

Fraud and Corruption Control Policy

Section 1 - Purpose

(1) The purpose of this policy is to outline the University's commitment to the prevention of fraud and corruption or serious wrongdoing, promote a culture of honesty and integrity, and to protect the reputation and assets of Charles Sturt University (the University) from fraudulent and corrupt activities.

(2) This policy provides guidance on how to prevent, detect and respond to incidents of fraud, corruption, and:

- a. reinforces management's commitment to identifying the risk of fraudulent and corrupt activities
- b. ensuring the University community is aware that the University has zero tolerance for fraud or corruption, and
- c. requires University activities to be performed with honesty and integrity in accordance with the framework of ethical conduct that underpins the expected standards of behaviour for all members of the University community.

Scope

(3) This policy applies to all staff, students, customers, contractors, business associates, partners, external service providers, volunteers of the University and its controlled entities.

(4) This policy should be read in consideration of the University's [Risk Management Policy](#).

(5) The reporting and investigation of any allegations of fraud or corruption are dealt with under the [Public Interest Disclosure \(Whistleblowing\) Policy](#).

(6) Research, academic, and general misconduct by students is dealt with under the relevant policy instruments such as the [Academic Integrity Policy](#), [Research Integrity Complaints Management Procedure](#) and the [Student Misconduct Rule 2020](#).

(7) General misconduct and disciplinary matters in relation to staff are dealt with under the [Charles Sturt University Enterprise Agreement](#) or contract of employment in accordance with the University's [Code of Conduct](#).

Section 2 - Policy

Part A - Principles

Mandate and commitment

(8) Charles Sturt University has zero tolerance for fraud and corruption.

(9) The University recognises that fraud and corruption:

- a. create reputational and financial damage, and undermine public confidence
- b. are incompatible with the values of the University

- c. present a risk to the achievement of strategic objectives and provision of services, and
- d. are prohibited by law and subject to significant individual penalties (including imprisonment).

(10) To demonstrate its commitment to the prevention of fraud, corruption and serious wrongdoing, the University will ensure:

- a. the integration of fraud and corruption risk management into University practices
- b. that fraud and corruption risk is regularly assessed and controls evaluated, including following substantial change and/or in response to investigations of allegations of fraud or corruption
- c. the investigation of suspected fraud or corruption and take appropriate disciplinary action, which may include referral to law enforcement where relevant
- d. the reporting of suspected corruption to the relevant anti-corruption agency where required by law
- e. the application of appropriate civil, administrative or disciplinary penalties against individuals who have been party to fraud or corruption
- f. the taking of reasonable legal action to recover losses that result from fraudulent or corruption
- g. cooperation with agencies including the [Independent Commission Against Corruption \(ICAC\)](#), the [NSW Ombudsman](#), Audit Office of NSW and NSW Police Force (or the equivalent agency/ies in another state, territory or the Commonwealth, or in foreign jurisdictions, as applicable) in relation to fraud and corruption
- h. the recording of all suspected incidents of fraud and corruption to identify trends and prevent recurrence, and
- i. the reporting of actual and suspected fraud and corruption to the Vice-Chancellor and the Audit and Risk Committee.

(11) This policy has been developed in line with Australian Standard AS 8001:2021 Fraud and Corruption Control.

Framework for ethical conduct

(12) The University's framework of ethical conduct includes but is not limited to:

- a. the University's statements of ethos and [values](#)
- b. [Code of Conduct](#), [Conflict of Interest Procedure](#) and other University policies and procedures specifically intended to guide positive behaviour
- c. [Student Charter](#)
- d. example setting by senior and executive management
- e. roles and responsibilities as articulated in University policies and procedures, including the [Staff Generic Responsibilities Policy](#) and the [Delegations and Authorisations Policy](#)
- f. mechanisms for reporting and managing wrongdoing and misconduct
- g. complaints management processes, and
- h. mechanisms to ensure ethical standards in research and academic integrity.

Prohibition of bribery and other forms of unlawful or improper payments or corrupt conduct

(13) To prevent unlawful and improper payments or corrupt conduct, the University prohibits the following by all persons acting for or on behalf of the University:

- a. bribery, including offering or receiving bribes
- b. making facilitation payments (i.e. minor unofficial payments to public officials either directly or indirectly to expedite or secure the performance of routine government action, for example, to facilitate the expedition of applications for visas or licences)

- c. giving or receiving gifts or entertainment in circumstances which could be considered to give rise to improper influence
- d. paying or receiving secret commissions to any person or entity, including any private party or public official
- e. any form of money laundering in connection with University business activities, and
- f. any other form of corrupt conduct.

(14) The Fraud and Corruption Control Procedure [in development] provides more information about identifying, avoiding and/or reporting these activities.

Prevention

(15) The University maintains established practices to identify, assess and manage fraud and corruption risks, including internal controls, policies and procedures, investigation and reporting processes, training and awareness, and independent monitoring and auditing to reduce the incidence of fraud and corruption and regularly evaluate for effectiveness.

