

Why a Statement of Business Ethics?

HNECC works with providers in the private, public and non-profit sectors to provide a diverse range of health services to the community. The community expects us to have high ethical standards in everything we do. We are expected to manage any conflict between our own interests and our obligations to the community. This statement, which outlines our values, code of conduct and expectations, provides potential partners with an insight into their ethical obligations when entering into a contractual relationship with HNECC.

HNECC expects all its business partners to comply with this Statement and to know and understand the standards the Statement promotes.

Scope

This statement is intended for anyone in the private, public or non-profit sectors who is involved in a business arrangement with us or is proposing to be in such an arrangement. It explains our ethical position. Anyone dealing with HNECC in a business arrangement is expected to comply with the ethical framework in which we work.

HNECC's Values

Underpinning this statement of business ethics is HNECC's values as set out in its strategic and management plans. The values HNECC is committed to are:

Respect

We listen to and value the perspectives of others, and use them to inform and strengthen everything we do.

Innovation

We invest in environments that create new and better ways to improve the health system so people stay well and out of hospital.

Accountability

We keep our promises, take ownership to get things done, and continually improve. When things go wrong, we interact constructively to find solutions.

Integrity

We employ the highest ethical standards demonstrating honesty, transparency, open communication and fairness in every action that we take.

Cooperation

We work with others towards common goals, encouraging collaboration, support and compassion.

Recognition

We will acknowledge and share individual and team achievements and successes.

HNECC's Code of Conduct

The Code of Conduct, which sets the minimum requirements of conduct for HNECC staff in carrying out their functions, has been developed to assist HNECC staff to:

- Understand the standards of conduct that are expected of them
- Enable them to fulfil their statutory duty to act honestly and exercise care and diligence
- Act in a way that enhances public confidence in the integrity of the Primary Health Network.

What you can expect from us

HNECC will ensure that all its policies, procedures and practices relating to tendering, contracting, purchasing of goods and services, use of consultants and/or contractors and interaction with lobbyists are all consistent with best practice and the highest standards of ethical conduct.

To achieve probity, HNECC will consider at all stages of the purchasing, tendering and contracting processes the following essential factors:

1. Pursue value for money by:

- Avoiding waste and overspend on acquisitions
- Encouraging open competition
- Undertaking efficient, effective, economical and ethical procurement

2. Ensure accountability and transparency by:

- Identifying and managing associated risks
- Striving to always achieve the highest service and professional standards
- Making decisions fairly, impartially and promptly
- Maintaining adequate documentation to support any decisions made

3. Maintain legal compliance by:

- Not taking any action, nor allowing any omission, which will breach any law or regulation
- Keeping up to date with advances and changes in knowledge and professional and ethical standards relevant to our area of expertise
- Complying with any relevant legislative or administrative requirements including observance and application of the Code of Conduct
- Maintaining the security, integrity and confidentiality of all HNECC information

4. Ensure confidentiality by:

- Taking all reasonable measures to prevent disclosure of both your and HNECC confidential information
- Complying with privacy legislation in relation to your personal information obtained through dealings with HNECC or work undertaken for HNECC

5. Actively manage potential conflict of interest by:

- Refraining from allowing personal political views and/or affiliations or other personal interests to influence the performance of duties or execution of responsibilities
- Fully disclosing active private business interests and any other matters, which may lead to potential conflicts of interest
- Taking no improper advantage of any official information gained in the course of our employment

6. Manage resources effectively by:

- Using HNECC technical and physical resources properly, responsibly and for legitimate purposes only
- Using resources in a manner that causes no harm to HNECC, our community or environment
- Avoiding waste and extravagance in the use of HNECC resources
- Securing all HNECC property against theft or fraud
- Maintaining the integrity and security of all HNECC intellectual property
- Only maintaining relevant records of organisations and individuals with which business has been conducted.

What we expect of you

We require all suppliers of goods and services, consultants, contractors and anyone doing business with the HNECC to observe the following principles:

1. Act ethically and honestly in dealings with HNECC by:

- Declaring actual or perceived conflicts of interest as soon as you become aware of the conflict

- Refraining from engaging in any form of collusive practice or offering HNECC board members, staff and delegates inducements or incentives designed to improperly influence the conduct of their duties
- Assisting HNECC to prevent unethical practices in our business relationships
- Acting without discrimination and on the basis of informed cultural understanding
- Providing us with a quality product or service on time that gives us value for money

2. Ensure compliance by:

- Complying with HNECC's procurement policies and procedures
- Providing accurate and reliable information when required
- Taking all reasonable measures to prevent disclosure of confidential HNECC information
- Complying with privacy legislation in relation to personal information obtained through dealings with HNECC or work undertaken for HNECC
- Complying with all the on-site work health and safety requirements
- Communicating clearly and respond promptly to questions resolving any issues quickly
- Complying with the law, this statement, our policies and procedures and all relevant specifications

We believe compliance with this statement benefits everyone and upholds public trust and confidence in HNECC. Understanding and complying with this statement may also assist you to compete on a level playing field to obtain other public sector work operating under similar requirements.

