

Code of Conduct

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Purpose

This Code of Conduct (the Code) provides you with an ethical framework for your decisions, actions and behaviour as an employee of Destination NSW. It outlines the principles for appropriate conduct and explains the standard of behaviour expected of you and others employed by the NSW State Government. It is part of your employment contract or contract of engagement with Destination NSW.

This code of conduct serves as a guide for ethical behaviour and provides a framework for decision making that is consistent with the values and principles of Destination NSW.

Underlying Principles

The principles underlying the Code are:

- You will have respect for the law and our system of Government
- You will respect all people
- You will act with honesty and integrity
- You will use the Destination NSW's resources with efficiency and economy.

While it is not possible to provide detailed guidance on how to deal with every situation which might arise where there are ethical conflicts, you should strive to use sound judgement. In all circumstances you should have regard to the principles which form the basis for this Code and the values defined by Destination NSW and the Government Sector Employment Act 2013.

Destination NSW values are respect, collaboration, agility, passion, excellence and ownership.

Application

- This Code applies at all times to all employees including permanent and temporary employees, contingent workers, interns, board members contractors, volunteers and work experience personnel. Reference to employee/s throughout the policy means permanent and temporary employees, contingent workers, interns, board members, contractors, volunteers and work experience personnel. For a contractor, engagement for services apply and not employment.
- The Code requires that all employees act in accordance with relevant laws and regulations and avoid any illegal or unethical conduct that would bring Destination NSW into disrepute. This includes avoiding any conduct that could be perceived as discriminatory, harassing, or abusive, and ensuring that they do not engage in practices that are exploitative or deceitful. This Code is to be applied at all times in working relations with colleagues, clients and customers, stakeholders and the government of the day. Working relations are depicted in the diagram below:



- As a condition of employment or engagement, all employees are required to sign the Declaration form to acknowledge that they have read and understood the contents of the Code.
- This Code supersedes the Code of Conduct policies and procedures of the former Tourism NSW and Events NSW, and any previous versions issued by Destination NSW
- This Code complements the whole-of-Government policies and guidelines and any directives issued by the relevant cluster or the Public Service Commission.
- Members of the advisory committees/boards, contractors and consultants engaged on a fee-for-service basis must comply with – *NSW Government Boards and Committee Guidelines*. Staff involved in research should also refer to the Agency's *Guideline for the Conduct of Research*.
- This Code does not prevent you from having all the normal rights of an employee and person under common and statute law.
- For Contractors, this Code of Conduct is supplementary to the "Code of Conduct and Ethics for Contractors and Consultants" located in a Contractor's contract of engagement.
- To maintain the high ethical standards expected, employees are encouraged to report any suspected breaches of the code of conduct, and to seek guidance from the Director of Procurement, Legal and Governance if they have any concerns or questions about ethical conduct



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1. Ethical Framework

Part 2 of the GSE Act establishes the Ethical Framework for the NSW Government sector. The objectives, core values (being integrity, trust, service and accountability) and principles of the Ethical Framework are to be demonstrated in the conduct of all Government sector employees, contractors, volunteers and heads of Government sector agencies. The Ethical Framework is to be applied at all times in working relations with colleagues, clients and customers, stakeholders and the Government of the day.

Employee Responsibilities

All Government sector employees have responsibilities to:

- Demonstrate high levels of personal conduct consistent with the Ethical Framework
- Seek assistance when unsure about how to implement the Ethical Framework
- Promote the implementation of the Ethical Framework to their colleagues
- Report possible breaches of the Ethical Framework to relevant officers.

Further, Destination NSW employees must adhere to the Statement of Business Ethics, as located at: <https://www.destinationnsw.com.au/statement-of-business-ethics>

Manager, Executive and Senior Executive Responsibilities

All managers, executives and Senior Executives (People Leaders) have the responsibilities of Government sector employees (above), and in addition have responsibilities to:

- Lead and promote implementation of the Ethical Framework in their workplace
- Ensure their workplace culture, practices and systems (including recruitment and promotion) operate consistently with the Ethical Framework
- Recognise and promote employee and team conduct that exemplifies the Ethical Framework
- Act promptly and with due process to prevent and address any breaches of the Ethical Framework
- In the case of a senior executive (including an acting senior executive) declare in writing, private interests that have the potential to influence, or could be perceived to influence, decisions made or advice given by the Senior Executive
- Ensure that any real or perceived conflicts of interests are avoided or effectively managed.

CEO Responsibilities

The Chief Executive Officer (CEO) of Destination NSW has the responsibilities of executives (above), and in addition has responsibilities to:

- Lead and promote implementation of the Ethical Framework
- Ensure the general conduct and management of the functions and activities of Destination NSW are in accordance with the core values of the Ethical Framework
- Oversee the implementation of the Ethical Framework and make improvements where necessary.

2. Respect for the Law and the System of Government

You are expected to provide timely, accurate and impartial advice to the Government. Advice should be developed with an understanding of its implications, anticipate issues and recognise the broader policy directions of the Government.

You should implement the policies and decisions of the Government of the day in an impartial manner and participate in the development and implementation of Destination NSW objectives and initiatives that flow from these policies.

In particular, you must comply with any relevant legislative, industrial and administrative requirements and comply with sector wide policies as advised through circulars, memoranda and directions.



2.1 Political and Community Participation

You must make sure that any participation in party political activities does not conflict with your primary duty as a Destination NSW employee to serve the Government of the day in a politically neutral manner. This is important because of the need to maintain Ministerial and public confidence in the impartiality of the actions taken and advice given by Government Sector employees.

If you become aware that a potential conflict of interest has arisen or might arise, you should inform your Manager and General Manager immediately. You may have to cease the political activity or withdraw from the areas of your work where the conflict is occurring.

Special arrangements apply to employees who are contesting State or Federal elections. Details of these arrangements are made available through the Public Service Commission.

