Our Code of Conduct

Transport for NSW
Roads and Maritime Services
Sydney Trains
NSW Trains
State Transit
Sydney Metro
Department of Transport

July 2018

NSW GOVERNMENT | Transport for NSW

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Transport
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1. Introduction

The Transport Code of Conduct outlines the standards of behaviour expected of staff in the transport agencies listed below:

- Transport for NSW (TfNSW);
- Department of Transport;
- Roads and Maritime Services (RMS);
- Sydney Trains;
- NSW Trains;
- State Transit;
- Sydney Metro.

The Code of Conduct will help us build a values-based organisation that ensures insofar as reasonably practicable that our vision promotes and maintains public confidence and trust in our work.

It provides a framework for appropriate behaviour during our interactions with customers, stakeholders and each other, and outlines the standards required to guide our decisions, actions and ethical behaviour in the performance of our duties.

To meet these expectations we are all responsible for understanding the requirements of the Code of Conduct which must be read in conjunction with Transport and agency policies, procedures and industrial instruments. We are all accountable for our actions and behaviours, including any failure to take action. You must seek guidance from your manager if you require further clarification, or if you find yourself in a position where you are unsure how to act.

Code of Ethics and Conduct for NSW government sector employees

The Code of Ethics and Conduct for NSW government sector employees applies to all staff members in the Transport agencies.

In addition to complying with the Transport Code of Conduct all staff must also comply with the Code of Ethics and Conduct for NSW government sector employees.

Who does this Code cover?

The Code of Conduct covers all permanent, temporary and casual staff. The term 'staff' is used in this Code of Conduct to cover these groups.

The term 'manager' applies to staff members who have delegated authority to supervise others and provide management direction.

The Statement of Business Ethics provides guidance to our commercial partners on the behaviours expected of them when doing business with us. Our commercial partners are responsible for ensuring that labour hire, professional services contractors and consultants are educated about the contents of this Code of Conduct and their obligation to comply with it.

2. Transport responsibilities

Transport agencies conduct their business with efficiency, fairness, impartiality and integrity. Transport responsibilities include but are not limited to:

- facilitating adequate understanding of this Code of Conduct by providing appropriate training and avenues to seek clarification as required;
- providing you with access to current policies and procedures that you are required to comply with. This includes appropriate notification of any changes to these policies and procedures which may impact on you;
- providing you with avenues to raise concerns in relation to breaches of this Code of Conduct which will be managed in accordance with procedural fairness and provide you with protection against victimisation.
- ensuring the general conduct and management of functions and activities of the agencies are in accordance with our values and this Code of Conduct; and
- facilitating the implementation of policies and programs to create a safe work environment free from bullying, harassment and discrimination.

3. Staff responsibilities

You are responsible for familiarising yourself with agency policies and procedures, and complying with them. You are also responsible for making enquiries if you are unsure about what actions to take.

You need to be aware that the reputation of the transport agencies can be affected by your actions at work and, in certain circumstances, by your conduct outside the workplace.

You must:

- treat our customers and colleagues fairly, consistently and with respect;
- behave in a lawful, professional and reasonable manner and always act in the best interest of Transport;
- comply with agency policies and procedures, as well as relevant legislative and industrial requirements that apply to you;
- understand the duties, responsibilities and accountabilities of your role, and perform these safely, honestly, courteously and fairly;
- make impartial decisions that demonstrate your agency's values and promotes confidence in the integrity of public administration;
- comply with reasonable lawful requests, directions and instructions given in the course of your duties by any person with authority to do so;
- maintain the integrity, confidentiality and security of corporate information;
- report unethical, dishonest and/or corrupt conduct;
- not discriminate, harass, bully or engage in inappropriate workplace conduct;
- not gamble, including online gambling, in the workplace and, in vehicles or vessels using official devices, during paid work time (excluding established practices such as Melbourne Cup sweeps, self-administered football tipping and lottery syndicates); and
- present yourself in a professional manner, including wearing the designated uniform for your agency and required safety gear appropriate to operations.

Nothing in this Code of Conduct affects your rights to participate in lawful industrial activities.

