Fraud and corruption prevention is in the University's long-term interest. One of the University's core values is to foster the values of openness, honesty, tolerance, fairness, trust and responsibility in social, moral and academic matters as detailed in the University's Code of Ethics and Code of Conduct. The University recognises its prominent role in the wider community and the need for accountability in decision making, particularly in the use of public funds, endowments and bequests.

The purpose of this policy defines fraud and corrupt conduct, lists the responsibilities of staff, and sets out the processes for controlling and reporting fraud and corrupt conduct. It is to protect the University's assets, interests and reputation through a co-ordinated approach in dealing with suspected fraud and corruption.

This policy applies to all University staff members regardless of the position held.

The policy is to be read in conjunction with the Fraud and Corrupt Conduct Control Procedures. These procedures enable staff to identify areas of risk and actual instances of fraud and corruption as well as setting out the processes to be followed when suspected acts of fraud and corruption are identified.

Scope

This policy applies to all staff of the University at all campuses of the University and to all activities under the control of the University.

Definitions

<table>
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<th>Term</th>
<th>Definition</th>
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<td><strong>Corrupt Conduct:</strong></td>
<td>includes improper use of influence or position and/or improper use of information or other improper acts or omissions of a similar nature</td>
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<tr>
<td><strong>Chief Operating Officer and Chief Financial Officer:</strong></td>
<td>is the University officer nominated as such under the Financial Management Act, 1994.</td>
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Empowered Officer: is the University officer responsible for coordinating the investigation of allegations of fraud and corrupt conduct including keeping the Vice-Chancellor and President or where appropriate a Senior Deputy Vice Chancellor and/or a Deputy Vice Chancellor informed. The Empowered Officer will be the Chief Operating Officer/Chief Financial Officer of the University. If an allegation of fraud or corrupt conduct is against the Chief Operating Officer/Chief Financial Officer the Empowered Officer will be the Vice-Chancellor and President.

Fraud: includes theft and criminal deception by electronic or other means; making false representations to gain an unjust advantage; and abuse of University property or time.

Theft: is the dishonest appropriation of the University’s property with intent to deprive the University of it.

Examples of Some Activities That Constitute Fraud/Corrupt Conduct Include:

• Taking inducements, including donations or sponsorships, to mark a student’s assessment more favourably or award a contract for the provision of goods or services;
• Misuse of one’s position to gain an unfair or unjust advantage;
• Operation of a private business using University facilities and time;
• Misuse or abuse of telephone, fax, computers, and other equipment to run a private business, whether for profit or not-for-profit;
• Misuse of petty cash;
• Misuse of a University Issued purchasing card;
• Inappropriate disposal of University assets in contravention of the University’s Asset, Attractive Items & Inventory Management policy;
• Theft of University revenue in the form of cash, cheques, money order or other negotiable instrument;
• Unauthorised removal of equipment, parts, software, and office supplies from University premises;
• Submission of sham taxation arrangements for an employee or contractor to circumvent the University’s procedures for engaging employees and contractors;
• Submission of fraudulent purchase orders;
• Submission of fraudulent applications for reimbursement;
• Submission of exaggerated or wholly fictitious accident, harassment or injury claims;
• Payment of fictitious employees or suppliers through the University’s payroll or finance systems;
• Misuse of sick leave or family leave;
• Using University paid travel, ostensibly for business, but, in fact, where the principal purpose is private;
• Falsification of time records; and
• Deliberate damage, destruction or falsification of documents.

Policy Statement

The University is actively committed to preventing fraud and corrupt conduct throughout the organisation.

Having in place good audit systems, active risk management strategies and thorough checking of referees before employment are the preferred methods for avoiding these problems.

Responsibility

Warning - Uncontrolled when printed! The current version of this document is kept on the FedUni website.
All Employees

All employees must be committed to preventing and deterring, fraud and corrupt conduct throughout the University.

