

Fraud and Corruption Control - Governing Policy

1. Purpose of policy

1.1 The purpose of this policy is to give effect to the University's commitment to prevent and control fraud and corruption. The policy outlines the University's approach to managing fraud and corruption, the control framework and expectations regarding reporting and disclosure and monitoring and review.

1.2 The policy is based on the guidelines and principles of the *Financial Accountability Act 2009* (Qld), *Crime and Corruption Act 2001* (Qld) (CC Act), the Australian Standard: AS8001-2021 Fraud and Corruption Control (the Australian Standard) and the Queensland Crime and Corruption Commission's (CCC) Fraud and Corruption: Best Practice Guide.

2. Policy scope and application

2.1 The University is established under the *University of the Sunshine Coast Act 1998* (Qld); it is a statutory authority, and as such falls within the jurisdiction of the Queensland Crime and Corruption Commission (CCC) as a unit of public administration. Under the CC Act, any acts which could amount to Corrupt Conduct must be notified to the CCC by the Vice-Chancellor and President, as the University's Chief Executive Officer (or public official). The Vice-Chancellor and President has delegated this duty to the Director, People and Culture in accordance with the CC Act.

2.2 This policy applies to all staff, students and members of University decision-making or advisory bodies, including Council and its Committees.

3. Definitions

Please refer to the University's Glossary of Terms for policies and procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Fraud refers to dishonest activity causing actual or potential financial loss to any person or entity including theft of monies or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

Corruption is dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity. The concept of 'corruption' can also involve corrupt conduct by the entity or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly.

Corrupt conduct is defined as per section 15 of the *Crime and Corruption Act 2001* (Qld).

4. Policy Statement

4.1. The University recognises that fraud and corruption management is an integral part of good governance and management practice. This policy is consistent with the Staff Code of Conduct – Governing Policy, the Enterprise Risk Management – Governing Policy and relevant legislation and standards.

5. Principles

5.1 Approach to Fraud and Corruption

5.1.1 The University has a conservative risk posture in relation to fraud and corruption. As such, it is committed to minimising the risks of such behaviour and ensuring continuing organisational integrity and transparency in all University activities.

APPROVAL AUTHORITY

Council

RESPONSIBLE EXECUTIVE MEMBER

Vice-Chancellor and President

DESIGNATED OFFICER

Director, Governance and Risk Management

FIRST APPROVED

13 June 2006

LAST AMENDED

6 March 2023

REVIEW DATE

29 May 2024

STATUS

Active

5.1.2 The University aims to develop and maintain an organisational culture of honesty and integrity.

5.1.3 The University puts in place processes that ensure effective prevention, detection and management of fraud and corruption.

5.1.4 The University encourages, supports and protects persons who report suspected fraud and corruption.

5.2 Fraud and Corruption Control Framework

5.2.1 In addition to this policy, the University maintains a Fraud and Corruption Control Plan and the Fraud and Corruption Control – Procedures. These documents form the University's Fraud and Corruption Control Framework, which is an integral part of the University's Enterprise Risk Management Framework.

5.3 Reporting and Protected Disclosure

5.3.1 Where a staff member is aware of, or suspects, fraudulent or corrupt conduct, they are expected to report these suspicions immediately. Staff should do so in accordance with the Fraud and Corruption Control -Procedures.

5.3.2 Confidentiality must be maintained throughout any investigative process.

5.3.3 The University will ensure protection of those reporting suspected instances of fraud and corruption and will ensure that this policy is well understood by the University community.

5.3.4 The University will ensure that there are adequate means for reporting suspicious or known illegal/unethical conduct, and that these means are widely known and available.

5.4 Monitoring and Review

5.4.1 Following the detection of fraud, the Organisational Unit Manager, in consultation with the Director, Governance and Risk Management, will reassess the adequacy of the internal control environment and identify actions to strengthen the controls. A dynamic approach is taken to the Fraud and Corruption Framework, with a focus on continuous improvement.