You need to be aware that the reputation of the transport agencies can be affected by your actions at work and, in certain circumstances, by your conduct outside the workplace.

4. Manager responsibilities

Managers are responsible for the fair and effective management of their staff. As a manager, you have additional responsibilities to promote and demonstrate ethical conduct, fairness and equality, and lead by good example.

Managers must also:

- set an example to staff by demonstrating agency values in everything they do and being accountable for their actions or omissions;
- communicate acceptable standards of behaviour to staff, and take preventative or corrective action where unacceptable behaviours or practices are identified;
- promote a workplace that is free from discrimination, bullying, harassment and inappropriate conduct;
- raise awareness with staff regarding agency policies and procedures;
- proactively identify situations that may lead to corrupt conduct, and ensure these are managed in accordance with relevant policies and procedures;
- inform staff members of their duties, responsibilities and expected performance standards with adequate information, guidance and feedback so they can undertake them effectively, efficiently and safely; and
- facilitate a positive workplace environment through open, honest, two-way constructive communication.

5. Ethical decision making

We must ensure that our decisions:

- are made lawfully, ethically and impartially;
- promote agency values;
- align with overall organisational objectives; and
- are in the public interest.

You must consider the implications of your conduct, decisions and actions for yourself, customers, colleagues and Transport. Any information or advice you give or any decisions you make must not lead to personal gain ahead of public interest.

If you have delegation to make decisions on behalf of Transport, the decisions must be able to withstand external scrutiny. This includes holding and maintaining adequate records of decisions and actions, including the reasons for those decisions.

Any information or advice you give or any decisions you make must not lead to personal gain ahead of public interest.

6. Conflicts of interest

An actual, potential or perceived conflict of interest exists when you could be influenced by a personal interest in the course of your official duties. Conflicts of interest that affect impartial decision making may constitute corrupt conduct.

A conflict or potential conflict could arise through a range of personal interests or connections including family, friends and associates, or as a result of financial, employment and/or community or political interests or activities. While these associations would not normally be required to be declared, you may be the only person aware of any actual, potential or perceived conflict and are, therefore, responsible for identifying, disclosing or managing such conflicts in a transparent manner.

When considering whether or not there is a conflict, it is important to consider your role, the nature of your work and how others would view the situation.

Where a conflict of interest may compromise your ability to perform your role in an impartial manner, the matter must be declared in accordance with the Transport Conflicts of Interest Policy – Personal Interests, Secondary Employment; Gifts and Benefits and agency procedures. You must also:

- identify methods for managing the conflicts with your manager;
- disclose the conflict and arrange for it to be registered on your agency's Conflicts of Interest Register; and
- monitor the conflict and comply with the methods implemented to manage it.

Special arrangements apply to staff members who are contesting state or federal elections.

In addition to the above all Senior Service staff members (including staff acting in Senior Service roles) are required to make an annual written declaration of private financial, business, personal and other interests or relationships that have the potential to influence, or could be perceived to influence, decisions made or advice given by the staff member.

Specific areas of potential conflict of interest are detailed in the following sections of this Code of Conduct:

- gifts and benefits; and
- secondary employment.

You must not misuse your position or business information to which you have access to secure future employment advantages within and outside your agency, or to benefit any other person or organisation, including former staff.

You must be extremely careful when dealing with former staff, and make sure you do not give them favourable treatment or access to corporate information. You must report any attempt by a former staff member to influence you. Failure to disclose a conflict of interest may lead to disciplinary action and may also constitute corrupt conduct as defined in the Independent Commission Against Corruption Act 1988 (NSW).

When considering whether or not there is a conflict, it is important to consider your role, the nature of your work and how others would view the situation.

7. Gifts and benefits

Gifts or benefits that pass between colleagues or come from external organisations may be perceived as being used to create favourable impressions and gain preferential treatment. You must not ask for gifts, benefits or hospitality for yourself or anyone else in connection with your employment at a transport agency.

The acceptance of certain gifts and benefits has the potential to compromise current and future impartial decision making. Refer to the Transport Conflicts of Interest Policy – Personal Interests, Secondary Employment and Gifts and Benefits, and relevant agency procedures for specific information on accepting gifts and benefits.

