



**NSW RURAL FIRE SERVICE**



# **NSW RURAL FIRE SERVICE**

## **STATEMENT OF BUSINESS ETHICS**

**FOR**

**COMMERCIAL PARTNERS AND SUPPLIERS**

**SEPTEMBER 2020**

## Document control

### Release history

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## Related documents

Document name
<a href="#">NSW RFS Service Standard 1.1.7 Code of Conduct</a>
<a href="#">NSW RFS Policy P1.1.3: Conflicts of Interest</a>
<a href="#">NSW RFS Policy P1.1.4: Gifts and Benefits</a>
<a href="#">NSW RFS Policy P2.1.4: Corporate Sponsorship</a>
<a href="#">NSW RFS Policy P4.1.3: Procurement</a>
<a href="#">NSW RFS Service Standard 1.1.16 Fundraising Activities (Provision of Goods and Services)</a>
<a href="#">NSW RFS Service Standard 1.1.32 Fraud and Corruption Prevention</a>

Note: NSW RFS Policies and Service Standards can be found on the NSW RFS website – [www.rfs.nsw.gov.au/](http://www.rfs.nsw.gov.au/)

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# 1 Introduction

This NSW Rural Fire Service (NSW RFS) Statement of Business Ethics sets out the expectations of the Service and details the mutual obligations, roles and constraints for all stakeholders engaged in our business activities.

This Statement gives guidance to our commercial partners and suppliers on expected behaviours. All individuals and organisations that deal with NSW RFS should adhere to these standards of ethical behaviour as the NSW RFS is committed to promoting integrity, ethical conduct and accountability in all areas of public administration.

# 2 Our Values

The values that underpin the organisational capability, business activities and membership standards of the NSW RFS are detailed in the Code of Conduct and Ethics and are:

- Mutual Respect
- Support, Friendship, Camaraderie
- One Team, Many Players, One Purpose
- Adaptability and Resourcefulness
- Knowledge and Learning
- Integrity and Trust
- Community and Our Environment

These Values are demonstrated by the NSW RFS and its commercial partners and suppliers by:

- providing quality services to the community of NSW;
- being consistently honest, trustworthy and accountable;
- being courteous and responsive in dealing with others;
- maintaining professional relationships with colleagues, our business clients and the community;
- promoting dignity and respect by avoiding behaviour which is, or might reasonably be perceived as, harassing, bullying or intimidating;
- fostering an environment that is ethical and equitable;
- working collaboratively to reach common goals;
- making decisions that are fair, open and transparent;
- acknowledging our stakeholders as partners in our work;
- maintaining and developing our professional and work practices; and
- acting in the public interest in all we do.

### 3 What the NSW RFS Expects from You

Suppliers of goods and services to the NSW RFS must:

- comply with applicable NSW Government procurement frameworks, policies, codes of practice, departmental procurement policies and procedures and act ethically, fairly and honestly in all dealings with the NSW RFS;
- comply with the conditions and requirements stated in documents supplied by the NSW RFS;
- comply with all codes of tendering and practice that apply in business;
- respect the obligation of NSW RFS members (staff and volunteers) to comply with government procurement policies;
- not offer NSW RFS members, contractors and consultants any financial inducements or any gifts or other benefits, including hospitality, which may lead to, or be seen as leading to, an unfair advantage or influence in dealings with the NSW RFS;
- act with integrity and openness;
- not engage in collusive practices;
- respond to reasonable requests for advice and information as soon as practicable;
- declare actual or perceived conflicts of interest as soon as such matters arise;
- ensure that all contractors engaged in work for the NSW RFS are aware of and comply with this Statement of Business Ethics;
- prevent unauthorised release of privileged or confidential information (e.g. commercial-in-confidence information) and protect all NSW RFS intellectual property;
- deliver services in an environmentally sustainable manner.

### 4 What You Can Expect from the NSW RFS

The NSW RFS sets high ethical standards for our members. All NSW RFS interactions with the private sector, our commercial partners and suppliers must be undertaken with transparency and integrity.

All members of the NSW RFS must:

- comply with applicable NSW RFS and government policies / procedures
- show fairness in our treatment of all individuals and organisations that supply goods or services to the NSW RFS;
- encourage fair and open competition while seeking value for money and to always act honestly
- protect commercial-in-confidence information;
- accept responsibility and be accountable for actions and decisions in accordance with delegated functions, roles and the requirements of the Code of Conduct and Ethics;
- actively promote the integrity and reputation of the NSW RFS and the public sector by always acting in the public interest and by avoiding or managing situations where private interests conflict with public duty;
- disclose any situation that involves or could be perceived to involve a conflict of interest;
- not ask for or accept financial or other benefits, including hospitality, from a potential, current or past supplier / business partner(s) for performing official duties or activities;

- respond to reasonable requests for advice and information without delay; and
- always act with care and diligence, utilising departmental resources in a proper manner.

