



Portfolio Fraud and Corruption Prevention Plan 2022-24

ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT DIRECTORATE
SUBURBAN LAND AGENCY
CITY RENEWAL AUTHORITY

Document Information

Review and approval

Date approved:	21 June 2022
Date effective:	21 June 2022
Approved by:	EPSDD Executive Management Board, Suburban Land Agency Board, and City Renewal Authority Board
Review date:	Two years from date of effect or following a significant change in the services delivered by the Environment, Planning and Sustainable Development Directorate

Details

Content owner:	
Advisor:	Director, Governance and Business Resilience
Document location:	https://objective.act.gov.au/#/documents/A33515457

Amendment history

Version	Issue date	Amendment details	Author
1.0	8 August 2019	Draft Policy	Director, Governance and Business Resilience
1.0	1 September 2019	Endorsed Policy EMB – 24.09.2019 City Renewal Authority Board – 03.01.2019 Suburban Land Agency Board – 25.10.2019	Director, Governance and Business Resilience
2.0	25 May 2022	Updates in line with review cycle, to reflect changes in portfolio business needs, review of the policy in light of legislative change (e.g. <i>Public Information Disclosure Act 2012</i> and <i>Integrity Commission Act 2018</i>) and to ensure relevance and currency.	Director, Governance and Business Resilience
2.0	21 June 2022	Endorsed Policy EMB - 21.06.2022 City Renewal Authority 04.08.2022 Suburban Land Agency 04.08.2022	Director, Governance and Business Resilience

Table of Contents

DOCUMENT INFORMATION	2
TABLE OF CONTENTS	3
PORTFOLIO FRAUD AND CORRUPTION PREVENTION POLICY STATEMENT	5
INTRODUCTION	6
<i>Purpose</i>	6
<i>Definitions</i>	6
<i>Objective</i>	8
<i>Application</i>	9
<i>Review of the Plan</i>	9
FRAUD AND CORRUPTION PREVENTION AND DETECTION	10
<i>Fraud and Corruption Risk Assessment</i>	10
<i>Building a Culture of Ethical Behaviour</i>	12
<i>Staff Awareness and Training</i>	14
<i>Internal Audit and Compliance</i>	14
RESPONSIBILITIES FOR THE MANAGEMENT OF FRAUD AND CORRUPTION	15
<i>Director-General and CEOs of the SLA and CRA</i>	15
<i>Services to Entities</i>	15
<i>Senior Executive Responsible for Business Integrity Risk (SERBIR)</i>	16
<i>EPSDD Audit and Risk Committee</i>	16
<i>EPSDD Executive</i>	17
<i>Public Interest Disclosure Officers</i>	17
<i>Managers and Employees</i>	18
<i>Roles and Responsibilities for the City Renewal Authority</i>	18
<i>Roles and Responsibilities for the Suburban Land Agency</i>	20
HOW TO DETECT FRAUD OR CORRUPTION	22
<i>Fraud and Corruption Signals</i>	22
HOW TO REPORT SUSPECTED FRAUD OR CORRUPTION	23
HOW THE PORTFOLIO MANAGE REPORTS OF SUSPECTED FRAUD OR CORRUPTION	24
<i>Confidentiality</i>	24
<i>Protection For People Who Make Disclosures</i>	24
<i>Preliminary Case Handling</i>	24
<i>Investigation (Internal and External)</i>	25
<i>Mandatory Reporting</i>	25
<i>Public Interest Disclosure</i>	26
<i>Integrity Commission</i>	27
<i>Financial Reporting and Data Analysis</i>	27
<i>Records Management</i>	28
EVALUATION	28
<i>Outcome Measures</i>	28
<i>Method</i>	28
<i>Responsibility</i>	28
KEY CONTROL IMPLEMENTATION	29

GLOSSARY OF TERMS..... 34
DOCUMENTS REFERENCES..... 35
ATTACHMENT A – REPORTING AND INVESTIGATION PROCESS FLOWCHART..... 36
ATTACHMENT B - MANDATORY REPORTING AND INVESTIGATION PROCESS FLOWCHART 37

Portfolio Fraud and Corruption Prevention Policy Statement

As public servants we are entrusted by both government and the community to deliver services in a competent and ethical manner. Integrity, both as a personal quality and signature behaviour under the ACT Public Service Code of Conduct, must remain foremost in all our activities. The Environment, Planning and Sustainable Development Portfolio (“the Portfolio”) has a zero-tolerance policy towards fraudulent activity or corrupt behaviour by Portfolio employees, contractors, service providers, and its clients.

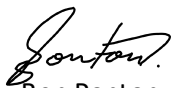
As Director-General and CEOs, we consider any fraudulent or corrupt behaviour to be a very serious matter. We ask for vigilance in monitoring for activity that raises concern. As the recent report of the Auditor-General identified; between the years 2015 and 2020 there were 131 allegations of fraud being perpetrated by ACT public servants, of which 42 were substantiated. These numbers demonstrate this is a real and present risk. Theft or misuse of money, property or information is a significant breach of trust. There is no place in the Portfolio for those who engage in these behaviours.

Preventing fraud and corruption is the responsibility of all employees and begins with ensuring that we act with integrity, professionalism and fairness in all our dealings. To ensure all staff members understand their responsibilities and obligations, we are committed to providing all staff with training in code of conduct and fraud awareness. A key obligation of staff is to immediately report all cases of suspected or committed fraud to their supervisor or directly to the Senior Executive Responsible for Business Integrity Risk (SERBIR) or the Public Information Disclosure (PID) officers.

There may be circumstances where your personal or private interests’ conflict with your role as an ACT Public Servant. These conflicts can be perceived, actual or potential. In these cases, it is your responsibility to declare and manage them appropriately.

If you are in any doubt about a fraud related issue, we would encourage you to contact your Governance team initially, the Portfolio People and Capability branch, or make a submission by contacting the SERBIR directly.

