



Code of Conduct



Implementation officer	Executive Manager, Safety People & Culture
Relevant to	Directors, Employees and Contractors working for or on behalf of WaterNSW
Relevant legislation	Public Interest Disclosures Act 2022 (NSW) Work Health and Safety Act 2011 (NSW) Fair Work Act 2009 (Cth) Copyright Act 1968 (Cth) Privacy Act 1988 (Cth) Privacy and Personal Information Protection Act 1998 (NSW) Anti-Discrimination Act 1977 (NSW) Modern Slavery Act 2018 (Cth)

Monitoring, Evaluation and Review

Outcome: How does this Policy deliver against the purpose and scope?

Monitoring	Document provided to all directors, employees and contractors at commencement of engagement with WaterNSW. Compliance monitored by completion rates of online training; employee surveys/ quizzes from time to time; refresher training conducted periodically.
Evaluation and Review Revision History	<p>Medium – 2 years</p> <p>Addition of reference to the Modern Slavery Act 2018 section 2.11; March 2021</p> <ul style="list-style-type: none"> • Inclusion of directors in coverage • Update to section 2.3.3 Dress code • Update to section 2.5 Privacy and confidentiality • Update to section 2.7 Conflict of interest • Update to section 2.8 Other (Secondary) employment • Update to section 2.10 Gifts, hospitality and fraud • Update to section 2.12 Reporting breaches to the Code of Conduct <p>February 2024</p> <ul style="list-style-type: none"> • Amend relevant legislation reference to Public Interest Disclosures Act 2022 (NSW) • Update to section 2.5.1 Dealing with personal, confidential and commercially sensitive information • Update to section 2.12 Reporting breaches to the Code of Conduct • Update to section 4 Contact Information <p>July 2024</p> <ul style="list-style-type: none"> • Update to section 2.1.1 Workplace health and safety • Update to section 2.12 Reporting breaches to the Code of Conduct

Approval



Andrew George
Chief Executive Officer



We acknowledge the Traditional Custodians of the land and water on which we work and recognise the continuing cultural and spiritual connections that Aboriginal and Torres Strait Islander people have to Country. We pay our respects to Elders past and present.

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Introduction

Our purpose

Our purpose at WaterNSW is to improve the availability of water resources that are essential for the people of NSW. In doing so, we aim to make WaterNSW an organisation recognised for best practice performance and services that promote and maintain the confidence and trust of our stakeholders, our customers and the community.

All directors, employees and contractors working for or on behalf of WaterNSW are expected to perform their duties with efficiency, fairness, impartiality and integrity, their decisions and actions reflecting our values.

Our values

The WaterNSW values are:





Our Code of Conduct

This Code of Conduct aims to provide clear guidance on the standard of behaviour expected from all directors, employees and contractors, and should be read in conjunction with WaterNSW policies, procedures and industrial instruments, all of which can be found on The Source, WaterNSW's employee intranet.

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Code of Conduct

2.1 Health, safety and wellbeing

2.1.1 Workplace health and safety

At WaterNSW, safety is who we are – it's how we do things. We all have a shared responsibility for keeping ourselves, our fellow workers, and the public safe. This includes directors, employees and contractors.

Together we fulfil legal and moral responsibilities by:

- Looking out for the safety and wellbeing of people around us including the public
- Working safely at all times to protect ourselves and others
- Ensuring that the work environment, plant and equipment are safe and maintained
- Identifying, reporting and recording all hazards, incidents, near misses or safety concerns to help prevent harm to others (employees, contractors, visitors, and the public) in the workplace
- Participating in relevant hazard and risk management activities including being prepared to cease unsafe work
- Complying with the WaterNSW Safety Commitments, WHS Management System including all safety policies, procedures and any reasonable instruction given by WaterNSW
- Ensuring we keep safety knowledge and training up to date, for ourselves and those for whom we are responsible
- Managing all incidents and injuries with compassion, transparency and efficiency

In addition, directors, employees and contractors must also ensure that they are familiar with and comply with WaterNSW security and emergency procedures. These cover access to WaterNSW premises, safety evacuation rules and first aid equipment rules and procedures.



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2.1.2 Alcohol, drugs and smoking in the workplace

Directors, employees and contractors are responsible for ensuring that alcohol, prescription medication or any other substances do not affect their ability to conduct work safely and responsibly. Directors, employees and contractors must not perform any work or attend a workplace under the influence of alcohol. At work or when on call, everyone must remain under the legal blood alcohol content limit prescribed for the work to be performed or relevant to the class of vehicle they are driving. See the [WaterNSW Fitness for Work Standard](#) for further information.

