



Business Ethics for Contractors and Suppliers to the Department of Corrective Services

The Department of Corrective Services is committed to ethical principles and values which are set out in its Code of Conduct and Ethics. These principles of fairness and responsibility to the people of NSW can be translated into a code of business ethics for the Department and those it does business with. We expect both our permanent and contract employees to behave ethically.

If you are doing business with Corrective Services, you should be aware of the following general principles.

- The Department needs to obtain best value for the spending of public money.
- Departmental staff and those who supply goods and services will be held accountable for their decisions and actions.
- The Department promotes fairness and impartiality.
- Rules about the giving and receiving of gifts and benefits must be followed.
- Care must be taken to avoid conflict of interests.
- Confidential information needs to be kept confidential.

These principles are explained more fully for you in the material that follows. If you seek to do business with the Department of Corrective Services, you should be aware of your responsibilities and what you can expect from the Department. We will expect you to act in accordance with the principles spelled out in this *brochure*.

Best value for money

Like all government departments, the money we spend on obtaining goods and services comes from the public and must be spent wisely. We make decisions on tenders and purchasing considering cost but also such factors as quality, reliability, delivery time and support services.

In the case of contractors, experience, qualifications and knowledge are taken into account as well as cost. These selection criteria will be stated in the contract documents.

- All parties are expected to approach the tender process with honesty and fairness.
- The parties must not seek or submit tenders without a firm intention to proceed.
- There should be no collusion between tenderers.

Accountability

We require our employees to keep detailed and relevant records of all stages of the procurement process. Any departure from established processes needs to be approved by senior staff, with reasons recorded.

The supplier of goods or services is likewise expected to fulfil their side of the bargain or report immediately any problems in doing so.

Fairness and Impartiality

We realise that suppliers of goods and services invest time, effort and resources in preparing and submitting bids. In return you are entitled to feel assured of impartial treatment at all stages of the process.

Selection criteria and tender specifications will be established and documented prior to the calling of the bid. If any change needs to be made, all bidders will be given the altered details and treated equitably.

We expect that you will also act fairly and honestly, keeping your bid details confidential. If you have any concerns about being treated fairly, contact the Probity and Performance Management section of DCS on 02 4824 0500.

Gifts and Benefits

One way of keeping the tender and selection process fair is to make sure that decisions are made in accordance with selection criteria and not the personal interests of employees. For that reason, bidders should act as follows:

- Employees are forbidden to solicit or accept financial benefits from a supplier for performing official duties.
- Suppliers should not pay for any form of entertainment for DCS employees. (DCS employees are generally not entitled to use government funds to pay for entertainment, either.)
- DCS staff are expected to pay for their own meals so they should not be offered free meals, or any other gifts, and will only interact with bidders when a clear business purpose exists.
- We pay the business travel and accommodation costs for our employees. Only the Department can agree to accept this benefit from a supplier, not an individual.

Avoiding conflicts of interest

A conflict of interest arises for an employee when their private interest conflicts, or could be perceived to conflict, with their official duties. An employee accepting a benefit from a supplier could be perceived to have a conflict of interest in doing their job.

Another example relates to former departmental employees being employed by a supplier. Any organisation intending to use a current or former DCS employee for contract work should discuss the situation with DCS first. DCS must be informed of such a situation.

No individual or organisation is entitled to acquire any intellectual property rights because they are employed or have a contract with DCS.

Confidentiality

DCS handles a great deal of confidential and sensitive information the leaking of which could present a real danger. Information acquired in the course of work with the Department needs to be treated with utmost confidentiality, no matter what format it is in.

Security in Gaols

In addition to the general business principles explained above, contractors and others entering correctional centres are reminded that it is a criminal offence and a serious risk to the community to take anything into a centre for an inmate or to take anything out of a centre on behalf of an inmate. The Department will provide training about specific security issues for those entering a correctional centre as and when required.