

# Corruption Control Policy

## Applicable to:

All people employed by TfNSW or engaged under a contract to provide services to or on behalf of TfNSW.

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**APPROVED BY THE CHIEF FINANCIAL OFFICER**

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## 1 Purpose

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Transport for NSW (TfNSW) is committed to the prevention, detection, investigation and reporting of corrupt behaviour. This Policy, in conjunction with the Corruption Control Plan, forms the Corruption Control Framework for TfNSW.

## 2 Mandatory Requirements

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While it can take many forms, corrupt conduct occurs when:

- A public official improperly uses, or tries to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others
- A public official acts dishonestly or unfairly, or breaches public trust
- A member of the public influences, or tries to influence, a public official to use his or her position in a way that is dishonest, biased or breaches public trust.

All people employed by TfNSW or engaged under a contract to provide services to or on behalf of TfNSW are included under the definition of public officials by the *Independent Commission Against Corruption Act 1988* (ICAC Act) and the *Public Interest Disclosures Act 1994* (PID Act). Each official has a role to play in helping TfNSW:

- Prevent corruption
- Detect corruption
- Respond to corruption.

### 2.1 Reporting Suspicions of Corruption

All TfNSW staff and contractors must report suspicions of corruption, including attempts or plans to commit corruption. TfNSW will treat all reports of suspected corruption sensitively, discreetly and in line with relevant Government policy and legislation.

The PID Act provides additional protections to public officials who report suspected corrupt conduct, maladministration, serious and substantial waste such as breaches to the *Government Information (Public Access) Act 2009* (GIPA Act), if the report is made in accordance with TfNSW's *Public Interest Disclosure Policy*.

The PID Act, amongst other things, requires TfNSW to take specific steps to protect reporters from reprisal action, provides reporters protections from certain legal actions, and requires TfNSW to provide certain information to the reporter on the outcome of their report. It also requires TfNSW to report to the Ombudsman and to Parliament on the processing of public interest disclosures.

TfNSW is also required to report certain matters to external agencies, e.g., under Section 11 of the ICAC Act, the Director General is required to report suspicions of corrupt conduct to the ICAC.

#### 2.1.1 Internal reporting options

Any staff member or member of the public can report suspicions of corruption by TfNSW's staff or contractors related to TfNSW activities through the following channels:

- TfNSW's confidential phone hotline 1800 302 750
- TfNSW's confidential email address for reports: [report.misconduct@transport.nsw.gov.au](mailto:report.misconduct@transport.nsw.gov.au)

- TfNSW's confidential online reporting form located at:  
<http://www.transport.nsw.gov.au/report-misconduct>

All hotlines are monitored by the Corruption Prevention Unit within Audit and Risk branch. Staff can also make a public interest disclosure by making the report to a Nominated Disclosure Officer (as listed on the intranet).

### **2.1.2 External reporting options**

Staff and contractors are also able to report directly to external agencies, as follows:

- Reports of suspicions of corrupt conduct can be made directly to the ICAC
- Reports of suspicions of maladministration can be made directly to the Ombudsman
- Reports of suspicions of serious and substantial waste can be made directly to the Audit Office of NSW
- Reports of breaches of the GIPA Act can be made to the Information Commissioner.

## **3 Accountabilities**

### **Corruption Prevention Unit**

The Corruption Prevention Unit (CPU), part of the Audit and Risk branch, is responsible for leading and advising on TfNSW's corruption control. The unit refers matters requiring investigations to the Investigation Services Unit (ISU). Such matters include suspicions of corruption, maladministration, serious and substantial waste and breaches of GIPA Act. The Unit is the reporting area for such conduct and it prepares all correspondence for the Secretary on matters that need to be referred to the following agencies:

- The ICAC
- NSW Ombudsman
- Auditor General of NSW
- Information Commissioner.

### **Senior Officials**

Senior Officials include the Secretary, the Deputy Directors General (or equivalent positions). Senior Officials are particularly responsible for:

- Demonstrating ethical leadership
- Ensuring corruption risks have been identified, assessed and managed in risk management plans under their responsibility
- Ensuring they have appropriate systems in place to provide assurance that corruption is not occurring within their area of responsibility
- Guiding and supporting managers in managing the corruption risks of their teams
- Supporting public interest disclosure reporters.

### **Managers**

Managers include General Managers, Directors and Principal Managers (or equivalent positions). Managers are particularly responsible for:

- Being aware of the corruption risks inherent in the work of their teams/units, including completing corruption risk assessments and management plans
- Managing the corruption risks of their teams/units
- Guiding and supporting officials under their supervision to behave ethically and encouraging staff and contractors to report wrongdoing.

### All TfNSW officials

All TfNSW officials are to follow TfNSW's Code of Conduct which includes:

- Acting at all times with integrity
- Not engaging (or allowing other officials to engage) in corruption
- Reporting suspected corruption or breaches/weaknesses in the organisation's internal controls.

## 4 Document History

Date & Policy No	Approved by	Amendment Notes
July 2013 V 1.0	Chief Financial Officer	Approved
31 October 2013 CP13007	Chief Financial Officer	Template Conversion
24 July 2014 CP13007.1	Chief Financial Officer	Amendment to contact details on cover page. Amendment to the 'Accountabilities' section.

## 5 Attachments

The following documents related to this Policy are available on the TfNSW intranet at:

1. TfNSW Code of Conduct  
<http://www.transport.nsw.gov.au/sites/default/files/b2b/aboutus/Code-of-Conduct.pdf>
2. Public Interest Disclosure Policy  
<http://intranet.transport.nsw.gov.au/guides/tfnsw-public-interest-disclosures.pdf>
3. List of Nominated Disclosure Officers  
<http://intranet.transport.nsw.gov.au/guides/tfnsw-nominated-disclosure-officers.pdf>