



# Fraud and Corruption Prevention and Control procedure

## Section 1 - Preamble

(1) This Procedure is effective from 11 November 2019.

## 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 [Fraud and Corruption Prevention and Control policy](#).

## Section 3 - Scope

(3) This Procedure applies to students, staff and associates of the University and its controlled entities. It does not apply to protected disclosures under the [Protected Disclosure Act 2012 \(Vic\)](#). The [Protection of Persons from Detrimental Action procedure](#) addresses protected disclosures. Any research and academic misconduct by staff and students will be dealt with under the [Research Conduct policy](#), the [Academic Integrity policy](#) and the [Student Academic Integrity procedure](#).

## Section 4 - Policy

(4) This Procedure is pursuant to the [Fraud and Corruption Prevention and Control policy](#).

## Section 5 - Procedure

### Ethical environment

(5) The [Code of Conduct](#) sets out the University's high ethical standards. The [Code of Conduct](#) requires staff and associates to:

- a. behave ethically, honestly and professionally
- b. perform duties diligently and conscientiously
- c. make objective and ethical decisions
- d. not misuse positions of trust and
- e. respect the people they interact with.

This is augmented by the [Student Code of Conduct](#).

### Prevention

(6) The University's ethical environment is reinforced through robust corporate governance for improved transparency

and accountability, reducing the likelihood that the University will suffer financial loss as a result of fraudulent and corrupt conduct by staff, students and associates of the University and its controlled entities.

(7) Because fraud and corruption can occur in various contexts, the University has a range of preventative strategies and controls including policies and procedures that provide clear guidance to staff about fraudulent and corrupt behaviour in these settings, including the:

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

## **Detection, reporting and investigation**

(8) All staff and associates of the University and its controlled entities who become aware of suspected fraud and corruption must report to the Chief Financial Officer (or if the matter involves the Chief Financial Officer to the Vice-Chancellor) or the Director, Internal Audit and ensure evidence that may be valuable for an investigation is not compromised.

(9) A student or a member of the public may report a suspicion or allegation of fraud or corruption to a staff member, associate or a University contact point. All such reports must be forwarded to the Chief Financial Officer or Director, Internal Audit for investigation in accordance with this procedure. If the report implicates the Chief Financial Officer it must be made or forwarded to the Vice-Chancellor.

(10) The Chief Financial Officer will seek advice from the General Counsel regarding the external reporting requirements which may be triggered by specific reports or allegations and will provide advice to individuals accordingly, including on rights and responsibilities arising under the [Protected Disclosure Act 2012 \(Vic\)](#) and the [Independent Broad-based Anti-corruption Commission Act 2011 \(Vic\)](#).

(11) Where the Chief Financial Officer forms a reasonable suspicion that corrupt or improper conduct has occurred or may be occurring, and particularly in circumstances where there are reasons why the University may not wish to conduct an investigation itself, the University may notify the Independent Broad-based Anti-corruption Commission (IBAC) in accordance with section 57 of the [Independent Broad-based Anti-corruption Commission Act 2011 \(Vic\)](#). 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.

(12) The [Protection of Persons from Detrimental Action procedure](#) explains the University's obligations where the [Protected Disclosure Act 2012 \(Vic\)](#) applies.

(13) Any report of suspected fraud and corruption needs to provide sufficient information to determine further action. As a guide, the report 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 documentary evidence at hand. For example this may include relevant letters and emails, receipts, invoices, records of conversations, statements or other written material.

(14) At any time, reporting of known and suspected fraud and corruption incidents should be kept confidential and may be disclosed to others on a 'need-to-know' basis only.

(15) The Chief Financial Officer's response to a report of fraud or corruption is contingent upon the nature and seriousness of the alleged conduct. The Chief Financial Officer may utilise the services of an appropriate independent person as part of their preliminary inquiries into the substance of an allegation.

