



FRAUD AND CORRUPTION INTERNAL REPORTING PROCEDURE

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First Approved by:	Chief Finance Officer		
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Supporting documents, procedures & forms:	Fraud and Corruption Prevention Policy University Code of Conduct		
Relevant Legislation & External Documents:	Fraud and Corruption Control Australian Standard AS8001-2008 Public Interest Disclosures Act 1994 (PID Act) Independent Commission against Corruption Act 1988 (ICAC Act) Government Information (Public Access) Act 2009 (GIPA Act) Ombudsman Act 1974 Public Finance and Audit Act 1983 ICAC Section 11 Report Guidelines for Principal Officers		
Audience:	Public		

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1 Introduction / Background

The University is committed to promoting a culture of trust, integrity, ethical behaviour, accountability and transparency where staff are comfortable and confident about reporting known or suspected corrupt conduct (including fraud), maladministration, serious and substantial waste of public money or government information contravention.

All staff including consultants, contractors and individuals performing public duties on behalf of the University have a responsibility to report any known or suspected wrongdoing within the University.

This procedure has been implemented to document the University's approach to handling reports of wrongdoing, as defined in this procedure, and ensure compliance with obligations under the Public Interest Disclosures Act 1994, (PID Act).

2 Scope / Purpose

1. This procedure applies to:
 - a. All staff of the University;
 - b. Consultants and contractors while working for the University;
 - c. Individuals, such as volunteers, who may perform public duties on behalf of the University; and
 - d. All work performed and duties carried out for the University, as well as related activities such as work-related functions, travel, conferences and any other circumstances when a person is representing the University.
2. This procedure outlines the process that will be followed when a report of known or suspected corrupt conduct, maladministration, serious and substantial waste of public money or government information contravention is made at University.
3. All reports of wrongdoing will be treated with confidentiality and care and handled in accordance with this procedure, whether or not they meet the criteria for protection under the Public Interest Disclosure Act.
4. Staff, consultants or contractors who wish to report wrongdoing concerning conduct not covered by this procedure should refer to the relevant University policy and/or the Grievance Policy.

3 Definitions

Word/Term	Definition
Contractors	Individuals or entities who perform a task or provide a service to the University, whether or not they are bound by a written contract to do so, e.g. security, cleaners.
Consultants	Individuals or entities who provide consultancy services to the University. Consultancy does not refer to the provision of services from the University to external organisations or to the exchange of services within the University.
Corrupt conduct	Any dishonest activity where a staff member acts contrary to the interests of the University and abuses their position of trust in order to achieve some personal gain or advantage for themselves or another person or entity, such as:



	<ul style="list-style-type: none">• The improper use of knowledge, power or position for personal gain or the advantage of others;• Acting dishonestly or unfairly, or breaching public trust;• A member of the public influencing staff to use their position in a way that is dishonest, biased or breaches public trust. <p>Examples include, but are not limited to:</p> <ul style="list-style-type: none">• Use of University funds or resources for personal use;• Providing false or misleading information;• Giving or accepting gifts or benefits contrary to the Conflict of Interest Policy;• Manipulating a tender process to achieve a desired outcome;• Providing or accepting a bribe. <p>The definition of corrupt conduct within the ICAC Act is intended to capture only intentional or deliberate wrongdoing. Mistakes or negligence are not normally considered corrupt conduct however, they may still attract disciplinary action within the University.</p>
Fraud	<p>Deliberate and premeditated activity which involves the use of deception to gain advantage and/or obtain a financial benefit to the detriment of the University.</p> <p>Examples include, but are not limited to:</p> <ul style="list-style-type: none">• Acts or omissions;• Theft;• Making false statements;• Evasion;• Manipulation of information. <p>For this procedure, fraud is generally recognised as a subset of corrupt conduct.</p>
Government information contravention	<p>A failure to comply with the system through which people can access government information, ie a failure to properly fulfil functions under the Government Information (Public Access) Act 2009. Examples include, but are not limited to:</p> <ul style="list-style-type: none">• Destroying, concealing or altering records to prevent them from being released;• Knowingly making decisions that are contrary to the GIPA Act;• Directing another person to make a decision that is contrary to the GIPA Act.
Internal reporter	<p>The individual making a report of known or suspected serious wrongdoing. For this procedure, this includes staff, consultants, contractors or any other individual performing public duties on behalf of the University.</p>