Within the context of the requirements of this Code, employees are free to fully participate in voluntary community organisations charities and in professional or industrial associations. There may be other approvals if you are an employee engaged as a Senior Executive.

2.2 Public Comment

The official spokespersons for Destination NSW are the Minister, the Chair and Chief Executive Officer.

You cannot initiate contact with the media unless authorised by the Chief Executive Officer of Destination NSW. You must direct any media enquiries to the Product, Policy and Engagement – Corporate Affairs and Policy Division and must not attempt to respond to the enquiry (even if “off the record”), under any circumstances.

Public comment by employees includes appearance before Parliamentary Committees, public speaking engagements and comments to radio, television or print reporters. It also includes letters to newspapers, comments in books, journals or notices, on internet sites or broadcast by electronic means (for example email, social media channels (e.g. Facebook) or any other circumstances where it could be expected that the comments will spread to the community at large.

Outside your work, you have a right to comment publicly on political and social issues, provided that you make it clear you are not making an official comment on behalf of Destination NSW or the NSW Government, you are only commenting as a private citizen, and any comment you make does not conflict with your employment duties.

Comments made on matters pertaining to union business by members of unions in their capacity as a local delegate within Destination NSW or by union office holders employed by Destination NSW are permissible under this code.

2.3 Speaking Engagements

You may accept speaking engagements with professional, educational and community groups relating to the Destination NSW's activities provided you have the approval of the Chief Executive Officer. When a speaking engagement forms part of a commercial undertaking (that is, participants pay to attend) there may be a need to negotiate a fee payable to Destination NSW. This should be discussed with your Manager. All speaking engagements should have a public sector orientation or relate to Destination NSW's corporate objectives.

Any fees received for speaking (including Destination NSW activities) or public engagements must be paid into an appropriate Destination NSW account. Speaking fees cannot be retained by individual employees or Board Members. A non-cash benefit should be treated as a gift or benefit and declared in the Destination NSW Gifts and Benefits Register.



All external presentations must be reviewed and approved by the Chief Executive Officer and/or General Manager, Product, Policy and Engagement or Director – Corporate Affairs and Policy.

2.4 Private and Secondary Employment

You must have the approval of the Chief Executive Officer before you engage in any form of paid employment outside your official duties. There may be other approvals if you are an employee engaged as a Senior Executive which may include non-acceptance of private and secondary employment.

You must also carefully consider whether the organisation offering you secondary employment may adversely affect the performance of your Destination NSW duties and responsibilities or give rise to a real or perceived conflict of interest. This applies whether you are working full-time, part-time or only temporarily employed.

Where an employee participates as a volunteer, no secondary disclosure is required unless a conflict of interest arises.

2.5 Conflict of Interest

See 4.3 below.

2.6 Responsive Service

You must respond to clients and stakeholders (both internally and externally) by providing all necessary and appropriate services and assistance. You must always fulfil service performance standards as set out in your performance management documents and your role description.

When you are asked to supply information, you must first determine whether it is appropriate to provide the information i.e. is it commercial in confidence or readily available on our websites, and if it is permissible, you must then provide it promptly and in a professional manner. You should also provide information that is relevant to your audience, in terms that they can understand and in an appropriate and accessible format. Make sure the information is clear, accurate, current and complete.

Wherever possible, documents originating from within Destination NSW should be written in the expectation they may be released publicly in some form at some stage.

When responding to requests, you are required to consider responsibilities and obligations in protecting or otherwise making available and providing access to information held by or on behalf of Destination NSW, including responsibilities and obligations in relation to:

- Government information as dealt with under the Government Information (Public Access) Act 2009 (GIPA Act).
- personal information as dealt with under the Privacy and Personal Information Protection Act 1998
- commercial in confidence information, as covered by any commercial agreements and the common law as it relates to confidential information.

Every request for information made under the GIPA Act should be referred to the Destination NSW GIPA Right to Information Officer who is currently the Director – Procurement, Legal and Governance.

2.7 Lobbying

All employees must comply with Premier's Memorandum M2019-02- NSW Lobbyists Code of Conduct published on the Department of Premier and Cabinet's website, as amended from time to time. This Code of Conduct states that a Government representative shall not permit lobbying by a lobbyist or any employee, contractor or person engaged by a lobbyist to carry out lobbying activities who is not on the Register of Lobbyists, or by a lobbyist or employee. If you are unsure, please consult with your General Manager and/or the Chief Executive Officer.



2.8 Acting in the Public Interest

You should treat all people with whom you have contact in the course of your work:

- Equally without prejudice or favour
- With honesty, consistency and impartiality.

You should also, in the course of your work:

- Place the public interest over your personal interest
- Uphold the law, institutions of Government and democratic principles
- Provide apolitical and non-partisan advice
- Provide transparency to enable public scrutiny
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

Acting in the public interest requires leadership, courage and innovation to develop practical recommendations and actions that are consistent with the core values and will help the Government of the day achieve its objectives. Acting in ways that are expedient or convenient, but which do not promote the integrity, trust, service and accountability of the public sector, is not in the public interest.

2.9 Senior Executives declaring Private Interests

A senior executive (including an acting senior executive) must make a written annual declaration of private financial, business, personal or other interests or relationships that have the potential to influence, or could be perceived to influence, decisions made or advice given by the senior executive. The forms will be circulated by the CEO/Corporate Services department.

Where a senior executive has no such private interests to declare, s/he must declare a "nil return".

After a senior executive makes an initial declaration, a fresh declaration must be made:

- As soon as practicable, following any relevant change in the senior executive's private interests
- As soon as practicable, following the senior executive's assignment to a new role or responsibility
- At least annually.

All senior executives must provide their declaration to Destination NSW's CEO or nominated delegate.

The CEO must provide their declaration to the relevant Department Secretary that Destination NSW is part of. A person to whom a declaration is to be provided is responsible for ensuring:

- Senior executives complete declarations
- Handling and storage of declarations complies with the requirements of the Privacy and Personal Information Protection Act 1998.