The Portfolio’s Fraud and Corruption Prevention Plan outlines the important activities we are taking to reduce the risk of occurrences of fraudulent behaviour. We look forward to your individual commitment and support in protecting the Portfolio against fraud and corruption and we encourage you to read this plan in full.



Ben Ponton

Director-General

Environment, Planning and Sustainable Development Directorate

21 June 2022



John Dietz

CEO

Suburban Land Agency

4 August 2022



Malcolm Snow

CEO

City Renewal Authority

4 August 2022

Introduction

Purpose

Under the ACT *Public Sector Management Act 1994* (PSM Act) and the ACT *Public Service (ACTPS) Integrity Governance Policy*, ACT Government Directorates are required to prepare and review a Fraud and Corruption Prevention Plan and fraud risk assessment every two years. The Portfolio has prepared this Fraud and Corruption Prevention Plan (the Plan) which will assist its employees in the management of fraud and corruption risks. The Plan should be read in the context of the Environment, Planning and Sustainable Development Directorate (EPSDD) Strategic Plan, the EPSDD Risk and Assurance Commitment Statement, Risk and Assurance Policy and Framework, the Suburban Land Agency (SLA) Strategic Map and SLA Risk Management Framework and Policy Statement, and the City Renewal Authority (CRA) Strategic Plan and annual planning Statements, and CRA Risk Management Framework.

The Fraud and Corruption Prevention Policy Statement (the Policy Statement) at the beginning of this document outlines the responsibilities of employees and details the Portfolio's position when dealing with suspected fraud and corruption. The Policy Statement, in conjunction with the *ACTPS Integrity Governance Policy*, provides the initial guidance for employees when considering issues of fraud and corruption.

Implementing an effective framework for preventing fraud and corruption is a practical demonstration that the Portfolio is committed to exemplifying integrity, professionalism, and ethical practices across all facets of its undertakings.

Definitions

For the purposes of this Plan the following definitions of fraud and corruption have been adopted from the *Integrity Commission Act 2018* and the Integrity Commission Glossary.

Fraud

An intentional dishonest act or omission done with the purpose of deceiving ([Integrity Commission Glossary](#))

Corruption.

Meaning of *corrupt conduct* in the *Integrity Commission Act s9*:

- (1) For this Act, **corrupt conduct** is conduct—
 - (a) that could—
 - (i) constitute a criminal offence; or
 - (ii) constitute a serious disciplinary offence; or
 - (iii) constitute reasonable grounds for dismissing, dispensing with the services of, or otherwise terminating the services of, a public official; and
 - (b) that is any of the following:

- (i) conduct by a public official that constitutes the exercise of the public official's functions as a public official in a way that is not honest or is not impartial;
- (ii) conduct by a public official or former public official that—
 - (A) constitutes a breach of public trust; or
 - (B) constitutes the misuse of information or material acquired by the official in the course of performing their official functions, whether or not the misuse is for the benefit of the official or another person;
- (iii) conduct that adversely affects, either directly or indirectly the honest or impartial exercise of functions by a public official or a public sector entity;
- (iv) conduct that—
 - (A) adversely affects, either directly or indirectly the exercise of official functions by a public official or public sector entity; and
 - (B) would constitute, if proved, an offence against a provision of the Criminal Code, chapter 3 (Theft, fraud, bribery and related offences);
- (v) conduct that involves any of the following:
 - (A) collusive tendering;
 - (B) fraud in relation to applications for licences, permits or other authorities under legislation designed to protect health and safety, protect the environment, or facilitate the management and commercial exploitation of resources.
 - (C) dishonestly obtaining or assisting in obtaining, or dishonestly benefiting from, the payment or application of public funds for private advantage or the disposition of public assets for private advantage;
 - (D) defrauding the public revenue;
 - (E) fraudulently obtaining or retaining employment or appointment as a public official;
- (vi) conduct engaged in by a person in relation to conduct mentioned in subparagraphs (i) to (iv) (the **primary conduct**), that would constitute an offence against the Criminal Code, part 2.4 (Extensions of criminal responsibility) on the basis that the primary conduct is an offence, whether or not the primary conduct is in fact an offence.

Meaning of **serious corrupt conduct** in the *Integrity Commission Act s10*:

Serious corrupt conduct means corrupt conduct that is likely to threaten public confidence in the integrity of government or public administration

Meaning of **systemic corrupt conduct** in the *Integrity Commission Act s11*:

Systemic corrupt conduct means instances of corrupt conduct that reveal a pattern of corrupt conduct in 1 or more public sector entities.

Objective

The Portfolio comprises of EPSDD, the Suburban Land Agency (SLA) and City Renewal Authority (CRA) collectively. The SLA and CRA are referred to as the land entities.

The Portfolio delivers a variety of work and functions. EPSDD manages a wide range of policies and programs to deliver on the ACT Government's key planning, land management and environment priorities. Its responsibilities cover areas such as built environment, land strategy, planning policy, urban renewal, building policy, development and leasing applications, environment, water policy, heritage, nature parks, nature conservation, climate change and energy.

The SLA develops and releases suburban land through land sales, supporting a diverse mix of housing types and design outcomes, encouraging, and promoting urban renewal outside of declared urban renewal precincts, and promoting high quality and affordable built form outcomes. In delivering the government's Indicative Land Release Program (ILRP), it delivers a supply of land for affordable, community and public housing, consistent with the ACT Housing Strategy.

The CRA leads the transformation of the City Renewal Precinct, spanning Dickson, Northbourne Avenue, Haig Park, Civic and Acton. In doing so, the Authority works with the community, business, and government to shape the growth of the central parts of Canberra to make it a great place to live, work, visit and play.