The acceptance of certain gifts and benefits has the potential to compromise current and future impartial decision making.

Significant personal loans (regardless of whether interest is applied or not) exchanged between staff and/or potential or actual providers of services to a transport agency may be considered a gift or benefit, and may result in an actual, potential or perceived conflict of interest.

Certain gifts, benefits and hospitality must be refused. In particular, you must refuse gifts, benefits and hospitality that:

- are of cash value, including gift vouchers, shares and other monetary equivalents;
- might influence or be seen to influence or are given with the aim of influencing you at work;
- are for family members that arise in connection with your official duties, or which could be perceived to be connected with your official duties by a reasonable observer;
- might influence or have the potential to influence recruitment or procurement decisions;
- are inappropriate because of a staff member's position, role or activities;
- extend beyond reasonable courtesy (hospitality); and/or
- are bonuses for agency purchases that will benefit the receiver personally.

If you are offered two or more gifts of appreciation or gratitude within a 12-month period, regardless of the value of the gifts or whether or not they were provided from the one company or individual source, and regardless of whether any have been accepted or declined, they will be regarded as a cumulative gift that will need to be declared in writing.

If you are directly involved in procurement (for example, as a member of a procurement team or Tender Evaluation Panel, or engaged in low-end purchasing), you are prohibited from accepting any gift or benefit from a supplier or potential supplier of goods or services to any transport agency or yourself.

You must report attempts of bribery, and the offer and acceptance of certain gifts and benefits in accordance with the Transport Conflicts of Interest Policy – Personal Interests, Secondary Employment, Gifts and Benefits. You are also responsible for ensuring relevant gifts and benefits, including those that are declined, are declared in accordance with your agency procedures so they can be recorded on the agency's Gifts and Benefits Register.

8. Secondary employment

When considering secondary employment, you must assess whether it may adversely affect the performance of your transport agency duties and responsibilities, or give rise to a conflict of interest. This applies regardless of whether you are working full time, part time or on a temporary basis. Staff involvement in unpaid Union activities or Union activities for which an honorarium is paid is not considered secondary employment.

You must obtain written approval from a delegated officer within your agency before engaging in any form of secondary employment outside of your transport role. This applies to new staff members who, upon joining a transport agency, have outside employment they wish to continue.

If approval is obtained, you must ensure that:

- the secondary employment is performed wholly on your own time;
- you present for work fit for duty and your secondary employment must not result in a breach of any relevant regulatory, agency or safe working requirements with regard to work times and rest periods;
- there is no actual or perceived conflict of interest between your duties with the transport agency and your secondary employment;
- there is no adverse impact on the performance of duties with your agency;
- the secondary employment does not involve the use of Transport agencies intellectual property, confidential information or resources. This excludes emergency services work;
- transport equipment is not used in your work for another employer or for your own business. This does not include reasonable use of equipment for Union delegates for appropriate industrial activity;
- your transport agency contact details (such as telephone number and email address) are not provided as a contact point for private business or practice; and
- you promptly notify your manager if there is a change or proposed change in the circumstances of approved secondary employment.

You must obtain written approval from a delegated officer within your agency before engaging in any form of secondary employment outside of your transport role.

9. Workplace health and safety

We prioritise safety, and are committed to providing a safe workplace and safe culture for our staff, customers, suppliers and visitors in accordance with the Work Health and Safety Act 2011 (NSW), Rail Safety (Adoption of National Law) Act 2012 (NSW), Rail Safety National Law (NSW), Passenger Transport Act 1990 (NSW) and the Marine Safety Act 1998 (NSW). You must be familiar with and, as far as reasonably able, adhere to your agency's safety policies, procedures and guidelines which provide additional information on your obligations under relevant legislation.

You should consider safety in everything you do. We all play a part in making sure that, as far as reasonably practicable, our work environment is safe and free from hazards. This includes ensuring our customers experience safe, clean and reliable passenger services, working safely and preventing circumstances that may endanger our colleagues.

Without limiting the application of relevant health and safety legislation, your agency must ensure, so far as is reasonably practicable, your health and safety and that the health and safety of other persons is not put at risk from the agency's work.

