

1. ICAC engagement of consultants and template clause about conflicts of interest etc

The Commission's Statement of Business Ethics provides that suppliers (including consultants) must:

- disclose conflicts of interest and potential conflicts of interest in relation to Commission dealings in writing to the Solicitor to the Commission
- err on the side of caution in declaring and resolving conflicts of interest. Any conflict of interest must be resolved in favour of the Commission and the public interest
- comply with Commission requirements regarding the management or resolution of conflicts of interest.
- avoid intentionally placing Commission staff in a conflict of interest situation.

Additionally, regarding information that is available or obtained in connection with Commission dealings suppliers must:

- treat information as confidential unless advised otherwise
- take appropriate measures to protect information and never release information without express permission
- comply with relevant legislation governing the handling or treatment of information
- only access information if it is needed to complete their activities for, or on behalf of, the Commission
- not use information for private or any other non-Commission purposes
- not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for themselves, or any other entity, from the information to which they have access by virtue of their work with the Commission.

The Statement of Business Ethics also provides that the Commission expects that suppliers will have assurance frameworks in place to ensure that their business activities meet its requirements. Suppliers may be contractually required to perform periodic assessments and audits to ensure compliance with the Statement of Business Ethics. The Commission also reserves the right to verify compliance with the Statement of Business Ethics by audit, investigation or other means.

Additionally, the Statement of Business Ethics requires suppliers to report unacceptable conduct to the Solicitor to the Commission and cooperate fully in the investigation of any suspected or reported occurrences of unacceptable conduct. Suppliers must also not disadvantage their staff who report unacceptable conduct that they suspect on reasonable grounds, and protect them from being disadvantaged because of making a report.

The Commission also has procedures in place dealing with conflicts of interest and other ethical issues experienced by consultants. For example, where a supplier (or subcontractor) is required to provide services on site or have access to confidential information and/or Commission systems, individual and/or company specific security clearances and declarations of conflicts of interest are obtained where appropriate prior to the issue of any purchase order number.

Prior to being employed or engaged by the Commission, suppliers who work on site or have access to confidential information must also undergo a rigorous security clearance process. The Commission adopts a vetting process involving a regime of background checks (including criminal

record checks) and analysis to make suitability assessments. The vetting process is an important element of the risk management strategy to support the integrity and confidentiality of Commission operations and activities. Vetting procedures consider various risk factors including whether a supplier has a known or potential conflict of interest.

Contractors who work in the capacity of a Commission officer must also complete the Commission's induction process which involves training in the code of conduct and conflicts of interest. All Commission officers are also required, pursuant to the ICAC Regulation 2017, to maintain a register of relevant personal information, interests and associations.

2. Explanation for increase in contractor expenditure in ICAC annual report

The increased contractor costs were largely associated with cyber security contractors engaged as Chief Information Security Officer and Security Analyst.

The roles were required to develop a programme of work to meet the NSW Government mandate to be compliant with the Cyber Security NSW Security Policy. This work led directly to the Commission gaining Digital Restart Funding (DRF) for the ongoing support of this work in subsequent years.

The work included:

- Establishment of the programme of work
- Engagement of third-party consultants to implement security controls to meet required compliance.
- Redevelopment of the Commission security policies
- Development of cyber security awareness training
- Development and subsequent approval of DRF business case for Cyber Security uplift.

3. Statistics for response to question on notice regarding conflicts of interest training

Workshops

In the period from 1 July 2018 to 31 July 2023 we did not deliver any workshops **solely** on the topic of conflicts of interest. However, we did include conflicts of interest as a topic in the vast majority of workshops we delivered. The table below sets out the total number of workshops we have conducted over the past five years and the proportion of these workshops where conflicts of interest were covered.

Total workshops	Workshops incl COI topic *	No of agencies #
548	496 (91%)	101

* This the number of workshops delivered that include conflicts of interest as a specific topic or where conflicts of interest are usually discussed. The number is approximate as it does not include an analysis of the agencies represented by individual public officials who attended workshops in our Open Workshops Calendar or Rural and Regional Outreach programs. It only represents agencies that requested an in-house workshop. Note also that some agencies may have been counted twice due to agency name changes over time.

Includes any organisation within ICAC's jurisdiction (government departments, councils, SOCs, universities, etc) where conflicts of interest was a topic in the training provided.

Presentations

In the period from 1 July 2018 to 31 July 2023 a variety of presentations were delivered on a wide range of corruption related topics. The table below sets out the total number of presentations. A relatively small number of presentations reference conflicts of interest in the title but, based on the other topics mentioned, the actual number of presentations that included conflicts of interest is likely to be much larger.