Investigation	Enquiry or enquiries regarding a specific matter, includes auditing.
Maladministration	<p>An act or omission of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory and based wholly or partly on improper motives. Examples include, but are not limited to:</p> <ul style="list-style-type: none">• Awarding contracts and tenders to parties that are related by family, friendship or association without merit;• Failing to make a decision in accordance with official policy for no appropriate reason;• Breaches of natural justice / procedural fairness;• Unauthorised disclosures of confidential information;• Failure to provide information where there is a legal obligation to do so.
Nominated Disclosure Coordinator (NDC)	Appointed by the Vice-Chancellor, this role has been designated to the Chief Operating Officer. This role is the authorised officer to receive, assess and manage reports of serious wrongdoing as a “proper authority” outlined in s5(3)(h) of the PID Act.
Nominated Disclosure Officer (NDO)	A nominated person who is authorised to receive information about a wrongdoing that may constitute a Public Interest Disclosure on the University’s behalf.
Principal Officer	<p>The Vice-Chancellor is the Principal Officer of the University. The Principal Officer is responsible for:</p> <ul style="list-style-type: none">• Deciding on whether a report is a public interest disclosure;• Deciding on what needs to be done including referral to other authorities, resolution and remedial actions as recommended by the Disclosure Coordinator;• Ensuring there are systems in place to support and protect Disclosers; and <p>Referral of actual or suspected corrupt conduct to ICAC, NSW Ombudsman and other external agencies as required.</p>
Public Interest Disclosure	A report of serious wrongdoing that involves corrupt conduct, maladministration, serious and substantial waste of public money or government information contravention and which satisfies, and is made in accordance with, the requirements of the Public Interest Disclosure Act.
Reasonable grounds	As described in the ICAC Section 11 Report Guidelines for Principal Officers, means there is a real possibility that corrupt conduct is or may be involved. There needs to be more than idle speculation but there can be less than a firm belief.
Serious and substantial waste of	The uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, resulting in a loss or wastage of public funds or resources. Examples



public money	include, but are not limited to: The purchase of unnecessary or inadequate goods and services; Misappropriation or misuse of University property; The absence of appropriate safeguards to prevent the theft or misuse of University property; Overstaffing in particular areas without merit; Not following a competitive tendering process for a large scale contract contrary to University policy; Luxurious, indulgent or excessive expenditure without merit.
Wrongdoing	In this procedure, collectively means any corrupt conduct, maladministration, serious and substantial waste of public money or government information contravention.
Whistleblower/ Whistleblowing	Commonly understood to be a former or current member or employee of an organisation who makes a disclosure about illegal or illegitimate practices, such as fraud or maladministration, within their organisation.
WBS – Whistleblowing Service Hotline	WBS is the University’s independent, external whistleblowing hotline service. Disclosers can report a suspected incidence of wrongdoing in confidence (anonymously if preferred) to WBS, who will then assess the disclosure and provide a report to the Nominated Disclosure Coordinator at UOW. All reports are managed in the strictest confidence. For more details about WBS, refer to page Error! Bookmark not defined..

4 Making a Report

1. Any person considering making a report of serious wrongdoing under this procedure MUST read the University’s Reporting Serious Wrongdoing Policy in the first instance to ascertain if the report will qualify as a protected disclosure, and to understand the available legal protections and relevant legislation (refer to the [UOW’s Wrongdoing website](#)).
2. For a report of serious wrongdoing to be treated as a public interest disclosure, it must be made through one of the following channels:
 - 4.2.1 the WBS whistleblowing hotline service (refer to section 5)
 - 4.2.2 A Nominated Disclosure Officer (NDO, refer to [UOW’s Wrongdoing website](#) or Appendix A for a list of NDOs);
 - 4.2.3 A member of the University Council.
3. Any Manager, supervisor, staff member or affiliate receives a report that they believe may constitute a public interest disclosure, they must refer the Discloser to the [whistleblowing hotline](#) or a Nominated Disclosure Officer to ensure any protections under the PID Act are applicable.
4. The NDO may direct the discloser to the whistleblowing hotline service, or, may lodge the report themselves via the hotline service on the reporters behalf.



5. Any complaints and reports that could potentially constitute a public interest disclosure will be lodged with the WBS whistleblower service, who will then assess and refer the matter to UOW's Nominated Disclosure Coordinator and the Fraud, Corruption and Control Committee.
6. General complaints e.g. a problem with a University service, product, staff member or student, should be made directly to the University Complaints Management Centre.

5 Whistleblower Service (WBS) Hotline

Whistleblower hotline details:

24 hour Website/online form	UOW whistleblowingservice.com.au
Call Centre (8am-5pm AEST)	1300 367 869
Unique key	UOW2021
Client Reference Number	8yu9j2021

6 Anonymous Reports

1. Anonymous reports will be given due consideration as it is acknowledged that there may be situations where people do not want to identify themselves when making a report. However, to assist with the internal investigation process and enable the provision of appropriate protection and support, it is strongly recommended that individuals making reports under this procedure identify themselves.
2. Anonymous reports may inhibit University's ability to deal with the report if further information is required. Where an anonymous report contains sufficient information to warrant action, further enquiry or investigation will be conducted.