As a staff member, you are required to:

- take reasonable care of your own health and safety;
- take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons;
- comply, so far as you are reasonably able, with any reasonable safety instruction; and
- co-operate with any reasonable agency policy or procedure relating to health or safety at the workplace that has been notified to you.

10. Drugs and alcohol

You are responsible for complying with your agency's drug and alcohol policy and/or relevant legislation. This includes prescribed, over-the-counter and alternative medication which may negatively affect your ability to perform your duties, or pose a risk to your safety or that of others.

Returning a positive drug or alcohol test, or tampering with or refusing a test, may be an offence or contravene agency policies/ procedures and may result in disciplinary action.

You should inform your manager where you have reason to suspect anyone working for a transport agency may be abusing or under the influence of drugs or alcohol.

You are encouraged to disclose if you have a drug or alcohol dependency, so appropriate action can be taken to provide relevant support and maintain a safe workplace.

Refer to your agency's drug and alcohol policy for disclosure advice.

No alcohol or prohibited drugs are permitted to be consumed on agency premises at any time.

You may only store alcohol in the workplace or sell alcohol to customers when required to do so as part of your official duties. For instance, NSW Trains staff members may be expected to sell alcohol as part of their duties.

No alcohol or prohibited drugs are permitted to be consumed on agency premises at any time.

11. Smoke-free workplace

Smoking is not permitted in any transport agency workplace.

You must not smoke:

- in an enclosed public place, which includes professional, trade, commercial and other business premises, trains, buses, trams, aeroplanes, taxis and hire cars, ferries and other vessels;
- within 4 metres of the pedestrian entrance or exit of any public building, building lobbies, offices, stairwells, elevators, toilets, meal rooms, lounge areas, training rooms or meeting rooms;
- in any area of a train station, including the platform, workshops, and covered areas of maintenance depots and sites;
- in any area pertaining to vessel operation, including wharves and dry docks;
- in bus depot workshops, or public transport stops or stations; or
- in any area of any transport vehicle, including buses, trains, vessels, cars and other road vehicles.

Smoking is not permitted in any transport agency workplace.

12. Bullying, harassment, discrimination and inappropriate workplace conduct

We have zero tolerance for bullying, harassment, discrimination and inappropriate workplace conduct. You must treat all colleagues, customers and members of the public fairly, with dignity and respect. The manner in which such behaviour will be managed are set out in the Transport Prevention and Management of Bullying and Harassment Policy, Discrimination Free Workplace Policy and relevant agency procedures.

13. Child protection in the workplace

We all have a responsibility to act appropriately when dealing with children. Under the Ombudsman Act 1974 (NSW), a child is defined as a person under the age of 18, and so may include a customer or colleague. Appropriate conduct includes, but is not limited to:

- reasonable conduct for the purpose of management of a child; and
- using appropriate language to attract a child's attention for safety purposes.

You must report incidents or allegations of inappropriate conduct towards a child to your manager. All reports will be treated seriously and may be investigated and/or reported to the NSW Ombudsman within 30 days of the agency being notified of the allegations. Reportable conduct may include, but is not limited to:

- assault, ill-treatment or neglect of a child;
- behaviour that causes psychological harm to a child; and/or
- any sexual offence or sexual misconduct committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material).

You must report incidents or allegations of inappropriate conduct towards a child to your manager.

14. Criminal conduct

If you are charged or convicted with any offence which may impact on your ability to undertake part or all of the inherent requirements of your role, you must immediately notify your manager.

If you are charged or convicted with a serious criminal offence, whether or not it is related to work, you must immediately notify your manager. You may be suspended from duty pending the outcome of disciplinary or legal proceedings. A serious criminal offence means an offence committed in New South Wales that is punishable by imprisonment for six months or more or an offence committed elsewhere that, if it had been committed in New South Wales, would be an offence so punishable.

If there is sound evidence that you have committed a criminal offence at work or related to work, Transport may take disciplinary action against you as well as notifying the police or other relevant external authority.

If you are charged or convicted with a serious criminal offence, whether or not it is related to work, you must immediately notify your manager.

