

Department of Water and Energy

Code of conduct and ethics

Our guide to business behaviour – a summary



NSW Government

Department of Water & Energy

Publisher

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*NSW Department of Water and Energy
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A message from the Director-General

It is important for all of us to understand the behaviours expected of us in the workplace. This Department of Water and Energy Code of conduct and ethics is an important document that reflects our shared values and the minimum standards by which our performance is measured.

In addition to our usual rights as employees under common and statute law, being employees within the public sector we are bound by certain other obligations. We have an obligation to the public interest. We need to promote and maintain public confidence and trust in the work we perform. This means as individuals we must maintain the highest standards of behaviour and ethics in fulfilling our assigned tasks.

Through maintaining high standards of ethical behaviour, not only do we meet our 'public service' obligations, we also ensure a workplace which is productive, harmonious and free from harassment and discrimination.

This Code of conduct and ethics summary contains guiding principles reflecting our commitment to the highest standards of integrity. It does not attempt to address every ethical question which might arise in our daily work. It does, however, provide assistance on appropriate ethical decision making and provides reference points for legislation, policies, guidelines and instructions which we need to be aware of and comply with. If you have any doubt about any matter, seek advice from a person in authority within the Department.

This is an important document and it applies to every employee in the Department, as well as to every person engaged to help us provide services, advice or information. Upholding the values contained in this Code demonstrates our commitment to maintaining the highest standards of business behaviour.

Mark Duffy
Director-General
NSW Department of Water and Energy

Policy statement

The *Code of conduct and ethics – our guide to business behaviour: a summary* is the foundation on which our ethical decision making and business behaviour are built. It is designed to help employees of the Department of Water and Energy conduct their daily work activities ethically, legally and with integrity.

The cornerstone of our success is the commitment and energy of all our employees. How we behave in the workplace affects how clients, business partners and colleagues view the Department. The Department is committed to promoting a work environment based on fundamental principles of ethical workplace behaviour.

The Code applies equally to every individual employed, appointed or otherwise attached to the Department, including staff or other people engaged to provide departmental services, advice or information. Deliberately breaching this Code or the Department's policies referenced within it may constitute misconduct under the *Public Sector Employment and Management Act 2002*.

It is important to be aware that breaches of this Code may result in counselling or disciplinary action or even criminal charges or civil action.

Coverage

This Code applies equally to every individual employed, appointed or otherwise attached to the Department, including staff or other people engaged to provide departmental services, advice or information.

Guidelines

The purpose of this Code is to set minimum standards of behaviour and to provide guidelines to assist in day-to-day decision making in our workplace. It is intended to outline in plain words the obligations of all employees working in the Department of Water and Energy.

Employees and others associated with the operation of the Department can use this Code to help identify internal systems for detecting, investigating, reporting and preventing maladministration or corruption. The Code is values based and non-prescriptive and is supported by numerous policies and guidelines which have been developed to help all of us in our work. If the Code conflicts with another departmental policy, guideline or instruction, the requirements of the Code take priority.

Department of Water and Energy values

Supporting the intent of this Code are our departmental values:

- **To act with integrity** – being ethical, impartial, transparent and honest; supporting a corruption-resistant culture
- **To act professionally** – treating colleagues and clients with respect; basing decisions on the best available science; using and producing the best research, data and analysis; being innovative and pursuing excellence
- **To work safely** – being among the best in health and safety practices and performance

- **To work collaboratively** – demonstrating teamwork; developing strong, trusting, cooperative partnerships with stakeholders across government, community and industry
- **To focus on client service** – being responsive and accountable; demonstrating commitment to achieving results for communities; meeting standards of quality, timeliness and accuracy
- **To promote sustainability** – leading the water and energy policy debate; exploring the full range of solutions in a spirit of open, honest and constructive discussion to generate sustainable water and energy supply and use

Expectations of individuals

Departmental staff members are expected to:

- Carry out our duties in an efficient, effective and economical manner
- Comply with all relevant legislative, industrial, policy and administrative requirements and financial delegations
- Maintain adequate documentation to support any decision made; and when using discretionary powers, ensure decisions are made impartially
- Keep up to date with advances and changes in our areas of expertise
- Provide all necessary and appropriate assistance to members of the public
- Treat members of the public and other employees fairly and with courtesy, respect and sensitivity
- Provide impartial advice and implement Government policies effectively, regardless of which political party or parties are in office
- Not take or seek improper advantage from authority or information gained in the course of employment
- Report to senior management any unethical behaviour or suspected corrupt conduct
- Where appropriate, make disclosures through internal reporting procedures established under the *Protected Disclosures Act 1994*
- Maintain client and colleague confidentiality
- Ensure information relating to Cabinet matters is kept confidential
- Disclose, and take reasonable steps to avoid, any conflict of interest, whether real or apparent
- Not solicit gifts or benefits of any kind
- While on duty, not consume alcohol to excess, not misuse prescription drugs, and not use any form of illegal drugs or substances
- Not use offensive or obscene language
- Present ourselves in appropriate attire which reflects public expectations and community standards for each work location
- If we have an ethical or moral objection to a task we are asked to undertake, we should seek resolution of the issue through discussion with a senior manager.

Guide to ethical decision making

Ethical decision making is particularly important for us. We will promote ethical conduct by way of example. We must be able to ensure we are:

- **Impartial** – making decisions in a way which does not improperly favour one person or interest
- **Acting with integrity and probity** – making decisions in such a way that others have no doubt as to our motives when making those decisions, being consistent and honest
- **Transparent** – being able to demonstrate who, why, when and on what basis decisions are made
- **Accountable** for our decisions.

To determine appropriate conduct when we face an ethical dilemma, we will use the following guide to ethical decision making:

1. Is the decision or conduct lawful?
2. Is the decision or conduct consistent with Government policy and in line with the Department's objectives and code of conduct?
3. What will be the outcomes for my work colleagues, the Department, other relevant parties and me?
4. Do these outcomes raise a conflict of interest or lead to private gain at public expense?
5. Can the decision or conduct be justified in terms of the public interest, and would it withstand public scrutiny?
6. How would I perceive the situation if I were an independent public observer?

If we are confident that our decision passes this test, it is probably the right decision. If there is any doubt about a decision we make, it is best to discuss it with a senior manager.

More information

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