

# Integrity Policy

## PURPOSE

The Policy establishes Wyndham City Council's principles for ethical, transparent, and accountable conduct. Together with the Public Interest Disclosures Procedure and the Fraud and Corruption Management Procedure and Control Plan and other measures, it contributes to Council's framework to prevent, detect, and respond to integrity risks, while ensuring compliance with statutory obligations, under the Public Interest Disclosures Act 2012, Independent Broad-based Anti-corruption Commission (IBAC) Act 2011 and Local Government Act 2020.

This Policy takes effect from the date adopted by Council and will be reviewed every three years or earlier if required by legislative or organisational changes.

## SCOPE

This Policy applies to:

- Councillors and staff;
- Contractors, consultants and suppliers engaged by Council;
- Controlled entities and their officers and staff.

## POLICY STATEMENT

Council is committed to the highest standards of integrity in the performance of its functions and the delivery of services. Integrity is a core principle underpinning Council's role as a democratically elected body, accountable to the community, transparent in decision-making, and operating efficiently and lawfully.

Council has zero tolerance for improper or corrupt conduct which includes fraud.

Council acknowledges its responsibilities and accountabilities under the integrity system established by the Victorian Government, particularly under the Public Interest Disclosures Act which fosters disclosures of improper or corrupt conduct by giving statutory protection to disclosers and imposes obligations on Council in respect of receiving and responding to public interest disclosures. Council sets out how it meets those obligations in the Public Interest Disclosure Procedure.<sup>1</sup> Council also acknowledges that it is subject to the oversight of bodies such as the Victorian Ombudsman, IBAC, Victorian Auditor General's Office (VAGO), and Office of the Victorian Information Commissioner (OVIC), and must comply with other relevant legislation including the *Local Government Act 2020*.

Council also recognises its obligations under the *Charter of Human Rights and Responsibilities Act 2006*, which requires public authorities to act compatibly with human rights when making decisions or taking actions.

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<sup>1</sup> See PROCESS FLOW page [5](#)

# Integrity Policy

## POLICY OBJECTIVES

The objectives of this Policy are to:

1. Promote and uphold a culture of ethical, transparent, and accountable behaviour.
2. Prevent, detect and manage risks of fraud, corruption, and improper conduct.
3. Ensure Council's operations and decision-making at all levels are free from undue influence or conflicts of interest or other risks to integrity.
4. Support compliance with all relevant legislation, codes, and policies.
5. Provide clear avenues for reporting, investigation, and management of breaches.
6. Strengthen community trust in Council's governance and service delivery.
7. Ensure protections are in place for individuals who report wrongdoing in accordance with statutory requirements.

## COMPLIANCE GOVERNANCE

Council is subject to the integrity system established by the Victorian Government. This system of accountability and oversight includes:

| Legislation (Vic)                                                                                                                     | Function/Associated Council Procedure                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Local Government Act 2020 (Vic)<br>(in some cases, also the Local Government Act 1989 (Vic))                                          | Sets out the statutory standards for lawful, ethical, transparent, and accountable conduct. <ul style="list-style-type: none"> <li>▪ <i>Codes of Conduct</i></li> <li>▪ <i>Public Transparency Policy</i></li> </ul>                                                                                                                               |
| Victorian Ombudsman<br>as per the Ombudsman Act 1973 (Vic)                                                                            | Has the power to receive complaints and investigate administrative actions of state government departments, local councils and statutory authorities. <ul style="list-style-type: none"> <li>▪ <i>Complaint Handling Policy</i></li> </ul>                                                                                                         |
| Independent Broad-based Anti-Corruption Commission (IBAC)<br>as per Independent Broad-based Anti-Corruption Commission Act 2011 (Vic) | Exposes and prevents public sector corruption and police misconduct.<br>Section 57 of the Act requires the CEO to report any matter to IBAC where there are 'reasonable grounds to suspect' corrupt conduct involving staff. <ul style="list-style-type: none"> <li>▪ <i>Fraud and Corruption Management Procedure and Control Plan</i></li> </ul> |
| Public Interest Disclosures Act 2012 (Vic)                                                                                            | Under the Act, individuals are afforded statutory protections when making a <i>public interest disclosure</i> . A <i>public interest disclosure</i> received and assessed as such by Council must be referred to IBAC <ul style="list-style-type: none"> <li>▪ <i>Public Interest Disclosures Procedure</i>.</li> </ul>                            |
| Victorian Auditor General's Office (VAGO)<br>as per the Audit Act 1994 (Vic)                                                          | Provides independent assurance to the Parliament and Victorian community as to the financial integrity and performance of the State. <ul style="list-style-type: none"> <li>▪ <i>Internal Audit Charter</i></li> <li>▪ <i>Audit and Risk Committee Charter</i></li> <li>▪ <i>Enterprise Compliance Management Framework</i></li> </ul>             |