15. Corrupt conduct and public interest disclosures

Our customers expect us to perform our duties honestly and in the public interest. Corrupt behaviour that involves maladministration, and serious and substantial waste of public money will not be tolerated.

If you have reasonable grounds to suspect any unethical behaviour, dishonest or corrupt conduct, you must report it. A manager who receives a report that might qualify as a protected disclosure must advise and encourage the reporter to make a report directly to one of the delegated contacts, so that the reporter may be protected under the Public Interest Disclosures Act 1994 (PID Act).

The PID Act provides protections for staff making protected disclosures, including in relation to detrimental action and confidentiality. Detrimental action means action causing, comprising or involving any of the following:

a. injury, damage or loss;

b. intimidation or harassment;

c. discrimination, disadvantage or adverse treatment in relation to employment;

d. dismissal from, or prejudice in, employment; and/or

e. disciplinary proceeding.

Under the PID Act, the identity of a person who has made a public interest disclosure is not to be disclosed unless:

- the person consents in writing or has voluntarily identified themselves;
- it is essential, having regard to the principles of natural justice; or
- disclosure of information identifying the person is necessary to investigate the matter effectively or it is otherwise in the public interest to do so.

Corrupt conduct, as defined in the Independent Commission Against Corruption Act 1988, is deliberate or intentional wrongdoing, not negligence or a mistake. It has to involve or affect a NSW public official or public sector organisation. It is illegal and may have serious consequences such as dismissal and/or imprisonment. Corrupt conduct in the course of your employment may include, but is not limited to:

- offering or accepting bribes, commissions or unauthorised payments;
- blackmail;
- criminal activity including, but not limited to, fraud or theft, comprising the abusive or fraudulent use of official material, finances or information;
- the dishonest use of your role for personal gain or the advantage of others; or where a member of the public influences, or tries to influence, you to use your role in a way that is dishonest, biased or breaches public trust;
- acting dishonestly or unfairly, or breaching public trust; and/or
- unauthorised disclosure of corporate information or material.

You must report if you know about or have reasonable grounds to suspect any unethical, dishonest or corrupt conduct.

Maladministration is defined in the Independent Commission Against Corruption Act 1988 as conduct that involves action or inaction of a serious nature that is:

- contrary to law;
- unreasonable, unjust, or oppressive or improperly discriminatory; or
- based wholly or partly on improper motives.

Reports of misconduct related to corruption, maladministration, serious and substantial waste and breaches of the Government Information (Public Access) Act 2009 (GIPA Act) (NSW) may be considered 'Public Interest Disclosures' under the PID Act. You can make such reports in accordance with the relevant agency policies and procedures regarding public interest disclosures.

For a report to be considered a protected disclosure, it must meet all requirements under the PID Act. These include that:

- the person making the disclosure must be a public official; and
- the person making the disclosure honestly believes on reasonable grounds that the information shows or tends to show wrongdoing.

16. Protecting confidential information and privacy

You may handle or use confidential information in the course of your duties. Confidential information, in any form, must not be disclosed to any party without official approval, or as otherwise permitted by legislation or court order.

Protecting our information appropriately is good security practice and provides confidence in transport agencies.

Unauthorised disclosure may cause harm to individuals or give an individual or organisation an improper advantage. The integrity and credibility of Transport may also be damaged if the organisation appears unable to keep information secure.

Transport is committed to protecting personal and health information in line with the Privacy and Personal Information Protection Act 1998 (NSW) and the Health Records and Information Privacy Act 2002 (NSW). Staff who have access to personal information, including medical or disciplinary information, must only discuss such information with other staff who have a specified need to know or who are appropriately authorised to have access to that information.

Confidential information must be kept secure, and care must be used when taking it out of the workplace. You are responsible for any loss of confidential information from your possession, which includes leaving information unattended in public places or inadvertently sending official information to an incorrect recipient. Confidential information must not be read openly or discussed in public areas.

Managers must ensure their personnel, and any contractors, temporary staff or secondees working with them, are aware of their information security responsibilities and any associated procedures, guidelines and standards.

If you are unsure whether disclosure of information is authorised, seek advice from your manager.

