

POLICY NO LG46
FRAUD AND CORRUPTION CONTROL POLICY

DEPARTMENT:	Governance
RESPONSIBLE OFFICER:	General Manager
LINK TO STRATEGIC PLAN:	Leadership - ...be visionary and accountable leaders who advocate and represent the views of our community in a transparent way.
LEGISLATION AND RELATED DOCUMENTS:	<i>Criminal Code Act 1924 (Tas)</i> <i>Integrity Commission Act 2009</i> <i>Police Offences Act 1935 (Tas) Privacy Act 1988 (Cth)</i> <i>Public Interest Disclosure Act 2002 (Tas)</i> <i>Right to Information Act 2009 (Tas)</i> <i>AS 8001:2021 – Fraud and Corruption Control</i> <i>Code of Conduct</i> <i>Fraud and Corruption Control Plan</i> <i>Gifts and Benefits Policy</i> <i>Public Interest Disclosure Policy</i>
OBJECTIVE:	To outline Council's approach to the prevention, detection, reporting and handling of fraud and corruption in the workplace.
POLICY INFORMATION:	Adopted 17 April 2022 – Minute No 04/23.13.4.078

POLICY

1. DEFINITIONS

Fraud – dishonest activity causing actual or potential gain or loss to any person or organisation including theft of moneys or other property by persons internal and/or external to the Council and/or where deception is used at the time immediately before or immediately following the activity.

Corruption - dishonest activity in which a person associated with Council acts contrary to the interests of Council and abuses their position of trust in order to achieve personal advantage or advantage for another person or organisation. This can also involve corrupt conduct by Council or a person purporting to act on behalf of and in the interests of, in order to secure some form of improper advantage for Council either directly or indirectly.

Definitions include:

- theft;
- obtaining property, a financial advantage or any other benefit by deception (benefits and advantages can be either tangible or intangible);
- causing a loss, or avoiding or creating a liability by deception;
- providing false or misleading information to Council, or failing to provide information where there is an obligation to do so;
- making, using or possessing forged or falsified documents;
- bribery, corruption, collusion or abuse of office;
- unlawful use of Council's computers, vehicles, telephones, equipment, inventory and other property or services; and
- any offences of a like nature to those listed above.

2. SCOPE

This policy assigns responsibility for fraud and corruption prevention management to all Councillors, managers and employees. Specific details are outlined in the *Fraud and Corruption Control Plan*. All Departments will be required to implement practices consistent with this policy and associated procedures.

3. POLICY

Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency, which are all key components of good governance.

Council aims to prevent, deter and detect incidents of fraud and corruption by raising the awareness of the risk of fraud and corruption, taking necessary actions for its prevention, providing processes for the reporting and investigation of incidents, and protecting those who report suspected fraud or corruption incidents.

Council will not tolerate fraud or corruption amongst its Councillors, employees, volunteers or contractors.

Council is committed to:

- ensuring internal controls are developed to deter, detect and prevent fraud;
- providing a sound ethical environment in which fraud is difficult and honest behaviour is encouraged;
- complying with legislation and relevant policies, procedures and controls;
- proactively managing any allegations or incidences of fraud in accordance with approved procedure including reporting of allegations to law enforcement agencies;
- providing sufficient resources to facilitate the implementation of this policy within Council;
- protecting disclosers in accordance with the *Public Interest Disclosure Act (2002)*; and
- ensuring awareness of the Fraud and Corruption Control Policy and associated procedures through the provision of appropriate training and awareness raising strategies to employees. factor such considerations as whether it demonstrates a course of conduct; the seniority of the person; and the harm or potential harm associated with the conduct or misconduct.

3.5 Procedures

Procedures relating to the minimisation, detection and reporting of Council's fraud and corruption risk are contained in the *Fraud and Corruption Control Plan*.

4. REVIEW

Council will review at the end of each successive 5 year after formal adoption by Council or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.