# Integrity Policy

|                                                                                                                                                                                                         |                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Office of the Victorian Information Commissioner (OVIC)<br>as per the Freedom of Information Act 1982 (Vic) and Privacy and Data Protection Act 2014 (Vic) and the Information Privacy Principles (IPP) | Provides independent oversight of the Victorian public sector's collection, use and disclosure of public sector information and personal information.<br>▪ <i>Privacy Policy</i><br>▪ <i>FOI processes</i> |
| Public Records Act 1973 (Vic)                                                                                                                                                                           | Requires Council to keep proper records.<br>▪ <i>Records &amp; Information Management Policy</i>                                                                                                           |

## REPORTING

- Councillors, staff, officers of controlled entities, contractors and consultants, and members of the public are encouraged to report suspected breaches of integrity, including fraud, corruption, conflicts of interest, or misconduct.
- Reports may be made through:
  - Internal reporting channels (eg. via line managers, Governance team, CEO – see Complaint Handling Policy and Fraud and Corruption Control Procedure)
  - Public Interest Disclosures processes (see Public Interest Disclosures Procedure)
  - Anonymous reporting via an independent externally hosted reporting service (via PKF Integrity Telephone: 1800 409 124; Online: <http://www.pkftalkintegrity.com/?wcc>; Email: [wyndhamcitycouncil@pkf.com.au](mailto:wyndhamcitycouncil@pkf.com.au)).
- Direct to a relevant Victorian Government agency eg IBAC or Victorian Ombudsman.
- Reporting channels will be accessible to internal and external stakeholders, including contractors and community members.
- Individuals making reports will be afforded confidentiality and support.

## INVESTIGATION

- The CEO is responsible for reporting matters involving corrupt conduct or fraud involving staff to IBAC<sup>2</sup> and for ensuring that integrity-related matters are appropriately investigated and addressed.
- Where an existing process applies (e.g., Code of Conduct, Fraud and Corruption Management Procedure and Public Interest Disclosures Procedure), it will be followed. Otherwise, the CEO will put in place an appropriate investigation and process.
- Investigations must be conducted fairly, transparently, and in a timely manner, with appropriate confidentiality and protections in place, and ensure independence, objectivity, and the absence of conflicts of interest.
- Outcomes may include additional training or other relevant intervention and support, disciplinary action, contract termination, referral to external agencies, or civil proceedings to recover proceeds of fraud or corruption.

## TRAINING AND AWARENESS

Council will ensure that:

<sup>2</sup> Required by section 57 IBAC Act

# Integrity Policy

- All Councillors and staff receive training on integrity obligations, including conflict of interest disclosure and management and fraud and corruption prevention.
- Good procurement practices and relevant integrity obligations are implemented and will also be imposed on contractors and consultants (particularly in respect of disclosures of conflicts of interest).
- Relevant guidance materials, policies, and procedures are accessible to Councillors and staff.
- A culture of integrity is reinforced through leadership, communication, and accountability.
- Training and compliance will be monitored and reported annually to the Executive.