You must advise your manager or supervisor if you have consumed non-prescription or prescription medication that may affect your work performance or if it increases the risk to your own safety or the safety of others. Consumption, possession or being under the influence of illicit or illegal drugs while at work or at a WaterNSW function is not permitted.

Smoking is not encouraged and is not permitted in or around work sites or in work vehicles or vessels.

2.2 Responsible decision making

WaterNSW stakeholders, customers and the community expect the decisions and actions of everyone who works for or on behalf of WaterNSW to be professional and of a high standard. It is important that we meet these expectations and hold each other accountable to a high standard. To do so, our decisions and actions must be:

- Lawful
- Consistent with this Code of Conduct, as well as WaterNSW policies and procedures
- Transparent and responsible
- Fair and impartial
- Able to withstand public scrutiny

Further advice and guidance is available from Legal Services or the Safety People & Culture team.

2.3 Customers, the environment and our corporate image

2.3.1 Our customers

We will focus on our customers by having them foremost in our minds and considering their needs when making business decisions.

In pursuit of customer service excellence, we will proactively strive to achieve our four [Customer Service Principles](#) to:

1. Develop a deep and consistent understanding of our customers' businesses, their current and future needs
2. Provide our customers with products and services that offer value for money and meet their current and future needs
3. Make our customers feel valued by building a consistent customer experience that is tailored and responsive to their current and future needs
4. Become a trusted partner with information and insights that meet our customers' current and future needs

2.3.2 The environment

When providing services, information and advice to our customers and the broader community, we will ensure that the environmental impact of our actions and decisions is considered to minimise potential harm to the environment and the community we serve.

2.3.3 Dress code

WaterNSW encourages everyone to 'dress for their day', that is, to apply appropriate professional judgement on the attire that is suitable for the activities to be undertaken. As a minimum, appearance at work or work functions must be clean and tidy and must comply with personal protective equipment requirements where relevant.

Individuals wearing WaterNSW branded clothing outside work should be mindful that their behaviour does not pose any detriment, including reputational risk, to WaterNSW.

2.4 Respect and diversity

At WaterNSW, we are committed to having a workforce that remains diverse, inclusive and respectful of everyone's unique background. We value the diversity in our workforce and its ability to generate ideas and innovation. This also enhances our ability to better serve our customers and reflects our diverse customer base.

We are also committed to providing a harmonious and productive environment for everyone. All directors, employees and contractors have a right to be treated fairly and equitably. Any form of discrimination, harassment, bullying, victimisation, or any other unacceptable or offensive behaviour in the workplace or in service delivery will not be tolerated, and will be addressed immediately when reported or observed. Further information is contained in the [WaterNSW Promoting Respect: Preventing Discrimination, Bullying and Harassment Guidelines](#).

2.5 Privacy and confidentiality of information

2.5.1 Dealing with personal, confidential and commercially sensitive information

In our work at WaterNSW we must take care to appropriately manage personal, confidential and commercially sensitive information.

Directors, employees and contractors are responsible for protecting the privacy of personal information held by the business and are not permitted to make any unauthorised release of it.

This means that, both during and after the term of our employment, we must not disclose or use confidential, personal and/or commercially sensitive information except:

- a. as is necessary to perform our duties
- b. in accordance with WaterNSW policies and procedures
- c. as required by law.

Personal and confidential information in any format must be stored securely.

Individuals must familiarise themselves with the legislative requirements of the *Privacy and Personal Information Protection Act 1998 (NSW)* as set out in the [WaterNSW Privacy Management Plan](#) and [WaterNSW Data Breach Policy](#).

2.5.2 Dealing with intellectual property

Intellectual property rights are valuable rights protected by law. Examples include copyright, the rights in relation to inventions, designs, models, methodologies, computer software processes and/or discoveries.

Intellectual property rights that we develop during the course of our employment remain the property of WaterNSW.

We must respect and comply with the intellectual property rights of third parties.

We must take care to manage and not disclose or distribute without authorisation any WaterNSW intellectual property.



2.6 Public and social media

Only people authorised by the CEO can make public comment or speak to the media on behalf of WaterNSW.

WaterNSW appreciates that as individual members of the community, directors, employees and contractors have the right to enter into public debate on professional, political and social issues. However, individuals must be sure not to give the impression that they are giving an official comment on behalf of WaterNSW.

Individuals must consider the reputational impact when making comments or posts on social media regarding WaterNSW's operations and its people. Inappropriate comments, disclosure or postings may be investigated and dealt with in accordance with relevant policies.

