Fraud and Corrupt Conduct Policy

Section 1 - Purpose and Scope

Purpose

(1) The University of Queensland (UQ) has zero tolerance for, and denounces all forms of, fraud and corruption. This includes 'Corrupt Conduct' as defined by the Crime and Corruption Act 2001 (CC Act), which may include fraud. The definition of corrupt conduct is provided in the Appendix of this Policy.

(2) The CC Act places statutory obligations on UQ to report all matters that involve or may involve corrupt conduct to the Crime and Corruption Commission (CCC). UQ is committed to managing its fraud and corruption risks and to advancing the purpose of the CC Act, which is to combat and reduce the incidence of major crime and corruption in the public sector.

(3) In addition to this Policy, UQ's framework for the overall management for fraud and corruption risks, including the reporting, assessing, preventing, detecting and investigating instances or suspicions of fraud or corrupt conduct, comprises:

a. the Complaints of Corrupt Conduct Against the Vice-Chancellor and President Policy; and
b. the Fraud and Corrupt Conduct Procedure.

(4) UQ will report and record complaints of corrupt conduct (which may include fraud) consistent with its obligations under s40 and s44 of the CC Act and with its obligations under the Public Records Act 2023.

(5) UQ acknowledges the importance of transparency when dealing with matters of reasonably suspected fraud or corrupt conduct and of ensuring it upholds the highest standards of integrity and accountability.

Scope

(6) This Policy applies to all UQ staff, affiliates, volunteers and members of UQ Senate. The definition of UQ staff, affiliates and volunteers is provided in the Appendix.

(7) As required under the CC Act, UQ's Complaints of Corrupt Conduct against the Vice-Chancellor and President Policy addresses how complaints that involve or may involve reasonably suspected corrupt conduct by the Vice-Chancellor and President are to be dealt with.

Section 2 - Principles and Key Requirements

(8) To give effect to its position of zero tolerance for fraud and corrupt conduct and to meet its legislative obligations, UQ will:

a. implement effective UQ-wide anti-fraud and anti-corrupt conduct procedures;
b. take all reasonable steps to proactively establish a culture and an operating environment that denounces all fraud and corrupt conduct;

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c. effectively manage the risks of fraud and corrupt conduct;
d. encourage and facilitate, through planning and provision of resources, the identification and honest disclosure of reasonably suspected fraud or corrupt conduct;
e. unless directed otherwise by the CCC, promptly refer complaints to the CCC for assessment where UQ reasonably suspects corrupt conduct;
f. investigate and report on all complaints and allegations of fraud or corrupt conduct;
g. discipline those who have engaged in corrupt conduct, notwithstanding their position and power;
h. promptly address any deficiencies in controls or culture;
i. develop and implement training that raises awareness regarding culture, accountability and internal controls;
j. deal with frivolous or vexatious complaints including the possible commencement of disciplinary actions; and
k. treat all allegations of reasonably suspected fraud or corrupt conduct confidentially.

(9) The Fraud and Corrupt Conduct Procedure details the minimum mandatory requirements of all UQ staff, affiliates and volunteers in implementing the above key requirements within UQ.

(10) Failing to comply with this Policy may be a breach of UQ's Staff Code of Conduct Policy and may also be considered corrupt conduct under the CC Act. Non-compliance may lead to disciplinary action, including dismissal.

Section 3 - Roles, Responsibilities and Accountabilities

Vice-Chancellor and President

(11) The Vice-Chancellor and President is the public official of UQ and is responsible for:

a. ensuring UQ has appropriate policy, training and awareness initiatives and other control systems in place to prevent, detect and manage corrupt conduct (including fraud) incidents;
b. setting the tone of the organisation, including leading and promoting an ethical culture;
c. encouraging reporting of reasonably suspected corrupt conduct;
d. ensuring appropriate action is taken in respect to corrupt conduct and fraud.

Heads of Organisational Units

(12) Heads of Organisational Units are responsible for promoting this Policy and related procedure to all staff, affiliates and volunteers within their respective areas of control and ensuring there are effective control systems in place to manage fraud and corrupt conduct.

Integrity Unit

(13) The Vice-Chancellor and President has authorised the Director, Integrity Unit to refer matters of reasonably suspected corrupt conduct to the CCC. The Integrity Unit will also:

a. assess and investigate fraud and corrupt conduct matters;
b. implement strategies across UQ to mitigate against risks of fraud and corrupt conduct; and
c. inform Internal Audit of any systemic breakdown of internal controls identified at the conclusion of an investigation for consideration in the Internal Audit planning process.

