



NOVEMBER 2023

Code of Conduct

STATEMENT FROM THE AUDITOR-GENERAL

Protecting the reputation of the Audit Office is vital to ensuring our credibility and maintaining public trust in what we do.

The Audit Office Code of Conduct (the Code) helps us comply with our professional obligations and maintain high standards of ethical conduct, no matter where we work. Everyone working at the Audit Office should expect to be treated, and must treat others, with respect, dignity and fairness. The Code does not cover every issue that may arise but provides guidance around standards of behaviour.

Everyone working at the Audit Office should make themselves aware of the Code and its supporting policies and implement and comply with its provisions and the values on which it is based. You are required to act both within the letter and spirit of the Code.

The Code of Conduct has my full support and the support of the Office Executive.

If you need further information on the Code or other related policies, speak to your manager, People & Culture, Governance or any member of the Leadership team.



Margaret Crawford PSM

Auditor-General for New South Wales

13 November 2023



CODE OF CONDUCT

1. Purpose

The Code of Conduct (the Code) provides standards and guidance for ethical and professional conduct. It links to the Audit Office values of:

- pride in purpose
- curious and open minded
- valuing people
- contagious integrity and
- courage (even when it's uncomfortable).

It also links to the NSW Public Sector values of integrity, trust, service and accountability, outlined in the NSW Public Service Commission Code of Ethics and Conduct.

The Code does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your work. Instead, it provides an expected standard of behaviour and, along with the underlying policies, helps you decide on an appropriate course of action.

2. Scope

The Code applies to all permanent and temporary staff and the contingent workforce employed by the Audit Office, including agency contract staff.

The substance of the Code is also reflected in the Audit Office [Statement of Business Ethics](#) which applies to third parties who work for and on behalf of the Audit Office.

The Code applies to all work situations including at the office, at work functions, external conferences and training events, when travelling for work and when working at premises such as auditee sites and working remotely.

3. The ethical framework for the Audit Office

The Code is the principal document that underpins the Audit Office's ethical framework. When referring to compliance with the Code, this also means compliance to the ethical framework consisting of the Audit Office values and policies, principles and expected professional behaviours that support the Code. These are set out below.

3.1. Audit Office values

The Audit Office values and the principles that guide their implementation are:

- **Pride in purpose**
Our work is important, so we set high standards and strive for excellence. Our insights drive better government, and through that we have a real impact on issues that affect the people of New South Wales.
- **Curious and open minded**
Our people are empowered to look outward, find the best ways and question the status quo. We are constantly curious and open to challenge.
- **Valuing people**
People are at the heart of what we do. Every member of our team. Our stakeholders. The people of NSW. We support, trust and respect our people. We embrace and celebrate our diversity. We work as a team.
- **Contagious integrity**
Behaving with the highest levels of integrity is fundamental to who we are. We set a high standard and inspire others to do the same. We set the example.

- **Courage (even when it's uncomfortable)**

We are impartial and objective. We listen and learn and strive for a balanced view. But we are not afraid to ask the uncomfortable questions and speak the uncomfortable truth.

3.2. Supporting policies and principles

A number of Audit Office policies set expectations of conduct and behaviour. The list below provides key policies that support the Code. You must ensure you have read and are familiar with these policies:

- [Conflict of Interest and Professional Independence Policy](#)
- [Gifts, Benefits and Hospitality Policy](#)
- [Fraud and Corruption Control Policy](#)
- [Privacy Management Plan](#)
- [Respectful Workplace Policy](#)
- [Diversity and Inclusion Policy](#)
- [Statement of Business Ethics](#)
- [Social Media Policy](#)
- [Compliance Policy](#)
- ICT Acceptable Use Policy
- Flexible Work Practices Policy
- Performance Management Policy
- Disciplinary Policy
- Grievance Policy
- Consultation Policy
- Delegations Manual
- Work Health and Safety Policy

4. Mandatory conduct

You are expected to make the following commitments, and take the following actions, to discharge your responsibilities under the Code.

4.1. What are my responsibilities under the Code?

I will:

- comply with the Code
- seek assistance when I am unsure about how to apply the Code
- promote the implementation of the Code to my colleagues
- report incidents that are contrary to the Code or possible breaches of the Code to my manager, and if unsure or the allegations are more serious, I will contact People & Culture
- be accountable for my actions and accept that breaches of the Code will be addressed in accordance with the Performance Management Policy and the Disciplinary Policy, and may result in disciplinary measures
- report to my manager, if I have been charged with or convicted of a serious criminal offence which is punishable by 12 months imprisonment or more
- annually sign off in a timely manner that I have read and understood the Code and will comply with the provisions of the Code.

