

This Code does not affect your rights as an employee under common law, relevant legislation, and industrial awards and agreements.

## For more information or to report a concern

### Internally

- Your manager or other senior manager
- Human Resources Advisor
- Manager, Workplace Practices
- Grievance Network Coordinator
- General Manager, Governance
- General Manager, Human Resource Strategy
- Chief Executive
- Human Resource Enquiry Service (1300 346 347)
- Ethics Hotline (1800 043 642)
- EnSafe Helpdesk (1300 131 469)
- Policies listed throughout the Code

### Externally

- Independent Commission Against Corruption (1800 463 909)
- The NSW Ombudsman (1800 451 524)
- The NSW Auditor-General (02 9275 7100)

## Evaluation

This policy and the associated procedures will be evaluated as appropriate, taking into account changes to New South Wales and Commonwealth legislation, government policy, identification of changing trends, and feedback provided to Human Resource Strategy Branch on the effectiveness of the policy.

## Quality Records

IE90/2316

## Additional Information

**Effective date:** 1 November 2011

**Review date:** No later than November 2014

**Policy replaces:** N/A