The Portfolio recognises that a proactive fraud and corruption prevention plan is an integral part of its governance framework. Consistent with the requirements of the PSM Act, the Directorate and the land entities will:

- Protect their organisational assets, reputation and interests;
- Put in place protective measures to prevent fraud and corruption;
- Detect acts of fraud and corruption where preventative strategies have failed;
- Investigate and seek to recover property that has been dishonestly acquired; and
- Ensure that reporting obligations are met.

The Plan is therefore designed to give practical effect to these obligations and commitments and specifically to:

- Assess the risk of fraud and corruption within the Portfolio;
- Develop strategies and treatments to assist in the reduction of the risk;
- Increase awareness of fraud and corruption and define the role of all staff in reducing the level of risk; and
- Define processes for the management of suspected fraud and corruption.

This Plan is integral to supporting the EPSDD Risk and Assurance Policy and Framework, the SLA Risk Management Framework and Policy Statement, and the CRA Risk Management Framework. The overall objective of the Plan is to prevent, to the greatest extent possible, all incidents of fraud and corruption within the Portfolio. In the event that fraud or corruption does occur, this Plan can be used as a guidance tool and outlines the appropriate response for an incident.

Application

This Plan applies to all Portfolio staff including:

- Permanent and temporary ACT Government personnel and executives.
- Board members of the land entities performing their functions for their respective territory authority.
- Non-government personnel including contractors and consultants acting for, or on behalf of, the Portfolio.
- Independent members of committees and forums.

This Plan will continue to be informed by fraud and corruption risk assessments conducted in accordance with the EPSDD Risk and Assurance Policy and Framework, and the SLA and CRA risk assessment, management, and treatment processes in accordance with the relevant risk management policies frameworks.

The Portfolio Fraud and Corruption Risk Register captures the high-level risks and their respective treatments and is linked to the relevant SLA and CRA risk registers where individual entity risk is accounted for. Further to this, each division and business unit within EPSDD is responsible for the carriage of their own risk registers.

The Plan will be regularly reviewed and updated as required to ensure relevance, and at a minimum of every two years as required under the *ACTPS Integrity Governance Policy*. This Plan will inform the normal planning process of the Portfolio along with their strategies or specific actions directed to minimising the risk of fraud identified during business planning and development processes.

Review of the Plan

Portfolio functions change and evolve and new systems and contracting arrangements are introduced, or systems and processes are modified, or there are significant legislative changes. Every change presents the possibility of new or emerging business risks and therefore be subjected to the risk assessment process.

Ongoing monitoring of the Plan is directed by the *ACTPS Integrity Governance Policy*. The SERBIR will provide regular reports to the EPSDD Audit and Risk Committee and Executive Teams to demonstrate the implementation and effectiveness of the Plan. Regular risk reviews and reports will be provided to the SLA's and CRA's Board Audit and Risk Committees (BARC) and Boards.

In addition, the various Portfolio Audit and Risk Committees may initiate audits/compliance reviews designed to measure, monitor, and provide assurance of the implementation of the Plan or associated aspects of fraud and corruption. The Directorate, SLA and CRA each have a robust program of internal audit and compliance testing which ensures established controls are effectively operating to prevent, detect and manage fraud.

Fraud and Corruption Prevention and Detection

Fraud and corruption represent a significant risk to the delivery of the objectives of the public sector by undermining efficiency, effectiveness, and integrity. The impact to the reputation of the Directorate and land entities resulting from fraudulent or corrupt activity can be significant and long-term.

Three of the most important factors that assist the Portfolio in the prevention of fraudulent and corrupt activity are:

- Establishment and maintenance of a sound ethical tone through adherence to the *ACTPS Code of Conduct*;
- Implementation and monitoring of the effectiveness of controls to reduce the likelihood of integrity risks; and
- Awareness and education of the exposures and risks of fraud and corruption at all levels.

Fraud and corruption are business risks that are controlled by the application of risk management principles and this Plan is structured to achieve the implementation, continuous monitoring and improvement of controls to manage risk across three themes:

- Prevention of fraud and corruption;
- Monitoring for the detection of fraud and corruption; and
- Appropriate consequences for fraud and corruption, if identified.

These themes are at the core of the Fraud and Corruption Risk Assessment process.

Fraud and Corruption Risk Assessment

The fraud and corruption risk assessment will be formally updated every two years, or more frequently if

- (a) any significant suspected fraud or corruption is discovered or
- (b) there is a significant change in the nature or scope of operations, procedures, or systems.

The update will include:

- Updating the assessment of existing risks for changes in treatments, consequences, or likelihood ratings if changes are deemed necessary;
- Removing risks that are no longer relevant;
- Identifying any new risks that should be included and addressed as part of the ongoing risk management process;
- Updating the action plans to address new or emerging key risks, identification of new treatment strategies, identification of treatment owners and timeframes for implementation of actions;
- Reviewing the efficacy of the controls and treatments in managing risk; and

- Coordinating with other governance functions such as internal audit, compliance, and assurance in providing independent assurance over the efficacy of controls and treatments.

Updated assessments of fraud and corruption risk across the Portfolio form part of the development of this Plan and inform control strategies. All risk assessments are conducted in accordance with the *ACTPS Integrity Governance Policy 2022*, *ACT Government Risk Management Policy*, *AS ISO 31000:2018 Risk Management Standard*, the *AS 8001:2021 Fraud and Corruption Control Standard*, the *EPSDD Risk and Assurance Policy and Framework*, the *SLA Risk Management Framework and Policy Statement* and the CRA Strategic Plan and Risk Management Framework.

A fraud and corruption risk assessment measures the vulnerability of an organisation to fraud and corruption and is essential for fraud mitigation and control. At least once every two years, a targeted fraud and corruption risk assessment is conducted across the Portfolio.