2.10 Respect and Inclusion

Respect and inclusion are fundamental to a harmonious, productive workplace where people feel safe to speak up about concerns. Destination NSW is committed to ensuring our workplace is a safe environment in which everyone feels they can achieve their potential. Everyone is responsible for:

- treating people with dignity and respect, and contributing to a positive and productive workplace
- making sure people feel valued and are able to fully participate in the workplace
- not discriminating against, harassing or victimising anyone on any grounds including gender identity, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment, sexuality or political or religious conviction
- preventing bullying. The organisation has no tolerance for bullying.
 - Bullying is behaviour that is repeated, unwelcome and unsolicited and considered offensive, intimidating, humiliating or threatening by the recipient or others who are witness to or affected by it.
 - Bullying does not include reasonable management practices such as performance management and disciplinary procedures, or other reasonable management directions.
- if working with children and young people under the age of 18 years, creating a workplace where they are safe and protected from sexual, physical and emotional abuse and neglect. The NSW Ombudsman has child protection responsibilities—if an employee becomes aware of any such abuse they must inform their Director. Other requirements (such as working with children clearances) may apply and if they are unsure you should speak with a subject expert.

Senior Executives and People Leaders are responsible for modelling good behaviour and for the maintenance of a harmonious and productive workplace.

3. Respect for people

3.1 Professional and Appropriate Behaviour

Destination NSW expects standards of professional behaviour that promote public confidence and trust in the work of Destination NSW.

You should always:

- do your work conscientiously, use sound judgement and keep up-to-date with advances in your areas of responsibility
- treat members of the public and your colleagues with respect, fairness and consistency
- be honest, reasonable, fair and sensitive in your dealings with members of the public and other employees
- provide timely, accurate and impartial advice to the Government and implement its policies conscientiously
- comply with relevant legislative, industrial and administrative requirements of Destination NSW
- adhere to the Equal Employment Opportunity principles and the Ethnic Affairs Priorities Statement
- adhere to NSW Public Sector and Destination NSW values
- ensure gifts and benefits are recorded in the Destination NSW Gifts and Hospitality Register as appropriate
- make sure that your actions or in-action does not harm others.

Destination NSW expects its Managers to respect the dignity of all employees by treating them with honesty and courtesy and respecting their rights.



In particular Managers should:

- seek to, and are required to, develop their own competencies and those of the employees they supervise
- maintain and develop employees' knowledge of Destination NSW, its purpose and plans
- ensure that employees have access to appropriate training in relation to technological and workplace changes
- contribute to a productive and harmonious work environment in the office and address any performance issues with the employee as soon as possible
- deliver comprehensive and realistic performance development programs with employees, monitoring progress and ensure that performance problems are highlighted and dealt with as they arise
- ensure that personal information of clients and employees is protected
- ensure that the work environment is safe
- comply with relevant legislation, industrial policy and administrative requirements of Destination NSW
- assist in implementing this code by fostering professionalism of all employees within an atmosphere conducive to the promotion of integrity, appropriate behaviour and mutual respect in the workplace.

All Destination NSW employees are to treat their supervisors, colleagues, customers, clients and stakeholders in their agency and in other agencies, and the Government of the day with respect, by:

- Considering people equally without prejudice or favour
- Acting professionally with honesty, consistency and impartiality
- Taking responsibility for situations, showing leadership and courage
- Placing the public interest over personal interest
- Appreciating difference and welcoming learning from others.

At all times employees must build relationships based on mutual respect by;

- Upholding the law, institutions of Government and democratic principles
- Communicating intentions clearly and inviting teamwork and collaboration
- Providing apolitical and non-partisan advice
- Providing services fairly with a focus on customer needs
- Being flexible, innovative and reliable in service delivery
- Engaging with the not-for-profit and business sectors to develop and implement service solutions
- Focusing on quality while maximising service delivery
- Recruiting and promoting employees on merit
- Taking responsibility for decisions and actions
- Providing transparency to enable public scrutiny
- Observing standards for safety
- Being fiscally responsible and focus on efficient, effective and prudent use of resources.

3.2 Harassment and Discrimination

Harassment and discrimination can take many forms, including physical, verbal, or written abuse, and can cause significant harm to individuals and to the workplace as a whole. The Code requires employees to be respectful and considerate in all their dealings with others. You must not discriminate against a person because of sex, gender, marital status, pregnancy, race, nationality, ethnic or national origin, age, disability, sexual preference, transgender grounds, political or religious beliefs or carer's responsibilities. Such harassment or discrimination may constitute an offence under the Anti-Discrimination Act 1977 (NSW).

Managers and supervisors must make sure that the workplace is free from all forms of harassment and discrimination. They should understand and apply the principles of equal employment opportunity and ensure that the employees they manage are informed of these principles. Managers should also take all necessary steps, such as training and other active measures, to prevent and deal with harassment and discrimination in their work area.



3.3 Bullying

All employees have a duty to ensure that they treat other employees with respect and dignity. This duty also extends to developing employee's awareness about the impact of their behaviour on others. Managers have a responsibility to ensure that the work environment is free from bullying.

You must not bully anyone. Bullying is behaviour that is repeated, unwelcome and unsolicited, considered offensive, intimidating, humiliating or threatening by the recipient or others who are witness to or affected by it.

Bullying behaviour may be directed upwards or downwards and towards co-workers. Some examples might include:

- being subjected to constant ridicule and being put down in front of colleagues
- being the victim of loud and abusive, threatening or derogatory language usually when other employees are present
- leaving offensive messages on email or by telephone, including offensive messages through the use of SMS and material posted on the internet
- being subjected to practical jokes
- excluding team members from group activities or withholding information from them that is ordinarily shared with the rest of the team
- withholding information from the Manager and/or deliberately not following instructions.

