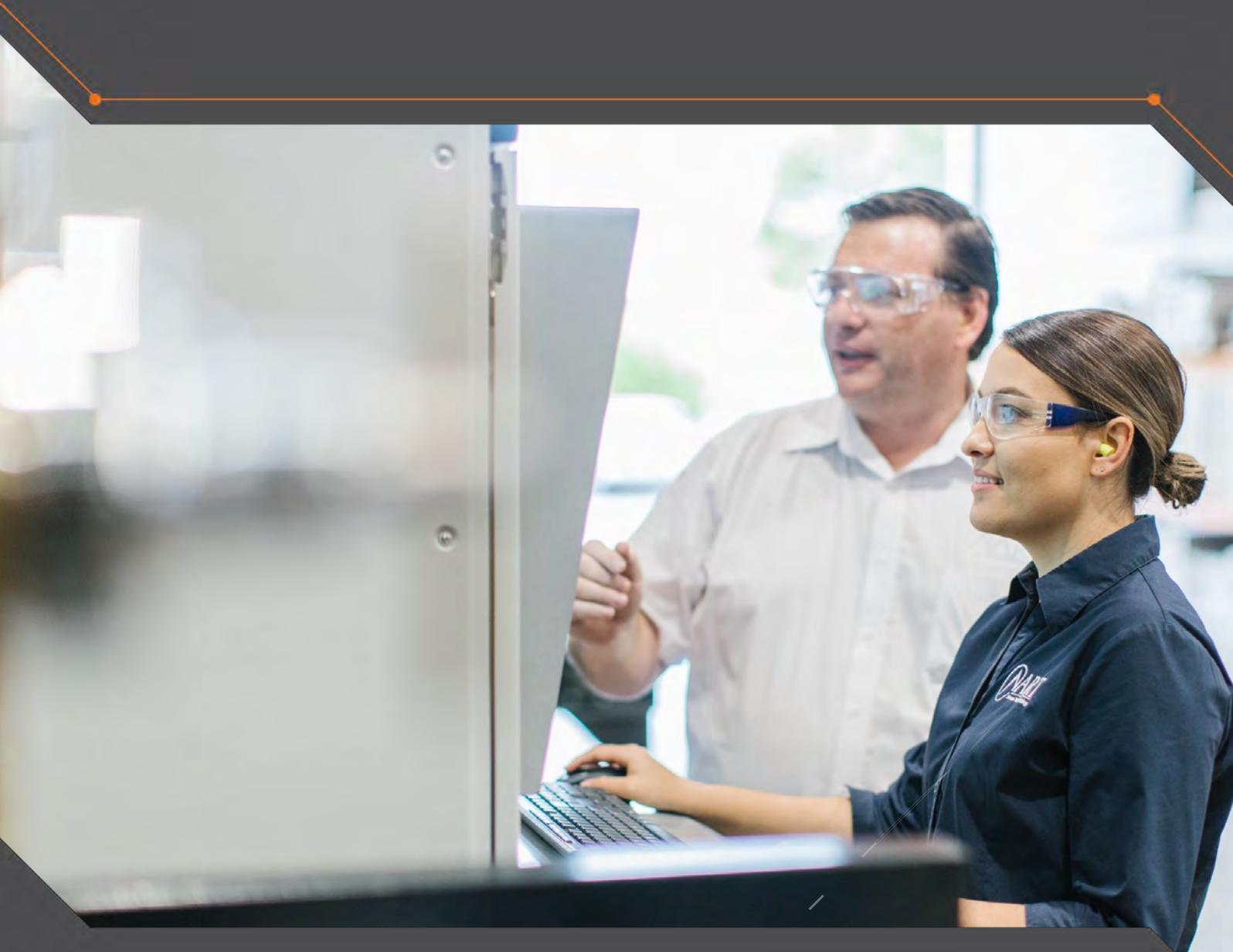


# Statement of business ethics

Department of State Development, Manufacturing,  
Infrastructure and Planning



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# 1.0 Doing business with the Department of State Development, Manufacturing, Infrastructure and Planning

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) leads the delivery of economic outcomes for Queensland. We do this by working with our stakeholders across the state to deliver a strong, competitive and diverse Queensland economy, driven by adaptive and sustainable regions, industries and projects.

We believe that good business is founded on the time-honoured ethical principles and values of the Queensland Government:

- integrity and impartiality
- promoting the public good
- commitment to the system of government
- accountability and transparency.

We rely on the support of commercial partners (including both government and non-government agencies) and suppliers to assist in delivering public value as a service provider, regulator and central agency of government.