In the review and updating of this Plan, a fraud and corruption risk assessment was conducted across the Portfolio in accordance with the *Risk Management Standard* and the associated policy guidance. The risk assessment methodology included:

- Consideration of fraud and corruption incidents and investigations under the previous 2019-2021 Plan.
- Review of the fraud risks, adequacy of controls, and risk ratings and identification of treatments to reduce or mitigate risks.
- Consideration of the risk environment, changes to operations, and trends in the wider ACTPS community including advice issued by the ACT Ombudsman, Attorney-General and the ACT Integrity Commission.
- Consultation with key stakeholders, especially those responsible for the implementation of controls and treatments including from finance, people and capability, procurement, asset managers and governance across the three Portfolio entities.
- A series of actions to reduce fraud and corruption risks within the Portfolio were captured in the Plan.

The risk assessment identified fraud and corruption risks under the following broad categories;

- Access to sensitive and confidential information for personal gain
- Finance, trust funds or receipt of moneys, managing clients' affairs or funds
- Procurement and Contract Management activities
- Asset Management
- Inadequate supervision of licensing or information processes

A breakdown of these risks is documented within the Fraud and Corruption Risk Register (Attachment B).

As part of their regular assessment of risk, business units are required to ensure that fraud and corruption risks are identified, captured, and reported in the relevant Risk Register.

Risks are to be reported to the:

- Chief Operating Officer in CRA,
- Executive Branch Manager, Governance and Corporate Services in SLA, and
- Executive Branch Manager Governance, Compliance and Legal in EPSDD.

Where fraud and corruption risks have an impact across the Portfolio, risks should be reported and shared across Portfolio contacts for inclusion in the Portfolio Fraud and Corruption Risk Register. If the risk is specific to the entity's business with operational implications that must be managed or treated at the organisation level, such risks should be captured in the entity's relevant risk register with advice provided for information to the other parties as applicable. The executives will be responsible for notifying their relevant Audit and Risk Committees.

The most important outcome of a fraud and corruption risk assessment process is the development of an effective anti-fraud and corruption treatment program that specifically addresses the risks faced by the Portfolio. Treatments should be captured in the Fraud and Corruption Risk Register and implemented by the relevant treatment owners across the Portfolio, with the effectiveness of treatments measured frequently.

Assurance with respect to the efficacy of the controls and treatments is provided through the relevant compliance, assurance, and internal audit functions within EPSDD and the land entities.

Building a Culture of Ethical Behaviour

The opportunity for fraud or corruption within an organisation is influenced by the culture and context in which an organisation operates. A number of factors may increase the instances of fraudulent, dishonest or otherwise inappropriate behaviour amongst employees including:

- Business areas with a poor compliance culture and without systems to support monitoring and supervision of proper observance of integrity controls;
- Staff access to assets (equipment, vehicles, and small devices) which are also of value for personal use
- Working in isolated or unsupervised contexts, including working from home
- Business areas undergoing frequent corporate change in systems and requirements;
- Areas where there are high levels of staff turnover;
- Organisations that have a lack of established policies and procedures provide greater opportunity for fraud to occur and remain undetected.

The Portfolio seeks to promote high standards of ethics and integrity through a culture of probity and adherence to Public Sector Management values. Strong cultural norms act to reinforce appropriate behaviours, and systems which support oversight, supervision and compliance monitoring.

The Portfolio follows the ACTPS Integrity Framework and directorate, agency and Authority specific policies are made available to all staff, that integrity is an issue discussed at staff meetings, and that

articles on integrity are included in staff newsletters or staff circulars. The responsibility of all executives and senior staff is to lead by example and to exemplify honesty, integrity, and probity in their work-related activities. EPSDD executive endorsed an integrity statement in 2021 which explicitly outlines expectations for integrity based behaviours.

Legislation and a number of guiding documents supporting signature values and behaviours underpinning the effective promotion and management of ethical behaviour across the ACTPS and the Portfolio including:

- *Financial Management Act 1996;*
- *Integrity Commission Act 2018;*
- *Public Interest Disclosure Act 2012;*
- *Public Sector Management Act 1994;*
- *Public Sector Management Standards 2016;*
- ACTPS Code of Ethics;
- ACTPS Code of Conduct;
- ACTPS Integrity Framework;
- ACTPS Integrity Governance Policy;
- ACT Government Risk Management Policy;
- EPSDD Integrity Commitment Statement;
- EPSDD Values and Code of Conduct;
- EPSDD Risk and Assurance Policy and Framework;
- SLA Risk Management Framework and Policy Statement;
- CRA Risk Management Framework;
- EPSDD Director-General and SLA and CRA Chief Executive Financial Instructions;
- ACTPS Conflict of Interest Policy;
- Portfolio COI Standard Operating Procedures and Factsheet;
- Purchase of Land By Portfolio Staff, Contractors and Public Sector Members Policy;
- Gifts and Hospitality Policies;
- ACT Government - Acceptable Use of ICT Resources Policy; and
- ACT Government Public Interest Disclosure Guidelines 2019 (adopted by EPSDD, the CRA, and the SLA).

Staff Awareness and Training

Preventing fraud and corruption requires a well-informed, engaged, and ethical workforce, which upholds sound administrative decision-making and discloses fraudulent activities and corrupt behaviours. It is the responsibility of all staff to always act honestly and with integrity, and to be vigilant in detecting possible incidents of fraud and corruption.

The Portfolio requires all staff to complete the fraud and ethics training courses within the Essentials Framework and Managers and Supervisors Framework. EPSDD has launched an e-Learning package on fraud, corruption, and ethics.

The program covers the following areas:

- Definitions and examples of fraud, corruption and ethics;
- Employee obligations within the ACTPS including the supporting documentation;
- Guidance on gifts, benefits and hospitality arrangements and processes;
- Guidance on the declaration of conflicts of interest (both real or perceived);
- Guidance on second jobs; and
- Processes for reporting fraud.