(16) The University will minimise the incidence of fraud and corruption by:

- a. the regular assessment of fraud and corruption risks, including an annual risk assessment program coordinated by the Director, Security and Resilience (CSO)
- b. the establishment of first and second line assurance processes to prevent fraud and corruption in areas at higher risk of fraud or corruption
- c. delivery of induction and ongoing training and awareness on fraud and corruption, and
- d. the establishment of risk-based processes to mitigate the risk of fraud and corruption as outlined in the Fraud and Corruption Control Procedure [in development].

(17) Internal audit supports the prevention of fraud and corruption by:

- a. evaluating the effectiveness of internal controls in mitigating the risk of fraud and corruption, and
- b. periodically reviewing the effectiveness of the University's fraud and corruption prevention framework.

(18) External audit supports the prevention of fraud and corruption by providing an independent and objective assessment of the financial statements of the University and its controlled entities, to determine if they are free from material misstatement.

Detection

(19) The University will maintain mechanisms to detect fraud and corruption, including detection systems, post-transactional review, and data analytics to identify trends that may be indicative of fraud or corruption, as outlined in the Fraud and Corruption Control Procedure [in development].

Part B - Where to report suspected fraud or corruption

Reporting fraud and corruption

(20) All members of the University community that meet the definition of public official must report reasonable suspicions of wrongdoing in relation to the University in line with the [Public Interest Disclosures Act 2022 \(NSW\)](#) and [Public Interest Disclosure \(Whistleblowing\) Policy](#).

Breach of the policy

(21) The University may commence disciplinary procedures in response to a breach of this policy (or any related procedures), which may include referral to the police. A breach of this policy may also be a breach of other University policies, such as the [Code of Conduct](#).

(22) The University may consider breaches of this policy serious misconduct and grounds for termination of employment, in accordance with the relevant enterprise agreement and/or employment contract.

Part C - Roles and responsibilities

(23) The University expects that all members of the University community contribute to:

- a. preventing the risk of fraud and corruption, and
- b. identifying and reporting suspected fraud and corruption.

(24) The table below sets out the responsibilities of the listed officers or bodies:

Officer or body	Responsibility
University Council	The University Council is ultimately accountable for managing fraud and corruption risks across the University and its controlled entities.
Audit and Risk Committee	The Audit and Risk Committee is responsible, on behalf of the University Council, under the Governance (Audit and Risk Committee) Rule 2022 , for: <ol style="list-style-type: none">a. oversight of the University's fraud and corruption control framework, including the fraud control plan, andb. satisfying itself that the University has appropriate processes and systems in place to capture and effectively investigate fraud related information.
Executive Leadership Team	Members of the Executive Leadership Team are responsible for: <ol style="list-style-type: none">a. leading by example in their behaviour in the workplaceb. fostering a culture where reporting is encouragedc. communicating reports of serious wrongdoing to a Disclosure Officer as soon as reasonably possible, andd. overseeing the management and control of fraud and corruption risks at the University.
Managers	Managers are responsible for: <ol style="list-style-type: none">a. leading by example in their behaviour in the workplaceb. fostering a culture where reporting is encouragedc. understanding the risk of fraud and corruption within their area of responsibility,d. conducting due diligence of third parties engaged to undertake work on behalf of the University, and making the third party aware of relevant University policies and procedures relating to conduct, behaviour and integrity, including the Public Interest Disclosure (Whistleblowing) Policy,e. communicating reports of serious wrongdoing to a Disclosure Officer as soon as reasonably possible, andf. implementing and maintaining controls to prevent and detect fraud and corruption within their area of responsibility.
Staff	Staff are responsible for: <ol style="list-style-type: none">a. conducting their duties in line with the University's framework for ethical conduct outlined in clause 11b. discussing foreign interference risks and foreign bribery risks with their supervisors where there are any interactions with international partners, institutions, consultants or other third partiesc. reporting any suspicions of fraud or corruption in line with the Public Interest Disclosure (Whistleblowing) Policy, andd. cooperating with any investigation in line with the Public Interest Disclosure (Whistleblowing) Procedure
Students	Students are responsible for acting in accordance with the Student Charter including accepting responsibility for their actions and demonstrating the ability to advocate their own interests while interacting with the University and its staff with honesty, integrity and in a timely manner.

Officer or body	Responsibility
Third parties	Third parties engaged to undertake work on behalf of the University must comply with relevant University policies and procedures relating to conduct, behaviour and integrity, including the Public Interest Disclosure (Whistleblowing) Policy .
Director, Security and Resilience (CSO)	<p>In relation to fraud and corruption matters, the Director, Security and Resilience (CSO) acts as the University's Fraud Control Officer and is responsible for:</p> <ul style="list-style-type: none"> a. developing, implementing and maintaining the University's fraud and corruption control system in line with AS 8001:2021 Fraud and Corruption Control Standard b. coordinating periodic assessment of the University's fraud and corruption risks c. recording fraud and corruption events and notifying the Disclosure Coordinator if determined to be a public interest disclosure d. escalating and monitoring fraud and corruption events including coordinating internal and external reporting with the exception of events determined to be public interest disclosures which fall under the responsibility of the Disclosure Coordinator, and e. referring allegations of fraud and corruption for investigation in line with the Public Interest Disclosure (Whistleblowing) Policy.
Disclosures coordinator	<p>In relation to fraud and corruption matters, the University's disclosure coordinator (as defined in the Public Interest Disclosure (Whistleblowing) Policy) is responsible for:</p> <ul style="list-style-type: none"> a. receiving and investigating allegations of serious wrongdoing in accordance with the Public Interest Disclosures Act 2022 (NSW), Public Interest Disclosure (Whistleblowing) Policy and Public Interest Disclosure (Whistleblowing) Procedure, b. recording fraud and corruption events, and c. escalating and monitoring public interest disclosures, including coordinating internal and external reporting.
Director, IT Infrastructure and Security	In relation to fraud and corruption, the Director, IT Infrastructure and Security acts as the University's information security management system officer and is responsible for establishing and maintaining an information security management system consistent with relevant standards and contemporary practice.