As a Destination NSW employee you are responsible for:

- applying bullying prevention strategies
- taking reasonable care that they don't affect the health and safety of others
- complying with all conditions of employment
- reporting incidents of workplace bullying
- complying with any reasonable instructions given by your Manager or Supervisor such as delivering actions and outcomes as stated in your position description and co-operating with policies and procedures.

3.4 Treatment of Children

If you are working with children, you must provide Destination NSW with the appropriate clearances to do so (including a valid Working With Children check (unless exempt)). At all times you must treat children appropriately, ensuring their safety, welfare and wellbeing. You must at all times comply with the Destination NSW Working With Children Code of Conduct, and child protection legislation. Contact with children can include direct contact (i.e. children participating in events and activities organised by the Destination NSW) and indirect contact (children accompanying or in the presence of a parent). You must also ensure that any contractors you engage to work with children have the appropriate clearances in place before they commence work and you have sighted this and have a record on file.

3.5 Dress Code

The standard of dress and grooming adopted by you is important in promoting the professionalism of Destination NSW. Generally, you are required to be well-groomed and dressed neatly in business attire on all working days (i.e. no thongs, shorts, jeans, bare midriff tops and torn clothing). From time to time a specific situation will indicate that clothes other than that reasonably considered as business attire will be appropriate. If you have specific clothing needs due to medical or other requirements, you should discuss this matter with your Manager.

3.6 Alcohol, Drugs and Driving

You must take responsibility for ensuring the health and safety of yourself and of others. In particular, you are responsible for ensuring that you do not, by the consumption of alcohol or other drugs, endanger your own safety or the safety of any other person, including customers or clients, in the workplace.



You must not attend work or conduct business on behalf of Destination NSW if you are under the influence of alcohol, any drug or substance that is likely to adversely affect your ability to do your job or may pose a risk to yourself or other employees or members of the public.

You may attend internal and external work related functions where alcohol is served. However, when you attend these functions, you must take a responsible approach to the consumption of alcohol.

Under no circumstances when you are required to drive a motor vehicle as part of your work duties are you permitted to be under the influence of alcohol or drugs or to exceed the limits prescribed by law (including DUI (driving under the influence) limits). If you do so, this will be considered a serious breach of this code.

3.7 Appropriate Behaviour

Behaviour contrary to this Code and to the Ethical Framework for the Government sector can bring individual employees into disrepute, undermine productive working relationships in the workplace, hinder customer service delivery, and damage public trust in Destination NSW or the broader Government sector.

If you are unsure of what is appropriate conduct under any particular circumstances, discuss the matter with your supervisor, manager or the relevant member of your agency's executive. Heads of Government sector agencies may also contact the Public Service Commissioner.

If you see someone act in ways that are contrary to this Code, you should in the first instance discuss that person's behaviour with your immediate supervisor or manager, or report your concerns to any member of the Executive team.

If you believe certain conduct is not just unethical, but may also be corrupt, a serious and substantial waste of Government resources, maladministration or a breach of Government information and privacy rights, then report your concerns to your agency's Public Interest Disclosures Officer, the CEO or the relevant investigating authority (such as the Ombudsman, Independent Commission Against Corruption or the Auditor-General).

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources which results in a loss/wastage of public funds or resources. Less serious forms of waste are also to be avoided. Under the Public Interest Disclosures Act 1994, it is both a criminal offence and misconduct to take reprisals against an employee who makes a public interest disclosure.

If it is alleged that you have acted in a way that is contrary to this Code, you will have an opportunity to provide your version of events. How this will happen will be proportionate to the seriousness of the matter. In those cases where the allegation is minor or of a low level, your manager will usually discuss this matter directly with you. If the allegations are more serious, a formal process may be required.

If you are investigating an allegation of a behaviour that is contrary to this Code, you must ensure your decision-making is fair and reasonable by acting consistently with four principles:

- Procedural fairness for both the complainant and other person
- Investigations should be handled expeditiously. This will minimise the potential for breaches of confidentiality and lack of procedural fairness
- Confidentiality for all parties, where practicable and appropriate, until such time as the investigation process is completed
- Meticulous recordkeeping, including recording of reasons for all significant decisions.



For employees of Public Service agencies, the [PSC Behaving Ethically Guide](#) sets out the minimum expectations relating to ethical conduct. The GSE Act and GSE Rules set out how allegations of misconduct are to be dealt with, and the procedural requirements for dealing with allegations of misconduct, which include requirements that you be advised of the detail of the allegation; the process to be undertaken to investigate and resolve the matter; and that you be provided an opportunity to respond to the allegations.

3.8 Comply with Work Health and Safety Requirements

As an employee of Destination NSW, it is your core responsibility, while at work, to take care of your health and safety, and the health and safety of other people that might be affected by your acts or oversights.

You must seek to understand and follow all health and safety policies, guidelines, procedures and safe systems relevant to your work. It is your responsibility to report and notify your Manager of all incidents, injuries and hazards and control where practicable any hazards identified. Any incidents must be lodged here within 24 hours of the incident occurring: <https://live.cammsrisk.com.au/cammsincident/public/dpi/landingpage.html>

You must follow all reasonable instructions of your Manager or Supervisor related to health and safety and cooperate with your Supervisor or Manager to resolve any health and safety issues. Managers and employees should also take all necessary steps, such as training and other active measures, to deal with health and safety in their work area.

3.9 Criminal Matters

Prior to the commencement of your employment with Destination NSW, you must disclose any criminal convictions and provide Destination NSW with the appropriate declaration and consents to obtain criminal record information.

If at any time in the process of recruitment or while you are working at or for Destination NSW you are charged with an alleged offence, whether inside or outside NSW, you must, as soon as practicable after being charged, notify your Manager in writing of;

- the details of the alleged offence;
- the circumstances surrounding the charge being laid;
- the court or tribunal where the matter will be heard; and
- the date of appearance at the court or tribunal.