Targeted fraud and corruption prevention awareness training has been developed, such as the Credit Card User Training and Conflict Of Interest (COI) training, it can also be accessed by all business units as needed. SLA offers specific COI training that focus on ensuring integrity and transparency while operating in a commercial environment.

Additional information sessions on ethics, fraud and corruption are presented across the Portfolio to increase staff awareness of the issues and the importance of an understanding of the risks and the requirement that all staff be actively aware of their personal obligations. Sessions may be delivered in regular branch, section, and team meetings, as well as other relevant gatherings of staff. All staff are provided information on ethics, fraud and corruption and their general obligations in compulsory Portfolio induction training.

To ensure staff are actively aware of their obligations as a minimum staff should complete an awareness session in ethics, fraud and corruption every two years. Awareness sessions can be completed online through eLearning or attendance at facilitated sessions.

There are a number of documents available to staff which provide information on fraud and corruption issues, including a fact sheet with examples of ethical dilemmas that staff may face. These are available to all staff on the EPSDD intranet or by contacting the Governance and Business Resilience branch of EPSDD.

Internal Audit and Compliance

The Portfolio has a robust program of internal audit and compliance testing which ensures established controls are effectively operating to prevent and detect fraud.

The internal audit program and compliance programs, includes consideration to high-risk areas of fraud and corruption risk, in particular, focusing on regulatory activities, financial transactions, procurement, and asset security.

The design, development and maintenance of financial, administrative, and operational systems, procedures and controls are paramount to the control of financial fraud, and will be undertaken at every opportunity and ensuring an appropriate audit trail exists. The EPSDD People and Capability Branch will monitor staff compliance with mandatory awareness training through the ACTPS Learning Management System (LMS). This information will be provided to the SERBIR for reporting requirements.

Responsibilities for the Management of Fraud and Corruption

Director-General and CEOs of the SLA and CRA

The Director-General EPSDD and CEOs for SLA and CRA are responsible for the corporate governance of the Directorate and related entities, and as the administrative unit under the Administrative Arrangements 2022 for oversight of the governance across the Portfolio. In particular the Director-General and CEOs have overall responsibility for fraud control and for ensuring compliance with the PSM Act, the PSM Standards and the *ACTPS Integrity Policy*. The Director-General and CEOs will:

- Highlight to employees the importance of integrity and the role they play in maintaining integrity across the organisation;
- Foster an environment which makes active fraud and corruption control a clearly defined obligation for all Portfolio staff;
- Articulate clear standards and procedures to ensure the minimisation and deterrence of fraud and corruption;
- Appoint a Senior Executive Service officer as SERBIR and provide details of the appointment to the Public Sector Standards Commissioner;
- Put in place procedures for the detection and prosecution of offences should they occur;
- Ensure that incidents of fraud and corruption are reported;
- Ensure that all staff undertake regular training in fraud and corruption control, ethics and the *ACTPS Code of Conduct*; and
- Report on the implementation of fraud prevention strategies.

Services to Entities

Under the Service Agreement between EPSDD and each of the land entities, the Directorate:

- Leads the development and review of the portfolio Fraud and Corruption Prevention Plan and Risk Assessment.
- Provides an annual report to the SLA BARC and the CRA ARC on the Plan and its implementation.

- Provides SERBIR support for the SLA and the CRA on referral of complaints for independent evaluation.
- Provides advice on integrity policy/responses/issues as raised by the CRA.
- Provides an annual report to the SLA and CRA ARC on any SERBIR matters that may impact the integrity of the Authority's Financial Statements.
- Provide updates to CRA team on trends and (public) matters arising from SERBIR work and integrity commission on trends, outcomes, and other changes

Senior Executive Responsible for Business Integrity Risk (SERBIR)

The SERBIR is an appointment administered by the Director-General made under the section 21 of the PSM Standards. The SERBIR for EPSDD, SLA and CRA is the Chief Operating Officer, EPSDD and is supported by the Senior Directors of Legal and Integrity, Governance and Business Resilience, and People and Capability.

The SERBIR will:

- Ensure the Portfolio has a current Fraud and Corruption Prevention Plan and risk assessment in place;
- Ensure that the Plan is revised every two years, or more frequently in defined circumstances;
- Monitor implementation of the Plan and coordinate any risk treatment strategies;
- Act as the primary senior executive point of contact for allegations of fraud and corruption and determine how escalated allegations should be handled;
- For EPSDD, ensure that Risk Registers reflect fraud and corruption risks and are regularly reviewed and updated;
- For EPSDD, report to the Audit and Risk Committee, Executive Steering Committee, and Executive Management Board on the implementation of the Plan;
- Provide oversight of reported cases of suspected fraud and determine the appropriate course of investigation and actions; and
- Ensure that the most current Plan is brought to the attention of staff through training sessions, intranet, or other media.

EPSDD Audit and Risk Committee

Reporting to the Director-General, the EPSDD Audit and Risk Committee will:

- Have oversight and review of risk management processes enabling effective identification of possible business and financial risks, including fraud through the internal audit program;
- Monitor the implementation of the Plan and review the effectiveness of the fraud control arrangements and implementation of any recommendations; and

- Provide an independent opinion to the DG or CEO regarding the adequacy of risk management processes.

EPSDD Executive

EPSDD Executives (including Deputy Director-Generals, Executive Group Managers and Executive Branch Managers) will:

- Assist the Director-General, Audit and Risk Committee, and SERBIR in fulfilling their responsibilities;
- Understand their mandatory reporting obligations under the *Integrity Commission Act* and report to the Integrity Commission conduct which they suspect on reasonable grounds to be serious or systemic corruption conduct;
- Adopt and promote the highest standards of ethical behaviour within the Directorate;
- Develop, encourage, insist upon and implement sound financial, legal, and ethical decision making within the Directorate;
- Ensure that staff complete fraud, corruption, and ethical conduct awareness sessions at least every two years;
- Ensure awareness of fraud and corruption control policies, plans and guidelines are promoted;
- Ensure each area of their control is subject to a risk assessment and regularly assess the potential for breaches of integrity, including theft and corruption. Progress is to be reported to the SERBIR on a regular basis;
- Implement strategies to reduce fraud and corruption risk; and
- Act as a point of contact for personnel reporting fraud or corruption matters and referring the allegations to the SERBIR.