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Internal Audit

(14) Internal Audit will report any cases identified as possible fraud and corrupt conduct to the Integrity Unit for further assessment.

UQ Staff, Affiliates and Volunteers

(15) All UQ staff, affiliates and volunteers have, pursuant to the Staff Code of Conduct Policy, a responsibility to report concerns of reasonably suspected fraud in, or involving the workplace, or corrupt conduct to any of the following:

a. their supervisor or senior management in their work area;
b. Human Resources Division;
c. Integrity Unit; or
d. Chief Operating Officer.

(16) Reports of reasonably suspected corrupt conduct can also be referred directly to the CCC.

(17) All complaints involving reasonably suspected fraud and/or corrupt conduct must be referred to the Director, Integrity Unit for proper assessment and where necessary, referral to the CCC.

(18) Staff, affiliates and volunteers also have an obligation to participate in training that raises awareness regarding culture, accountability and internal controls as it applies to fraud and corrupt conduct.

Section 4 - Monitoring, Review and Assurance

(19) The Director, Integrity Unit is responsible for the promotion of this Policy and the related procedure and for ensuring that they are regularly reviewed for currency and effectiveness.

(20) The Director, Integrity Unit will continually monitor and review actions for the purpose of:

a. assessing compliance with the Policy and to demonstrate/confirm its effectiveness;
b. identifying, assessing and promptly addressing any deficiencies;
c. ensuring ongoing relevance of the Policy;
d. assessing effectiveness of controls; and
e. reporting through the Chief Operating Officer on weaknesses in controls as appropriate.

Section 5 - Recording and Reporting

(21) The Integrity Unit will record all reported or detected incidents of fraud or corrupt conduct within its Complaints Management Database.

(22) The Integrity Unit will prepare and submit reports on current matters and trends involving fraud or corrupt conduct as required and where appropriate for statistical analysis and corrupt conduct prevention, and to the following parties as required or requested:

a. Disclosures and Complaints Management Committee
b. University Senior Executive Team
c. Senate Risk and Audit Committee
d. the CCC

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e. external auditors.

Section 6 - Appendix

Definitions

Term	Definition
Affiliates	Academic title-holders, visiting academics, emeritus professors, adjunct and honorary title-holders, industry fellows and conjoint appointments.
Complaint	An expression of dissatisfaction with a product or service offered or provided by UQ or the conduct of UQ staff, affiliates, volunteers or students (in so far as their role at UQ), whether voiced by a member of the community, staff, affiliate, volunteer or a student. In relation to corrupt conduct, a complaint includes information or a matter of reasonably suspected corrupt conduct.
Corrupt Conduct	Under s15 of the CC Act, there are two different types of corrupt conduct known as 'Type A' and 'Type B': • Type A involves conduct by any person that affects, or could affect, how officers from a Unit of Public Administration (i.e. the University) perform their functions or exercise their powers. Some common examples of Type A corrupt conduct include fraud (e.g. misuse of a corporate credit card), unauthorised release of information or nepotism in recruitment. • Type B involves conduct by any person that impairs, or could impair, public confidence in public administration. Type B corrupt conduct might include collusive tendering or dishonestly obtaining public funds or state assets. Each type of corrupt conduct has to satisfy three essential elements including that the conduct must be either a criminal offence or serious enough to warrant dismissal. Further details about this essential criteria can be found at s15 of the CC Act and in the CCC's guide 'Corruption in focus'.
Corruption	A broader term than corrupt conduct. Defined by the Australian Standard 8001-2021 Fraud and Corruption Control as: 'Dishonest activity in which a person associated with an organisation (e.g., director, executive, manager, employee or contractor) acts contrary to the interests of the organisation 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 the organisation, or a person purporting to act on behalf of and in the interests of the organisation, in order to secure some form of improper advantage for the organisation either directly or indirectly.'
Fraud	Defined by Australian Standard 8001-2021 Fraud and Corruption Control as: '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 organisation and/or where deception is used at the time, immediately before or immediately following the activity.'
Reasonably suspects	Under the CC Act, 'reasonably suspects' means 'suspects on grounds that are reasonable in the circumstances'. The 'Corruption in focus' guide adds that for a suspicion to be 'reasonable', there needs to be more than bare or idle speculation and that, in essence, there must be some evidence sufficient for a reasonable person to suspect corrupt conduct.
Staff	Continuing, fixed-term, research (contingent funded) and casual staff members.
Volunteers	Members of the community who donate their services in a voluntary capacity to UQ without expectation of remuneration. Volunteers include those undertaking work on fundraising and community-oriented projects, tertiary students wishing to gain exposure to particular UQ functions, among others.

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Status and Details

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