

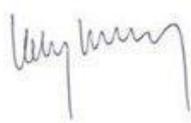
Fraud and Corruption Control Policy

Date of Adoption	25 June 2019
Date of Last Review	12 February 2019
Date of Next Review	24 June 2021
Responsible Officer	Manager Risk & Compliance

DOCUMENT CONTROL

Version	Date	Author	Owner	Reason for Update	Review
1.0	11/03/2015	Manager, Risk and Compliance	Director, Corporate Services	Policy Release	11/03/2017
2.0	20/02/2018	Coordinator, Enterprise Resilience	Director, City Operations	Review and Update	12/02/2019
3.0	25/06/2019	Manager, Risk and Compliance	Director, City Operations	Review and Update	24/06/2021

DOCUMENT APPROVAL

Date	Signed Approval	Name	Approval Authority
28/03/2019		Ms Kelly Grigsby	Chief Executive Officer

WYNDHAM CITY COUNCIL FRAUD AND CORRUPTION CONTROL POLICY

PURPOSE

This policy recognises the importance of fraud and corruption control management in corporate governance. It contributes to public value through mandating reporting of improper conduct and supports the organisation’s core value of integrity and protecting public resources.

SCOPE

This policy applies to all people elected to, employed by, and working within Wyndham City Council. This includes Councillors, Advisory Committees, Staff and Volunteers.

POLICY STATEMENT

Wyndham City Council has zero tolerance for fraudulent or corrupt behaviour and is committed to preventing, detecting, investigating and responding to improper conduct in all aspects of its business.

We recognise that acting with integrity is central to developing a constructive culture. Guiding the conduct of our people to avoid or manage challenging situations involving perceived or potential fraud and corruption is crucial. Motivation to commit such action typically requires a combination of incentive, opportunity and rationalisation. We will maintain an effective control environment, which is key to limiting opportunity and minimising risk. Everyone is expected to contribute to this through maintaining an awareness of fraud and corruption controls and identifying improvement opportunities within their business processes, activities and functions.

This policy should be read in conjunction with the Risk Management Policy and Protected Disclosure Policy.

OBJECTIVES

1. Wyndham City Council will seek to balance public value creation and public value preservation in line with community expectations and integrity standards.
2. Wyndham City Council will foster a constructive culture which values integrity and takes proportionate action in circumstances where conduct is not appropriate.
3. Wyndham City Council will embed fraud and corruption control management practices at all levels of the organisation to deliver procedural fairness and facilitate natural justice.
4. Wyndham City Council will require our people to act with integrity in the performance of their roles and promptly report conduct which is improper and/or unethical.

GOVERNANCE

Council	Endorses and supports the Fraud and Corruption Control Policy and considers ethics and integrity in decision making in line with community expectations.
Audit and Risk Management Committee	Advise on and monitors the implementation of the fraud and corruption control management system, obtaining sufficient assurance that management have an appropriate and effective system in place.

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Integrity and Ethics Committee	Decides the management approach for improper conduct disclosures, excluding those determined by the Protected Disclosure Coordinator(s) to be an assessable disclosure. Their decision options are to dismiss, investigate or refer allegations to appropriate integrity agencies.
Executive Leadership Team	Drives a constructive culture and demonstrates commitment to integrity as a core value of the organisation. Leads by example and clearly communicates the organisation’s zero tolerance for fraud and corruption, encouraging reporting and supporting prompt proportionate response.
Risk & Compliance Team	Continuously improves the fraud and corruption control management system, building the capability of our people to manage improper conduct risks and their occurrence. Conducts investigations as required to support timely appropriate response and ensures appropriate welfare support is available.
Chief Executive Officer	Notifies IBAC of all suspected corrupt conduct as Principal Officer of Wyndham City Council as mandated by the Independent Broad-based Anti-corruption Commission Act 2011. This conduct must be corrupt conduct as defined by the Act; be an indictable offence or a prescribed common-law offence committed in Victoria; and lead a reasonable person to suspect that corrupt conduct has occurred or is occurring.
Protected Disclosure Coordinator(s)	These roles are held by the Director City Operations and Manager Risk and Compliance. They will ensure that appropriate communication, information, advice and support in relation to disclosure management are provided internally and externally in line with legal requirements. They ensure that the Wyndham City Council maintains secure information management systems for the receipt, storage, assessment and notification of potential protected disclosures. They are eligible to receive disclosures directly from internal and external people and indirectly via Wyndham City Council staff authorised to receive such disclosures. They must review disclosures and refer those deemed an Assessable Disclosure directly to IBAC. If it is not an Assessable Disclosure, or IBAC have determined it is not a Protected Disclosure, then they will facilitate the internal process via the Integrity and Ethics Committee.
Directors, Managers, Coordinators and Team Leads	Responsible for acting as a reporting channel for their staff and referring any potential protected disclosures to the Protected Disclosure Coordinator and maintaining confidentiality about such situations.
Managers and Coordinators	Responsible for ensuring business processes, activities and functions within their area have effective controls in place to manage fraud and corruption risks.

