



Statement of Business Ethics

TEACHER HOUSING AUTHORITY OF NSW and THE PRIVATE SECTOR

The Role of Each Party

All Teacher Housing Authority (THA) officers are required to abide by a written Code of Conduct. The THA also relies on private sector organisations and individuals to maintain similar standards of ethical conduct in their dealings with the Authority.

A common understanding of ethical conduct shared by the THA and the private sector, will assist each to have a good and productive relationship with the other.

Determining Principles

There are three determining principles that form the basis of the THA's contractual arrangements. They are:

Value for Money

Value for money is determined by considering all the factors that are relevant to a particular purpose. For example, quality, reliability, timeliness, service, and initial and ongoing costs are all factors that can make a significant impact on benefits and costs.

Value for money does not mean 'lowest price'. However, the lowest price bid might offer best value if it meets other essentials, such as quality and reliability.

Impartiality

Impartiality means endeavouring to be objective and even-handed. For example, objectively establishing the criteria for determining best value for money and assessing each bid against the criteria.

Being impartial includes taking account of practicalities. For example, the principle of impartiality does not require publicly advertising for bids in low monetary value cases or inviting bids from organisations or individuals that have performed poorly in the past.

Fairness

Fairness overlaps with impartiality in the sense of being even-handed.

Fairness does not mean pleasing everyone. It can be unfortunate, but not unfair, that people are adversely affected by decisions.

Guidelines

Confidentiality

Information which is marked confidential or which a reasonable person would expect to be confidential should be treated confidentially. The information may be contained either in documents or as electronically stored data.

Entertainment

THA officers are usually not entitled to use Authority funds to pay for entertainment. Similarly, there is no expectation that suppliers pay for entertainment of any sort for THA staff.

Lunches and Dinners

THA officers are expected to pay for their own meals. The Authority discourages external parties from providing THA staff with social lunches or dinners. However, provided such functions have a clear underlying business purpose, are not frequent and the value is modest, staff participation is permitted.

Gifts

THA officers are not permitted to accept gifts in connection with the performance of their official duties.

There should be no expectation of gifts from either party in respect of a business relationship.

Travel and Accommodation

The THA provides for all business travel and accommodation requirements of its staff, and any variation to this policy will be by arrangement with the Authority, not with an individual employee. In every case where a variation is proposed, prior approval by the General Manager of the THA is required.

Employment of Former THA Staff

Any organisation intending to use a current or past THA employee, for work associated with the Authority's business, should liaise with the THA in the first instance.

This approach is intended to protect all three parties – THA, the individual, and the firm – from any potential charge of impropriety or conflict of interest.

Summary of Requirements and Expectations

The THA requires its employees to:

- abide by Government and Authority policies and procedures;
- be equitable in their treatment of all organisations or individuals providing services to, or on behalf of, the Authority;
- promote fair and open competition and seek value for money;
- protect commercial-in-confidence information;
- deal honestly with suppliers and be timely in paying accounts;
- meet public interest and accountability standards;
- avoid situations where private interests conflict with public duty;
- abstain from soliciting or accepting remuneration or other benefit from a supplier for the discharge of official duties; and,
- respond promptly to reasonable requests for advice and information.

Organisations and individuals are expected to:

- meet the conditions set out in documents supplied by the Authority;

- present information accurately and succinctly;
- where applicable, abide by the Codes of Tendering and Practice for the Construction Industry;
- respect the obligation on THA staff to abide by Government procurement policy;
- abstain from collusive practices;
- prevent the unauthorised release of privileged information, including Commercial-in-Confidence information;
- not discuss their THA dealings with the media, without prior consultation with the THA;
- respond promptly to reasonable requests for advice and information;
- refrain from offering THA employees any financial or other inducements which may lead to, or be seen to lead to, the gaining of unfair advantage in dealings with the THA; and,
- observe THA post separation employment guidelines.

How it Works

There is no absolute definition of ethical behaviour. If there is any doubt about the ethics of a proposed action, a sensible test is whether or not it would survive critical public scrutiny.

Individuals, or employees of organisations providing services to, or on behalf of the Authority who are concerned that a breach of the law, or of ethical conduct, may have taken place, should discuss the matter with the Authority's Manager, Business Operations (Ph 02 9260 2002; e-mail thastaff@tha.nsw.gov.au).

If a possible breach of any agreed standard of ethical conduct is identified, the matter will immediately be brought to the attention of the General Manager of the Authority for further investigation. It is expected that the parties involved will co-operate in any such investigation.