

# Fraud and Corruption Control Policy

## POLICY STATEMENT

The University does not tolerate dishonest or fraudulent behaviour and is committed to preventing, detecting and responding to such behaviour in the performance of its operations.

Fraud and corrupt conduct identification and reporting is the responsibility of all members of the University community including those acting for or providing services to the University. This requires not only responsibility for personal behaviour but also support for others to embrace ethical practices and take appropriate actions to prevent and minimise fraud and corruption risks and to report any incidents to the University should it arise and be identified.

As a public body established by an Act of the Northern Territory Parliament, the University has obligations under the Northern Territory [Independent Commissioner Against Corruption Act 2017 \(ICAC Act\)](#), Part 9.4AAA of the Commonwealth [Corporations Act 2001](#) and Part IVD of the [Taxation Administration Act 1953](#) and as such, all University staff members and members of Council are public officers under the legislation.

## POLICY PRINCIPLES

### 1. Fraud and corruption

- 1.1. Fraud involves dishonestly obtaining or attempting to obtain a benefit or advantage for any person, or dishonestly causing or attempting to cause a loss by deception or other means to the University or its Controlled Entities.
- 1.2. Corruption is a behaviour that constitutes a criminal offence and is connected to public affairs. Examples that constitute corrupt behaviour include but are not limited to, misuse of public or University resources, including fraud, falsifying documents, as well as taking or offering a bribe, undeclared conflicts of interest and dishonestly releasing information.
- 1.3. Examples of research and academic fraud include but are not limited to:
  - falsification of research results;
  - falsification of qualifications;
  - fabrication of research articles;
  - identity theft; and
  - theft or leaking of examination papers.

### 2. Control framework

- 2.1. The University Council and senior management have responsibility for fraud and corruption control at the University.
- 2.2. The framework for fraud and corruption control includes an on-going system of training, regular risk assessment and reporting to ensure senior management and Council regularly review exposure to fraud risk.
- 2.3. The fraud and corruption control framework identifies potential risks and sources of fraud and corruption within the University.
- 2.4. The audit program undertakes regular internal and external audits of control systems and practices for detecting and dealing with fraud and corrupt conduct.



2.5. The fraud and corruption control framework and plan are endorsed by the Audit and Risk Committee of Council.

**3. Reporting**

3.1. The University has in place a Whistleblower Procedure to ensure that all reports of wrongdoing are managed and investigated appropriately. This includes reports of improper conduct that qualify as protected communication under the [ICAC Act](#).

3.2. Reports made under the Whistleblower Procedure and relevant legislation include requirements for the University to maintain confidentiality and protection against reprisals. Whistleblowers should carefully consider the legislation under which their disclosure is being made to ensure they meet the requirements of the applicable law to be protected. This may involve obtaining independent legal advice.

3.3. Reports must be made in good faith without malice or an intention to damage the reputation of the University or staff members. The University will not tolerate harassment, retribution or victimisation of the persons who report concerns.

**4. Mandatory reporting**

4.1. The ICAC Commissioner has significant statutory powers to investigate serious fraud and corruption within the University. Where there is a reasonable suspicion that a matter may involve improper conduct as defined by the [ICAC Act](#), a Public Officer is bound by section 22 to report the matter to the ICAC Commissioner.

4.2. Crimes against persons or University property will be reported to the Police.

4.3. Suspected fraud or corruption committed against the University by an external party may also be reported directly to the Police.

**NON-COMPLIANCE**

Non-compliance with Governance Documents is considered a breach of the [Code of Conduct](#) and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures.

Fraud or corruption may also breach recognised professional standards or research codes and be subject to procedures specified by external bodies.

**RELATED AND SUPPORTING DOCUMENTS**

Legislation	<a href="#">Criminal Code Act 1983</a> (NT) <a href="#">Independent Commissioner Against Corruption Act 2017</a> (Cth) <a href="#">Information Act 2002</a>
Policy	<a href="#">Code of Conduct</a> <a href="#">Gifts and Benefits Policy</a> <a href="#">Student Conduct By-laws</a>
Procedures	<a href="#">Conflicts of Interest Procedures</a> <a href="#">Whistleblower Reporting (Improper Conduct) Procedures</a>



**GOVERNANCE**

Owner	Director Strategic Services and Governance	
Category	Governance	
Audience	<p>All activities (including teaching, learning and research) and members of the University community, including Council or committee members, staff members (defined as a Public Officer under the ICAC Act) and students of the University.</p> <p>Any external party involved in providing goods or services, to the University, such as contractors, consultants, outsourced service providers and suppliers.</p> <p>This Policy may be adopted by the University’s controlled entities.</p>	
Approving authority	Vice-Chancellor	
Effective date	22 Sep 2020	
Review date	22 Sep 2023	
Version	4.01	Pol - 016
Content enquiries	<a href="mailto:governance@cdu.edu.au">governance@cdu.edu.au</a>	