



Fraud and Corruption Prevention and Control procedure

Section 1 - Preamble

(1) This Procedure is effective from 20 December 2022.

Section 2 - Purpose

(2) This Procedure outlines the University's management of allegations of fraud and corrupt conduct and must be read in conjunction with the [Integrity policy](#).

Section 3 - Scope

(3) This Procedure applies to members of the University and includes the controlled entities.

Section 4 - Policy

(4) The University is committed to establishing and maintaining a culture of honesty, transparency and accountability, upholding the highest standards of legal, ethical and moral behaviour in its stewardship of public and private funds in the pursuit of its objects. It achieves this by:

- a. establishing the [Code of Conduct](#) (which applies to staff), the [Student Code of Conduct](#) and other codes, policies and standards (including in relation to research standards) which require all individuals acting on its behalf to conduct business honestly, ethically and professionally;
- b. promoting and enforcing standards of conduct that require individuals to be responsible and accountable for their own behaviour and to support others in adopting ethical practices reflecting the University's no tolerance of fraud, corruption and improper conduct, particularly through induction and staff education and training, as well as the application of relevant policies, procedures and processes;
- c. taking action to identify and address the risk of fraud and corruption within the University and its controlled entities, and thereby effectively preventing, deterring and detecting it through appropriate policies, internal controls, investigation, reporting, education and independent auditing;
- d. supporting and facilitating the making of disclosures, protecting the discloser and having no tolerance for detrimental action against any person who reports wrongdoing.

Section 5 - Procedure

Prevention

(5) The University's ethical environment is reinforced through robust corporate governance measures and transparency and accountability, minimising opportunities for fraudulent and corrupt conduct, and maximising

detection and exposure of error and non-compliance.

(6) The University has in place a range of preventative strategies and controls that apply to key risk areas and provide guidance to staff about required processes, delegations and approvals which aim to prevent fraud and corrupt conduct in these activities. The relevant policies and procedures include this Procedure and the following:

- a. [Gifts and Hospitality Acceptance procedure](#)
- b. [Business Expenses Policy](#)
- c. [Declaration of Interest procedure](#)
- d. [Corporate Mobile Communication Devices procedure](#)
- e. [Credit Card policy](#)
- f. [Delegations Policy](#)
- g. [Employment of Staff Policy](#)
- h. [Insider Trading Prevention Policy](#)
- i. [Internal Audit policy](#) and [Internal Audit procedure](#)
- j. [Procurement policy](#) and [Procurement Procedure](#)
- k. [Recruitment of Staff Procedure](#).

(7) Staff are required to report any breaches or non-compliance in accordance with the [Compliance Management policy](#).

Detection, reporting and investigation

(8) All staff and associates of the University and its controlled entities who become aware of suspected fraud, corruption or improper conduct must report the matter to the University promptly, to:

- a. the Deputy Vice-Chancellor, University Services; or,
- b. the Director, Audit, Risk and Business Continuity; or
- c. if the matter involves the Deputy Vice-Chancellor, University Services, and/or the Director, Audit, Risk and Business Continuity to the Vice-Chancellor; or alternatively via the independent and externally hosted service [Stopline](#). Reports to Stopline may be made anonymously.

(9) Ideally a report of suspected fraud, corruption or improper conduct should include: a description of the alleged incident, who was involved, where and when the incident occurred, an estimate of the impact, and any available and relevant documentary evidence such as correspondence, receipts or invoices etc. Staff must ensure relevant documents and evidence is preserved.

(10) A student or a member of the public may report a suspicion or allegation of fraud or corruption to:

- a. a staff member or a University contact point. All such reports must be forwarded to the Deputy Vice-Chancellor, University Services or Director, Audit, Risk and Business Continuity for investigation in accordance with this Procedure. If the report implicates the Deputy Vice-Chancellor, University Services or Director, Audit, Risk and Business Continuity, it must be made or forwarded to the Vice-Chancellor; or
- b. via the independent and externally hosted service [Stopline](#). Reports to Stopline may be made anonymously.

(11) A report of known or suspected fraud, corruption or improper conduct shall be treated as confidential and may be used and disclosed in accordance with this Procedure on a 'need-to-know' basis only.

(12) The Deputy Vice-Chancellor, University Services or delegate (or other office responsible for the investigation of the allegation appointed by the Vice-Chancellor, who will then be deemed to have the same powers as the Deputy

Vice-Chancellor, University Services under this Procedure) may undertake or commission a preliminary investigation and may seek advice from the General Counsel including in relation to the applicable University process and any external reporting requirements that may apply.

