

Fraud and Corruption Policy - Policy Number 509

Edited May 2021

1. Introduction

Organisations may be subject to fraudulent activity and must therefore implement effective prevention strategies to minimise legal and financial exposure.

2. Purpose

The purpose of this Policy is to:

1. Ensure that all parties are aware of their responsibilities regarding the identification and prevention of fraudulent activity.
2. Ensure that staff/contractors understand who to report to in the event that they suspect fraudulent activity.
3. Provide a step-by-step guide to respond to an allegation regarding fraudulent activity.
4. Express a clear statement to staff/contractors forbidding fraudulent activity for the benefit of the organisation.

3. Policy

Pacific Community Housing (PCH) will not tolerate fraud in any aspect of its operations.

PCH will investigate any suspected acts of fraud, misappropriation or other similar irregularity. An objective and impartial investigation, as deemed necessary will be conducted regardless of the position, title and length of service or relationship with the organisation of any party who might be the subject of such investigation.

Any fraud shall constitute grounds for dismissal. Any serious case of fraud, whether suspected or proven, shall be reported to the relevant and appropriate authorities such as the police and the ombudsman.

Any person who suspects PCH of a fraud, related to the operations of PCH, is required to immediately report it to a manager / appropriate person in authority within PCH. Any person reporting a fraud, or a suspected fraud, shall not be penalised for raising a concern of this nature.

PCH policy and attitude to fraud and corruption

PCH promotes an organisational culture that will not tolerate any act of fraud or corruption. This Fraud and Corruption Prevention Strategy is designed to put this principle into practice.

Apart from the legal consequences of fraud and corruption, improper acts have the potential to damage PCH public image and reputation. Unresolved allegations can also undermine an otherwise credible position and reflect negatively on innocent individuals.

All staff must be above fraud and corruption. In addition, staff must act so they are not perceived to be involved in such activities. Through transparent and accountable decision-making, together with open discussion by staff and managers about the risks of fraud and corruption, PCH seeks to foster an organisational climate which does not tolerate fraud or corruption.

PCH will deal fairly with all parties in the course of investigating allegations of fraud or corruption. However, if fraud or corruption is proven, PCH will apply appropriate sanctions. Possible sanctions include suspension without pay, dismissal, and loss of accumulated employer superannuation contributions.

The prevention of fraud and corruption requires that all staff members act ethically and professionally.

Definitions of fraud and corruption

Fraud and corruption can be distinguished from other forms of unethical behaviour. PCH applies the following definitions which are based on those contained in the Australian Standard for Fraud and Corruption Control (AS 8001-2008).

Fraud

Fraudulent activity in which a director, executive, manager, employee, contractor, volunteer, work experience student or external persons, causing actual or potential financial loss to PCH, including the theft of moneys or other property. This includes the deliberate falsification, concealment, destruction or improper use of documentation used for a normal business purpose or the improper use of other information or position.

Corruption

Dishonest activity in which a director, executive, manager, employee, contractor, volunteer or work experience student acts contrary to the interests of PCH and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.

Examples of fraud and corruption

The following list is not exhaustive but includes some of the more common examples of fraud and corruption in the public sector:

Theft of assets, such as:

- Equipment
- Consumables or supplies
- Cash
- Information

Unauthorised or illegal use of assets, information or services for private purposes, including:

- Motor vehicles
- Clerical and other support
- Confidential information
- Equipment, including photocopiers, telephones and fax machines
- Computers
- Company Phones

Abuse of position and power for personal gain, such as:

- Seeking and obtaining bribes or other gifts in exchange for favourable treatment

Manipulation and misuse of account payments, such as:

- Fictitious employees on the payroll
- Ordering equipment for private and personal use
- Favouring suppliers whose costs are not as competitive as other suppliers

Falsification of records, including:

- Timesheets
- Travel claims
- Petty cash vouchers.

Manipulation of computer programs for improper purposes, such as:

- Unauthorised approval to pay
- Diversion of proceeds
- Writing off debts.

PROCEDURES

Regular program for fraud risk assessment

An important part of fraud and corruption prevention is understanding where the areas of risk are in relation to PCH responsibilities and functions. PCH systemically assesses its functions and responsibilities to identify all potential risk areas and to develop a risk management plan to control high and medium risk issues. Building on this broad risk assessment, a further specific risk assessment of potential fraud and corruption issues is undertaken.