You must notify your Manager in writing, any outcome of such an appearance at a court or tribunal regarding the alleged offence, including the following, if relevant

- the date of conviction;
- whether a conviction was recorded or made and the sentence imposed
- and whether any appeal is proposed to be lodged against that conviction or sentence or both.

Failure to accurately and promptly inform Destination NSW that you have been charged with an offence may constitute grounds for disciplinary action.

Should an employee not disclose the details of a charge of which the employee is later acquitted or found not guilty, the employee may still be subject to disciplinary action.

On receipt of written advice from a person disclosing details of a charge, conviction or offence, the CEO should be notified immediately.



3.10 Speaking Up

We can only resolve problems and put improvements in place if people speak up. It is therefore critical that leaders support people who speak up by listening and providing feedback on the actions they have taken and the reasons for these actions. Speaking up is also more likely to be effective if it takes place early and in a constructive, courteous way.

Sometimes speaking up can be difficult, and discussions at the local level are not always effective or appropriate. If an employee is concerned about raising a matter at a local level or previous attempts to resolve it at that level have not been effective, there are many avenues they can take. The available avenues are located here: <https://intranet.industry.nsw.gov.au/code-of-ethics-and-conduct/speaking-up-and-reporting-matters2>

Senior Executives and People Leaders are responsible for supporting employees and reporting any breach, potential breach or any unresolved or repeat misconduct (including bullying, harassment or discrimination).

4. Act with Honesty and Integrity

4.1 Core Values for Destination NSW

The core values for Destination NSW are to be demonstrated in the conduct of all employees:

EXCELLENCE

We strive to reach standards of excellence in our performance, service and leadership.

PASSION

We bring energy, creativity and enthusiasm to everything we do.

COLLABORATION

We embrace teamwork with each other, as well as with our stakeholders, to deliver our shared goals.

AGILITY

We endeavour to innovate, plan and execute responsively in a dynamic environment.

RESPECT

We demonstrate respect and integrity in all our relationships, interactions and activities.

OWNERSHIP

We take individual responsibility for our behaviour, decisions and outcomes and encourage colleagues to do so.

There is no hierarchy among the core values and each of equal importance. You must seek to understand the core values and apply the principles that guide their implementation in your professional duties for Destination NSW.



It is expected that employees consistently display and promote the behaviours associated with the mandatory core values. In particular employees will:

- consider people equally without prejudice or favour
- act professionally with honesty, consistency and impartiality
- place the public interest over personal interest
- appreciate difference, welcome learning from others and build relationships based on mutual respect
- uphold the law, policies and procedures
- communicating intentions clearly, invite collaboration and provide apolitical and non-partisan advice
- focus on quality while maximising service delivery
- take responsibility for situations, decisions and actions
- observe standards of safety
- take responsibility for efficient and effective use of resources.

You are urged to seek assistance when unsure about the dimensions of the Ethical Framework affecting your duties.

As an employee, you are expected to report possible breaches or unethical conduct to your Manager. Managers throughout Destination NSW must ensure their workplace culture, practices and systems operate ethically and will act promptly and with due process to prevent and address any breaches.

Further, you must bear in mind that many of our activities are governed by Acts and Regulations, which are legally binding and may have consequences if breached. Should you require further information, please contact the Director of Procurement, Legal and Governance.

4.2 Decision Making

You should act in a manner which promotes confidence in the integrity of Destination NSW and recognise the professional and ethical dimensions of your work.

When faced with a difficult question, you should consult with your Manager to resolve the matter. Issues to consider when making a decision include:

- does anyone else need to be consulted in making the decision?
- is the decision or conduct legal or consistent with whole-of-Government policy and in line with Destination NSW's objectives and code of conduct?
- will the outcome of this decision raise a conflict of interest or lead to private gain at public expense?
- can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?
- Is the decision budget savvy and/or is the spend justified?

4.3 Conflicts of Interest

In performing your duties for Destination NSW you may find yourself confronted with a conflict of interest. This may happen when there is an actual, reasonably perceived or potential conflict as follows:

- there is a direct conflict between your current duties and responsibilities and your private interests (actual)
- when a person could reasonably perceive that your private interests are likely to improperly influence the performance of your official duties (reasonably perceived)
- when you have a private interest that could conflict with your official duties in the future (potential)

Having the conflict of interest is not necessarily a problem; it is how it is managed that is important. The community has a right to expect that employees at all levels of Destination NSW perform their duties in a fair and unbiased way and that the decisions they make are not affected by self-interest, private affiliations, or the likelihood of personal gain or loss.



Some situations that may give rise to a conflict of interest affecting your performance of official duties include:

- participation in, memberships of or shareholdings in certain incorporated associations, unincorporated associations, Pty Limited companies, company limited by guarantee, industry and manufacturing associations
- membership of organisations or boards whose interests may conflict with those of Destination NSW such as entities that seek grants or normally lobby Government on issues managed by Destination NSW (e.g. membership of associations or board membership of certain incorporated entities)
- participation in certain types of secondary employment that could compromise your integrity or the integrity of Destination NSW
- your financial interests in a matter that Destination NSW deals with or friends or relatives who you know have a financial interest
- your personal beliefs or attitudes (commercial, religious, social, or political) that may influence the impartiality of the work you do or advice you give
- you have a relationship that goes beyond a professional working relationship with someone that Destination NSW is dealing with or investigating you participate in a recruitment process where there is a personal relationship with an applicant, e.g. spouse, family member, etc. This includes past or present relationships
- you develop an intimate relationship with another Destination NSW employee, Treasury staff and/or Ministerial staff member, Destination Network member or Board member
- your party political activities or political comments you might make could be seen as relating to Destination NSW's work.

You may also own and operate a small business but must ensure that you do not claim or make use of any Destination NSW service that is not available to other members of the community. You must not use their position or access to information to further their own interests or the interests of others,

In many cases, you may be the only person aware of the potential, actual or perceived conflict of interest. It is your responsibility to avoid any situation that could compromise the impartial performance of your job. You will:

- be aware of your obligations to avoid, where possible, conflicts of interests
- assess your private and personal interest and whether they conflict, or have the potential to conflict, with your official duties and responsibilities
- disclose potential, actual or perceived conflicts of interest to your Manager and where required, complete the conflicts of interest declaration form.

