



NOBLE SHORE

PROBITY SERVICES

We create cultures where people are treated
fairly and make good decisions

NOBLE SHORE

WWW.NOBLESHORE.COM.AU

TABLE OF CONTENTS

1.	WHAT IS A PROBITY ADVISOR?.....	4
2.	WHY WOULD YOU ENGAGE A PROBITY ADVISOR?	5
3.	WHEN SHOULD YOU ENGAGE A PROBITY ADVISER?	5
4.	WHAT DOES PROBITY MEAN?.....	5
5.	WHAT ARE THE CONTEXTS IN WHICH A PROBITY ADVISER CAN BE USED?	6
6.	WHAT ARE THE BENEFITS OF USING A PROBITY ADVISER?	6
7.	KEY PROBITY PRINCIPLES	7

Dear Valued Client,

At Noble Shore, our values are the cornerstone of our approach to our probity services. We respect each other and trust in our abilities, ensuring every case is handled with the highest integrity. Embracing innovation and having the courage to tackle challenging issues, we aim to create cultures where people are treated fairly and good decisions are made.

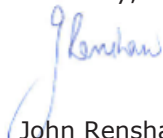
These values ensure that our commitment to probity is reflected in the highest standards of professionalism and ethics, fostering a fair and respectful workplace. We are dedicated to creating cultures where people are treated fairly and make good decisions. With extensive experience across government, private, and not-for-profit sectors, we are committed to building lasting relationships with our clients based on trust, collaboration, and integrity.

By choosing Noble Shore, you partner with a team dedicated to respect and integrity, providing personalised and effective services tailored to your needs. We understand the importance of maintaining ethical standards and are committed to supporting you in creating an environment where trust and fairness prevail, ensuring peace of mind and confidence in your organisational practices.

In this brochure, you will find information on why to engage a probity advisor and further details about our probity services.

Thank you for considering Noble Shore for your probity needs.

Sincerely,



John Renshaw

Director

Noble Shore Pty Ltd

Workplace Investigation Services

PROBITY SERVICES

1. WHAT IS A PROBITY ADVISOR?

The community is entitled to expect that when governments engage with markets on its behalf (e.g. to procure goods and services) they do so in a way that is transparent, fair, impartial and accountable. Further, that conflicts of interest are managed, sensitive information is protected and value for money outcomes are pursued. The same applies when governments make decisions about how to spend grant money on projects and programs to benefit the community.

As probity advisers, we help our clients ensure their procurement and grants processes are robust, transparent, fair and capable of external audit.

A probity compliant process is one where there is evidence demonstrating each stage has been undertaken ethically. Accordingly, our approach is to work with our clients at key milestones in a procurement or grant process to ensure decisions are documented and aligned with the principles of probity and are consistent with relevant legislation and government policies.

Procurement and grant administration processes are often fast evolving and unforeseen risks frequently crop up. One of the advantages of engaging a probity adviser is that they are there with you for the journey, helping to navigate these risks in real time.

At the same time, a probity adviser is an independent voice providing assurance to stakeholders that the process was robust, fair and impartial.

Quite apart from government procurement and grant processes, probity advisers can help government and non-government clients alike deal with specific probity risks that may arise in the course of their business activities – a conflict of interest risk, for example.



Noble Shore – Creating environments where people are treated fairly and enabling good decision-making

2. WHY WOULD YOU ENGAGE A PROBITY ADVISOR?

Probity advisers are not needed for each and every procurement or grant process. The circumstances where it may be appropriate to use a probity adviser are if:

- the integrity of the process (or part of it) may be questioned
- the process is extremely complex
- the project is politically sensitive, controversial or vulnerable to corrupt practices (for example, where there has been a long term incumbent contractor in place)
- there could be a perception of bias or favouritism
- there are substantial costs to prepare submissions
- there is substantial government funding involved.

In addition, if you feel that external and independent assurance will be needed to demonstrate to stakeholders that the process has been impartial and robust, engaging a probity adviser can be invaluable.

3. WHEN SHOULD YOU ENGAGE A PROBITY ADVISER?

Each engagement is different, but as a rule of thumb, the best results can be achieved through the engagement of a probity adviser early in the life of a project, whether that be a procurement or a grant program. The reason for this is that it enables us to ensure that the planning component is aligned with the policy objectives for the project or program and consistent with probity principles and relevant policies and legislation. At the very least a probity adviser should be on board prior to market engagement (eg a tender going to market) or a grant guideline being issued to prospective grant applicants.

Clients must bear in mind that a probity adviser can only provide assurance in the form of a probity report or certification in connection with the parts of the process they have observed and provided input to.

4. WHAT DOES PROBITY MEAN?

It is not enough for those involved in running a process to be ethical or behave ethically when carrying out a process, there needs to be evidence that they have acted ethically. They must be able to demonstrate that they have behaved ethically.

This is critical in a process where the protagonists are acting in trust, making decisions using government money – the community's resources.

There are certain obligations that come with making decisions with the community's resources – it is a position of trust; it is a role of trust when it comes to making decisions with the community's resources.

Resources must be spent in a way that is free from corruption and which value for money is sought.

Procurement and grant administration can be a minefield for agencies. This is particularly so for agencies or individuals that are not used to the process or do it only infrequently. There are so many moving parts. They can be complex.