## **5 General Guidelines**

### **5.1 Ethical Communication between the Private Sector and NSW RFS Members**

All communication should be clear, direct and accountable to minimise the risk of a perception of inappropriate influence or benefit being brought to bear on the business relationship.

### **5.2 Conflicts of Interest**

The NSW RFS expects all commercial partners and suppliers to have practices in place to resolve any potential conflict of interest that they or their employees, contractors or agents may encounter.

For NSW RFS members who deal with the private sector, a real or perceived conflict of interest may arise between a member's private or personal interests and that member's duty to the Service. Therefore, all NSW RFS members are required to disclose any potential or actual conflicts of interest in writing to their supervisor/manager. NSW RFS members involved in a request for offers (such as a tender, the selection of a preferred supplier, etc.) must disclose any potential conflict of interest to their supervisor. This includes an interest by a NSW RFS member, 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.

The same principles apply to a conflict of interest that arises in any other situation and therefore all commercial partners and suppliers are expected to declare and manage any conflict of interest in their dealings with the NSW RFS.

### **5.3 Gifts, Benefits, Hospitality and Promotions**

A gift or benefit designed to influence a decision or gain a business advantage must not be offered to any NSW RFS member. In general, NSW RFS staff will be expected to decline gifts, benefits, travel or hospitality offered during the course of their paid employment.

A gift or benefit must not be offered to any NSW RFS member as an inducement to secure any favour or preferential treatment.

Gifts of a nominal value would only be accepted where the acceptance of the gift cannot be perceived as influencing the decisions of any NSW RFS member or decision making process. In cases where hospitality or gifts of greater value than \$50 are offered, NSW RFS members will notify their supervisor and together consult to determine the appropriate course of action.

Any offer that a supplier may wish to make for NSW RFS members to visit or view its products should be made to NSW RFS management in writing and not to an individual member. Promotional gifts and giveaways or discounted or free travel and accommodation will generally not be accepted.

### **5.4 Donations and Fund Raising**

A donation made to the NSW RFS or directly to a Brigade will be accepted in accordance with financial regulatory requirements. A donation made in the form of goods or services must be dealt with in accordance with the NSW RFS Code of Conduct and Ethics and relevant Service Standards.

An inducement must not be offered to any NSW RFS member to secure any favour or preferential treatment.

Fund raising activities conducted by commercial partners and/or suppliers on behalf of the NSW RFS are to be approved in writing by the NSW RFS in advance of any activity occurring. All funds obtained from fundraising are subject to strict compliance and financial accounting requirements.

## **5.5 Sponsorship**

As outlined in the NSW RFS Corporate Sponsorship Policy and other Guidelines, sponsorship obtained through commercial partners and suppliers must be consistent with the corporate principles, vision and objectives for community confidence, public safety and fire mitigation strategies in NSW and derive benefits for the community. Sponsorship can be used to enhance various programs but must not displace any government or other current provision on which the NSW RFS depend or must comply with. All sponsorships must be formalised through a written agreement.

## **5.6 Confidentiality**

Contractors and suppliers should be aware that NSW RFS members must maintain the confidentiality and security of all official information and documents where such information and documents are not normally made available to the public. NSW RFS members may provide information normally available to the public on request but, if unsure, members must refer the request to a more senior or specialist officer.

Under no circumstances are NSW RFS members and private sector employees to allow commercial-in-confidence information to be made known to unauthorised persons. Competing companies are never to be given another company's information in regard to performance specifications nor any aspect of pricing, quotation, tender, bid, advance details of future product releases, or any other commercial or proprietary information.

## **5.7 Intellectual Property**

Intellectual property rights must be negotiated and approvals sought. No individual or organisation is entitled to acquire and or use any intellectual property rights because they are employed by, or have a contract with, the NSW RFS.

## **5.8 Secondary Employment and Post Separation Employment**

Private sector employers should not offer NSW RFS members secondary employment which conflicts with their NSW RFS and public duties. Former NSW RFS members who have subsequent business related or other involvement with current members need to ensure they do not seek, or appear to seek, favourable treatment or access to confidential information.