## MONITORING AND REPORTING

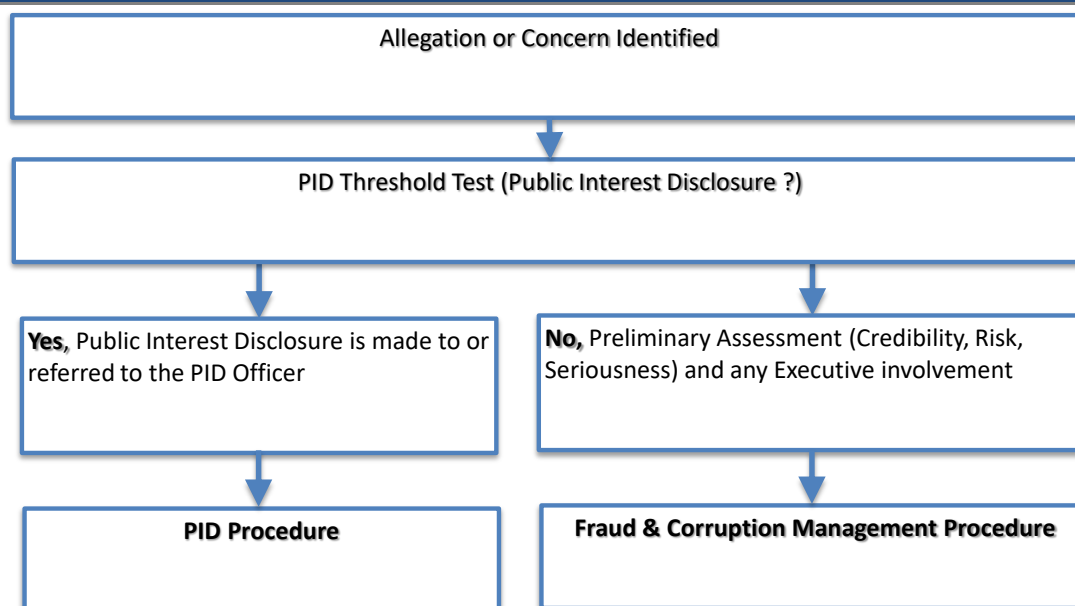
- Integrity measures and performance are subject to regular monitoring by management, the CEO, and the Audit and Risk Committee.
- The Internal Audit function provides independent assurance over integrity controls and risk management processes.
- Council's Audit and Risk Committee has oversight of fraud and corruption controls and relevant policies.
- Regular reporting will be made to Executive Leadership Team and the Audit and Risk Committee on the effectiveness of fraud and corruption controls, compliance with integrity obligations, and significant integrity-related matters.

## ROLE ACCOUNTABILITIES & RESPONSIBILITIES

|                                           |                                                                                                                                    |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Council                                   | Provides leadership, endorses the policy, and monitors implementation.                                                             |
| Audit & Risk Committee                    | Provides oversight of integrity measures and assurance activities.                                                                 |
| Chief Executive Officer (CEO)             | Ensures appropriate systems, processes, and culture are in place to uphold integrity standards and accountabilities.               |
| Directors and Managers and team Leaders   | Promote and ensure integrity and compliance within their business areas.                                                           |
| People & Capability                       | Provide induction training, staff management and support.                                                                          |
| Staff and officers of controlled entities | Act with integrity in all decisions and actions, disclose conflicts of interest, report suspected breaches and comply with policy. |
| Public Interest Disclosure Officer(s)     | Assess, refer and manage public interest disclosures on behalf of Council.                                                         |
| General Counsel                           | Policy owner; provides legal advice and guidance on integrity-related matters.                                                     |

# Integrity Policy

## PROCESS FLOW



## DEFINITIONS

**Controlled entities (and their officers and staff)** – any subsidiary entities established by Council and subject to the same integrity obligations created by statute.

**Corruption** – abuse of position or power for personal gain or advantage.

**Councillor** – is defined under the Local Government Act

**Fraud** – dishonest activity causing actual or potential financial loss, including theft, misappropriation of assets, or deliberate falsification

**Improper Conduct** – conduct as defined under the Public Interest Disclosures Act 2012 (Vic), including corrupt conduct, serious misconduct, and detrimental action.

**Integrity** – Consistent application of moral and ethical standards in decision-making and day-to-day operations, ensuring actions are honest, transparent, and free from undue influence.

**Staff** – all employees and also includes Council's contingent workforce (agency workers, contractors, student / Pathway Placements and volunteers who provide services to Council or are engaged by Council but are not Council employees).

# Integrity Policy

## BREACH OF POLICY

Breaches of this Policy may result in:

- Disciplinary action under Council's employment framework or other legal or contractual consequences where relevant;
- For contractors and consultants, breaches may result in termination of engagement or exclusion from future work with Council;
- Referral to relevant external oversight or regulatory body (e.g., IBAC, Victorian Ombudsman, VAGO, Victoria Police).