If you have any questions about this statement please contact HNECC's Risk and Compliance Manager. If you are concerned about a possible breach of this statement, or about any conduct that could involve fraud, corruption, maladministration or serious and substantial waste of public funds, please contact the HNECC Chief Executive Officer. You may also consider contacting the NSW Health Care Complaints Commission (HCCC), NSW Ombudsman and/or the Independent Commission against Corruption (ICAC).

Consequences of unethical behavior and non-compliance with Code of Conduct

Corrupt or unethical behaviour could lead to:

- Termination of contracts / orders
- Loss of future opportunities with HNECC
- Loss of reputation
- Investigation for corruption
- Matters being referred for investigation
- Criminal prosecution

Consequences for HNECC board members, staff and delegates may include:

- Investigation
- Misconduct charges
- Loss of office for HNECC board members
- Disciplinary action including termination of employment
- Potential criminal charges

Guidance Notes

1.1 Gifts and benefits

Gifts and benefits refer to any items of value (e.g. goods or services, a job or promotion, preferential treatment, access to confidential information, etc.) offered to an HNECC Board or staff member from a third party, as a consequence of their directorship or employment. All gifts and benefits must be reported and recorded in the Gift Register.

1.2 Conflicts of interest

A conflict of interest occurs when an employee or board member of HNECC or our business partners is in a position to be influenced, or appear to be influenced, by private interests when doing their job. A conflict of interest can involve avoiding personal disadvantage as well as gaining personal advantage. A private interest may include social and professional activities and interests with individuals or groups, including family and friends, as well as financial interests.

There are different types of conflict of interest:

Actual conflict of interest: An employee or board member is in a position to be influenced by their private interest when doing their job.

Perceived conflict of interest: An employee or board member is in a position to **appear** to be influenced by their private interests when doing their job.

Potential conflict of interest: An employee or board member is in a position where they **may** be influenced **in the future** by their private interests when doing their job.

A pecuniary interest involves a situation where there is the potential to gain or lose financially from your public position, for example from owning property, having unpaid debts to others, or receiving hospitality or travel.

A non-pecuniary interest does not have a financial component. It can involve personal or family relationships or involvement in sporting, social or cultural activities that could influence your judgement or decisions, even though there is no financial benefit to you.

HNECC representatives have a responsibility to perform their role efficiently, effectively and fairly. Their personal situation, inclination or preferences and those of their family, friends and associates should not influence them when making decisions in a public capacity.

Actual, perceived, or potential conflict of interest, of pecuniary or non-pecuniary nature must be disclosed by HNECC board members, staff and delegates and (where relevant) our business partners to ensure their actions withstand public scrutiny.

1.3 Corporate Information

HNECC maintains a large amount of information about our business partners, customers and the community and has an obligation to protect this information and maintain its integrity in its systems.

HNECC expects that business partners will treat all information appropriately and all information collected must be used for the purpose it was provided.

1.4 Confidentiality

All HNECC information should be treated as confidential unless otherwise indicated.

1.5 Intellectual property

In business relationships with HNECC, all parties will respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property

1.6 Legislative and policy requirements

Where HNECC board members, staff, delegates and business partners are involved in the contracting or tendering for services or supplies, or other business, all legislative and policy requirements must be adhered to by all parties.

1.7 Reporting unethical behavior

HNECC is committed to promoting ethical behaviour. Reports of unethical behaviour, fraud, corruption, maladministration or waste can be made to HNECC's Risk and Compliance Manager, External reporting can also be made to:

- NSW Ombudsman (02) 9286 1000
- NSW Health Care Complaints Commission (HCCC) 1800 043 159
- Independent Commission against Corruption (02) 8281 5999

References/Related Documents

- HNECC policies:
 - Fraud and Corruption Control Policy
 - Delegations Policy
 - Board Conflict of Interest Policy
 - Procurement Policy
 - Confidentiality and Conflict of Interest Declaration
 - Confidentiality Declaration
 - Staff Code of Conduct
- Privacy Act 1988 (Cwlth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cwlth)
- Health Records and Information Privacy Act 2002 (NSW)

Definitions

In this statement, 'we', 'us' and 'our' refer to HNECC, its board members, staff and authorised delegates. 'You' and 'your' refer to individuals, organisations and businesses (including agents and sub-contractors) that deal with or wish to deal with HNECC. 'HNECC representatives' applies to HNECC board members, staff and delegates.

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