



# Infrastructure WA

## Code of Conduct



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**This plan is available in alternative formats such as in standard and large print, in electronic format by email, in audio format on CD and on IWA’s website on request.**



## Message from the Chairperson and Chief Executive Officer

Infrastructure WA (IWA) employees and Board and committee members must act with integrity to ensure the Western Australian community and government have confidence in IWA's performance. Board members and staff have a personal and collective responsibility to act transparently and efficiently, for the benefit of the community. As a statutory authority with a degree of independence there is further responsibility to ensure our advice and decisions are robust and impartial. This will assist to build our organisational trust and reputation, critical to the success of IWA.

The [Western Australian Public Sector Code of Ethics](#) (Code of Ethics) sets out the minimum standard of conduct and integrity, and applies to all public sector employees, as well as members of government boards and committees. IWA's Code of Conduct complements the Code of Ethics and applies to all IWA Board and committee members, staff and contractors. The Code of Conduct sets out the ways in which Board and committee members, staff and contractors are expected to behave individually, with colleagues and with stakeholders.

We urge you to read and familiarise yourself with this Code of Conduct and supporting information, and continue to refer to it as you perform your role as a Board, committee, staff member or contractor. This document should be read and applied in conjunction with the *Infrastructure Western Australia Act 2019* (IWA Act). Talking through issues with others will assist you in managing a variety of situations throughout your tenure with IWA and will be critical for our reputation and success, as we serve the Western Australian community.



**Nicole Lockwood**  
Board Chairperson

August 2023



**Phil Helberg**  
Chief Executive Officer

August 2023

### Review date

The Board will review the Code of Conduct every 3 years or sooner as necessary to ensure it meets the needs of the organisation and complies with relevant government frameworks, guidelines and policies.

The Code of Conduct and any amendments to it require approval of the Board.

<b>Version #</b>	4.0
<b>Policy Owner</b>	Chief Executive Owner
<b>Last Amended</b>	September 2021
<b>Next Review</b>	September 2026

### Applicable legislation

*Infrastructure Western Australia Act 2019*  
*Public Sector Management Act 1994*  
*Freedom of Information Act 1982*

### Other references

*Public Sector Commissioner's Instruction No. 40: Ethical Foundations*  
*Public Sector Commissioner's Circular: 2009-18 Guidelines for expenditure on official hospitality*

## Introduction

In accordance with the *Public Sector Management Act 1994* (PSM Act) and *Commissioner's Instruction No. 40: Ethical Foundations*, all public sector bodies (including statutory authorities), are required to develop, implement and promote a code of conduct, and ensure compliance with that code. The Code of Conduct must set out the standards of conduct and integrity to be complied with by the public sector body and its employees.

The Code of Conduct must also be consistent with the principles and standards as outlined in the Public Sector Code of Ethics as follows:

### **Principles of conduct: Section 9 of the PSM Act**

We:

- comply with legislation, Commissioner's instructions, public sector standards and any applicable codes governing our conduct.
- act with integrity.
- use official information, equipment and facilities scrupulously.
- deal with people courteously, considerately and sensitively.

### **Minimum standards of conduct and integrity**

#### Standard 1: Integrity

We:

- act honestly and uphold the trust placed in us by the community.
- Use our position and authority for the purpose intended.
- provide objective and timely advice to the government of the day.
- ensure our behaviour upholds the good reputation of our public sector body and the public sector.

#### Standard 2: Impartiality

We:

- make considered and unbiased decisions based on merit.
- place the public interest over our personal interest.
- declare and manage conflicts of interest.
- implement government priorities, policies and decisions impartially.

#### Standard 3: Respect for others

We:

- communicate with and treat people with respect.
- treat people fairly, having regard for their diverse backgrounds.
- work together constructively, inclusively and professionally.

#### Standard 4: Trust and accountability

We:

- take accountability for our time, decisions and behaviours.
- are responsive and provide considered advice and information to our clients, customers and stakeholders.
- make decisions that ensure the best use of resources for now and the future.
- access, use and disclose information only where we are authorised to do so.
- record our decisions for transparency allowing for review and scrutiny.