Internal audit fraud control function

PCH internal audit program includes items considered to be of high fraud and corruption risk, in particular, focusing on, financial transactions (including cash handling) and asset security.

RESPONSIBILITIES

The Directors and PCH General Manager consider and approve all policies and procedures relating to the control and investigation of fraud and corruption.

PCH sets out the following responsibilities for the **Directors and the General Manager**:

- establishing and maintaining ethical policies, systems and procedures for all aspects of PCH work
- ensuring that staffing policies and practices are fair and equitable
- ensuring that mechanisms for responding to potentially unethical circumstances are appropriate and effective (e.g. grievance and complaint handling systems)
- ensuring that areas of work that are of inherently higher risk in terms of ethics and corruption are identified and that preventive strategies are in place
- monitoring the ethical health and culture of PCH and responding to any problems identified.

All reasonable suspicions of fraud or corruption are reported to the General Manager who decides what action should be initiated to assess the concerns raised. All fraud and corruption investigation reports are referred back to the Directors who then decide what action is necessary to address the investigation findings.

The General Manager is responsible for dealing with and investigating instances of fraud reported to them.

- producing fraud and corruption policies, procedures and training proposals
- liaising with internal and external investigators
- assuring the quality of investigation processes and reports, and
- providing advice to staff affected by internal investigations.

The Audit & Finance committee

- Oversight of theft and fraud control within the Association;
- Recording instances of theft and fraud on file;
- Reporting on theft and fraud to the Board;
- Investigation of fraudulent activity; and
- Liaison with police.

PCH Managers

PCH Managers must ensure that effective fraud and corruption prevention risk management strategies and staff awareness programs are established in their workplaces.

PCH Manager's responsibilities include:

- Assess the risk of fraud within their area of control;
 - Educate staff/contractors about fraud prevention and detection; and
 - Facilitate the reporting of suspected fraudulent activities.
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- Identifying and assessing theft and fraud risks;
 - Implementing theft and fraud control measures;

- Identifying and reporting internal and external fraud; and
- Promoting an ethical culture within the organisation.

All PCH staff

All PCH staff have a duty to:

- Behave ethically;
- Assist in the identification of risk exposure to corrupt or fraudulent activities; and
- Report to management any suspected theft, fraud or corruption.

REPORTING

All Directors, staff and contractors have the responsibility to report suspected fraud.

Any staff member, volunteer or contractor who suspects fraudulent activity must immediately notify their supervisor or the General Manager about the concern.

In situations where the staff member or contractor notifies their supervisor, the supervisor must then notify the General Manager (or the Chair of the Board in circumstances where the suspected fraud involves the supervisor or General Manager).

Step-by-step guide: Responding to suspected fraud

1. Upon notification an allegation pertaining to fraud, the General Manager (or Chair of the Board) will promptly arrange to carry out an initial review into the allegation.
2. After an initial review and a determination that the suspected fraud warrants additional investigation, the General Manager (or Chair of the Board) shall coordinate the investigation with the appropriate law enforcement officials or external investigator as deemed appropriate. Internal or external legal representatives will be involved in the process, as deemed appropriate.
3. Once a suspected fraud is reported, immediate action will be taken to prevent the theft, alteration or destruction of relevant records. Such actions include, but are not necessarily limited to, removing relevant records / information and placing them in a secure location, limiting access to the location where the records / information currently exists, and preventing the individual suspected of committing the fraud from having access to the records / information.
4. If an allegation of fraud is substantiated by the investigation, disciplinary action, up to and including dismissal (or termination of an individual's right to work as a contractor or volunteer), shall be taken by the appropriate level of management.
5. The organisation will also pursue every reasonable effort, including court ordered restitution, to obtain recovery of any losses from the offender.
6. This policy encourages individuals to put their names to allegations.

Concerns expressed anonymously are much less powerful, however they will be considered at the discretion of the organisation. In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issue raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from the attributable sources.

Where a prima facie case of fraud has been established, the matter shall be referred to the relevant authorities. If an allegation is made in good faith, but it is not substantiated by the investigation, no action will be taken against the complainant.

The organization will make every effort to keep the investigation confidential; however, members of the management team may need to be consulted to assist with a review / investigation.

Review

The Finance and Audit Committee will review this Policy annually.

Any change in the Policy will be presented to the PCH Board of Directors for approval.