## **5.9 Use of NSW RFS Equipment, Resources and Information**

NSW RFS members and all engaged suppliers and contractors must only use NSW RFS equipment, resources and information for an official purpose. Any misuse of NSW RFS resources will be investigated accordingly.

## **5.10 Health, Safety and Welfare**

Commercial partners and suppliers to the NSW RFS are required to be compliant to all Health and Safety Legislation and maintain safety management systems consistent with Safety Management standards.

When commercial partners and suppliers are undertaking work on behalf of the NSW RFS and a health and safety incident occurs, this must be reported to the relevant NSW RFS officer such as the contract contact. An example of this may be a photographer doing a shoot for the NSW RFS and they have a health and safety related accident on location during the shoot, this must be reported.

## **5.11 Public Comment**

Commercial partners and suppliers to the NSW RFS must not make any public comment or statement that would lead anyone to believe that they are representing the NSW RFS, or expressing its views or policies whether at public or community meetings, via the media or when it is reasonable that comments or statements will become known to the public at large.



Commercial partners and suppliers are not permitted to use the NSW RFS logo or refer to the NSW RFS in any way for the purpose of public endorsement of their company or product, without permission from the Manager, Procurement.

### **5.12 Public Interest Disclosures**

The NSW RFS does not tolerate corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and other forms of serious wrongdoing. NSW RFS commercial partners and suppliers are required to report all information that they become aware of that they honestly believe, on reasonable grounds, shows or tends to show, serious wrongdoing inside or outside the NSW RFS.

Individuals and corporations (and employees or officers of these corporations) engaged by the NSW RFS under contract to provide services to, or on behalf of the NSW RFS are classified as 'public officials' under the Public Interest Disclosure Act 1994. The Act protects public officials from reprisal or detrimental action when disclosing corrupt conduct or other specific wrongdoing in line with requirements of the Act.

Concerns about a possible breach or any conduct that could involve fraud, corrupt conduct, maladministration or serious and substantial waste of public funds are to be marked confidential and emailed to the Director Professional Standards at [professional.standards@rfs.nsw.gov.au](mailto:professional.standards@rfs.nsw.gov.au).

### **5.13 Environmental Sustainability**

The NSW RFS expects all commercial partners and suppliers to minimise the environmental impact of their operations and maintain environmentally responsible policies and practices.

### **5.14 Labour and Human Rights**

The NSW RFS expects all commercial partners and suppliers to provide a fair and ethical workplace free from workplace bullying, harassment, victimisation and abuse. Our suppliers are expected to make all reasonable efforts to ensure that businesses within their supply chain are not engaged in, or complicit with, human rights abuses, such as forced or child labour.

## **6 Consequences for Non Compliance**

By adhering to the NSW RFS Statement of Business Ethics, commercial partners and/or suppliers will be able to present their business objectives in a fair and ethical manner. Commercial partners and suppliers should be aware of the consequences of not complying with NSW RFS ethical requirements when doing business with the Service.

Likewise, any NSW RFS member who has responsibilities to deal with business activities and commercial partners and suppliers must adhere to this Business Statement, the relevant government procurement requirements and the NSW RFS Code of Conduct and Ethics.

Non-compliance with stated ethical requirements when doing business with or on behalf of NSW RFS, as well as demonstrated corrupt or unethical conduct, could lead to:

- Termination of contracts;
- Loss of future work;
- Loss of reputation;
- Investigation of corruption; and/or
- Matters being referred for criminal investigation

## 7 Reporting Non Compliance

Concerns about a possible breach of these standards should be reported directly to the NSW RFS. Concerns about any conduct that could involve fraud, corrupt conduct, maladministration, or serious and substantial waste of public funds, can be reported via one of these external channels:

Corrupt conduct – [Independent Commission Against Corruption \(ICAC\)](#)

Maladministration – [NSW Ombudsman](#)

Serious and substantial waste – [NSW Audit Office](#)

Access to government information (GIPA) – [Information and Privacy Commission NSW](#)

## 8 Further Information

For further information regarding this NSW RFS Statement of Business Ethics, the NSW RFS Code of Conduct and Ethics and procurement process generally can be found on the NSW RFS website - [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) - or by contacting the Manager, Procurement at [procurement@rfs.nsw.gov.au](mailto:procurement@rfs.nsw.gov.au).

Additionally, information concerning NSW Government procurement and tendering can be found at [www.buy.nsw.gov.au](http://www.buy.nsw.gov.au).