2.7 Conflict of interest

A conflict of interest occurs when the private interests of a director, employee or contractor interfere with or influence, or could appear to interfere with or influence, that individual's official work duties and responsibilities. A conflict of interest can involve gaining a personal advantage as well as avoiding or minimising personal disadvantage. Conflicts of interest can be actual, potential or perceived. Both actual and perceived conflicts of interest can be harmful to the reputation and image of WaterNSW.

Private interests may include the interests of the director, employee or contractor, their family members, relatives or friends, and can be financial or non-financial in nature. They can also be the interests of personal or political associations to which the employee belongs.

It is the responsibility of the individual to disclose any potential conflicts of interest, whether actual or perceived. Where an actual conflict of interest exists, a strategy to manage the conflict of interest must be put in place. The appropriate strategy will vary depending on the type of conflict of interest that is identified.

Further information is contained in the [WaterNSW Conflicts of Interest Procedure](#).

2.8 Other (secondary) employment

Employees wishing to undertake paid or unpaid employment or work outside WaterNSW must seek prior approval from their Level 3 Leader or if the applicant is a Level 3 or above, approval is required from their next level manager. The other employment cannot commence until written approval has been granted. Approval may be granted for up to 12 months.

Other employment must not impact an employee's ability to perform their role at WaterNSW. Factors to be considered regarding the approval for other employment include, but are not limited to:

- Actual, potential, or perceived conflicts of interest (see section 2.7 of this document and the [WaterNSW Conflicts of Interest Procedure](#))
- Fatigue or other Work Health and Safety (WHS) factors that may impact fitness for work
- Potential for the other work to cause absenteeism and any potential impact on the employee's ability to fully meet the requirements of their role at WaterNSW

- Misuse of WaterNSW resources (including mobile phone, laptop, tools or other equipment)
- Security and confidentiality of WaterNSW information
- Use of WaterNSW work time
- Potential for WaterNSW reputational impact

WaterNSW's resources and equipment must not be used in the course of other employment.

WaterNSW reserves the right to request cessation of other employment if it becomes apparent that it is affecting the employee's performance at WaterNSW, or it raises a concern relating to one of the factors above.

Individuals are free to participate in political or community activities and don't need formal approval, so long as these do not interfere with their role at WaterNSW. Consideration should be given to the factors listed above to help individuals determine if there will be any impact. Employees should speak to their leader where there is any uncertainty.





2.9 Use of company resources and equipment

Resources and equipment provided to enable WaterNSW individuals to effectively perform their role shall remain the property of WaterNSW and therefore must be used in a responsible manner that does not:

- Damage our reputation or misrepresent WaterNSW in any way
- Lead to harm, injury or damage to life or property
- Lead to the victimisation, discrimination, harassment or vilification of any person
- Violate any State or Federal law, or
- Lead to personal commercial gain

The resources and equipment provided must be operated by individuals who are authorised and, where required, in possession of a current and valid licence/permit to do so. It is the responsibility of both managers and individuals to ensure that adequate training is provided, and current and valid certifications are in place.

The provision of work and communication devices such as computers, laptops, mobile phones and access to emails and the internet is for the explicit purpose of performing official duties only. While reasonable personal use of these devices will be tolerated, the personal usage should not impact work performance and service delivery, or incur any significant cost, and cannot be used for the access, download, storage or distribution of any material that is illegal, offensive or inappropriate.

Information and data stored on communication devices provided remain the property of WaterNSW and can be monitored and accessed anytime by an authorised person.

Corporate purchase cards provided are for making payments for work expenses only and must not be used for the payment of goods and services for private use.



Resources and equipment provided to individuals for work purposes must never be used for private personal gain.

All WaterNSW resources and property must be returned at the end of employment.

2.10 Gifts, hospitality and fraud

2.10.1 Gifts and hospitality

At WaterNSW, the giving or receiving of gifts or hospitality is not permitted if it compromises, or has the potential to compromise, the integrity of our decisions and actions.

A bribe is a gift or hospitality offered to, or requested by, a WaterNSW director, employee or contractor in exchange for a decision or action that will benefit the giver of the bribe, either directly or indirectly. The giving or receiving of a bribe is unlawful and will not be tolerated at WaterNSW.

While it is understood that token gifts of minimal value may sometimes be exchanged between individuals and other external parties, it should be noted, however, that cash or gift cards must never be given or accepted. This does not include gift cards provided by WaterNSW to individuals as an incentive or reward.

Any gifts or hospitality received that is greater than the reportable value of \$50 must be captured in the Gifts and Hospitality Register maintained by Legal Services. The appropriate approval manager will decide if the gift or hospitality can be accepted, applying the principles set out in the [WaterNSW Gifts and Hospitality Procedure](#) and cannot be accepted without prior approval from the appropriate manager.