## REFERENCES

### Legislation (Vic)

- Audit Act 1994
- Charter of Human Rights and Responsibilities Act 2006
- Freedom of Information Act 1982
- Independent Broad-based Anti-Corruption Commission Act 2011
- Local Government Act 2020
- Ombudsman Act 1973
- Privacy and Data Protection Act 2014
- Public Interest Disclosures Act 2012
- Public Records Act 1973

### Council Policies and Procedures

- Audit and Risk Committee Charter
- Code of Conduct (Councillor and Staff)
- Complaint Handling Policy
- Conflict of Interest Policy & Guidance
- Enterprise Compliance Management Framework
- Fraud and Corruption Management Procedure and Control Plan
- Gifts, Benefits & Hospitality Policy
- Internal Audit Charter
- Public Interest Disclosures Procedure
- Public Transparency Policy
- Privacy Policy
- Records & Information Management Policy

# Integrity Policy

## Fraud & Corruption Reporting and Management Process

| Step | Process                                                                                                                                                                    | Responsible Role                                                                         |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| 1    | Suspected fraud or corruption identified                                                                                                                                   | Staff, Councillor, Contractor, Supplier, or Member of the Public                         |
| 2    | Report the matter through an approved channel (manager, CEO, Director, General Counsel, PID Officer, whistleblower line, or IBAC)                                          | Reporter                                                                                 |
| 3    | Receive the report, document key details, maintain confidentiality, and escalate the matter                                                                                | Report Receiving Officer (Manager, Director, CEO, General Counsel, or PID Officer)       |
| 4    | Conduct a preliminary assessment to determine whether the matter is fraud/corruption and whether it may be a Public Interest Disclosure (if so manage under PID Procedure) | Report Receiving Officer (seek advice from General Counsel)<br>Report to CEO or Delegate |
| 5    | Is there reasonable suspicion, determine the appropriate pathway: internal investigation, or administrative action                                                         | CEO or Delegate                                                                          |
| 6    | Notify IBAC where there are reasonable grounds to suspect corrupt conduct                                                                                                  | CEO or Delegate                                                                          |
| 7    | Conduct investigation (internal or external investigator appointed)                                                                                                        | CEO or Delegate / Appointed Investigator                                                 |
| 8    | Prepare investigation findings and recommendations                                                                                                                         | Investigator                                                                             |
| 9    | Determine outcomes (disciplinary action, referral to authorities, recovery action)                                                                                         | CEO or Delegate                                                                          |
| 10   | Record the incident and outcomes in the fraud and corruption register and report significant matters                                                                       | Risk Coordinator                                                                         |
| 11   | Report significant matters to Executive and Audit & Risk Committee                                                                                                         | Director Corporate Services / CEO                                                        |

# Integrity Policy

## Public Interest Disclosure (PID) Process Map

| Step | Process                                                                                                                                                  | Responsible Role                                                  |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1    | Improper conduct or detrimental action suspected                                                                                                         | Staff, Councillor, Contractor, Volunteer, or Member of the Public |
| 2    | Disclosure made through an authorised channel (PID Officer, Whistleblower Hotline, IBAC)                                                                 | Discloser                                                         |
| 3    | Receive the disclosure, record it confidentially, and maintain the PID register                                                                          | Public Interest Disclosure (PID) Officer                          |
| 4    | Acknowledge receipt of the disclosure (within 10 days if the discloser is known)                                                                         | PID Officer                                                       |
| 5    | Conduct preliminary assessment to determine whether the disclosure may be a Public Interest Disclosure under the Act                                     | PID Officer                                                       |
|      | Determine whether the disclosure is an Assessable Disclosure                                                                                             | PID Officer                                                       |
| 6    | <b>If Yes</b> - Refer assessable disclosure to IBAC within 28 days                                                                                       | PID Officer                                                       |
|      | Investigation conducted by IBAC or returned to Council for investigation                                                                                 | IBAC or CEO / Appointed Investigator                              |
| 7    | <b>If No</b> - the disclosure is not a PID, refer the matter for internal management/CEO (e.g. Fraud & Corruption Management Procedure or other process) | PID Officer / CEO                                                 |
| 8    | Protect and support the discloser, including appointing a Welfare Officer if required                                                                    | PID Officer / Welfare Officer                                     |
| 9    | Provide updates and outcome notification to the discloser where possible                                                                                 | PID Officer                                                       |
| 10   | Maintain confidential records and update PID register                                                                                                    | PID Officer                                                       |
| 11   | Report required PID statistics in Council Annual Report                                                                                                  | PID Officer / Director Corporate Services                         |