A probity adviser can help an organisation or agency in two keys ways. We can help you along the way while the process is in train. Procurement and grant administration processes are often fast evolving processes where the landscape is changing, where circumstances are changing. Unforeseen risks arise and decisions need to be made about how to respond – to adapt a process, evaluate and mitigate risks to ensure the process remains compliant with relevant policies and procedures and aligned with the key principles that have been embraced by governments at all levels throughout Australia.

Invariably risks emerge that need to be mitigated in real time, whether they be conflicts of interest or confidentiality breaches or something else entirely. A probity adviser as an independent voice can help to guide, identify and manage risks as they arise.

One of the many advantages of this is that one is not waiting until the end to identify risks and shortcomings with the process. In such circumstances, the damage or the risk is unable to be rectified late in the process.

There is no clear rule of thumb for when to engage a probity adviser.

It is a principles-led process

It is important to understand that the process of the probity adviser is a principles-led process. What do we mean by that? It means that we examine processes from the perspective of principles.

It allows us to look at materiality.

What do we mean by that? Materiality means an evaluation of the extent to which it has an impact that is significant. The impact will affect the objectives or purpose of the program or project.

5. WHAT ARE THE CONTEXTS IN WHICH A PROBITY ADVISER CAN BE USED?

Broadly speaking, there are two:

- Procurement
- Grants administration

These are the most common. But probity advisers can also be of benefit in a range of different circumstances to ensure the integrity of a process. This includes but is not exclusive to circumstances where the public sector engages with the private sector. The divestment of land being an example.

Most of the work of probity is with government agencies. But that is not exclusively the case. Wherever there is a need for there to be assurance around a process.

6. WHAT ARE THE BENEFITS OF USING A PROBITY ADVISER?

Apart from when a probity adviser *should* be used – in other words where there are risks – there are many benefits about how it can improve the way you do things:

1. Enhancing Transparency and Trust

A probity advisor helps to establish and maintain transparency throughout procurement or decision-making processes. By ensuring all actions are visible and justifiable, they build trust among stakeholders, including suppliers, clients, and the public.

2. Mitigating Risks

Engaging a probity advisor helps to identify and mitigate risks related to conflicts of interest, fraud, and corruption. Their expertise in recognising potential issues ensures that risks are managed proactively.

3. Ensuring Compliance

Probity advisors ensure that all processes comply with relevant laws, regulations, and policies. This is crucial for organisations operating in regulated industries, as it helps avoid legal issues and penalties.

4. Improving Decision-Making

With a probity advisor's guidance, decision-makers can be more confident that their choices are fair, impartial, and based on merit. This leads to better outcomes and reduces the likelihood of disputes.

5. Protecting Reputation

Maintaining a high standard of probity protects an organisation's reputation. Demonstrating a commitment to ethical practices and integrity can enhance an organisation's image and stakeholder confidence.

PROBITY SERVICES

6. Cost Efficiency

By preventing probity-related issues, organisations can avoid costly legal battles and financial penalties. Additionally, transparent processes can lead to more competitive bidding and better value for money.

7. Expert Guidance

Probity advisors bring specialised knowledge and experience. Their expertise helps streamline complex processes and provides assurance that all probity requirements are met effectively.

8. Fostering Fair Competition

A probity advisor ensures that all parties are treated equally, fostering a level playing field. This encourages genuine competition, leading to better service and pricing options.

9. Supporting Ethical Culture

Having a probity advisor reinforces an organisation's commitment to ethical practices. This can influence the broader organisational culture, promoting integrity and ethical behavior at all levels.

10. Documentation and Reporting

Probity advisors provide thorough documentation and reporting, which is essential for auditing purposes. Their records offer a clear trail of compliance and decision-making processes.

By integrating a probity advisor into your processes, you ensure that your organisation operates with the highest standards of integrity, thus safeguarding your interests and enhancing your overall efficiency and credibility.

7. THE ROLE OF A PROBITY ADVISOR

Ensuring Compliance

Evaluate existing policies and procedures to ensure they align with probity standards.

Ensure compliance with relevant laws, regulations, and guidelines.

Risk Management

Identify potential risks related to conflicts of interest, fraud, and corruption.

Develop strategies to mitigate identified risks and ensure ethical conduct.

Oversight and Monitoring

Monitor procurement and decision-making processes to ensure they are conducted transparently and fairly.

Maintain comprehensive records of all activities and decisions to ensure accountability.

Advisory and Guidance

Offer expert advice on maintaining probity in various processes, including procurement, contracting, and project management.

Conduct training sessions to educate staff and stakeholders on probity principles and ethical behavior.

Conflict of Interest Management

Identify potential conflicts of interest and ensure they are disclosed and managed appropriately.

Provide an independent assessment to ensure impartiality and fairness in decision-making.

Audit and Reporting

Perform audits to verify that processes comply with probity standards.

Prepare reports outlining findings, recommendations, and compliance with probity principles.

8. KEY PROBITY PRINCIPLES

Probity principles are essential guidelines that ensure integrity, fairness, and transparency within organisations. Adhering to the following probity principles fosters trust and confidence among stakeholders, ensuring that decisions are made in the best interest of your organisation:



If you require a probity advisor, click here to book a [Free Consultation](#) and see if Noble Shore can help you.