Public Interest Disclosure Officers

In the ACT, a disclosure or complaint may become a Public Interest Disclosure (PID) when it is about disclosable conduct. This includes conduct that could amount to a criminal offence, give grounds for disciplinary action or amount to a serious malfeasance of public office (e.g. substantial misuse of public funds), maladministration that adversely affects a person's interests in a substantial and specific way, or danger to public health or safety of the environment.

Under the [Public Interest Disclosure Act 2012](#) (the PID Act), a PID can be made about an ACTPS entity, which is broadly defined to include anyone performing a function on behalf of the ACT Government using public funds. PID complaints can be made against permanent, temporary, or casual employees of the ACTPS and other entities including Members of the Legislative Assembly. It can also be about contractors, sub-contractors, consultants and volunteers working on ACT Government sponsored projects or on programs funded by the ACT Government.

Within the ACTPS, the ACT Integrity Commissioner has broad oversight of all PIDs, and Directorates/Agencies are required to notify the ACT Integrity Commissioner of any PID that is received. Other bodies that PIDs can currently be made to, include the Auditor-General and the ACT Ombudsman.

The [Integrity Commission has issued the Public Interest Disclosure Guidelines 2021](#), to explain and support PID arrangements and assist individuals who wish to make a disclosure, as well as ensure that ACT public sector entities have arrangements in place to consider disclosures and take appropriate action on PIDs.

Under the PID Act, heads of entities are disclosure officers. This means that DGs, CEOs, the Clerk of the Legislative Assembly and other executive or statutory officers with overall management responsibility for an entity are disclosure officers under the Act.

Section 11(2) of the PID Act requires the head of an entity to also declare at least one other person to be a disclosure officer in their entity. Other than the head of the entity, it is recommended that the disclosure officer declared be a SERBIR.

Under Section 33 of the PID Act, entities are required to prepare and publish procedures about how they intend to deal with disclosures and those procedures must be approved by the ACT Integrity Commission.

Managers and Employees

All Portfolio managers and employees are to:

- Insist upon and implement sound financial, legal and ethical processes and ensure that the management decision making process is as open and transparent as possible;
- Regularly and systematically assess the potential within their area of responsibility for theft, fraud and corruption to ensure that relevant control procedures are being followed and are effective;
- Ensure that they complete fraud, corruption, and ethical conduct awareness sessions at least once every year;
- Make themselves familiar with the concepts and responsibilities of fraud and corruption control and ensure that they adhere to approved policies, practices and procedures at all times including the declaration of any conflict of interest, either real, or perceived, immediately when the conflict becomes apparent; and
- Report any incidents of suspected or actual fraud or corruption using the appropriate reporting processes as detailed with Appendix A.

Roles and Responsibilities for the City Renewal Authority

Role or Position or Business Area	Responsibility
City Renewal Authority Board	<ul style="list-style-type: none"> • Approve the Authority’s risk management policies and frameworks, including the Portfolio Fraud and Corruption Prevention Plan • Ensure the efficient and effective financial management of the resources for which the Authority is responsible (including

Role or Position or Business Area	Responsibility
	ensuring expenses occurred by the authority are properly authorised)
Chief Executive Officer	<ul style="list-style-type: none"> • Highlight to employees the importance of integrity and the role they play in maintaining integrity across the organisation • Foster an environment which makes active fraud and corruption control a clearly defined obligation for all Portfolio staff; • Articulate clear standards and procedures to ensure the minimisation and deterrence of fraud and corruption; • Appoint a Senior Executive Service officer as SERBIR; • Put in place procedures for the detection and prosecution of offences should they occur; • Ensure that incidents of fraud and corruption are reported; • Ensure that all staff undertake regular training in fraud and corruption control, ethics and the ACTPS Code of Conduct; and • Report on the implementation of fraud prevention strategies.
Senior Executives	<ul style="list-style-type: none"> • Assist the CEO, Audit and Risk Committee, and SERBIR in fulfilling their responsibilities; • Understand their mandatory reporting obligations under the Integrity Commission Act and report to the Integrity Commission conduct which they suspect on reasonable grounds to be serious or systemic corruption conduct; • Adopt and promote the highest standards of ethical behaviour within the Authority; • Develop, encourage, insist upon and implement sound financial, legal and ethical decision making within the Authority; • Ensure that staff complete fraud, corruption, and ethical conduct awareness sessions at least once every year; • Ensure awareness of fraud and corruption control policies, plans and guidelines are promoted; • Ensure each area of their control is subject to a risk assessment and regularly assess the potential for breaches of integrity, including theft and corruption. • Implement strategies to reduce fraud and corruption risk.
Chief Operating Officer	<ul style="list-style-type: none"> • Ensure that Risk Registers reflect fraud and corruption risks and are regularly reviewed and updated • Report to the CEO, Audit and Risk Committee, and the Board on the implementation of the Plan • Monitor the Plan's implementation and coordinate any risk treatments

Role or Position or Business Area	Responsibility
	<ul style="list-style-type: none"> • Assist and support the CEO and SERBIR in fulfilling their responsibilities • Record all allegations of fraud and corruption which occur and advise the SERBIR
Audit and Risk Committee	<ul style="list-style-type: none"> • Ensure a risk management framework is established, implemented, and maintained in accordance with ACT Government requirements • Provide oversight of risk management processes enabling effective identification of possible business and financial risks, including fraud and corruption • Monitor a register of audit recommendations, including those relating the fraud and corruption prevention measures • Review processes and procedures through the internal audit program.

