

Statement of Business Ethics

The Office of the Children's Guardian's (OCG) purpose is to promote and regulate the quality of child-safe organisations services and people. In fulfilling our purpose, we will:

- Keep the wellbeing and safety of children and young people at the heart of all our efforts
- Be a source of authority on quality in child safe practices, in out of home care and worker screening
- Cultivate the relationships between child safe practices across settings, particularly when children are in alternate care settings and monitor the suitability of the workers who support them
- Draw together expertise from across child-related sectors to promote evidence-based practices, through integration and analysis of information in the OCG
- Educate the NSW community about the importance of child safe organisations and the roles of the Children's Guardian

Our key responsibilities:

- Promote the quality of child safe practices
- Regulate organisations and individuals providing services to children
- Educate employers and organisations about their child safe responsibilities
- Monitor organisations and individuals to achieve ongoing child-centred culture and compliance
- Facilitate sector wide cultural change and collaborations to achieve safe places for children

Purpose

The OCG values its business relationships with its third parties – suppliers, service providers, contract and temporary staff, consultants, clients and other external business associates. These relationships are founded on a mutual understanding that business will be conducted in an environment of trust, the highest ethical standards and where laws and regulations are complied with. Individual responsibility and operational excellence are also promoted.

The OCG Statement of Business Ethics is to provide guidance to our business partners and outlines the OCG's ethical standards and our expectations that third parties will comply with these standards in their dealings with us. The statement also outlines what third parties can expect from the OCG.

Our Key Business Principles

The key principles that underpin our business relationships with third parties are:

Integrity

- Consider people equally without prejudice or favour
- Act professionally with honesty, courteously and impartially
- Take responsibility for situations, showing leadership and courage
- Place the public interest over personal interest

Trust

- Appreciate difference and welcome learning form others
- Build relationships based on mutual respect

- Uphold the law, institutions of government and democratic principles
- Communicate intentions clearly and invite teamwork and collaboration
- Provide apolitical and non-partisan advice

Service

- Provide services fairly with a focus on customer needs
- Be flexible, innovative and reliable in service delivery
- Engage with our external stakeholders and business sectors to develop and implement service solutions
- Focus on quality while maximising service delivery

Accountability

- Recruit and promote employees on merit
- Take responsibility for decisions and actions
- Provide transparency to enable public scrutiny
- Be financially responsible and focus on efficient, effective and prudent use of resources and delivering value for money.

Responsibility

What we expect of you

Third parties to the OCG have a responsibility to:

- Disclose any situation that involves or could be perceived to involve a conflict of interest as soon as you become aware
- Act ethically, fairly, respectfully, openly and honestly in all dealings
- Take all reasonable measures to prevent the unauthorised release of privilege or confidential information or information that is not publicly available
- Provide accurate and reliable advice and information to reasonable and/or lawful requests
- Not offer OCG staff, contractors and consultants any financial inducements or any gifts or other benefits that may lead to, or be seen to leading to, an unfair advantage in dealings with the OCG (refer to practical guidelines section)
- Respect the obligations of OCG staff to comply with OCG policies and applicable government policies and guidelines including the [NSW Procurement Framework](#)
- Ensure that all sub-contractors you engage to meet your contractual obligations to the OCG, are aware of and are required to comply with this Statement of Business Ethics.

What you can expect of us

Our staff are bound by the OCG's Code of Conduct. When doing business with third parties, OCG staff are accountable for their actions and are expected to:

- Act in the public interest and use public money effectively and efficiently
- Deal fairly, honestly and ethically with all individuals and organisations
- Avoid any conflicts of interest (whether real or perceived)
- Observe legal and ethical requirements to preserve confidentiality relating to client information, except where otherwise required by law.

The OCG will ensure that its policies, procedures and practices comply with or are consistent with law, NSW Government policies and guidelines, best practice and the highest standards of ethical conduct. In addition, all OCG procurement activities are guided by the following core principles:

- Potential suppliers will be treated with impartiality and fairness and given equal access to information and opportunities to submit bids
- 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
- Tenders will not be called unless the OCG has a firm intention to proceed to contract
- The OCG will not disclose or misuse confidential or proprietary information or information prejudicial to other parties taking part in the tender process.

We will only deal with third parties who comply with our statement of business ethics.

You should be aware of the consequences of not complying with OCG ethical requirements when doing business with us. It could lead to termination of contracts, loss of future work or reputation or even matters being referred for criminal investigation.

Practical Guidelines

Incentives, gifts and benefits

The OCG expects its staff to declare gifts, benefits, travel or hospitality offered during the course of their work. You should not offer any such 'incentives' to OCG staff.

The OCG only permits its staff to accept gifts if:

- They are not considered gifts of influence
- Are token and of nominal value
- Refusing a gift is likely to be perceived as rude or offensive

The OCG requires all staff to report all offers of gifts, irrespective of whether they are accepted or not. All offers of gifts are recorded in the Gifts and Benefits Register.

Conflicts of interest

OCG staff involved in a request for offers (such as a tender or the selection of a preferred supplier) must disclose any potential conflict of interest. This includes an interest by a staff or a member of their family or close relative or associate in a company or other business that responds to or is in some other way involved in the request for offers. If a conflict of interest with the OCG exists or arises, the OCG also expects our business associates, contractors, consultants and suppliers to disclose to the OCG the interest as soon as they become aware.

Confidentiality

All OCG information should be treated as confidential unless otherwise expressly indicated. Third parties should be aware that the security of all official information and documents obtained in dealing with the OCG must be maintained, unless the information is made publically available by the OCG.

Contract and temporary staff must observe legal and ethical requirements to preserve confidentiality relating to client information.

Suppliers and service providers responding to requests for offers should be aware that certain information regarding contractual arrangements, including the identity of the successful contractor and the price payable must be publicly available after contracts are awarded in accordance with the *Government Information (Public Access) Act 2009*.

Communications between parties

All communications should be honest, respectful, clear, direct and accountable to minimise the risk or the perception of inappropriate behaviour or influence within the business relationship.

Third parties should not offer OCG staff private employment which conflicts with their public duties. Former OCG staff who have dealings with current staff need to ensure that they do not seek, or appear to seek, favourable treatment or access to confidential information.

Contact

Who to contact

If you have any questions regarding this statement or to provide information about breaches of this statement, please contact the Manager Business Services on:

t +61 2 8219 3636

f +61 2 8219 3699

e kids@kidsguardian.nsw.gov.au

m Locked Bag 5100 Strawberry Hills NSW 2012

For details on making a complaint about us refer to our complaints management policy at:

<https://www.kidsguardian.nsw.gov.au/about-us/who-we-are/complaints>

Public officials reporting corrupt conduct, maladministration or serious waste of public funds are protected by the *NSW Public Interest Disclosures Act 1994*. This Act protects public officials from reprisal or detrimental actions and ensures disclosures are properly investigated and dealt with.

Alternatively the following external organisations may be contacted:

Independent Commission Against Corruption (ICAC)

For matters of corruption involving NSW public officials

t 1800 436 9090

NSW Ombudsman

For matters of maladministration

t 9286 1000

t 1800 451 524 (outside Sydney metro)