(13) Where the Deputy Vice-Chancellor, University Services has formed a reasonable suspicion that corrupt, fraudulent or improper conduct has occurred or may be occurring, they may either:

- a. undertake an appropriate investigation informed by the nature and seriousness of the alleged conduct. The Deputy Vice-Chancellor, University Services may utilise the services of an appropriate and suitably qualified independent person (internal or external) to investigate the substance of an allegation ('the investigation'); or
- b. notify the Independent Broad-based Anti-corruption Commission (IBAC) in accordance with section 57 of the [Independent Broad-based Anti-corruption Commission Act 2011 \(Vic\)](#) particularly in circumstances where there are reasons why the University may not have the capacity or wish to conduct an investigation itself. In such cases, IBAC may elect to undertake an investigation or it may refer the matter to another body (including back to the University) to investigate.

(14) A complainant seeking the statutory protections afforded by the [Public Interest Disclosures Act 2012 \(Vic\)](#) must take their complaint to the [Independent Broad-based Anti-corruption Commission](#). The University's obligations in respect of a public interest disclosure are set out in the [Public Interest Disclosures procedure](#).

(15) The investigation will be conducted in accordance with these principles:

- a. it must be conducted fairly, expeditiously and without bias;
- b. the investigator must disclose any actual, perceived or potential conflicts of interest to the Deputy Vice-Chancellor, University Services as soon as they become aware of any such interest;
- c. confidentiality must be maintained, information shared only on a 'need-to-know' basis and the [Privacy policy](#) must be applied and complied with when confidential or personal information is sought, used and/or disclosed;
- d. all relevant parties to a matter will be given reasonable opportunity to be heard and all submissions considered;
- e. a chain of evidence is to be maintained;
- f. the investigator will provide a report to the Deputy Vice-Chancellor, University Services at the conclusion of the investigation that identifies whether fraud, corrupt or improper conduct has occurred and other policies and procedures may have been breached, including recommendations.

(16) The Deputy Vice-Chancellor, University Services is responsible for:

- a. reporting any matter with a material effect on the University's integrity in a timely way to the Vice-Chancellor and/or the Audit and Risk Committee; and
- b. actioning the University's response to any incident of fraud, including notifying relevant staff members so that appropriate disciplinary measures for students, staff and associates can be undertaken in accordance with the [Staff Discipline procedure](#) and [Student Misconduct procedure](#).

(17) The Director, Audit, Risk and Business Continuity must maintain an Incident Register of all allegations/incidents and fraud investigations undertaken pursuant to this Procedure. This record shall at a minimum record the following:

- a. date and time that the report was made and by whom;
- b. a description of the alleged incident, who was involved, where and when the incident occurred, an estimate of the impact;
- c. action taken following discovery; and
- d. results, conclusions and actions taken as a result of the investigation.

(18) Where a staff member or a student of the University is involved in an incident of fraud, corruption or improper conduct in the course of their University engagement, the University may take appropriate disciplinary measures in accordance with the [Staff Discipline procedure](#) and [Student Misconduct procedure](#) or other relevant policies.

(19) The Deputy Vice-Chancellor, University Services (or delegate) will notify:

- a. the Director, Audit, Risk and Business Continuity of all allegations/incidents and fraud investigations undertaken pursuant to this Procedure; and
- b. the Director, Academic Governance and Standards if allegations of fraud and corruption have been substantiated. The Director, Academic Governance and Standards will ensure that the Tertiary Education Quality and Standards Agency (TEQSA) is notified where required under the [Tertiary Education Quality and Standards Agency Act 2011](#).

(20) If found to involve the misappropriation of money, stores or property, the Deputy Vice-Chancellor, University Services in consultation with the Vice-Chancellor will report fraud, corrupt or improper conduct to the Victorian Minister for Education and to the Victorian Auditor-General in accordance with its reporting obligations. They may also report or refer a matter to the police or other relevant authorities or regulatory body.

(21) The University may actively pursue the recovery of any money or property lost through fraud, corruption or improper conduct if there is a strong prospect of a net benefit to the University from such action, as determined by the Vice-Chancellor on the recommendation of the Deputy Vice-Chancellor, University Services.

Responsibilities

(22) The Deputy Vice-Chancellor, University Services will:

- a. have accountability and oversight of the University's internal control framework in respect of financial expenditure and the prevention and detection of fraud, corruption and improper conduct;
- b. ensure that staff, associates and suppliers of the University and controlled entities are informed of the standard of conduct and responsibility required of them by the University, and as appropriate are provided with information, training and other resources;
- c. ensure that all Executives and Senior leaders undertake relevant induction and training as required and that the staff performance planning and review process clearly supports ethical behaviour, leadership and culture.