Our employees<sup>1</sup> are expected to behave ethically and comply with the **Code of Conduct for the Queensland Public Service** (Code of Conduct). We also expect that organisations and individuals that do business with us will act in accordance with the Code of Conduct, and exercise high ethical standards.

This document gives guidance to commercial partners and suppliers on the ethical standards we uphold, and the conduct and standards expected from our business partners and stakeholders.

## 1.1 What we ask of commercial partners and suppliers

All commercial partners and suppliers are expected to observe the following principles when doing business with us:

- comply with applicable Queensland Government procurement frameworks, policies, codes of practice as well as our department's procurement policies and procedures, and act ethically, fairly and honestly in all dealings
- refrain from offering our employees, contractors and consultants financial inducements, gifts, benefits, or hospitality to obtain favorable business outcomes or relationships
- declare actual, perceived or potential conflicts of interest as soon as such matters arise
- prevent the unauthorised disclosure of confidential departmental information and protect the state's intellectual property
- prevent the unauthorised access, use and disclosure of personal information and protect the privacy of individuals
- assist the prevention of fraud, corruption and unethical practices in business relationships by reporting wrongdoing (see guidelines below).

## 1.2 Our key principles

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<sup>1</sup> 'Employees' refers to all individuals employed, appointed or otherwise engaged. This includes permanent, temporary and casual employees, as well as consultants, contractors and agency employees engaged to perform work for or on behalf of the department of State Development.

We deliver public value by making or enabling sustained improvements to public services in Queensland by applying the following core principles and values set out in the **Public Sector Ethics Act 1994**:

## 1.2.1 Integrity and impartiality

- a. We are committed to the highest ethical standards.
- b. We accept and value our duty to provide advice which is objective, independent, apolitical and impartial.
- c. We show respect towards all persons, including employees, clients and the general public.
- d. We acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest.
- e. We are committed to honest, fair and respectful engagement with the community.

## 1.2.2 Promoting the public good

- a. We accept and value our duty to be responsive to both the requirements of government and to the public interest
- b. We accept and value our duty to engage the community in developing and effecting official public sector priorities, policies and decisions
- c. We accept and value our duty to manage public resources effectively, efficiently and economically
- d. We value and seek to achieve excellence in service delivery.
- e. We value and seek to achieve enhanced integration of services to better service clients.

## 1.2.3 Commitment to the system of government

- a. We accept and value our duty to uphold the system of government and the laws of the state, the Commonwealth and local government.
- b. We are committed to effecting official public sector priorities, policies and decisions professionally and impartially.
- c. We accept and value our duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

## 1.2.4 Accountability and transparency

- a. We are committed to exercising proper diligence, care and attention.
- b. We are committed to using public resources in an effective and accountable way.
- c. We are committed to managing information as openly as practicable within the legal framework.
- d. We value and seek to achieve high standards of public administration.
- e. We value and seek to innovate and continuously improve performance.
- f. We value and seek to operate within a framework of mutual obligation and shared responsibility between public service agencies, public sector entities and public officials.

Our key business principles include achieving value for money in the expenditure of public funds while being fair, ethical and transparent.

We are committed to best practice procurement and achieving value for money for the public of Queensland in line with the **Queensland Procurement framework**.

## 1.3 Good ethics = good business

Commercial partners and suppliers will advance their business objectives and interests by following the rules and procedures in the Queensland Government procurement framework, and by following the guidelines in this document.

Unethical or corrupt conduct could lead to:

- termination of contracts
- loss of future work
- loss of reputation
- investigation for corruption
- matters being referred for criminal investigation.

## 1.4 What commercial partners and suppliers can expect from our employees

Our employees are bound by the Code of Conduct and are expected to:

- ensure that decisions and actions are reasonable, fair and appropriate to the circumstances, based on consideration of all the relevant facts, and supported by relevant legislation, policies and procedures
- accept responsibility and be accountable for their actions in accordance with delegated functions, accountabilities, and the requirements of the Ethics and Integrity Framework
- actively promote the integrity and reputation of the public sector by always acting in the public interest and not engage in any activities that would bring the public sector into disrepute
- achieve the highest professional standards of ethics by treating government, stakeholders, clients, suppliers and each other impartially and objectively
- provide relevant and responsive service to clients and customers, with all necessary and appropriate assistance in accordance with agreed service standards
- always act with care and diligence, using departmental resources in a proper manner.

## 2.0 Guidelines

### 2.1 Incentives, gifts, benefits and hospitality

Commercial partners and suppliers need not offer or give gifts to our employees. Our employees may decline gifts, benefits, or travel offered during the course of their work, especially if the gift could be seen as seeking to influence decision making. Cash gifts (or equivalent, for example, gift vouchers) are never acceptable.