The Code of Conduct provides the guidelines to support ethical and accountable behaviour for Board and committee members, IWA employees and contractors. It defines the standards of official conduct and personal behaviour expected of all employees and members and promotes compliance with the broad principles of personal integrity in the performance of official duties, exercising courtesy, consideration and sensitivity in relationships with others, and being scrupulous when using government assets and information.

## Scope

The Code of Conduct applies to all Board and committee members, employees of IWA and contractors. It may also apply to contractors and consultants to IWA if required by the relevant contractual arrangements or by law.

The Chairperson and CEO are responsible for ensuring Board and committee members, employees and contractors (respectively) are aware of the Code of Conduct. All Board and committee members, IWA employees and contractors are individually responsible for complying with this Code of Conduct.

Note that the Code of Conduct does not attempt to cover all situations, rather it provides a set of broad principles to support a common-sense approach to decision making and should be read in addition to the Code of Ethics.

## Code of Conduct

### Personal behaviour

The way in which you behave in the workplace must be respectful of your colleagues and members of the public. At all times you should act honestly and fairly and carefully consider the consequences of your behaviour.

This means that in addition to the Code of Ethics we:

- maintain and contribute to a harmonious, safe and productive work environment.
- serve the Government of the day professionally and impartially and provide timely, well-considered information and policy advice in accordance with the IWA Act.
- understand the consequences of misconduct and actions that may be taken if we do not comply with this Code and associated policies
- undertake Accountable and Ethical Decision-Making training every 3 years, or sooner as necessary.

As Board and committee members:

- we understand our Board's and committee's role by actively learning and staying informed about:
  - the role and purpose of our Board and committee and the statutory, regulatory and policy requirements that apply when carrying out our public duties
  - the political and social environment in which our Board and committee operates
  - all relevant issues and activities affecting our Board and committee.
- we will put the public interest first, ahead of our own personal and pecuniary interests, and act with loyalty, in good faith, ethically and with integrity by:
  - exercising our powers and discharging our duties in the best interests of the entity of which we are members
  - being accountable and transparent
  - doing our job lawfully, with reasonable care and diligence and as efficiently and effectively as possible
  - fulfilling the Board and committee's statutory purposes and requirements and, to the extent permitted by the IWA Act, serving the Government of the day.
- we have adopted and will comply with industry best practice as outlined by Australian Institute of Company Directors' Code of Conduct.

### Communication and official information

We recognise that information is a key factor in enabling IWA to deliver high quality advice to the Premier and Government. You are expected to use confidential information gained in the course of performing your duties only for authorised purposes. Unauthorised disclosure of information will place yourself and IWA at risk.

In addition to the Code of Ethics, we:

- comply with the confidentiality provisions of the IWA Act, and are reminded that Board meetings, discussions and decisions are covered by confidentiality provisions and should not be disclosed or discussed outside these proceedings.
- seek advice about the appropriate release of information if unsure.
- adhere to any policies and lawful directions regarding communication with Parliament, Ministers, Ministerial staff, lobbyists, the media and members of the public, including the Office of the

Premier and Infrastructure WA Communications Agreement set under section 74(1) of the PSM Act.

## Fraudulent or corrupt behaviour

IWA is committed to the principle of open and accountable government. You must be accountable for your decisions and actions. You are also responsible for reporting the inappropriate behaviours of others.

This means that we comply with:

- the *Public Information Disclosure Act 2003*.
- the Public Interest Disclosure procedures.

## Use of public resources

You are required to use IWA's resources responsibly and any personal use of resources must comply with IWA's policies and be kept to a minimum. The use of IWA resources for illegal purposes and/or commercial gain will be addressed in accordance with the relevant legislation and IWA's disciplinary procedures.