7 Assessing a Report

1. All reports of wrongdoing will be assessed by the Fraud and Corruption Control Committee to determine:
 - a. If the report is a public interest disclosure under the PID Act;
 - b. How the report will be progressed, including determining:
 - i. If the report warrants action or investigation;
 - ii. If the report must be referred to an external investigation authority such as the Independent Commission Against Corruption (ICAC), the NSW Ombudsman and/or other relevant government agencies;
 - iii. If the report must be referred to the NSW Police or Federal Police;
 - c. The likelihood of maintaining confidentiality;
 - d. The risk of reprisals against the internal reporter and the appropriate level of protection and support to be provided;
 - e. The risk to the welfare of the subject of the report.
2. Where considered appropriate, management action may be taken to reduce risks identified during the assessment process. Such action may include, for example, changes to the employment



arrangements of either the internal reporter or the subject of a report. Any such actions will not normally be implemented without prior agreement of the individual involved.

3. In limited circumstances the Fraud and Corruption Control Committee may recommend to suspend the person who is the subject of the report.
4. The Fraud and Corruption Control Committee must ensure that management actions taken in relation to the report that affect either the internal reporter or the subject of a report will:
 - a. Comply with the principles of natural justice and procedural fairness;
 - b. Be reasonable, proportionate and, where relevant, consistent with actions taken in similar circumstances;
 - c. Take into account the particular circumstances of those persons involved; and
 - d. Be clearly documented and include reasons for any decisions.
5. Following assessment of the report, the Fraud and Corruption Control Committee will provide the Vice-Chancellor with a written report on its initial assessment and any recommendations on how the report may be dealt with.
6. The Vice-Chancellor or delegate will report to ICAC any matter that the University suspects on reasonable grounds concerns or may concern corrupt conduct, as soon as practicable after the relevant suspicion arises and before any internal investigation is initiated.
7. The Disclosure Coordinator will also provide the internal reporter with information about how the report will be dealt with. Wherever possible, this information will be provided within 10 working days of the report being made.

8 Support Services

1. The Disclosure Coordinator will ensure that both the internal reporter and the subject of a report are offered a Support Officer.
2. Support Officers will be a Manager, Supervisor or HR Business Partner who is independent of the investigation and decision-making process.
3. Internal reporters and the subject of a report may also wish to access the UOW Employee Assistance Program. Confidential counselling services are available through PPC Worldwide. Further details can be found on the Health & Safety site on the University intranet.

9 Internal Investigation Process

1. Where an internal investigation is determined to be warranted, matters to be considered and confirmed by the Fraud and Corruption Control Committee as part of the internal investigation planning process should include:
 - a. Terms of reference for the investigation;
 - b. Specific issues and matters to be examined in depth;
 - c. Identification of functional areas and key staff to be involved;
 - d. Identification of specialist expertise or support required;
 - e. Expected costs and time period for the investigation;
 - f. Milestones, key review points and report-back dates.



2. The purpose of any investigation will be to:
 - a. Establish and document the relevant facts;
 - b. Make a finding of fact based on the available evidence; and
 - c. Provide recommendations to the University.
3. The principles of natural justice and procedural fairness are designed to ensure that decision-making is fair and reasonable. Before any final determination is made, a person who is the subject of a report will be:
 - a. Told the substance of the allegation;
 - b. Told the substance of any adverse comment arising out of an investigation that may be included in a report, memo or letter; and
 - c. Given a reasonable opportunity to answer any allegation and respond to any negative findings.
4. To avoid any perception of bias or partiality, the investigator will not communicate directly with the internal reporter or the subject of the report, except to obtain information from them as part of the investigation or to clarify matters arising from the investigation.
5. The investigator will communicate at regular intervals with the Disclosure Coordinator to advise of progress made in the investigation and where applicable, the reasons for any delays.
6. The Disclosure Coordinator will provide relevant information to the internal reporter periodically during the investigation. Information will only be about the overall progress rather than specific details that may prejudice the investigation.
7. An investigation report by the investigator will initially be presented to the Fraud and Corruption Control Committee. A final report with the Committee's determination and recommendations will subsequently be forwarded to the Vice-Chancellor for appropriate action.
8. In cases where wrongdoing is found to have occurred, recommendations will also include details of any actions to be taken to reduce the risk of recurrence of similar wrongdoing, where applicable.
9. In cases where wrongdoing is found not to have occurred, and the content of the report is well known within the workplace, the Fraud and Corruption Control Committee will consider informing other staff through the most appropriate channel of the status of the investigation and broad outcomes.
10. At the end of the investigation and within six months of the internal reporter's report having been received, the Disclosure Coordinator will provide the internal reporter with enough information to show that adequate and appropriate action was taken and/or is proposed to be taken and whether they will be involved as a witness in any further matters such as disciplinary or criminal proceedings.

