

**FOLLOW UP OF THE AUDITOR-GENERAL'S
PERFORMANCE AUDITS SEPTEMBER 2012 -
MARCH 2013**

Organisation: Safety, Return to Work and Support
Name: Ms Julie Newman
Position: Chief Executive Officer
Date Received: 27/03/2014



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27 March 2014
Our Ref: WC00515/14

Mr Jonathan O'Dea MP
Chair
Legislative Assembly
Public Accounts Committee
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000



Dear Chair

Thank you for your correspondence requesting a response from WorkCover to the Auditor-General's Performance Audit Report on *Managing Gifts and Benefits*.

The report made three recommendations relevant to Safety, Return to Work and Support (SRWS), of which WorkCover is an agency. I confirm that all have been agreed to and adopted across SRWS, including the implementation of an improved Gifts, Bribes and Benefits Policy and Register, and a communication and training strategy to ensure staff and external stakeholders are aware of the Policy and their obligations. Further information on the actions taken is attached for your information.

In relation to the effectiveness of the audit process, I can confirm it was conducted in partnership with the business, allowing all parties to gain a full understanding of the issues identified and work together in a pragmatic way to develop solutions.

Should the Committee require further information, the Chief Human Resources Officer for SRWS, Mr Greg Barnier, can be contacted on [REDACTED] or by email to [REDACTED].

Yours sincerely

[REDACTED]

Julie Newman PSM
Chief Executive Officer
Safety, Return to Work and Support

Encl.

Auditor-General's Performance Audit Report on *Managing Gifts and Benefits*

Implementation of Recommendations across Safety, Return to Work and Support, including WorkCover

Recommendation	Accepted or Rejected	Actions to be taken	Due date	Status	Responsibility
1. WorkCover improve its gifts and benefits guidelines	Accepted	a) requiring gifts suspected of being for influence to be declined b) requiring all gifts offered to public officers who exercise discretionary authority in relation to the gift-offerer/gift-giver be declined c) setting a nominal gift value (as a guide for what value gift or benefit may be acceptable) d) requiring gifts to family members to be declined e) providing guidance on the disposal of gifts deemed to be unacceptable		Completed <ul style="list-style-type: none"> Imbedded in Safety Return to Work and Support (SRWS) Gifts, Bribes and Benefits Policy, released in December 2013. Staff employed by WorkCover covered in all SRWS policies and procedures. 	SRWS People and Culture Group
2. WorkCover improve the way it communicates its gifts and benefits policy	Accepted	a) ensuring all staff receive regular formal training in the code of conduct and gifts and benefits b) reviewing and resending its statement of business ethics to all active vendors on its vendor database		Completed <ul style="list-style-type: none"> Code of Conduct online mandatory training to all SRWS employees between May and July 2014. Includes content on gifts and benefits. Training mandatory for all new employees. Refresher training for current employees every two years. Quarterly Intranet announcements to all staff reminding them of their responsibilities. Program currently being reviewed and updated. Completed <ul style="list-style-type: none"> Section on Gifts and Benefits refreshed in April 2013, sent to all vendors and published on the Intranet. Document sent with every request for quote or tender. New vendors must agree to conditions in statement before being added to the vendor database. 	SRWS People and Culture Group
					Budget and Financial Service Procurement Team

Recommendation	Accepted or Rejected	Actions to be taken	Due date	Status	Responsibility
		c) clarifying the consequences of breaching the code, which may include suspension, loss of employment, loss of entitlements and even prosecution. Examples from recent Independent Commission Against Corruption inquiries may be useful.		Completed <ul style="list-style-type: none"> Policy reflects list of consequences which may apply if policy is not complied with. 	SRWS People and Culture Group
3. WorkCover improve its gifts and benefits register	Accepted	a) ensuring it identifies the decision-maker regarding the treatment of each gift or benefit		Completed <ul style="list-style-type: none"> Required information imbedded in the SRWS Gift and/or Benefit Declaration (provided at Attachment B) and Register (details provided at Attachment C). 	SRWS People and Culture Group
		b) ensuring it records the relationship of the gift-giver to the recipient, the reason the gift has been offered and the disclosure of any conflict of interest			
		c) providing additional guidance on the information required to adequately record a gift or benefit			
		d) conducting reviews to gauge compliance with the policy and procedures, including assessing whether all staff and stakeholders are aware of the policy and all relevant gifts and benefits are being reported.			
				Completed <ul style="list-style-type: none"> All employees to complete mandatory training. Policy updated and communicated to all employees through the SRWS Intranet. Baseline data collected in January 2014 on employees who declined or accepted gifts in 2013. Analysis to be completed annually to determine if ratio of those accepting gifts declines. Trend analysis and recommended action for areas where reporting low conducted in March 2014. Analysis to be completed quarterly with results informing the content of quarterly reminders. 	SRWS People and Culture Group

SRWS Gift and/or Benefit Declaration

EMPLOYEE DETAILS

SURNAME:		FIRST NAME:	
WORK UNIT:		LOCATION:	

DETAILS OF GIFT OR BENEFIT OFFERED OR RECEIVED

DESCRIPTION OF GIFT/S:	
ESTIMATED RETAIL VALUE\$	

RECEIVED FROM

NAME:		ORGANISATION:	
DATE GIFT/BENEFIT OFFERED OR RECEIVED:		WAS GIFT / BENEFIT ACCEPTED OR DECLINED?	
/ /			
IF ACCEPTED, REASON/S WHY?		WHERE IS THE GIFT/BENEFIT NOW?	
RELATIONSHIP WITH THE GIFT GIVER?		REASON FOR THE GIFT?	
ANY ADDITIONAL INFORMATION:			

SIGNATURE: _____ DATE: ____ / ____ / ____

- ☐ By signing this form I declare that this gift and/or benefit declaration will not create any real or perceived conflict or interest;

OR

- ☐ I declare that there may be a conflict of interest situation and I have discussed this with my people leader and we propose that this be managed as follows (attach submission).

PEOPLE LEADER NOTIFICATION / RECOMMENDATION

NAME:	POSITION:
RECOMMENDED ACTION:	

SIGNATURE: _____ DATE: ____ / ____ / ____

PEOPLE & CULTURE DETERMINATION / ACTION:

REGISTER UPDATED:	DETERMINATION/ACTION OF GIFT AND BENEFIT:
____ / ____ / ____	
EMPLOYEE ADVISED OF DETERMINATION (where appropriate):	

Safety Return to Work and Support Gifts and Benefits Register

Information recorded in the Register includes:

- Surname
- First Name
- Work Unit
- Division
- Work Location
- Description of Gift
- Received From
- Relationship with Gift Giver
- Reason for gift
- Date Offered / Received
- Estimated Value \$
- Comments including destination of gift
- Decision maker
- Date Entered
- Date of Decision/Processed
- Data count for Stats
- Accepted/Declined
- Determined Action