6. Authorities / Responsibilities

6.1 The following authorities/responsibilities are delegated under this policy:

RESPONSIBILITIES	AUTHORITY
<ul style="list-style-type: none">• Setting the University's risk appetite in regard to its material risks.• Authority to approve the Fraud and Corruption Control – Governing Policy.	University Council
<ul style="list-style-type: none">• Authority to approve the Fraud and Corruption Control Plan.• Monitoring and oversight of compliance with legislative and regulatory requirements.• Monitoring of internal control and risk management frameworks at the University.	Audit and Risk Management Committee
<ul style="list-style-type: none">• Ensuring that all matters relating to (alleged) fraud or corrupt conduct are dealt with appropriately.• Ensuring that risk management activities are carried out effectively within the University.• Promote a culture that encourages strong risk management (including fraud and corruption).• Notifying the Audit and Risk Management Committee and internal audit of allegations of suspected fraud or corrupt conduct.;• Fulfilling the University's obligations under the <i>Crime and Corruption Act 2001</i> (Qld).• Communicating the expectation that all employees are required to conduct their duties to high professional and ethical standards and always act in the public interest.• Ensuring that appropriate and effective internal controls systems are in place that will assist in preventing and detecting fraud and corruption.	Vice-Chancellor and President
<ul style="list-style-type: none">• Providing high level advice to the Vice-Chancellor and President and senior management on procedural matters to strengthen risk management and proactively provide leadership and support of this policy and its objectives.• Maintaining policies and procedures and records in relation to fraud and corruption control.• Maintaining the Enterprise Risk Management Framework, including policies and procedures relating to fraud and corruption.• Undertaking a biennial review of the Fraud and Corruption Control Plan and Governing Policy.	Director, Governance and Risk Management
<ul style="list-style-type: none">• Responsibility for reporting any known instances of fraud and corruption to the Vice-Chancellor and President, and other members of Executives as appropriate.	Director, People and Culture

- Nominee responsible for reporting corrupt conduct to the Crime and Corruption Commission and acting as the liaison officer to the CCC.
- Responsibility for ensuring that appropriate mechanisms are in place within their areas of control to:
 - establish controls and procedures for prevention and detection of any fraudulent or corrupt conduct;
 - identify risk exposures to fraudulent and corrupt conduct and ensure that regular assessment of the risks is undertaken;
 - promote awareness amongst staff of this policy and of the ethical principles subscribed to by the University;
 - advise the Vice-Chancellor and President, via the Director, People and Culture, of any reported allegations of fraud or corrupt conduct, enabling the Vice-Chancellor and President to fulfil the University's obligations under the Crime and Corruption Act 2001 (Qld);
 - assist staff to analyse and work through issues in fraud and corruption prevention and detection;
 - ensure prompt responses to allegations or indications of fraudulent and corrupt acts; and
 - complete and sign End of Year Internal Control Certifications required as part of the preparation and completion of the University's Annual Financial Statements.
- Responsibility for undertaking their duties in accordance with the University's Staff Code of Conduct. Responsible to:
 - immediately report any suspected fraudulent or corrupt activity of which they become aware to their supervisor, Organisational Unit Manager or, if appropriate, another member of executive staff or internal audit; and
 - assist with any enquiries or investigations pertaining to fraudulent and corrupt activity, where requested by an appropriately authorised officer.
- Monitoring and evaluating the effectiveness of internal controls and risk management processes in preventing and detecting fraudulent or corrupt conduct.
- Advising the Audit and Risk Management Committee of any allegations of fraudulent or corrupt conduct reported to it or identified through routine or random audits.

University Executive and Senior Staff

All University staff

Internal audit

END

RELATED DOCUMENTS

- Acceptable Use of ICT Resources - Governing Policy
- Acceptable Use of ICT Resources - Procedures
- Audit and Assurance Framework - Governing Policy
- Complaints about the Vice-Chancellor and President (Crime and Corruption Act 2001, s 48A) - Governing Policy
- Conflict of Interest - Governing Policy
- Enterprise Risk Management - Governing Policy
- Financial Management Practices - Operational Policy
- Fraud and Corruption Control - Procedures
- Governance Framework - Governing Policy
- Health, Safety and Wellbeing - Governing Policy
- Information Management Framework - Governing Policy
- Intellectual Property - Governing Policy
- Intellectual Property: Commercialisation - Procedures
- Intellectual Property: Commercialisation Revenue - Procedures
- Intellectual Property: Student IP - Procedures
- Intellectual Property: Transfer of Rights to Creators - Procedures
- Managing and Investigating Breaches of Responsible Research Conduct - Procedures
- Public Interest Disclosures - Governing Policy
- Public Interest Disclosures - Procedures
- Recruitment, Selection and Appointment - Operational Policy
- Resolution of Complaints (Staff) - Guidelines
- Responsible Research Conduct - Governing Policy
- Staff Code of Conduct - Governing Policy
- Staff Gifts and Benefits - Operational Policy
- Staff Gifts and Benefits - Procedures

LINKED DOCUMENTS

- Fraud and Corruption Control - Procedures

RELATED LEGISLATION / STANDARDS

- Public Interest Disclosure Act 2010 (Qld)
- University of the Sunshine Coast Act 1998 (Qld)
- Financial and Performance Management Standard 2009 (Qld)
- Financial Accountability Act 2009 (Qld)
- Public Sector Act 1994
- Crime and Corruption Act 2001 (Qld)
- AS ISO 196000:2015 Compliance management systems
- AS 8001-2021 Fraud and Corruption Control
- Queensland Crime and Corruption Commission's (CCC) Fraud and Corruption: Best Practice Guide