



### 1 Policy

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Corruption impedes the University's ability to perform. It wastes our scarce funds and resources, affects our reputation and the reputation of all of those working within the Institution.

The University has an obligation to the community to ensure that its operations are free from corruption.

The responsibility for corruption prevention rests with all University staff members and primarily with senior management of the University.

All officers who accept responsibility for management of any part of the University's budget have an obligation to ensure that accounting controls over the receipt and expenditure of public monies are in place, are operating effectively and provide adequate safeguards against corruption. They are also required to ensure that their conduct and that of their staff members meets the highest probity standards.

The University will take prompt and appropriate disciplinary action against any staff member who is found guilty of corrupt conduct.

The University reports to the Independent Commission Against Corruption on matters of suspected corruption.

### 2 Coverage

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This policy covers all University staff (including casual staff).

### 3 Definition Of Corruption

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It is imperative for staff members of the University to understand what is deemed as corruption and their responsibilities for combating corruption in the workplace.

In general terms corruption involves improper acts or omissions, improper use of influence or position, and/or improper use of information. It can also be defined as misuse of public office which involves a criminal offence, a disciplinary offence or reasonable grounds for

dismissal. It may include fraud, breach of trust, bribery, blackmail, obtaining or offering secret commissions, theft, embezzlement, tax evasion, illegal gambling, obtaining financial benefit by vice engaged in by others, company violations, forgery or violence, just to name a few.

The possibilities of corruption are limitless but an understanding of what is corrupt practice may be assisted by providing some examples:

- using workplace taxi vouchers for private purposes;
- taking building materials from the area in which you work;
- receiving personal benefits in exchange for assisting a consultant to gain work at the University;
- claiming for travel entitlement to attend a course and then not attending the course and not reimbursing travel monies;
- misapplying government grant monies;
- using the fleet service management to service your private car;
- manipulating a tendering process to achieve a desired outcome;
- favouring an applicant for employment on criteria other than merit;
- manipulating the selection process for a staff appointment;
- allowing a conflict of interest to undermine your independence;
- making cheques out to false persons;
- using IOUs in petty cash;
- misusing or disclosing official information;
- falsifying signatures;
- using University funds for personal purposes;
- falsifying documentation.

Fraud is generally regarded as a subset of corruption. The difference is primarily that fraud involves personal gain. For instance taking a bribe in order to favour a tender submission could be regarded as fraud. If no bribe were involved, that is, if favouritism were given to a tenderer and no personal gain is involved then this would be regarded as corrupt.

## 4 Risk Areas

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All organisations have potential risk areas. The most common are:

- **Employment of Staff:** ensuring recruitment practices are without favouritism, discrimination, nepotism, conflicts of interest; ensuring working conditions are fair and without favouritism and responsive to the needs of the organisation; ensuring remunerations are accurate and appropriate.
- **Information Systems:** ensuring confidentiality is maintained and records are controlled.
- **Tenders, Contracts and the Purchase and Disposal of Assets:** ensuring procedures for tendering are fair; ensuring procedures for purchasing meet legislative and regulatory requirements and controls are in place to ensure accuracy and appropriateness.
- **Financial Systems and Procedures:** ensuring systems cannot be misused eg petty cash, use of corporate cards; ensuring procedures for cashiering and reconciliations are appropriate and followed; ensuring appropriate accountability for expenditure of funding.

- **Equipment and Resources:** ensuring the organisation's resources are not utilised by employees for personal purposes.

## 5 The Corruption Prevention Committee

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The Vice-Chancellor of the University has established a Corruption Prevention Committee. The members of this Committee are:

- Deputy Vice-Chancellor (International) as Chair;
- Chief Operating Officer and DVC;
- Provost and DVC;
- General Counsel;
- 2 Deans (rotational basis)
- Director ARMA.