Reports of incidents of fraud and corrupt conduct can arise from within the University and also external to the University. Disclosures under the Protected Disclosure Act 2012 must be dealt with according to Procedures for the Investigation of Disclosures under the Protected Disclosure Act 2012.

Public Complaints and External Organisations or Persons

An Independent Party or person that suspects a Officer/staff member of the University has engaged in fraud or corruption in the process of conducting business may write to the Senior Deputy Vice Chancellor outlining their concerns.

Senior Management

Senior Management have a leading role in creating an honest, ethical and professional workplace and are expected to display appropriate attitudes towards compliance with the University's regulations and policies. A key component of this is to ensure staff receive training about the University's policies and procedures relevant to their work. Senior Management need to ensure that they are aware of indicators/symptoms of fraud and corruption, and other wrongful acts and respond appropriately. Matters or concerns raised at this level need to be reported to the Manager, Complaints Resolution and discussed with the Director, Human Resources before any form of action is taken.

University Executive

The University executive has a responsibility in ensuring the University maintains its standing within the broader community by providing a management framework which aims to prevent the occurrence of fraud and corruption. Where acts or situations are detected, the Executive needs to ensure investigations are conducted in an open and transparent manner in accordance with the principles of procedural fairness. The Vice Chancellor and President has a statutory responsibility for ensuring reporting requirements to the Commission are met by the University.

Investigations

When confronted with an allegation an officer must act quickly. Failure to do so could invalidate the result, waste time and increase the expense of the investigation. The longer it takes to investigate an allegation, the more likely it is that memories fade, and evidence is lost.

All officers who are involved in or become aware of a fraud, theft or corrupt conduct investigation must keep the details and results of the investigation confidential. However the Empowered Officer and the police may discuss the investigation with any person if such discussion would further the investigation.

In particular, no suspicion of or proven case of fraud, theft or corrupt conduct is to be discussed with or reported to the media except with the approval of the Vice Chancellor and President.

Legislative Context

Under Section 38 of the University of Ballarat Act (2010) as amended by the University of Ballarat Amendment (Federation University Australia) Act 2013, the Council of the University must do all things necessary to do each of the following:

a. ensure that all money payable to the University is properly collected;

b. ensure that all money expended by the University is properly expended and properly authorised;

c. ensure that adequate control is maintained over assets secured by, or in the custody of the University;
d. ensure that all liabilities incurred by the University are properly authorized;

e. ensure efficiency and economy of operations and avoidance of waste and extravagance;

f. develop and maintain an adequate budgeting and accounting system;

g. develop and maintain an adequate internal audit system.

Under Part 10.1.1 of the *Financial Management Act 1994*:

In circumstances where shortages and surpluses of money, stores and property may occur, an appropriate level of control is necessary to ensure probity, safeguard money, stores and property and maintain accurate and consistent accounting records. This requires the establishment of relevant reporting, investigation and accounting procedures.

**Associated Documents**

- Fraud & Corrupt Conduct Control Procedure
- Delegations - Contract, Financial, Staffing and Tender Policy
- Procurement/Purchasing Governance Policy (currently underdevelopment)
- Procurement/Purchasing Governance Procedure (currently underdevelopment)
- Asset, Attractive Items & Inventory Management Policy (currently underdevelopment)
- Asset, Attractive Items & Inventory Management Procedure (currently underdevelopment)
- Revenue Cash & Cash Equivalent Policy (currently underdevelopment)
- Revenue Cash & Cash Equivalent Procedure (currently underdevelopment)
- Debt Management Policy (currently underdevelopment)
- Debt Management Procedure (currently underdevelopment)
- Protected Disclosure Act 2012
- Privacy Act, 1988; Information Privacy Act, 2001(Vic).
- Risk Management Policy.
- Risk Management Procedure.
- Performance Agreement between the Victorian Learning and Employment Skills Commission and the Council of the the University (VET Division).