If you determine a potential, actual or perceived conflicts of interest, you must disclose to your Manager or Supervisor or the Manager of the affected activity (such as the hiring manager of a recruitment panel or chair of a committee) immediately. You must complete the Declaration Form in the Managing Conflicts of Interest policy; and submit it to your General Manager with a copy sent to the General Manager – Corporate Services/CFO and CEO.

General Managers will make appropriate decisions with regards to each employee declaration and will actively resolve any conflicts of interest (perceived or actual) that occur in the workplace. Conflicts of interest that lead to partial or biased decision making may constitute corrupt conduct.



Actions you should take include:

- Always disclose actual, potential or reasonably perceived conflicts of interests to your manager as soon as you become aware of the conflict. There is a form for this which is annexed to this Policy on pg 23.
- Where a conflict of interests occurs it should always be resolved in favour of the public interest, rather than your own.

To resolve any conflicts of interests that occur, or could occur, a range of options is available depending on the significance of the conflict. These options include, but are not limited to:

- informing likely affected persons that a disclosure has been made, giving details and the agency's view that there is no actual conflict or the potential for conflict is minimal
- appointing further persons to a panel/committee/ team to minimise the actual or perceived influence or involvement of the person with the actual or reasonably perceived conflict
- where the persons likely to be concerned about a potential, actual or reasonably perceived conflict are identifiable, seeking their views as to whether they object to the person having any, or any further, involvement in the matter
- restricting the access of the person to relevant information that is sensitive, confidential or secret
- directing the person to behave at all times in ways that are consistent with their agency's responsibilities and functions
- removing the person from duties or from responsibility to make decisions in relation to which the 'conflict' arises and reallocating those duties to another employee (who is not supervised by the person with the 'conflict')
- persons with a 'conflict' who are members of boards or committees absenting themselves from or not taking part in any debate or voting on the issue.

4.4 Gifts and Benefits and the Risk of Compromise

The acceptance of a gift or benefit can create a sense of obligation that may compromise honesty and impartiality. This may also affect the public perception of the integrity and independence of Destination NSW and its employees.

Employees who make or may make decisions affecting individuals or companies (including employee selection, tender selections, grant approvals, mediation) or who have access to sensitive information, should be aware of improper attempts to influence them. Offers of expensive gifts, personal benefits or unnecessary hospitality from individuals or companies who are bidding for work, who have existing contracts or who are likely to seek new contracts, should be refused with an explanation that acceptance is contrary to this code and could jeopardise their future dealings with Destination NSW. The acceptance of gifts or benefits must be done so in accordance with the Destination NSW Gifts, Hospitality and Benefits Policy.

From time to time commercial organisations offer you free or subsidised invitations to attend intrastate, interstate and overseas conferences, seminars and other promotional activities. Such offers would need to be discussed with your Manager and the following probity issues addressed:

- what does the commercial organisation hope to achieve by the offer?
- would acceptance of the offer imply some actual or perceived obligation on the part of Destination NSW towards that organisation?
- would attendance be justified if Destination NSW had to meet the cost?
- could the invitation be perceived by commercial competitors as providing the inviter with an unfair commercial advantage?



These principles apply in accepting gifts or benefits:

- you must not expect or ask for gifts or hospitality or benefits e.g. free accommodation or event tickets
- you cannot accept a gift unless it is given in gratitude or as a token, and then only where refusal would be unreasonable and unnecessarily offensive, for example, when travelling overseas or hosting overseas delegates. If you are not sure about the intent of the gift, discuss the matter with your Manager
- you should exercise discretion when placing business cards in lucky draws
- you must record details of gifts or benefits in the Gifts and Hospitality Register and seek approval from the Chief Executive Officer who will decide the course of action regarding the disposal or acceptance of the gift
- you should avoid all situations which create the appearance that the person offering the gift or benefit might expect it to influence the way you do your job
- you should ensure that your family and relatives do not receive benefits which could give the appearance of
- an indirect attempt to secure influence or a favourable decision relating to that company, organisation or individual
- you should advise your Manager immediately if you believe you have been offered a bribe or if you have been offered or received a favour or benefit. If you are dealing with or having access to sensitive investigations or commercially sensitive information you should be particularly alert to inappropriate attempts to influence you.

4.5 Official Hospitality and Entertainment

Destination NSW is in the business of developing relationships with business/industry partners. It is recognised that employees have the opportunity to generate hospitality on behalf of Destination NSW and to attend functions (hospitality and/or entertainment) organised by business/industry.

The following principles apply:

- attendance at functions should be clearly related to your work and have clearly defined and beneficial outcomes for Destination NSW, in accordance with the Destination NSW Gifts, Hospitality and Benefits Policy
- appropriate approvals in writing (email is acceptable) from an officer with the appropriate administrative and financial delegation must be received prior to providing/attending the entertainment/hospitality
- attendance at functions should not be abused, in terms of the time taken away from the workplace and in the level of hospitality accepted
- non-Destination NSW Christmas functions, birthday celebrations or work socials that are organised by and for the attendance of employees will not be funded by Destination NSW
- tickets to sporting or cultural events can generally be accepted where an employee is accompanying business clients where prior permission has been given by the Chief Executive Officer or their delegate. The process for delivering tickets must be transparent.

Use of Destination NSW contracted benefits is managed as per the Hospitality Policy. The General Manager – Policy, Product and Engagement is responsible for the management of this policy and issuing of tickets and hospitality.

4.6 Confidential Information

Destination NSW has clearly documented procedures for the storage, disclosure and distribution of confidential or sensitive personal, commercial or political information. Employees should follow the Destination NSW procedures and take precautions to make sure that the 'confidential' information is not disclosed without clear authority.