As a manager or a person with responsibilities for managing a contract, I will:

- lead, demonstrate and promote the implementation of the Code

- promote and embed a workplace culture, practices and systems (including performance reviews and performance management) that operate consistently with the Code and ethical framework
- recognise and promote employee and team conduct that exemplifies the Code
- act promptly and with due process to prevent and address any breaches of the Code
- ensure that my employees (and where applicable, consultants or other suppliers) comply with the Code, provide advice and guidance as required and constructively manage any performance issues related to the Code in a timely manner.

4.2. How do I manage and report conflicts of interest and threats to professional independence?

Managing potential, perceived or actual conflicts of interest and threats to professional independence is of great importance given the independence and nature of the work undertaken by the Audit Office. The Audit Office and its employees, audit service providers and consultants must be, and be seen to be, free of any interest that is incompatible with objectivity in performing activities including audit engagements, procurement or recruitment activities. Audit engagement team members and staff who can directly influence the outcome of an engagement are also required to be professionally independent which means being:

- independent of mind – so individuals act with integrity, exercise objectivity and professional scepticism and express conclusions without being affected by influences that compromise professional judgement
- independent in appearance – so that a reasonable and informed third party would not conclude that integrity, objectivity or professional scepticism had been compromised.

Conflicts of interest may arise in different ways. For example, through personal relationships, financial and non-financial interests, political activities and secondary employment.

I will take reasonable steps to avoid conflicts of interest, and I will promptly notify any possible or suspected conflict of interest to my manager for advice on how to remove or manage the conflict. I will familiarise myself and comply with the Audit Office Conflict of Interest and Professional Independence Policy.

The Audit Office is my primary employer. Before engaging in secondary employment or voluntary work, I will seek the approval of the Executive Director, Professional Services in accordance with the Conflict of Interest and Professional Independence Procedure.

4.3. How do I treat colleagues, customers, auditees and stakeholders?

I will treat colleagues, auditees and other stakeholders with respect regardless of position, race, culture, religious or political beliefs, gender, age, disability, or sexual orientation and in accordance with the Audit Office Diversity and Inclusion Policy and the Respectful Workplace Policy.

In the workplace, at auditee sites, when working remotely, at work social events and/or while representing the Audit Office, I will ensure:

- I am courteous, fair, understanding and honest
- I make positive contributions toward individual, team and organisation performance
- I respect the privacy of fellow colleagues, and auditee staff
- I have regard for and am aware of my responsibilities in relation to workplace health and safety
- I contribute to a work environment of trust, free from harassment.

In dealing with auditees, colleagues and stakeholders I will act with independence, integrity and professionalism at all times. I will take all reasonable steps to ensure my judgments and decisions are fair, balanced and accurate. I will conduct my duties with diligence and responsibility. I am part of a professional team and am accountable for my actions, which will enhance and protect the reputation of the Audit Office.

I am aware of the Audit Office Statement of Business Ethics which provides guidance for third parties when doing business with the Audit Office and what third parties can expect of us. I will report any potential breaches of the Statement I become aware of.

If I am involved with procurement, recruitment or staff selection processes, I will ensure it is done ethically, fairly, effectively and in accordance with Audit Office procedures and standards of value for money / merit selection.

4.4. Offers of gifts, benefits or hospitality

The offers of gifts, benefits and hospitality, may be perceived as an attempt to influence me. I should never make this impression. I will declare all gifts, benefits and hospitality over the value of \$25 offered to me, even if they have been declined in accordance with the Audit Office Gifts, Benefits and Hospitality Policy. I am aware that I may be advised to return the gift or donate it. I will familiarise myself with the Gifts, Benefits and Hospitality Policy to ensure I act appropriately at all times.

4.5. Political, community and personal activities

As an individual, I have the right to participate in political and community activities and to pursue personal interests, provided any potential, perceived or actual conflict of interest or threat to professional independence that arises is recognised, declared and adequately managed in line with the requirements of the Conflict of Interest and Professional Independence Policy. I will ensure that my involvement in any political party, industrial organisation, or community and personal activity is understood to represent my view or those of the party or organisation I represent, and not those of the Audit Office.

4.6. Public comment

I will not make public comment on behalf of the Audit Office, or in an official capacity as an Audit Office employee unless specifically authorised to do so. The Auditor-General is the only person authorised to make public comment in an official capacity on behalf of the Audit Office and may delegate this responsibility. Public comment includes speaking engagements, comment to the media or industry representatives such as professional membership organisations, expressing views that may flow to the community at large and comments through social media. I will be familiar and comply with the Audit Office Social Media Policy.

4.7. Lobbyists

I will not engage with lobbyists. If approached by a lobbyist I will report it to my manager and the Executive Director, Professional Services.