(16) Having formed the view that a formal investigation is warranted, the Chief Financial Officer can commission an investigation by a suitably qualified person or persons. The investigator must ensure that evidence is protected from contamination, tampering or damage and that the chain of evidence is maintained.

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

- a. proceedings must be carried out fairly and without bias. Care should be taken to exclude perceived bias from the process.
- b. the investigator must not have a personal, professional, direct or indirect interest in the matter being investigated. The investigator must disclose actual, perceived or potential conflicts of interest to the Chief Financial Officer as soon as they are aware in order that a different investigator can be appointed.
- c. confidentiality - information will be disclosed to others on a 'need-to-know' basis.
- d. all relevant parties to a matter will be given reasonable opportunity to be heard and all submissions considered; and
- e. the investigator will provide a report to the Chief Financial Officer at the conclusion of the investigation that identifies whether fraud or corrupt conduct has occurred and other policies and procedures may have been breached, including recommendations.

(18) An Incident Register is to be kept of all allegations/incidents and fraud investigations and to be reported to the Audit and Risk Committee by Internal Audit. This record shall at a minimum record the following:

- a. date and time that the report was made and by who
- 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.

(19) Where a staff member or a student of the University is involved in an incident of fraud or corruption in the course of their University duties, the University will take appropriate disciplinary measures in accordance with the [Staff Discipline policy](#) and [Regulation 4.1\(1\) — General Misconduct](#).

(20) The University will not tolerate any victimisation against any person who reports wrongdoing. The University will take appropriate action regarding such conduct, which may include termination of employment, contract or association with the University.

(21) The Chief Financial Officer will notify 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](#).

(22) If found to involve the misappropriation of money, stores or property, the Chief Financial Officer in consultation

with the Vice-Chancellor will report fraud or corrupt conduct to the police, the Victorian Minister for Tertiary Education and to the Victorian Auditor-General.

(23) The University will actively pursue the recovery of any money or property lost through fraud or corruption 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 Chief Financial Officer.

## Responsibilities

(24) The Chief Financial Officer will:

- a. implement and oversee the operation of the University's internal control framework that will cover fraud and corruption prevention and detection and make improvements where required
- b. ensure that all students, staff and associates of the University and controlled entities are provided with information and training making them aware of their responsibilities under the [Fraud and Corruption Prevention and Control policy](#) and [procedure](#)
- c. report at least annually to Executive and the Audit and Risk Committee on how fraud and corrupt conduct risks are being managed throughout the University
- d. notify relevant staff members so that appropriate disciplinary measures for students, staff and associates can be undertaken in accordance with the [Staff Discipline policy](#) and [Regulation 4.1\(1\) – General Misconduct](#).

(25) The Director, Internal Audit is responsible for the independent review and monitoring of the effectiveness of the [Integrity policy](#) in line with the [Internal Audit Charter](#).

(26) The Executive Director, Human Resources is responsible for ensuring that all Executives and Senior Managers undertake relevant induction and training as required and that the Performance Planning and Review process clearly supports ethical behaviour, leadership and culture.

(27) Heads of Faculties and Portfolios will ensure that fraud and corrupt conduct risks are identified, assessed, mitigated and reviewed in accordance with the [Risk Management Framework](#).

(28) Managers and Supervisors 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 policy](#) and [procedure](#).

(29) The University will use its best endeavours to ensure suppliers are provided with such information as to make them aware of Deakin's approach to fraud and corruption (as per the [Fraud and Corruption Prevention and Control policy](#) and [procedure](#)) and responsibilities that may fall on them as individuals or organisations doing business with the University.

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

## Section 6 - Definitions

(31) For the purpose of this Procedure:

- a. victimisation: is when a person subjects (or threatens to subject) another person to a detriment (which includes humiliation and denigration) because that other person has made a complaint or been involved in a complaints

procedure, or because the first person thinks the other person intends to make a complaint or be involved in a complaints procedure.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	11th November 2019
<b>Review Date</b>	11th November 2024
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<b>Approval Date</b>	6th November 2019
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