(23) The Dean of Students is responsible for the implementation of the policies approved by the Academic Board in relation to students, including in relation to the standard of conduct and responsibility required of them by the University, and will ensure that students are provided with information, training and other resources as appropriate including in relation to integrity matters.

(24) The Director, Audit, Risk and Business Continuity will report to the Executive and the Audit and Risk Committee on how fraud and corrupt conduct risks are being managed throughout the University.

(25) The General Counsel is responsible for the review and monitoring of the effectiveness of the [Integrity policy](#).

(26) Faculty and Portfolio leaders will ensure that risk of fraudulent, corrupt and improper conduct are identified, assessed, mitigated and reviewed in accordance with the [Risk Management Framework](#).

(27) Leaders receiving a report of wrongdoing have a responsibility to:

- a. treat seriously all reports of wrongdoing, and
- b. ensure all reports of wrongdoing are dealt with in accordance with the [Fraud and Corruption Prevention and Control procedure](#) or other appropriate process, noting that the University has a range of policies and

procedures providing guidance to staff about the standards of conduct required of them, their responsibilities and accountabilities, including (but not limited to) the following:

- i. [Code of Conduct](#)
- ii. [Integrity policy](#)
- iii. [Gifts and Hospitality Acceptance procedure](#)
- iv. [Business Expenses Policy](#)
- v. [Declaration of Interest procedure](#)
- vi. [Corporate Mobile Communication Devices procedure](#)
- vii. [Credit Card policy](#)
- viii. [Employment of Staff Policy](#)
- ix. [Delegations Policy](#)
- x. [Insider Trading Prevention Policy](#)
- xi. [Internal Audit policy](#) and [Internal Audit procedure](#)
- xii. [Procurement policy](#) and [Procurement Procedure](#)
- xiii. [Recruitment of Staff Procedure](#)
- xiv. [Public Interest Disclosures procedure](#)
- xv. [International Relations Regulation policy](#).

(28) Staff will not discuss or report any suspected or proven instance of fraud, corrupt or improper conduct to the media, except with the prior written approval of the Vice-Chancellor.

Section 6 - Definitions

(29) For the purpose of this Procedure:

- a. corruption: (from the [Independent Broad-based Anti-corruption Commission Act 2011 \(Vic\)](#)) dishonest activity in which a member of staff, student, controlled entity or associate of the University acts contrary to the interests of the University, knowingly or recklessly abuses their position of trust, and adversely affects the University's effective and honest performance or intends to do so in order to achieve personal gain or advantage for themselves or for another person or entity. Corruption can also involve corrupt conduct by the entity or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly. Corruption does not occur unintentionally, or through mistaken actions.
- b. detrimental action: (from the [Public Interest Disclosures Act 2012 \(Vic\)](#)) action causing injury, loss or damage, intimidation or harassment, discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action.
- c. fraud: the act of dishonestly obtaining a material benefit by deception or other means. Fraud can include, for example, theft, deliberate falsification, concealment or misuse of documentation, or false representation. The University considers fraud an act of serious misconduct and grounds for termination of employment, in accordance with the relevant workplace agreements.
- d. improper conduct: (from the [Public Interest Disclosures Act 2012 \(Vic\)](#)) dishonest or corrupt conduct by a public officer or body that constitutes a criminal offence, serious professional misconduct, dishonest performance of public functions or an intentional or reckless breach of public trust or misuse of information or material, or a substantial mismanagement of public resources or risk to the health or safety of persons, or a substantial risk to the environment, or conduct of any person that adversely affects or is intended to affect the honest performance by a public officer or public body of their functions as a public officer or public body and results in the person, or an associate of the person, obtaining an improper benefit.

- e. staff: a member of the academic or professional staff, executive or honoraries appointed by the University.
- f. student:
 - i. a person enrolled in a course or unit in the University;
 - ii. a student of another higher education institution to whom the University grants rights of access to University premises and facilities;
 - iii. a candidate for an award of the University whose work has been examined or assessed but on whom the award has not been conferred;
 - iv. a person who is on leave of absence from or who has deferred enrolment in a unit or course of the University.

Status and Details

Status	Current
Effective Date	20th December 2022
Review Date	20th December 2027
Approval Authority	University Council
Approval Date	9th December 2022
Expiry Date	To Be Advised
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