



Fraud and Corruption Prevention Policy

1. Intent of Policy

To protect public funds and assets, protect the integrity, security and reputation of Council and to protect Council's assets from fraudulent exploitation while maintaining a high level of service to the community.

2. Scope of Policy

This policy applies to all staff, elected members of Council, members of the public, contractors and suppliers.

Oberon Council Policies relevant to this Policy

Policy 1102 - Code of Conduct

Policy 1113 - Risk Management

Policy 1118 - Values, Principles and Business Ethics

Policy 1205 - Contractor Management

Policy 1206 - Purchasing and Disposal

Other relevant Documents

AS/AZS 4360:2004 Risk Management

AUS210/ASA240 Auditing Standard

AS 8001-2003 "Fraud and Corruption Control"

ICAC Act

ICAC "Conducting Internal Investigations"

The Governance Health Check issued jointly by the LGMA and the ICAC

The Fraud Control Better Practice Guidance and Improvement Kit issued by the NSW Audit Office

3. Definitions

Corruption

Corruption has a broad meaning. The general nature of corrupt conduct is defined under Sections 8 (1) and (2) of the ICAC Act as:

- (1) a. any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority, or

- b. any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her functions, or
 - c. any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.
- (2) Corrupt conduct is also any conduct by a public official or a former public official that involves the misuse of information that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.
- a. Official misconduct (including breach of trust, fraud in office, nonfeasance, misfeasance, malfeasance, oppression, extortion or imposition)
 - b. Bribery
 - c. Blackmail
 - d. Obtaining or offering secret commissions
 - e. Fraud
 - f. Theft
 - g. Perverting the course of justice
 - h. Embezzlement
 - i. Election bribery
 - j. Election funding offences
 - k. Election fraud
 - l. Tax evasion
 - m. Revenue evasion
 - n. Currency violations
 - o. Illegal drug dealings
 - p. Illegal gambling
 - q. Obtaining financial benefit by vice engaged in by others
 - r. Harboring criminals
 - s. Forgery
 - t. Treason or other offences against the Sovereign
 - u. Homicide or violence
 - v. Matters of the same or a similar nature to any listed above
 - w. Any conspiracy or attempt in relation to any of the above.

Fraud

Fraud, which is a type of corruption, is defined as deceit, trickery, sharp practice, or breach of confidence, to gain some unfair or dishonest advantage.

4. Policy

Council will act proactively to prevent fraud and corruption through the adoption of a suite of better practice processes.

Council is committed to good governance and ethical behavior as a key ingredient of responsible, effective and accountable local government. A vital element of a good governance framework is an effective fraud and corruption prevention strategy.

To this end Council is committed to the following:

- a) Visible and unambiguous decision making by Council
- b) The promotion of its fraud prevention principles in the community to ensure that there is awareness that Council will not tolerate fraudulent acts against Council by contractors, suppliers or members of the public.
- c) The General Manager developing and implementing a Fraud and Corruption Prevention Plan
- d) Encouraging the reporting of instances of fraud and corruption and
- e) Maintaining policies that require the reporting of fraud and corruption.

Approving Authority	Oberon Council
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