



**GEORGES
RIVER
COUNCIL**

**FRAUD AND
CORRUPTION CONTROL
POLICY**

December 2017

POLICY ADMINISTRATION

Dates	Policy approved 18/12/2017 This policy is effective upon its approval. Policy is due for review December 2021.
Approved by	Council Meeting 18/12/2017 Council Resolution CCL238-17
Exhibition Period	N/A
Policy Owner	Manager Governance and Risk Management, Office of the Chief Operating Officer
Related Documents	Georges River Council Code of Conduct Georges River Council Public Interest Disclosures Reporting Policy Georges River Council Complaints Policy Georges River Council Fraud and Corruption Control Plan
Appendices	N/A
References & Legislation	Local Government Act 1993 Independent Commission Against Corruption Act 1988 Public Interest Disclosures Act 1994
Document Identifier	Policy #: Pol-012.002 Doc #: D17/91596
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation.
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.

PURPOSE

Georges River Council (Council) is committed to the prevention, detection and investigation of all forms of fraud and corrupt conduct. The Fraud and Corruption Control Policy forms a central part of Council's Code of Conduct and Governance Framework, and ensures the appropriate mechanisms are in place to protect the integrity, security and reputation of Council.

SCOPE

This policy applies to all Council employees, the Mayor, Councillors, committee members, contractors, consultants, and other people who perform functions on behalf of Council such as volunteers.

DEFINITION OF TERMS

Term	Meaning
<i>Corruption</i>	The dishonest or preferential use of power or position, a breach of public trust or the misuse of information or material acquired in the course of official functions. The Independent Commission Against Corruption Act 1988 further defines corruption.
<i>Corrupt conduct</i>	Deliberate or intentional wrongdoing that involves or affects a NSW public official or public sector organisation. This wrongdoing does not include negligence or a mistake.
<i>Council official</i>	An individual who carries out public official functions on behalf of Council or acts in the capacity of a public official. For the purpose of this Policy, the Mayor, Councillors, employees, members of Council committees and delegates of Council are Council officials.
<i>Council's contractors, consultants and volunteers</i>	Those who perform public official functions on behalf of Council including contractors, sub-contractors, consultants, sub-consultants and volunteers.
<i>Fraud</i>	Fraud is dishonest activity or a dishonest representation intended to result in financial or personal gain. Fraud includes, but is not limited to: <ul style="list-style-type: none">• theft of money or other property by employees or persons external to the Council, where deception is used;• deliberate falsification, concealment or improper destruction of documentation, or use of falsified documentation• improper use of information or position for personal gain• theft of Council property where deception is not used.

<i>ICAC</i>	Independent Commission Against Corruption
<i>Misconduct</i>	Conduct by a Council official, which constitutes a ground for disciplinary action whilst acting in their capacity as a Council official; where such conduct contravenes Council's Code of Conduct.

POLICY STATEMENT

1. Council is committed to a culture of good governance and ethical behaviour. As such, it will not tolerate misconduct, fraudulent or corrupt conduct by Councillors, employees or any external parties.
2. In accepting its responsibility for good governance, Council will set the example for accountability, integrity and transparency in the provision of services to the community, and the management of Council as an organisation. For that reason, Council is committed to:
 - 2.1. Minimising the opportunities for fraudulent or corrupt conduct by employees, Councillors, members of the public, contractors and clients;
 - 2.2. Detecting, investigating and disciplining/prosecuting fraudulent or corrupt conduct; and
 - 2.3. Reporting fraudulent or corrupt conduct to the Independent Commission Against Corruption (ICAC) and the NSW Police where appropriate.
3. Council's commitment to preventing fraudulent or corrupt activity, and avoiding or managing conflicts of interests, will be addressed through implementing appropriate auditing systems to deter and identify corrupt activities. This approach will be supported by the development and implementation of a Fraud and Corruption Control Plan.
4. All Council officials have an obligation to report suspected fraud or corrupt conduct as soon as possible through Council's internal reporting mechanisms. Staff are encouraged to report wrongdoing as a Public Interest Disclosure - refer to Council's Public Interest Disclosure Reporting Policy if reporting in this manner. The Public Interest Disclosure Policy also outlines the external authorities, which are the appropriate agencies to report allegations of fraud and corruption.
5. Council's complaints management process as outlined in Council's Complaints Management Policy also provides a mechanism for members of the public to report suspected fraud and corruption.
6. All reports of alleged fraud and corruption received by Council will be investigated and where appropriate, reported to the ICAC, the NSW Police or relevant external agency. Guidelines for the investigation of alleged fraud and corruption are set out in Council's Model Code of Conduct and Administration Procedures for the Code of Conduct.