Under the State Records Act 1998 (NSW), you are required to make and keep full and accurate records in respect of your official actions. You must do so in accordance with your agency's records management policy and procedures.

To promote open, accountable, fair and effective government, the GIPA Act gives members of the public a right to access government information. This right is restricted only when there is an overriding public interest against disclosing the particular information. Any record you create – including emails, working notebooks, draft documents and database entries – has the potential to be released to the wider public.

Being transparent, open, honest and accountable for decisions increases public confidence in the decision-making process of transport agencies and encourages greater trust. Transport is committed to ensuring customers have appropriate access to information in line with the objectives of the GIPA Act.

Confidential information must be kept secure, and care must be used when taking it out of the workplace.

17. Public comment

You have the right to make public comment and enter into public debate on political and social issues. Public comment includes, but is not limited to; public speaking engagements; comments on radio and television or in letters to newspapers; profiles or activities on social media (including posting, blogging, tweeting, uploading photographs, commenting, sharing, liking and re-tweeting); and/or expressing views in books and journals, and on notices, internet sites or any other medium where it is expected that the comments will spread to the community at large.

Whilst you have a right to make public comment, if doing so in a capacity that has not been authorised you must state that the opinions are your own and that you are making comment as an individual citizen or as a representative of another organisation. You should also do so without transport agency insignia, including on clothing.

You must not make any comment on behalf of Transport unless authorised to do so by a delegated officer. All media inquiries must be referred to the agency's media unit. Making public comment or releasing information must only occur in accordance with agency policies and procedures.

Whilst making public comment, you must not disclose issues of a confidential nature except for lawful or public interest purposes. You may disclose official information that would normally be publicly available, but should only disclose other official information or documents:

- where proper authority has been given;
- when required or authorised to do so by law; and
- when called to give evidence in court.

In these cases, comments made must be confined to factual information. Opinions on transport agencies and government policies or decisions must be avoided unless required by law.

You must not make any comment on behalf of Transport unless authorised to do so by a delegated officer.

18. NSW Government Lobbyist Code of Conduct

As staff members of a transport agency, you are considered 'government representatives' in the NSW Government Lobbyist Code of Conduct, and must adhere to the Code at all times. Transport will only engage with professional lobbyists if they are listed on the NSW Department of Premier and Cabinet (DPC) Register of Lobbyists.

A lobbyist is a person, body corporate, unincorporated association, partnership or firm whose business includes being contracted or engaged to represent the interests of a third party to a government representative. A lobbyist is not:

- an association or organisation constituted to represent the interests of its members;
- a religious or charitable organisation; or
- an entity or person whose business is a recognised technical or professional occupation which, as part of the services provided to third parties in the course of that occupation, represents the views of the third party who has engaged them.

If you are approached by a lobbyist, you are not permitted to engage with them in relation to official business unless they are on the DPC Register of Lobbyists and you have the delegated authority to do so. If you are satisfied that the lobbyist is registered and elect to meet with them, another transport representative must also be in attendance.

Staff involved in professional lobbying – that is, those contracted or engaged to represent the interests of a third party to a government representative – must abide by the NSW Government Lobbyist Code of Conduct available at

arp.nsw.gov.au/m2014-13-nsw-lobbyists-code-conduct

Transport will only engage with professional lobbyists if they are listed on the NSW Department of Premier and Cabinet (DPC) Register of Lobbyists.

19. Use of official resources

Official resources includes computers, laptops, telephones, mobile phones, faxes, photocopiers, email and the internet.

You are expected to be economical and considerate in the use and management of official resources. Minimal personal use of official resources, is permitted, provided the use does not interfere with the performance of your work and complies with relevant agency policies and procedures.

Reasonable access to and use of official resources by union delegates is permitted in accordance with relevant industrial instruments.

You are responsible and accountable for the security of any official property issued to you during the course of your duties.

You must take reasonable care of all equipment, including vehicles and vessels, so that they are safe and reliable for all staff members to use. Private use of fleet vehicles is not permitted except in an emergency, exceptional circumstances or when permitted in agency policy or industrial instruments. In such cases, you must notify your manager as soon as possible. Staff must be in a fit condition when driving fleet vehicles and have a current and appropriate class of licence. Fuel cards must only be used for the specific vehicle for which they are issued.