Section 3 - Procedures

(25) Fraud and Corruption Control Procedure [in development]

Section 4 - Guidelines

(26) Nil.

Section 5 - Glossary

(27) For the purpose of this policy, the following additional terms have the definitions stated:

- a. Bribery – means receiving, requesting or giving, offering, promising or authorising of a bribe or undue reward by or to a public official, or by or to any other individual or entity in the public or private sector, in order to influence a person's performance of their duty and to act contrary to accepted rules of honesty and integrity. It is an offence under various Australian and foreign laws to undertake any of the following actions with the intention of improperly influencing another person in order to obtain or retain business or a business or personal advantage (whether or not for themselves):
 - i. providing a benefit to another person
 - ii. causing a benefit to be provided to another person
 - iii. offering to provide, or promising to provide, a benefit to another person, or
 - iv. causing an offer of the provision of a benefit, or a promise of the provision of a benefit, to be made by another person.

For the purposes of this policy, bribery is corrupt conduct, a form of serious wrongdoing.

b. **Corrupt conduct** – includes corrupt conduct as defined in the [Independent Commission Against Corruption Act 1988](#) (the ICAC Act), is deliberate or intentional wrongdoing, not negligence or a mistake, involving or affecting a NSW public official or public sector organisation. It can take many forms but corrupt conduct occurs when:

- i. a NSW public official improperly uses, or tries to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others
- ii. a NSW public official dishonestly exercises their official functions, or improperly exercises their official functions in a partial manner, breaches public trust or misuses information or material acquired during the course of their official functions
- iii. a member of the public influences, or tries to influence, a NSW public official to use their position in a way that affects the probity of the NSW public official's exercise of functions, or
- iv. a member of the public engages in conduct that could involve one of the matters set out in section 8(2A) of the ICAC Act where such conduct impairs, or could impair, public confidence in public administration.

Corrupt conduct is generally taken as something that is intentional, not something that occurs through mistaken action. The ICAC Act provides examples of corrupt conduct, including but not limited to official misconduct (including breach of trust, fraud in office, nonfeasance, misfeasance, malfeasance, oppression, extortion or imposition); bribery; blackmail; obtaining or offering secret commissions; fraud; theft and perverting the course of justice. For further information see sections 7, 8 and 9 of the ICAC Act.

c. **Corruption** – means corruption as set out in Australian Standard AS 8001:2021 – Fraud and Corruption Control, being essentially dishonest activity in which a person associated with an organisation acts contrary to the interests of the organisation and abuses their position of trust in order to achieve personal advantage or advantage for another person or organisation. For the purposes of this policy, it includes the types of unlawful or improper payments and corrupt conduct set out in clauses 12 and 26b or described elsewhere in this policy, whether such conduct is by the organisation, or a person purporting to act on behalf of and in the interests of the organisation.

d. **Foreign bribery** – means the bribery of a foreign public official as outlined in division 70 of the Criminal Code Act 1995 (Cth). For the purposes of this policy, foreign bribery is corrupt conduct, a form of serious wrongdoing.

e. **Foreign interference** – summarized in the Countering Foreign Interference Procedure and includes any activity carried out by, or on behalf of, a foreign actor that goes beyond the routine diplomatic influence practiced by governments and is:

- i. coercive, corrupting, deceptive and clandestine, and
- ii. contrary to Australia's sovereignty, values and national interests.

f. **Fraud** – means fraud as set out in AS 8001:2021, being essentially dishonest activity causing actual or potential gain or loss to any person or organisation including theft of moneys or other property by those in scope of this policy. Fraud 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 benefit.

g. **NSW public official (public official)** – has the broad meaning given in the [Independent Commission Against Corruption Act 1988](#) and includes, among others, and includes, among others an employee of or any person otherwise engaged by or acting for or on behalf of, or in the place of, or as deputy or delegate of Charles Sturt University.

h. **Relevant anti-corruption agency** – means the NSW [Independent Commission Against Corruption \(ICAC\)](#) or equivalent state, territory, or Commonwealth agency, or equivalent foreign agency.

i. **Serious wrongdoing** – is defined in the [Public Interest Disclosures Act 2022](#) (NSW) and is summarised in the [Public Interest Disclosure \(Whistleblowing\) Procedure](#).

Status and Details

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