Roles and Responsibilities for the Suburban Land Agency

Role or Position or Business Area	Responsibility
Suburban Land Agency Board	<ul style="list-style-type: none"> • Review and approve SLA's relevant policies and procedures, including the Portfolio Fraud and Corruption Prevention Plan • Ensure the efficient and effective financial management of the resources for which the SLA is responsible • Encourage, insist upon and implement sound financial, legal and ethical decision making within the SLA;
Chief Executive Officer	<ul style="list-style-type: none"> • Highlight to employees the importance of integrity and the role they play in maintaining integrity across the organisation • Foster and develop the highest standards of ethical behaviour • Encourage, insist upon and implement sound financial, legal and ethical decision making within the SLA; • Ensure adequate fraud and corruption controls are in place • Ensure wide dissemination of the Plan • Ensure that all staff undertake regular training in fraud and corruption awareness and ethics and the ACTPS Code of Conduct • Ensure procedures are in place for the detection, investigation and prosecution of offences should they occur • Appoint a Senior Executive Service officer as SERBIR • Nominate Disclosure Officers
Senior Executives	<ul style="list-style-type: none"> • Foster and develop the highest standards of ethical behaviour

Role or Position or Business Area	Responsibility
	<ul style="list-style-type: none"> • Assist the CEO, SLA Board, Board Audit and Risk Committee, and the SERBIR in fulfilling their responsibilities arising from the Plan • Encourage, insist upon and implement sound financial, legal and ethical decision making within the SLA; • Promote a sound knowledge of the Plan, including that staff attend awareness sessions • Act as a point of contact for staff reporting fraud or corruption matters, and referring the allegations to the SERBIR and/or Integrity Commission • Ensure business unit risk assessments are undertaken, including consideration of fraud and corruption risks • Implement strategies to reduce fraud and corruption risk; and • Review effectiveness of fraud and corruption prevention measures following significant functional or structural changes.
Executive Branch Manager, Governance and Corporate Services	<ul style="list-style-type: none"> • Ensure that Risk Registers reflect fraud and corruption risks and are regularly reviewed and updated • Report to the CEO, SLA Board, Board Audit and Risk Committee, and the SERBIR on the implementation of the Plan • Monitor the Plan's implementation and coordinate any risk treatments • Assist and support the CEO and SERBIR in fulfilling their responsibilities • Record all allegations of fraud and corruption which occur and advise the SERBIR
Board Audit and Risk Committee	<ul style="list-style-type: none"> • Ensure a risk management framework is established, implemented, and maintained in accordance with ACT Government requirements • Have oversight and review of risk management processes for the SLA enabling effective identification of possible business and financial risks, including fraud and corruption through the internal audit program • Monitor the implementation of the Plan and review the effectiveness of the fraud control arrangements and implementation of any recommendations through reports provided by ESPDD under the Service Agreement • Monitor a register of audit recommendations, including those relating the fraud and corruption prevention measures • Conduct bi-annual review of the Portfolio Fraud and Corruption Control Plan for the Agency • Review processes and procedures through the internal audit program

Role or Position or Business Area	Responsibility
	<ul style="list-style-type: none"> • Provide an independent opinion to the CEO regarding the adequacy of risk management processes.
Managers and Employees	<ul style="list-style-type: none"> • Insist upon and implement sound financial, legal and ethical processes and ensure that the management decision making process is as open and transparent as possible; • Ensure that they complete fraud, corruption, and ethical conduct awareness sessions at least two years; • Make themselves familiar with the concepts and responsibilities of fraud and corruption control and ensure that they adhere to approved policies, practices and procedures at all times including the declaration of any conflict of interest, either real, or perceived, immediately when the conflict becomes apparent; and • Report any incidents of suspected or actual fraud or corruption

How to Detect Fraud or Corruption

Fraud and corruption can be detected by establishing effective accounting and system controls and by recognising variations from standard practice. The Portfolio actively monitors to detect fraud and corruption through its compliance and audit programs. EPSDD Internal Compliance and Assurance Plan is a three year rolling program that annually assess risk to define audits and compliance assessment activities to ensure control effectiveness, including areas of fraud and corruption. The SLA and CRA have dedicated independent audit programs.

In addition, staff cooperation, observation and initiative are important in preventing and detecting fraud and corruption in the workplace.

To be effective, detection of fraud and corruption is dependent on strong education and awareness systems to enable the identification of suspected activities and encourage reporting.

Fraud and Corruption Signals

Many positions within the Portfolio involve duties engaging with community members who are members of industry, might represent commercial interests, and who seek decisions from Government, or Portfolio Agencies in which they have economic interests. In these dealings, staff must consider the limits of their positional authority, obligations regarding the lobbyist register, and take care in official representations made to members of the community. Intersections between business interests, and Government decision making have been a known area for attempted corruption and risk of fraudulent behaviour in an ACT Government context. Managers should consider these risks while remaining vigilant to identify possible instances of this occurring in our agencies.

Managers and staff should be alert to identified signs of fraud and corruption, these may include:

- Missing documentation relating to client or agency financial transactions
- “Blind approval”, where the person signing does not sight supporting documentation

- Opportunities for collusion, private undisclosed interests to influence decision making, and cliques
- Staff who treat controls and standard practices as challenges to be overcome or defied
- Unauthorised changes to systems or work practices
- Senior staff involved in routine process work such as purchasing, ordering, and receiving goods
- Undue secrecy, or excluding people from available information
- Implausible excuses for unusual events or actions around procurement or asset management
- Staff demonstrating extreme wealth, far beyond what would be expected of their position salary, who have access to funds, or control or influence over service providers
- Excessive staff turnover
- Potential conflict of interests which are not declared or managed under requirements
- Acceptance of gifts, benefits or hospitality

How to Report Suspected Fraud or Corruption

It is the responsibility of all staff and contractors to act with honesty and integrity at all times and to be vigilant for possible incidents of fraud and corruption. Where staff become aware of possible fraud and corruption they must report their concerns and observe the following procedures:

1. Note observations

It is important that you do not jump to conclusions. Carefully observe and note the suspected misconduct and document your own actions. Keep any documents as possible evidence and do not alter them (for instance by marking them), and ensuring they are stored securely.