You are not expected to pay or offer to pay for any form of entertainment for our employees. This includes such things as tickets to sporting or social events, social meals at restaurants, travel expenses to attend either local or interstate meetings or conferences, or accommodation expenses. We prefer that business is conducted in an appropriate formal setting and we meet all business costs for our employees.

However, employee participation in some modest forms of hospitality is permitted where:

- a clear underlying business purpose exists
- it is in the normal course of business
- it is normal hospitality associated with greeting and meeting e.g. tea/coffee
- it relates to official duties; has a public benefit; and is disclosed by the employee.

Offers, acceptance, and non-acceptance of gifts, benefits and hospitality are required to be reported by our employees in accordance with the **Public Service Commission's Directives and Guidelines relating to Gifts and Benefits.**

We acknowledge that judgement by both commercial partners/suppliers and employees needs to be exercised regarding the offer and acceptance of such hospitality – the essence is that it must be modest (both actual and in perception) and not be encumbered by obligation.

Gifts, benefits and hospitality must never be offered at a time that could raise general concerns about conflicts of interest, for example during a tender or contract negotiation period.

### 2.2 Conflicts of interest

Our employees are required to disclose any potential, actual or perceived conflicts of interest. This includes those that can, or could, arise from personal relationships between departmental employees and staff of commercial partners and suppliers. The department will put in place strategies to manage any actual, perceived or potential conflict of interest which could involve removing an employee from a project and replacing them with another.

Under the **Integrity Act 2009**, a conflict of interest involves a conflict or possible conflict between a person's personal interests and that person's official duties. Any conflict of interest must be resolved in favour of the public interest.

This requirement is extended to all our commercial partners and suppliers.

### 2.3 Sponsorship

We will not ask for, entertain, or enter into any sponsorship or similar arrangement that is not open and transparent or where such activity creates a perception that it could be part of an attempt to improperly influence decision-making processes. Where applicable, specific policies and processes developed within the department for sponsorship arrangements are in accordance with the **Queensland Government Sponsorship Policy**.

### 2.4 Confidentiality and intellectual property

Confidential information (in any form – electronic, hard copy, multimedia etc.) must be treated as such and protected as appropriate. The specific requirements of copyright laws and individual contracts must be adhered to in relation to confidentiality and intellectual property. If a contract or other arrangement involves the exchange or handling of personal information held by our department, we will require the contracted service provider to be contractually bound to comply with the Queensland **Information Privacy Act 2009**. This would be in addition to any obligation a business under Commonwealth privacy legislation.

## 2.5 Communication and cooperation

In line with applicable Queensland Government frameworks, policies, and codes of practice, we and our commercial partners, contractors, sub-contractors and suppliers will **manage business relationships** based on open and effective communication, respect and trust, and adopt a constructive and inexpensive approach to dispute resolution.

## 2.6 Private employment and post-separation employment

We require our employees to obtain departmental approval prior to entering into other employment arrangement if it has the potential to create an actual or perceived conflict of interest between the employee's public official role and their private interests. Our employees are not to use either their position, government information, or intellectual property developed while serving government to secure private employment.

Commercial partners and suppliers should not offer our employees private employment which conflicts with their public duties. Former employees who have dealings with our department need to ensure that they do not seek or appear to seek favorable treatment or access to confidential information.

It is the responsibility of our staff to ensure that any interaction with former senior government representatives complies with the **Public Service Commission's Post Separation Employment Policy**, the provisions of the **Integrity Act 2009**, the **Lobbyists Code of Conduct** and relevant sections of the Code of Conduct.

This requirement is extended to all our commercial partners and suppliers.

## 2.7 Expectations regarding contractors

All contractors and sub-contractors are expected to comply with guidelines in this statement. Commercial partners and suppliers are responsible for making any of their sub-contractors aware of this statement.

## 2.8 Public comment

Non-departmental employees must not make any public comment or statement that would lead anyone to believe that they are representing our department or expressing its views or policies, whether at public and community meetings, via the media, or when it is reasonable that comments or statements will become known to the public at large.

Our employees are not permitted to provide public endorsement, on behalf of our department, or on behalf of companies or their products without proper authorisation.

## 2.9 Fraud, corruption and "public interest disclosures"

We have zero tolerance for corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and other forms of serious wrongdoing. Our commercial partners and suppliers are expected to report any conduct or matter that they become aware of where they suspect fraud, corruption or wrongdoing involving our department or its related entities.

The **Public Interest Disclosure Act 2010** (the PID Act) protects public servants from reprisal (payback) or detrimental action when disclosing corrupt conduct or other serious wrongdoing in line with requirements of the PID Act, and also ensures that disclosures are appropriately investigated and dealt with.