The Committee meets 3 to 4 times each year and its charter is to:

- develop University policy and procedures for all investigations of corrupt conduct;
- review and develop policies and procedures to prevent, detect and monitor corrupt conduct;
- establish reporting, review and other associated structures which will seek to ensure the University's legislated responsibilities are met;
- provide advice to line management on corruption prevention issues;
- monitor the outcome of investigations to ensure that adequate action is taken to implement report recommendations;
- evaluate the factors leading to the need for investigations and develop strategies to minimise the likelihood of recurrence;
- ensure that the University maintains appropriate liaison with outside bodies eg Police, Independent Commission Against Corruption.

## 6 Audit Risk Management and Assurance

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The University's Audit Risk Management and Assurance Unit reports to the Vice-Chancellor through the Chief Operating Officer and Deputy Vice-Chancellor. It plays a crucial role in the prevention of corrupt conduct within the University. The Unit has the responsibility, as part of its strategic planning, to identify the major activity areas of the University and to assess the nature and extent of any fraud and corruption risk.

Audit Risk Management and Assurance investigate all disclosures of corrupt conduct made about the University.

## 7 University Reporting To The Independent Commission Against Corruption

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The Vice-Chancellor reports to the Independent Commission Against Corruption, all matters which could be suspected on reasonable grounds as concerning or likely to concern corrupt conduct. The Independent Commission Against Corruption then assesses whether it wishes to investigate any of these matters further.

## 8 How To Report Corruption

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Disclosures of corrupt conduct can be made to the following senior staff members within the University:

- Director of Audit Risk Management and Assurance;
- Manager Investigations;
- Vice-Chancellor;
- Deputy Vice-Chancellors;
- Pro-Vice-Chancellors;
- Deans.

These officers have a responsibility to ensure disclosures are acted upon by the University. All disclosures of corrupt conduct will be investigated by Audit Risk Management and Assurance.

For further detail about how to make a disclosure, staff members should refer to the University's Policy and Guidelines Document Reporting Corruption, Maladministration or Serious and Substantial Waste of Public Money.

## 9 Protection

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Under the (NSW) Protected Disclosures Act 1994, persons making protected disclosures can be given protection against any reprisals or detrimental action in relation to the making of the protected disclosure. Detrimental action includes injury, damage or loss, intimidation or harassment, discrimination, disadvantage or adverse treatment in relation to employment, dismissal from or prejudice in employment or disciplinary proceedings. A person who takes detrimental action against another person for having made a protected disclosure, risks a maximum penalty of 50 penalty units (\$5500) or 12 months imprisonment or both.

It should be noted that if the disclosure is made frivolously or vexatiously, primarily questions the merits of government policy or is made in an attempt to avoid dismissal or disciplinary action, then protection is not available.

## 10 Confidentiality

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In accordance with the (NSW) Protected Disclosures Act 1994, University staff members receiving protected disclosures and investigating protected disclosures have a responsibility to ensure that information that might identify the person making the protected disclosure, is not released. Under the Act there are 3 exceptions only to this. These are:

- the person consents in writing to the release of such information;
- the information is assessed to be necessary in order to investigate the matter;
- it is essential according to the principles of natural justice that the information be disclosed to the person that the disclosure concerns.

If there is any need to release information that might identify the person making the protected disclosure, this will be discussed firstly with this person. This may occur where

as a result of a protected disclosure, proceedings are commenced before a court, tribunal, or an investigative committee.

## Administration

## Background/Context

### 11 Management responsibility

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Chair of the Corruption Prevention Committee

### 12 Implementation responsibility

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Corruption Prevention Committee

### 13 Dates

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Document originally approved by the Acting Vice-Chancellor on 8.10.97.

Revision 1 approved by Professor G. Brown, Vice-Chancellor, on 26.10.00.

Revision 2 approved by the Corruption Prevention Committee on 24.4.02.

This revision approved by Professor K. Eltis, Senior Deputy Vice-Chancellor, on 19.6.03.

This revision approved by the Chair of the Corruption Prevention Committee, Professor John Hearn, Deputy Vice-Chancellor (International) on 14 May 2007.

Proposed date of review: 2008