You are responsible and accountable for the security of any official property issued to you during the course of your duties.

20. Intellectual property

In the course of your duties, you may be authorised to use, or involved in the development of, transport agency intellectual property and confidential information. You must not use this for non-work related purposes including, but not limited to:

- private business activities; or
- in the course of secondary or subsequent employment.

This applies even if the relevant materials were originally created by you for a transport agency.

For further information please refer to the relevant transport agency's policy and/or procedure about intellectual property and confidential information.

Intellectual property (IP) rights include a range of legal rights that protect intellectual and creative output. The most common examples include:

- copyright;
- confidential information and trade secrets;
- trademarks, designs and circuit layout rights; and
- patents.

Intellectual property (IP) rights include a range of legal rights that protect intellectual and creative output.

Transport owns all intellectual property created by you in the course of your employment, including but not limited to any work:

- that is directly or indirectly related to your duties and responsibilities to Transport, regardless of whether or not that work is undertaken at a transport agency workplace or during normal working hours; and
- that involves you using any of the transport agency's information, resources or materials, regardless of whether or not that work is undertaken at a transport agency workplace or during normal working hours.

Intellectual property remains the property of the relevant transport agency unless there is an agreement in writing with an officer of agency with delegated authority to the contrary.

21. Breaches

You are required to read and understand, to the best of your ability, and undertake to abide by: the Transport Code of Conduct; the Code of Ethics and Conduct for NSW government sector employees; and agency policies and procedures.

You should report any concerns about a breach of this Code of Conduct or the Code of Ethics and Conduct for NSW government sector employees, that you believe to be genuine to your manager. If you are not comfortable reporting the breach to your manager, you should refer the matter to a more senior staff member. Such reports will be treated seriously and managed under the principles of procedural fairness and in accordance with agency policies and procedures.

Transport is committed to protecting any person who raises concerns about a breach of the Code of Conduct or the Code of Ethics and Conduct for NSW government sector employees from victimisation or retaliation. Any attempt to take detrimental action against a person who raises a legitimate concern will be treated seriously and may be considered to be a breach of this Code of Conduct.

If you are found to be in breach of this Code of Conduct or the Code of Ethics and Conduct for NSW government sector employees, you may be subject to disciplinary action, up to and including termination of your employment or contract in accordance with agency policies and procedures.

Breaches of the law may also lead to prosecution.

Breaches of the law may also lead to prosecution.

22. Assistance

It is important that you understand and comply with the content of this Code of Conduct. For assistance, contact the relevant authority listed in the table below.

Internal contacts		
General enquiries	HR Advisory	TfNSWHR@transport.nsw.gov.au or 1800 618 445
Confidential counselling	Employee Assistance Program	TfNSW and RMS: 1300 360 364 Sydney Trains/NSW Trains: 1300 364 213 STA: 1800 337 068
Audit and risk or corruption prevention	TfNSW	Confidential Misconduct Reporting hotline: report.misconduct@transport.nsw.gov.au or 1800 302 750
	Sydney Trains, NSW Trains	Corruption Prevention Line CorruptionPrevention@transport.nsw.gov.au or 1800 629 826 Corruption and Misconduct Reporting Line (1800 814 813)
	RMS	Ethics hotline: 1800 043 642
	STA	corruptionprevention@sta.nsw.gov.au
Workplace health and safety	TfNSW	safety@transport.nsw.gov.au
	RMS	Ensafe helpdesk: 1300 131 469
	STA	safety@sta.nsw.gov.au
	Sydney Trains, NSW Trains	Safety Incident Hotline: 1800 772 779 Security Control Centre: 02 9379 4444
External contacts		
For matters of corruption involving NSW public officials	Independent Commission Against Corruption	1800 436 909
For matters relating to maladministration	NSW Ombudsman	02 9286 1000 for the Sydney metropolitan area or 1800 451 524 for regional NSW
For serious and substantial waste	Audit Office of NSW	mail@audit.nsw.gov.au or 02 9275 7100

transport.nsw.gov.au

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