Employees must not use confidential information for personal gain or for the benefit of others, and must not share confidential information with others for the purpose of obtaining personal advantage or for the advantage of others. They must also be aware of the potential consequences of unauthorized disclosure, including damage to the organization's reputation, legal liability, and potential harm to individuals. Official information must only be used for the work-related purpose intended and not for personal benefit. You must ensure that any information, in any form (printed or electronic), cannot be accessed by unauthorised people and that 'confidential' information is only



These principles apply in accepting gifts or benefits:
discussed with people, either within or outside Destination NSW, who are authorised to have access to it.



Misuse of official information or documents includes:

- speculation in shares, commodities, or property on the basis of confidential information about the affairs of a business or of proposed Government actions
- seeking to take advantage of another person, for personal reasons, on the basis of information held in official records
- disclosing sensitive information to members of the public, clients, lobby groups, other public servants or other Government organisations without proper authority providing or trading confidential information for use by private investigators, media representatives, banks and credit agencies.

4.7 Records Management

You need to be aware of and comply with the State Records Act 1998 (NSW) and the Destination NSW Records Management guidelines.

All employees have a responsibility to create and maintain full and accurate records of their activities, decisions and other business transactions, to capture records into official records systems, and not to destroy records without appropriate authority. Managers have a responsibility to ensure that employees reporting to them comply with their records management obligations.

Wherever possible, documents should be stored in the Destination NSW Electronic Document Records System.

4.8 Leaving Destination NSW

You should not use your position to obtain opportunities for future employment. You should not allow yourself or your work to be influenced by plans for, or offers of, employment outside Destination NSW. If you do, there is a conflict of interest and your integrity and that of Destination NSW is at risk.

Former employees should not use, or take advantage of, confidential information that may lead to gain or profit obtained in the course of their official duties until it has become publicly available.

All employees of Destination NSW should be careful in their dealings with former employees of Destination NSW and the former Tourism NSW and Events NSW and make sure that they do not give them, or appear to give them, favourable treatment or access to privileged information.

Senior Executive employees are required to sign a confidentiality undertaking when joining Destination NSW employment, and are expected and required not to disclose confidential information when leaving Destination NSW.

5. Use of Resources with Economy and Efficiency

5.1 Use of Official Facilities, Equipment and Communication Devices

You are to be vigilant in protecting the Destination NSWs' technology assets, and to take all necessary steps to prevent unauthorized access, use, or theft of information. This includes being mindful of the information that is stored on the organization's technology systems and taking steps to ensure that confidential information is not disclosed to unauthorized persons.

You are expected to be efficient and economical in your use and management of public resources, including your own work time. You must not create a risk or liability for Destination NSW by your use of facilities or equipment e.g. downloading music or images and breaching copyright laws.



All usage of Destination NSW's electronic communication facilities (e.g. computers, network, internet, intranet, WiFi, data, email, facsimiles, smart phones and tablets etc.) should be lawful, appropriate and ethical. These facilities should not be used in any way that:

- is misleading or deceptive
- could damage Destination NSW's reputation
- could result in victimisation, harassment or vilification
- is offensive, obscene, threatening or defamatory
- violates Australian or State regulations or laws — including 'computer hacking'
- is intended to have a destructive effect on storage, processing or communications network facilities

Limited use of employer communication devices e.g. computers, landline telephones, smart phones, fax machines, email, cameras, video cameras and internet for personal use is permitted, provided the use is infrequent, brief, involves minimal cost and does not interfere with the performance of your work.

You must use public resources in an efficient, effective and prudent way. Public resources e.g. money, property, equipment or consumables – must not be used for your personal financial gain, or for an unauthorised or illegal purpose.

If you are responsible for receiving, spending or accounting for money, ensure you know, understand and comply with the requirements of the Government Sector Finance Act 2018, the Public Works and Procurement Act 1912 and the Government Advertising Act 2011 and any other relevant legislation or regulation.

5.2 Private Use

It is your responsibility to account for any excessive personal usage in certifying accounts and paying for any personal usage on your work allocated computers, smart phone and/or tablet.

Whilst Destination NSW carries its own insurance, if you borrow Destination NSW property you must minimise the risk of loss or damage. Items borrowed without approval will not be covered by insurance. Managers may also approve the use of facilities, such as meeting rooms and equipment, by non-profit professional and community organisations in which employees are volunteers as long as there is no significant cost to Destination NSW.

Stationery, letterhead and official logos must only be used for official business.

You must not use credit cards issued by the Destination NSW for your own personal use. Destination NSW facilities and equipment should only be used for private purposes when official permission has been given. Under no circumstances should facilities or equipment be used in connection with an employee's secondary or other paid employment or private commercial dealings (i.e. directorships of family or other private companies).

You should not seek to make private use of the services of employees whilst on duty. Employees who are asked to perform tasks that are not work related in work time should refuse.

5.3 Intellectual Property

Intellectual property includes rights relating to scientific discoveries, industrial designs, trademarks, service marks, software development, commercial names and designations, inventions and activity in the industrial, scientific, literary or artistic fields.

Destination NSW is the owner of intellectual property created by you in the course of your work unless a specific agreement with the Chief Executive Officer has been made to the contrary. Unauthorised use of Destination NSW's intellectual property is not permitted.



5.4 Records Management

As public servants we are literally writing the history and heritage of New South Wales as we do our work. Our decisions can have huge consequences on the whole State and we need to be able to show how they were arrived at them. We do this by capturing and managing records in accordance with the records management procedure which is located here: <https://intranet.industry.nsw.gov.au/code-of-ethics-and-conduct/managing-information>

5.5 Publishing

As public servants we need to be aware that any documents, emails, text messages etc. which are created in the course of your work, may at some point be published, or discoverable under the *GIPA* act. Employees and People Leaders must conduct their work with this discretion.