Total presentations	Presentations incl COI in title	Estimated total of presentations likely to include COIs	No of agencies ^
407	28	215 (53%)	86

^ Includes any organisation within ICAC's jurisdiction (government departments, councils, SOCs, universities, etc) where conflicts of interest were addressed in the presentation. Excludes presentations conducted for non-NSW public authorities

Serviced NSW Public Authorities

Following is a list of NSW public authorities to have received one or more ICAC workshops or presentations. Please note that this list is an approximation as we have not conducted an analysis of the agencies represented by people who attend workshops in our Open Workshops Calendar or Rural and Regional Outreach programs and some agencies may be duplicated due to agency name changes over time. The list excludes non-NSW public authorities.

Aboriginal Housing Office	Department of Family and Community Services
Administrative Appeals Tribunal	
Audit Office of NSW	Department of Finance, Services and Innovation
Ballina Shire Council	Department of Justice
Bayside Council Audit and Risk Committee	DEPARTMENT OF PARLIAMENTARY SERVICES
Bega Valley Shire Council	Department of Planning and Environment
Blacktown City Council	Department of Planning, Industry and Environment
Blue Mountains City Council	
Byron Shire Council	Department of Premier and Cabinet
Cabonne Council	Department of Regional NSW
Camden Council	Dubbo Regional Council
Central Coast Council	Dust Diseases Board
Cessnock City Council	Education Standards Authority
Chatswood High School	Environment Protection Authority
City of Canada Bay	Fairfield City Council
City of Newcastle	Far West Local Health District
City of Parramatta	Federation Council
City of Sydney	Fire and Rescue NSW
City of Wagga Wagga	Georges River Council
Civic Risk Mutual	Greater Sydney Commission
Clinical Excellence Commission and Agency for Clinical Innovation	Griffith City Council
Community of Procurement Professionals - NSW Procurement	Gunnedah Shire Council
Corrective Services	Gwydir Shire Council
Corrective Services Industries	Health Care Complaints Commission
Corrective Services NSW	Health Infrastructure
Department of Communities and Justice	Healthshare NSW
Department of Customer Service	Hilltops Council
Department of Education	Hornsby Shire Council
Department of Enterprise, Investment and Trade	iCare
	Information and Privacy Commission NSW
	Inner West Council

Investment NSW
IPAA
Kempsey Shire Council
Kiama Council
Lake Macquarie City
Land and Housing Corporation
Landcom
Lane Cove Council
Law Enforcement Conduct Commission
Legal Aid NSW
Liverpool City Council
Local Government Internal Audit Network (LGIAN)
Local Government NSW
Local Government Procurement
Local Government Professionals
Macquarie University
Midcoast Council
Mid-Western Regional Council
Ministry of Health
Mosman Council
Multicultural NSW
Murray River Council
Murrumbidgee Council
Museum of Applied Arts and Science (MAAS)
Narrabri Shire Council
Natural Resources Access Regulator
Northern Beaches Council
Northern Rivers Regional Councils
Northern Settlement Services Ltd.
Northern Sydney Local Health District
NSW Aboriginal Languages Trust
NSW Ambulance
NSW Community of Finance Professionals
NSW Crime Commission
NSW Department of Industry - Lands & Water Division
NSW Department of Industry - Lands and Water (Crown Lands)
NSW Department of Justice
NSW Department of Primary Industries
NSW Health
NSW Health Pathology
NSW Independent Planning Commission
NSW Land and Housing Corporation
NSW National Parks and Wildlife Service on behalf of Mutawintji Board of Management
NSW Ombudsman
NSW Parliament
NSW Police
NSW Procurement
NSW Reconstruction Authority
NSW Resources Regulator
NSW Telco Authority
NSW Treasury
NSW Trustee and Guardian
NSWALC
Office of Energy and Climate Change
Office of Sport
Office of Strategic Lands
Office of the Building Commissioner
Office of the Hon Andrew Constance MP

Office of the Independent Planning Commission
Orange City Council
Penrith City Council
Port Macquarie-Hastings Council
Ports Authority of NSW
Public Service Commission
Queanbeyan-Palerang Regional Council
Randwick City Council
Resilience NSW
Revenue NSW
Richmond Valley Council
Riverina Water County Council
Roads and Maritime Services
Rous County Council - Local Government Finance Professionals
RSM
Rural Fire Service
SafeWork NSW
School Infrastructure
Service NSW, Dept of Customer service
Shoalhaven City Council
Snowy Valleys Council
South Western Sydney Local Health District
Southern Metropolitan Cemeteries Trust
Southern Sydney ROC
Strathfield Council
Sutherland Shire Council
Sydney Children's Hospitals Network
Sydney Metro
Sydney Trains
TAFE

Taronga Zoo
The New South Wales Aboriginal Land Council
The University of Newcastle
Transport for NSW
Tweed Shire Council
University of New South Wales
University of Newcastle
University of Technology, Sydney
University of Wollongong
Upper Lachlan Shire Council
Uralla Shire Council
Venues NSW
Wagga Wagga City Council
Walcha Shire Council
Water Infrastructure NSW
Waverley Council
Western City and Aerotropolis Authority (in Treasury cluster).
Western Parkland City Authority
Wingecarribee Shire Council
Wollondilly Shire Council
Wollongong City Council
Yass Valley Council