

Policy Title	Fraud and Corruption Prevention Policy
Related Documentation	Code of Conduct Policy Fraud and Corruption Prevention Plan (under development) Ethical behaviour Authorised Statement (under development) Ethical behaviour Guidelines (under development) <i>Public Interest Disclosures Act 1994</i> – Internal Reporting Policy Delegations
Relevant Legislation/ Corporate Plan	<i>Public Interest Disclosures Act 1994</i> <i>Independent Commission Against Corruption Act 1988</i>
Responsible Officer	Manager Governance and Risk

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To clearly outline Council's approach to address and reduce the risks of maladministration, fraud and corruption affecting Council officers, Councillors, Operations and Services.

To clearly demonstrate that Council does not and will not tolerate fraudulent practices or corrupt conduct either by its own officers, contractors or others working for Council and will not tolerate others using fraudulent practices against Council, Council officers or the functions and services it provides to the community.

To clearly demonstrate Council's commitment to:

- minimising opportunities for corrupt conduct
- detecting, investigating and disciplining/prosecuting corrupt conduct
- reporting corrupt conduct to ICAC and NSW Police where relevant
- taking a risk management approach to the identification and management of corruption risks.

Policy Statement

Campbelltown City Council is committed to protecting its revenue, expenditure, property, intellectual capital and reputation from any attempt, either by members of the public, contractors, sub-contractors, agents, intermediaries, Councillors or its own employees to gain by deceit, any financial or other benefits.

This policy outlines the general principles and responsibilities for fraud and corruption prevention and control.

Scope

This Policy applies to all Council officers, permanent, fixed-term, temporary and casual as well as to Councillors, contractors to council and volunteers.

Relationship to Other Documents

DATA AND DOCUMENT CONTROL		
Division: City Governance Section: Corporate Services and Governance DocSet: 5439916	Adopted Date: 11/07/2017 Revised Date: 19/07/2017 Minute Number: 183 Review Date: 30/06/2020	Page: 1 of 3

This policy is to be read in conjunction with Council's Code of Conduct Policy and Procedures and other documents as outlined at 'Related Documentation'

Definitions

Corrupt Conduct is conduct by a public official that commonly involves the dishonest or preferential use of power or position, a breach of public trust or the misuse of information or material acquired in the course of official business (as defined in sections 8 and 9 of the ICAC Act 1988)

Fraud is defined in Australian Standard 8001 as: Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not 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.

Fraud Control these are the actions taken to stop or at least reduce the risk of fraud occurring, and are designed to provide reasonable assurance that fraud risks are managed in such a way as to ensure that the achievement of Council's objectives will not be adversely affected by fraudulent practices.

Maladministration means action or inaction of a serious nature that is: (i) contrary to the law; (ii) unreasonable, unjust or oppressive or improperly discriminatory; or (iii) based wholly or partly on improper motives.

Principles

The principal elements of Council's Fraud and Corruption Prevention policy are:

- the prevention of fraud at its origin. In particular, the implementation of effective control structures and procedures which aim to eliminate the prospect of fraud occurring
- all Councillors, Directors, Managers, Council officers, contractors, delegates and volunteers be made aware of their obligation to act ethically and to follow Council's Code of Conduct at all times
- all contractors and those dealing with Council be made aware of the ethical standards that Council applies and expects of others such as contractors, suppliers in their dealings with Council
- a commitment to a policy of detection, investigation and prosecution of individual cases of fraud
- respect of the civil rights of employees and citizens and the commitment to natural justice.

The Code of Conduct Policy also outline the policies and procedures implemented by Council to ensure that any allegations and subsequent investigations into fraud are handled confidentially, and in accordance with applicable legislation.

Responsibility

The General Manager has ultimate responsibility for managing fraud and corruption risks in the organisation.

Development and implementation of effective policies and procedures to prevent, detect, report, and control fraud and corruption, based on a risk management approach, is the responsibility of Directors and Managers. Directors and Managers are specifically accountable for the prevention and detection of fraud and corruption in areas under their control.

All Councillors, the Executive and senior management are responsible for ensuring that the Council's Fraud and Corruption Prevention Policy is fully and effectively executed.

Line management is responsible for understanding and implementing the Code of Conduct, Ethical behaviour framework, and relevant Council policies.

Council officers are responsible for reporting corrupt conduct in line with Council policies and procedures or directly to the Independent Commission Against Corruption.

The General Manager must, under section 11 of the *Independent Commission Against Corruption Act 1988*, report any matter that he/she reasonably suspects/involves or may involve corrupt conduct to the Commission.

All Council officers are responsible for behaving and acting honestly according to the Code of Conduct and to follow diligently the procedures and controls detailed in the Fraud and Corruption Prevention Policy to prevent and mitigate fraud and corruption. Those procedures and controls must not be by-passed or avoided.

The Manager Governance and Risk has a responsibility to implement a comprehensive fraud and corruption control plan/strategy, including fraud and corruption risk assessment processes, and investigation of instances of fraud and corruption against Council as they arise.

In addition, the Director City Governance has additional responsibilities in relation to the prevention of financial fraud.

Reporting and Public Interest Disclosures

Any suspected or actual incidence of fraud or corruption must be reported immediately. Council officers should do so in accordance with the provisions of the Code of Conduct and the Protected Disclosures - Internal Reporting Policy.

Council will protect those reporting suspected fraud and/or corruption in line with the provisions of the *Public Interest Disclosures Act 1994*.

Council will fully investigate any allegation of maladministration, serious and substantial waste, breach of GIPA, or fraudulent or corrupt conduct.

Effectiveness of this Policy

This policy will be reviewed every two years to ensure that it meets the object of the legislation, and facilitates the making of disclosures under the *Public Interest Disclosures Act 1994*, or earlier should circumstances arise to warrant revision.

END OF POLICY STATEMENT