## Incurring expenditure

As IWA employees, Board and committee members we will:

- not approve our own expenditure for travel claims, reimbursements, credit card payments, any allowance or subsidy, unless specifically authorised in writing to do so.
- maintain accurate records of all expenditure on IWA business and provide documentation in a timely manner for processing and approval to relevant IWA staff (note: expenditure will be acquitted in line with the *Financial Management Act 2006*).
- adhere to:
  - the Department of Premier and Cabinet's (DPC) Financial Management Manual.
  - IWA's financial policies and procedures.

## Travel and accommodation

As IWA employees, Board and committee members we will:

- comply with:
  - [Premier's Circular 2021/02 Guidelines for official air travel by Ministers, Parliamentary Secretaries and Government Officers](#).
  - the IWA Travel policy.
  - Treasurer's Instruction's TI 406 – Custody of Public Property and TI 411 – Motor Vehicles
- in the first instance to use government's endorsed travel management company.

## Providing hospitality

As IWA employees, Board and committee members we will:

- ensure that any hospitality provided by the Board is consistent with the Board's genuine needs and public duty, in compliance with *PSC's Circular: 2009-18 Guidelines for expenditure on official hospitality*.
- comply with the IWA:
  - Gifts, Benefits and Hospitality policy.
  - Providing Hospitality policy.

## Use of phones

IWA employees, and Board and committee members with access to corporate phones should keep personal usage to a minimum and not make private commercial business calls.

As IWA employees, Board and committee members we will comply with:

- DPC's ICT Acceptable Use policy.
- DPC's ICT Mobile Device Usage policy.

## Recordkeeping and use of information

The integrity and accuracy of information generated by IWA is fundamental to the delivery of a highly trusted and reputable service to the Premier, Government and members of the Western Australian community. You should ensure that all information is managed to a high standard in accordance with relevant policies and plans.

This means that as IWA employees, Board and committee members we:

- adhere to:
  - IWA's Record Keeping Plan
  - IWA's Record Keeping Procedure
  - the *Freedom of Information Act 1982*
  - the IWA Act.
- avoid discussing sensitive or confidential business in public places where there is a likelihood of being overheard.
- refer all enquiries related to public access to documents where Freedom of Information (FOI) is concerned to the FOI Coordinator within the Department of the Premier and Cabinet.

## Conflicts of interest and gifts and benefits

IWA respects your privacy and does not normally take an interest in your external activities. However, when personal, social, financial or political activities interfere, or have the potential to interfere with your professional duties, a conflict of interest may exist. A conflict of interest is not necessarily a problem, but it must be declared and managed accordingly.

This means that that as IWA employees, Board and committee members we comply with the:

- IWA Act
- IWA Conflict of Interests policy
- Gift, Benefits and Hospitality policy.

## Reporting suspected breaches of the code

Failure to comply with the Code of Conduct is a serious matter that may lead to disciplinary action. If IWA is satisfied that a breach has occurred, relevant management will determine the nature of any disciplinary action (in consultation with other sources of advice, as required).

The nature of the disciplinary action will depend on the seriousness of the breach. If the situation involves breaking any laws, the matter may also be referred to law enforcement authorities for investigation. You are encouraged to report any suspected or potential breaches of the Code of Conduct. You should ensure that, in the first instance, the issue is discussed with your line manager (if you are a Board member this is the Chairperson), a Public Interest Disclosure Officer (either internal to IWA or any officer listed on [the contact directory](#)), the Chief Executive Officer, the Deputy Chief Executive Officer or a support person.

This means that we:

- are obliged to make ourselves familiar with this Code of Conduct.
- are aware of the avenues for reporting a breach of the Code of Conduct, including options available under the *Public Interest Disclosure Act 2003*.
- report, as soon as reasonably practicable, any actual or suspected breaches of this Code of Conduct.

## Further information

If you require any further advice or information, or have comments or suggestions in relation to the Code of Conduct, please contact the IWA team. You can also speak to:

- your manager
- the Public Interest Disclosure Officer/s
- Deputy Chief Executive Officer
- Chief Executive Officer

Board and committee members should refer to the Chairperson in the first instance.