10 The Subject of a Report

1. If a person who is the subject of a report feels they have been treated unfairly or the allegations against them have been dealt with poorly, they may appeal to the Vice-Chancellor, who will appoint an officer not previously involved in the investigation or decision-making process, to review the matter.



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2. If the subject of a report does not receive a satisfactory response to their appeal and on a reasonable basis considers the process followed by University was flawed, they can make a complaint to the NSW Ombudsman.

11 Record Keeping

1. As per the requirements of the NSW State Records Act, records relating to the management of instances or allegations of wrongdoing where an investigation is conducted will be securely retained for a minimum of 10 years after actions are completed. Records may include, but are not limited to:
 - a. Advice of allegation and response;
 - b. Investigation documentation and reports;
 - c. Risk assessments;
 - d. Details of management actions, including reasons for any decision;
 - e. Referrals to external bodies;
 - f. Records of remedial and/or disciplinary action;
 - g. Records of appeals.
2. Records relating to the management of instances or allegations of wrongdoing where no follow-up investigation is conducted will be retained for a minimum of 7 years after actions are completed.
3. The Disclosure Coordinator is responsible for ensuring all records are securely retained.



12 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	30 January 2014	Chief Finance Officer	New procedure.
2	13 February 2015	Chief Finance Officer	Update PID officers
3	18 February 2015	Chief Administrative Officer	Update position titles of Academic Registrar and Director, Legal Services
4	30 March 2022	Chief Operating Officer	Update position titles and FCCC membership
5	30 June 2022	Chief Operating Officer	Update Section 4 Making a Report. Removed reference to forms and replaced with WBS website and reporting procedure. Added definitions, NDC, Principal and Whistleblowing.



Appendix A - Disclosure Officers

Wollongong Campus	
Vice-Chancellor and President (Principal Officer)	Prof Patricia M. Davidson
Chief Operating Officer (Disclosure Coordinator)	Cathy Duncan-Ross (Interim)
Senior Deputy Vice-Chancellor and Vice-President (Innovation, Enterprise and External Relations)	Prof Alex Frino
Deputy Vice-Chancellor and Vice-President (Academic and Student Life)	Prof Theo Farrell
Deputy Vice-Chancellor and Vice-President (Research and Innovation)	Prof Jennifer Martin
Deputy Vice-Chancellor and Vice-President (Health and Sustainable Futures)	Prof David Currow
Director, Student and Accommodation Services Division	Theresa Hoynes
Director Academic Quality and Standards	Dominic Riordan
Director Facilities Management Division	Kathleen Packer
Director, Financial Operations	Matthew Wright
Director, Governance, Safe and Respectful Communities and Civic Strategy	Nancy Huggett
Director, Human Resources	Michael Doran (Interim)
Director, Information Management and Technology Services	Ray Coury (Interim)
Director, Learning, Teaching and Curriculum	Leanne Cambridge
Director, Research Services Office	Sharon Martin
University Librarian	Margie Jantti
Faculty Executive Manager, Faculty of Arts, Social Sciences and Humanities	Katrina Gamble
Faculty Executive Manager, Faculty of Business and Law	Sue Mathews
Faculty Executive Manager, Faculty of Engineering and Information Sciences	Jancey Malins



Faculty Executive Manager, Faculty of Science, Medicine and Health	Adele McKenzie
Regional Campuses	
Director, Regional Campuses and Student Diversity	Kimberly McMahon-Coleman
Campus Manager, Shoalhaven	Chris Hadley
Manager, UOW Southern Highlands	Stephen Lowe
Manager, Southern Sydney Centre and South Western Sydney	Nicole Smith
Manager, UOW Batemans Bay	Jaimey Facchin
Manager, UOW Bega	Sam Avitaia

Appendix B – Fraud and Corruption Control Committee Membership

Wollongong Campus	
Chief Operating Officer (Disclosure Coordinator and Chair)	Cathy Duncan-Ross (Interim)
Director, Human Resources	Michael Doran (Interim)
Director, Financial Operations	Matt Wright
Director, Governance, Safe and Respectful Communities and Civic Strategy	Nancy Huggett
Or other members approved by the Vice-Chancellor	



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