Reports of fraud or corruption can be made internally to the Human Resources and Ethics area, telephone 07 3452 6952 or email [ethics@dsmip.qld.gov.au](mailto:ethics@dsmip.qld.gov.au); or externally to:

- the Queensland Police Service if it concerns a criminal offence
- the **Crime and Corruption Commission** if it concerns official misconduct
- the **Queensland Ombudsman** if it concerns maladministration
- a member of the **Legislative Assembly**.

## 2.10 Statement of business ethics quick guide

| <b>Integrity and impartiality</b>  |   |
|--|---|
| What this means for us   | What this means for you   |
| <ul style="list-style-type: none"> <li>We are trustworthy, honest and respectful.</li> <li>We put the public interest first and manage any conflict of interest in favour of the public interest.</li> <li>We provide impartial and objective advice and faithfully serve the government of the day in carrying out their policies.</li> </ul> | <ul style="list-style-type: none"> <li>You can trust us and expect to be treated respectfully.</li> <li>You should tell us about any matter that may create a conflict of interest in your dealings with us.</li> <li>You can expect that we will assist you to the best of our ability without any favouritism or special treatment/relationship.</li> <li>You should avoid giving gifts or expensive hospitality to our employees as this may create a perception of impropriety, especially where a tendering process is occurring or may in the future occur.</li> </ul>  |
| <b>Promoting the public good</b>   |   |
| What this means for us   | What this means for you   |
| <ul style="list-style-type: none"> <li>We are responsive to the needs of government and the community.</li> <li>We aim for excellence in our service delivery/client service.</li> <li>We manage public resources effectively, efficiently and economically.</li> </ul>  | <ul style="list-style-type: none"> <li>You can expect we will be looking for the best value/result/outcome for Queensland in any dealings with you and this may not be based on a financial assessment only.</li> </ul>   |
| <b>Commitment to the system of government</b>  |   |
| What this means for us   | What this means for you   |
| <ul style="list-style-type: none"> <li>We accept and value our duty to uphold our system of government and the local, State and Commonwealth laws.</li> <li>We have zero tolerance for fraud and corruption.</li> </ul>  | <ul style="list-style-type: none"> <li>Your commitment to lawful activity will be very important in any decision by us to engage and continue to deal with you informally and/or contractually.</li> </ul>  |
| <b>Accountability and transparency</b>   |   |
| What this means for us   | What this means for you   |
| <ul style="list-style-type: none"> <li>We ensure diligence in our work and use of government resources.</li> <li>We are committed to managing information as openly as possible within the legal framework.</li> <li>We ensure transparency in our business dealings.</li> </ul>   | <ul style="list-style-type: none"> <li>You will be treated fairly.</li> <li>You will be required to demonstrate value for money in services that you may provide to government.</li> <li>Your sensitive information that we hold will be managed by us responsibly and only shared with the public if we are required to do so by law, in which case you will be consulted first*.</li> <li>If you employ former Queensland Government senior staff or engage them as lobbyists we will not be able to have business meetings with them/allow them to lobby us on matters with which that they had official dealings until the relevant quarantine period has expired**.</li> <li>If you do give us gifts and benefits and it is appropriate for us to accept them then they will be registered and reported in accordance with Queensland Government policy***.</li> </ul> |

## 2.11 Reference

\* See: *Right to Information Act 2009* (Qld):

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2009-013>

\*\* See: *Post separation employment provisions*:

<https://www.forgov.qld.gov.au/documents/policy/post-separation-employment-provisions>

\*\*\* See: *Directive 22/09 Gifts and benefits*:

<https://www.forgov.qld.gov.au/documents/guideline/gifts-and-benefits-guideline>

## 2.12 Contact

For further advice regarding this statement and/or any concerns about a possible breach or any conduct that could involve fraud, corrupt conduct, maladministration, or serious and substantial waste of public funds, please contact:

Director, Ethics

People and Performance Division

Business, Commercial and Performance

**Department of State Development, Manufacturing, Infrastructure and Planning  
Queensland Government**

**tel:** 13QGOV or +61 7 3452 6952

**post:** PO Box 15009  
City East Qld 4002

**visit:** Level 16,  
1 William Street, Brisbane

**email:** [ethics@dsmip.qld.gov.au](mailto:ethics@dsmip.qld.gov.au)

**website:** [www.dsmip.qld.gov.a](http://www.dsmip.qld.gov.a)



Department of State Development,  
Manufacturing, Infrastructure and Planning  
PO Box 15009 City East Qld 4002 Australia  
tel 13 QGOV (13 74 68)  
[info@dsmip.qld.gov.au](mailto:info@dsmip.qld.gov.au)  
[www.dsmip.qld.gov.au](http://www.dsmip.qld.gov.au)