4.8. Confidential information

I have a legal and community responsibility to manage all information owned, received and held by the Audit Office in a professional manner. I will at all times maintain the security of official and sensitive records, including when working remotely or from home. I will adhere to the Audit Office Records Management Policy, Information Classification and Labelling Policy and other processes in accordance with the *State Records Act 1998* and related Acts.

In undertaking my role, I must comply with:

- The *Government Sector Audit Act 1983* and the *Local Government Act 1993* which require that I do not divulge or communicate to any persons outside the Audit Office any information obtained during the course of an audit, other than is necessary to meet the requirements of the Act. Official information must remain confidential and is not to be used to gain personal advantage. This continues to apply after leaving the Audit Office.
- The *Privacy and Personal Information Protection Act 1998* which provides for the protection of personal information and the privacy of individuals. I will familiarise myself and comply with the Audit Office Privacy Management Plan.

Upon leaving employment with the Audit Office, I will:

- continue to be bound by the conditions of confidentiality regarding information owned and held by the Audit Office
- refrain from taking non-publicly disclosed documents obtained through the course of my employment with the Audit Office and return or securely destroy any such documents in my possession.

4.9. Acceptable use of public resources

The Audit Office is funded by public resources. I will be fiscally responsible in using public resources for official purposes in an efficient, effective and prudent manner, in particular when procuring goods or services, and I will avoid waste and extravagance.

I will support transparency to enable public scrutiny of the Audit Office's use of public resources. I will also familiarise myself and comply with relevant Audit Office policies including ICT Acceptable Use Policy, Travel and Other Expenses Policy, Purchasing Card Policy, Procurement and Contract Management Policy, Taxi and Rideshare Policy, Mobile Device and Remote Working Policy, Catering Policy and the Delegations Manual.

4.10. Compliance

I will comply with Audit Office policies and relevant legislative obligations within the scope of my role and responsibilities. In particular, I will carry out Audit Office activities within my delegated authority under the Delegations Manual. I will familiarise myself and comply with the requirements of the Audit Office Compliance Policy. I will support a positive and risk aware culture, including making myself familiar with the Audit Office Risk Management Framework and its application.

5. Behaviour contrary to the Code

5.1. Effect of behaviour that is contrary to the Code

Behaviour contrary to the Code can bring individual employees and the Audit Office into disrepute, undermine productive working relationships in the workplace and with Parliament and auditees, hinder service delivery and damage public trust in the Audit Office.

Breaches of the Code may be subject to remedial or disciplinary actions, including but not limited to warning letters, suspension, demotion or cessation of employment. For further details refer to the Disciplinary Policy.

Accordingly, I am expected to make the following commitments, and take the following actions, with respect to breaches of the Code.

5.2. If I see behaviour contrary to the Code

If I suspect there is a breach of the Code, I will report it to my manager. I understand that the Audit Office is committed to protecting me if I raise a concern that is not malicious or vexatious about the conduct of a colleague.

Corrupt conduct (including fraud), serious maladministration, serious and substantial waste of public money, privacy contravention, government information contravention or a local government pecuniary interest contravention are defined in the Audit Office Internal Public Interest Disclosure Policy and the Fraud and Corruption Control Policy. In situations where I suspect any of these in the public sector or in the Audit Office, I will immediately notify the Auditor-General or one of the other nominated Disclosure Officers, using the process outlined in the Internal Public Interest Disclosure Policy.

I understand that I may be subject to the protections offered by the *Public Interest Disclosures Act 2022* and I will refer to the Internal Public Interest Disclosure Policy and the Fraud and Corruption Control Policy for further guidance.

5.3. Actions when allegations are made

If it is alleged that you have acted in a way that is contrary to the Code, you will have an opportunity to provide your version of events. How this will happen will be proportionate to the seriousness of the matter.

In those cases where the allegation (in the judgment of your manager, and if required in consultation with People & Culture) is minor or low level, your manager will usually discuss this matter with you. If the allegations are more serious, a formal process may be required. For further details refer to the Disciplinary Policy.

Employees involved in investigating an allegation of behaviour that is contrary to the Code must ensure that decision making is fair and reasonable by acting consistently with four principles:

- procedural fairness for both the complainant and the other staff member – this means that any such allegations will be dealt with in a way that is fair, transparent, equitable and free from bias
- investigations should be handled expeditiously
- confidentiality for all parties where practicable and appropriate
- meticulous record keeping, including recording of reasons for all significant decisions.

6. Contact point

If I have any questions about the Code, I will contact my manager, the Director, People & Culture or the Director, Governance (Risk and Ethics).

OUR VISION

Our insights inform and challenge government to improve outcomes for citizens.

OUR PURPOSE

To help parliament hold government accountable for its use of public resources.

OUR VALUES

Pride in purpose
Curious and open-minded
Valuing people
Contagious integrity
Courage (even when
it's uncomfortable)

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