RESPONSIBILITIES

Position	Responsibility
<i>General Manager</i>	<p>The General Manager has ultimate responsibility for managing fraud and corruption risks in Council. In accordance with the Independent Commission Against Corruption Act 1988 and Council's Code of Conduct, the General Manager is obliged to report any matter to the ICAC or relevant external agency such as the Office of Local Government, the NSW Ombudsman or the Police, that they suspect on reasonable grounds, or may concern, corrupt conduct whether on the part of Council officials or any party with whom it conducts business. In cases of complaints against the General Manager, the Mayor or Administrator assumes the aforementioned responsibilities. In accordance with the Public Interest Disclosures Act 1994, such reports must be made to an investigating authority including:</p> <ul style="list-style-type: none"> • The Independent Commission Against Corruption (ICAC) – for corrupt conduct. • The NSW Ombudsman – for maladministration. • The Law Enforcement Crime Commission (LECC) – for law enforcement misconduct. • The Police Integrity Commission Inspector – for disclosures about the PIC or its staff. • The Office of Local Government, Department of Premier and Cabinet – for serious and substantial waste in local government (reports about serious and substantial waste in State government agencies should be made to the Auditor General). • The ICAC Inspector – for disclosures about the ICAC or its staff. • The Information Commissioner – for disclosures about a government information contravention.
<i>Council officials</i>	<p>All Council officials (except Council contractors, consultants and volunteers – refer below) have a responsibility and an obligation to report cases of suspected fraud or corrupt conduct either through Council's internal reporting framework in accordance with Council's Public Interest Disclosures Policy, or directly to the ICAC or relevant external agency. It is the responsibility of all Council officials to behave honestly and in accordance with Council's Code of Conduct and other Council policies.</p>
<i>Council's contractors, consultants and volunteers</i>	<p>Contractors, sub-contractors, consultants, sub-consultants, volunteers and any other people who perform public official functions on behalf of Council, are encouraged to support Council's commitment to preventing fraud and corruption through reporting suspicious behaviour in accordance with the Code of Conduct.</p>
<i>External parties</i>	<p>All external parties who engage in business with Council are expected to observe Council's Statement of Business Ethics, comply with Council policies and refrain from engaging in fraudulent and corrupt conduct.</p>

<i>Residents and members of the public</i>	Residents, customers and members of the public are encouraged to support Council's commitment to preventing and addressing fraudulent or corrupt behaviour by reporting suspicious behaviour and suspected fraud and corruption to the General Manager or appropriate authority.
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VERSION CONTROL AND CHANGE HISTORY

Version	Amendment Details	Policy Owner	Period Active
HCC	Former Hurstville Council Policy discontinued	Hurstville Governance	20/06/2012 – 02/07/2017
KCC	Former Kogarah Council Policy discontinued	Kogarah Governance	24/03/2014 – 02/07/2017
1.0	New Georges River Council Risk Policy	Manager Governance and Risk Management	03/07/2017 – 17/12/2017
2.0	Minor amendments – minor change to Policy title, and changes to the definition of 'Council official' (to include 'Mayor') and separate definition created for 'Council contractors, consultants and volunteers' to align with responsibilities.	Manager Governance and Risk Management	Approval Date – 18/12/2017