See the [WaterNSW Gifts and Hospitality Procedure](#) for further information.

2.10.2 Fraud

In performing your duties you must not commit fraud or engage in other forms of corrupt conduct. Fraud is wrongful or criminal deception intended to result in financial or personal gain. Examples include submitting false expense claims, forging or altering cheques and documentation and misusing company property.

2.11 Modern slavery

At WaterNSW we understand that modern slavery can occur in many forms, such as slavery (in any form), servitude, debt bondage, deceptive recruitment practices or forced labour to exploit children or other persons. In this Code of Conduct, we use the term “modern slavery” to encompass these various forms of slavery.

WaterNSW recognises the importance of the protection of human rights and is committed to protecting the rights of our directors, employees and contractors, and those within our supply chain.

WaterNSW supports the objectives of the *Modern Slavery Act 2018 (Cth)* to eradicate modern slavery in all of its forms. We will work with our suppliers to comply with the Modern Slavery Act. To that end, we are taking a proactive approach to identify and address modern slavery risks across our operations and supply chain.

Modern slavery: what you need to do

Always:

- Ensure you are using the approved channels when engaging a supplier, contractor or hire any labour
- Take steps to know how the services are being provided and by whom and that these organisations or people are like-minded and share our values in relation to modern slavery
- Conduct due diligence on companies supplying goods and services to WaterNSW
- Respect employees’ rights to negotiate their terms and conditions of employment
- Act in good faith and be constructive when negotiating
- Report any evidence of modern slavery as defined by the *Modern Slavery Act (Cth)*

Never:

- Engage a supplier who refuses to commit to our terms and conditions on modern slavery.



2.12 Reporting breaches to the Code of Conduct

Everyone is responsible for complying with the Code of Conduct and for reporting any breaches. A complaint about a genuine workplace concern will be dealt with in accordance with the [WaterNSW Managing Workplace Complaints Procedure](#). Such concerns may relate to issues such as interpersonal conflict; behaviour of others; a work-related decision; workload issues or perceived unfairness. WaterNSW encourages self-resolution, but where this is not appropriate or has not resulted in a satisfactory outcome, the individual is encouraged to seek the assistance of a leader or to contact the People and Culture Team.

Disclosures of wrongdoing - that is, corrupt conduct, serious maladministration, serious and substantial waste of money, contravention of the *Government Information (Public Access) Act 2009 (NSW)* (GIPA Act) and privacy contravention - can be reported without fear of detrimental action in accordance with the [WaterNSW Public Interest Disclosure Policy](#) and the *Public Interest Disclosure Act 2022 (NSW)*. Reports can be made to:

- Disclosure Officers - certain public officials authorised to receive such disclosures. See the [WaterNSW Public Interest Disclosure Policy](#) for a list of Disclosure Officers
- Your manager
- If a reporter does not feel comfortable to make a disclosure internally, they can do so instead through an independent disclosure service provider, Your Call. This allows the reporter to remain completely anonymous, or to identify themselves to Your Call only or to both Your Call and WaterNSW. Your Call can be contacted via <https://www.yourcall.com.au/report> (available 24/7) or Telephone Hotline: **1800 751 298**

While internal disclosure is encouraged, disclosures can also be made to certain external investigating authorities including:

- the Independent Commission Against Corruption (ICAC) – for disclosures about corrupt conduct
- the NSW Ombudsman – for disclosures about maladministration
- the Auditor-General – for disclosures about serious and substantial waste of public money, or
- the Information Commissioner – for disclosures about a breach of the GIPA Act
- the Privacy Commissioner - for disclosures about a breach of privacy legislation

If you decide to make a disclosure to an external investigating authority, you should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact information is contained in the [WaterNSW Public Interest Disclosure Policy](#).

2.13 Consequence of breaches to the Code of Conduct

Directors, employees and contractors found to have breached the WaterNSW Code of Conduct may be subject to remedial or disciplinary action, proportionate to the seriousness of the breach (which may include termination of employment or contracted services) and, where applicable, may be reported to the relevant state or federal law enforcement agencies.

Making an intentionally false or malicious report or accusation may also lead to investigation of the reporting employee.

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Responsibilities

It is the responsibility of the Executive Manager Safety People & Culture to ensure the availability, communication and education of all WaterNSW directors, employees and contractors on this Code of Conduct.

It is the responsibility of all directors, employees and contractors of WaterNSW to demonstrate commitment and compliance to the standard of behaviour outlined in the Code of Conduct.



Contact information

The following positions may be contacted for advice regarding this Code of Conduct:

Manager Employee Experience

General Counsel & Company Secretary

Manager Safety People & Programs