5.6 Workplace Surveillance

Anyone working at Destination NSW is subject to the *Workplace Surveillance Act* 2005 for the purpose of protecting property, monitoring employee performance or ensuring employee health and safety.

6. Reporting Corrupt and Unethical Conduct, Maladministration and Waste

You must not act corruptly or fraudulently. Allegations will be investigated, and action taken to prevent loss or harm to Destination NSW and its people.

If you see someone act in ways that are contrary to this Code, you should in the first instance discuss that person's behaviour with your immediate supervisor or manager or report your concerns to any members of the agency's executive.

You are urged to report suspected corrupt conduct, as well as maladministration and serious and substantial waste of public resources, then report your concerns to then report your concerns to the agency's Public Interest Disclosures Coordinator or Disclosures Officer, the CEO of Destination NSW or the relevant investigating authority (such as the Ombudsman, Independent Commission Against Corruption or the Auditor General). Under the Public Interest Disclosures Act 1994, it is both a criminal offence and misconduct to take reprisals against an employee who makes a public interest disclosure.

Managers throughout Destination NSW must ensure that all employees have information about Destination NSW's reporting procedures and are responsible for ensuring the confidentiality of matters reported to them. Employees receiving a report of suspected corrupt or unethical conduct must report the matter to the General Manager – Corporate Services/CFO or Chief Executive Officer.

6.1 Breaches of the Code

Breaching the Code of Conduct may result in serious consequences for individuals and the organization as a whole. A breach of the Code may lead to performance management or disciplinary action. Such action could range from counselling to immediate dismissal. In some cases the matter may be investigated and referred to the Police or other appropriate authorities.



The decision to take such action will involve the consideration of a number of relevant matters, including protecting Destination NSW, protecting people that work here, maintaining public confidence and trust and an assessment of the seriousness of the misconduct or allegation. For employees at Destination NSW, the GSE Act sets out the actions that the Chief Executive Officer may take where there is a finding of misconduct against an employee.

These actions are as follows:

- Terminate the employment of the employee (without giving the employee an opportunity to resign)
- Terminate the employment of the employee (after giving the employee an opportunity to resign)
- Impose a fine on the employee (which may be deducted from the remuneration payable to the employee)
- Reduce the remuneration payable to the employee
- Reduce the classification or grade of the employee
- Assign the employee to a different role
- Caution or reprimand the employee.

It is the responsibility of all employees, contractors, and other stakeholders to familiarize themselves with this Code and to understand the seriousness of any violations. By adhering to the principles outlined in this Code, individuals can contribute to maintaining the integrity and reputation of Destination NSW.

6.2 Actions when allegations are made

If it is alleged that you have acted in a way that is contrary to this Code, you will have an opportunity to provide your version of events. How this will happen will be proportionate to the seriousness of the matter.

In those cases where the allegation is minor or of a low level, your manager will usually discuss this matter directly with you. If the allegations are more serious, a formal process may be required.

If you are investigating an allegation of a behaviour that is contrary to this Code, you must ensure your decision-making is fair and reasonable by acting consistently with four principles:

- Procedural fairness for both the complainant and staff member
- Investigations should be handled expeditiously. This will minimise the potential for breaches of confidentiality and lack of procedural fairness
- Confidentiality for all parties, where practicable and appropriate, until such time as the investigation process is completed
- Meticulous recordkeeping, including recording of reasons for all significant decisions.

7.0 Employee Directory

<https://intranet.dnsw.com.au/people/>

8.0 Training

In support of the implementation and adherence to this Code of Conduct, Destination NSW shall provide adequate training and resources to all employees, contractors, and other stakeholders. This includes initial onboarding training and periodic refresher courses to ensure all individuals understand their obligations under this Code of Conduct and any relevant legislation and regulations. DNSW recognizes the importance of ongoing education and professional development and encourages employees to seek out opportunities to enhance their skills and knowledge in the areas relevant to ethical conduct and compliance. The provision of support and training reinforces the organization's commitment to ethical and responsible behaviour and will aid in creating a positive and accountable workplace culture.



9.0 Revision History

Revision History		
Version Date Issued	Notes	By
04 May 2018		Chief Executive Officer
11 July 2018	Inclusion of email address on the Employee's Declaration	
23 January 2019	Revision of Code of Conduct policy	
30 July 2019	Revision of Code of Conduct policy	
9 December 2019	Revision of Code of Conduct policy	Chief Executive Officer
22 January 2020	Revision of Code of Conduct policy	Chief Operating Officer
2 June 2022	Revision of Code of Conduct policy	Director – Procurement, Legal and Governance
9 February 2023	Revision of Code of Conduct policy	Director – Procurement, Legal and Governance and Deloitte

Delegations

Activity Function	Policy Reference	Delegated Manager
Approve exemptions or changes to this Code	Scope	General Manager – Corporate Services/CFO



Declaration (to be completed each year)

Destination NSW Code of Conduct

I, _____

working/engaged as (position) _____

acknowledge that I have read and understood the contents of the Destination NSW Code of Conduct.

I understand that the Code sets out standards of behaviour expected of me while I am working for/at Destination NSW.

Signature

Date

Please return this declaration to:

People and Culture
Destination NSW
people@dnsw.com.au

Declaration - Conflict of Interest Form

This form is to be completed by any employee or contractor who has a real or perceived conflict of interest or a potential conflict of interest in undertaking their duties whilst being employed by Destination NSW.

A copy of the completed and signed form is to be stored on file with People and Culture - people@dnsw.com.au.

I,

Hereby declare a conflict of interest which is:

REAL

POTENTIAL

PERCEIVED

Please provide a brief outline of the nature of the conflict (details may be included privately in a separate confidential envelope if appropriate).

Please detail the arrangements proposed to resolve/manage/ the conflict (attach separately if appropriate).

I have/have not had any communication with the conflicting party and will ensure I follow the process as set out in the Code of Conduct.

Signed: _____

Date: _____