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All people

All people covered by the scope of this policy are accountable for managing risks within their area of responsibility.

Responsible for acting in line with the Wyndham City Council values and the Code of Conduct. Required to maintain awareness of fraud and corruption indicators, relevant to their role. Mandated to report actual or suspected improper conduct, where there is sufficient information or reasonable belief to support such disclosures.

DEFINITIONS

Improper conduct – at its lowest threshold level, is either criminal or serious enough to result in a person’s dismissal. It may include taking or offering bribes, dishonestly using influence, committing fraud, theft, misusing information or material acquired at work, conspiring or attempting to engage in the above corrupt activity. It can also arise from the inaction of an individual or group.

Fraud – 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 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.¹

Corruption – Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.¹

Fraud and Corruption Control Management System – the process of planning, organising leading and controlling activity, in order to direct and control the organisation with regard the implementation of anti-fraud and anti-corruption strategies.

Disclosure – is a report about improper conduct or detrimental action of Wyndham City Council or its officer(s) made by an individual or group. The conduct may have occurred in the past, is currently occurring or may happen in future. It is not a disclosure if the complaint or allegation is already in the public domain.

Assessable Disclosure – is a disclosure which has been assessed by the Protected Disclosure Coordinator(s), subject to mandatory reporting to IBAC, which satisfies one of two tests:

1. the information shows or tends to show that there is improper conduct or detrimental action; or
2. the discloser believes on reasonable grounds that the information shows or tends to show that there is improper conduct or detrimental action.

The Protected Disclosure Coordinator(s) will consider the seriousness of the conduct in terms of consequences and identify that there is a link between the conduct and the official function of Wyndham City Council or its officer(s).

¹ Definition as per Australian Standard 8001-2008 Fraud and Corruption Control

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Protected Disclosure – has been assessed by IBAC and meets the following criteria:

- it has been made by an individual or group of people;
- it is made verbally (in private) or in writing to a person authorised to receive a disclosure;
- it is about conduct which has, is or will adversely affect the honest performance of Wyndham City Council or it's officer(s) official function; and
- there is information or reasonable grounds for the discloser to believe that there is information, which shows or tends to show improper conduct or detrimental action.

REFERENCES

External reference material:

- [AS 8001-2008 Fraud and Corruption Control](#)
- [Independent Broad-based Anti-corruption Commission Act 2011](#)
- [Protected Disclosure Act 2012](#)
- [Protected Disclosure Regulations 2013](#)
- IBAC: [Guidelines for making and handling protected disclosures](#)
- IBAC: [Guidelines for protected disclosure welfare management](#)
- IBAC: [Investigations guide: Conducting internal investigations into misconduct](#)

Wyndham City Council reference material:

- Code of Conduct ([Councillor](#) & [Staff](#))
- [Fraud and Corruption Control Management System](#)
- [Risk Management Policy](#)

POLICY REVIEW & APPROVAL

- Council is required to endorse this Fraud and Corruption Control Policy following recommendation for endorsement from the Audit and Risk Management Committee.
- The Fraud and Corruption Control Policy will be reviewed and approved in the first six months of each new Council Term as a minimum, though it can be reviewed earlier if needed.
- The Manager, Risk and Compliance is responsible for managing the review process.

FURTHER INFORMATION

Manager Risk and Compliance