2. Report concerns

Report concerns to your supervisor. If it is not appropriate to report your concerns to your supervisor, you should report them to:

For EPSDD: the SERBIR, the Executive Branch Manager, People and Capability, or the Executive Branch Manager, Governance, Compliance and Legal.

For SLA: the SERBIR, or Executive Branch Manager, Governance and Corporate Services

For CRA: the SERBIR, or the Chief Operating Officer.

The SERBIR is responsible for the initial receipt of information on suspected instances of fraud or corruption. The SERBIR can be contacted through the [EPSDD Intranet portal](#).

Persons reporting suspected fraud or corruption may be protected under the provisions of the *Public Interest Disclosure Act 2012*. Further information on Public Interest Disclosure (i.e. whistleblowing) is available in the EPSDD Public Interest Disclosure Guidelines.

3. Inform only those who need to know

To prevent possible destruction of evidence by those involved in the fraud that may be 'tipped off', it is important that you only inform those who need to know. This is also important as protection against any pressure from those at the centre of the allegations.

In actively assessing the application of integrity practices, Directorate/Agencies need to be sensitive to:

- the requirements of the [Privacy Act 1988](#) by not using information disclosed for one purpose for an unrelated purpose

4. Maintain confidentiality

Maintain confidentiality to protect the rights of a person suspected of fraudulent activity that may in fact be innocent. Confidentiality provisions included within the *Public Interest Disclosure ACT 2012* and *Integrity Commission Act 2018* ensures this confidentiality is maintained through the reporting and case handling process.

The SERBIR is responsible for maintaining an appropriate recording and tracking system to ensure that all instances of fraud and corruption are satisfactorily resolved. This system facilitates the extraction of statistical data for monitoring the effectiveness of the Plan and provides information required to meet annual reporting and other obligations.

How the Portfolio Manage Reports of Suspected Fraud or Corruption

Protection For People Who Make Disclosures

People who report evidence or suspicions of fraud can be confident that their identity and information will be treated in the strictest confidence. Action taken from such reports will in no way be permitted to adversely affect their position or prospects within the organisation, or ACTPS. Indeed, employees are actively encouraged to be forthright and honest in all their dealings and should raise concerns.

People who report suspected corrupt conduct to the Integrity Commission are protected by the *Integrity Commission Act 2018*. Under the Act, a person who makes a corruption report or a witness who assists with an investigation is protected from liability, defamation, and detrimental action. If a person reports suspected corrupt conduct to the Commission, the making of the complaint is not a breach of confidence, a breach of professional etiquette or ethics, or a breach of a rule of professional conduct.

It is an offence to engage in retaliation or reprisal against a person who makes a report. Staff aggrieved by the conduct of any investigation may raise their concerns in an appropriate manner with a supervisor/manager or the People and Capability Branch.

Preliminary Case Handling

Initial investigation into reported fraud will be made by the SERBIR, who will determine whether there is any basis for further action. The SERBIR may appoint an authorised officer within the Portfolio entities to undertake enquiries or may acquire the services of external experts to assist in the conduct of any inquiry.

Investigation (Internal and External)

All allegations of fraud or corruption, both internal and external, are assessed and where appropriate, investigated with the aim of proving or disproving the allegations made. The SERBIR is guided by a number of potential criteria when determining referrals of suspected fraud or corruption for investigation, these include:

- *Financial Management Act 1996*
- *ACTPS Integrity Policy;*
- *ACTPS Standards for the conduct of inquiries and investigation for ACT Agencies;*
- *Public Interest Disclosure Act 2012;*
- *Integrity Commission Act 2018;* and
- *Public Interest Disclosure Guidelines 2019.*
- *Service Agreement between EPSDD, SLA and CRA*
- *Administrative and Related Classifications Enterprise Agreement 2021-2022*

Any employee or member of the community may report alleged fraud or corrupt conduct to managers, senior executives, SERBIRs, Disclosure Officers or the Integrity Commission. SERBIRs, Disclosure Officers or senior executives may refer allegations to the Integrity Commission or the police for investigation and potential prosecution.

During the preliminary investigation processes, allegations are assessed to determine whether there is any merit to further investigation and/or referral and potential action to take. The presumption of innocence applies. People suspected of committing fraud or engaging in corrupt conduct will be afforded natural justice, meaning that people alleged to have committed fraud and/or corruption are innocent until proven guilty.

In addition, a staff member committing fraud or engaging in corrupt conduct may be in breach of the *Public Sector Management Act 1994*, section 9, and may be subject to separate disciplinary action. Possible outcomes of disciplinary action range from receiving a warning about the conduct to dismissal. The SERBIR, senior executives and managers may refer alleged breaches of the *Public Sector Management Act to People and Capability*, in the first instance. The Professional Standards Unit in CMTEDD undertakes all investigations if required, after completion of a preliminary assessment by the delegate.

Following the discovery of fraud or corruption, the SERBIR will determine if an internal control review is required. An internal control review will include a reassessment of the adequacy of the internal control environment (particularly those controls directly impacting on the fraud or corruption incident and potentially allowing it to occur) and will consider whether improvements are required. Where improvements are required, these should be implemented as soon as practicable.

Mandatory Reporting

Although anyone can raise a concern about possible corruption, senior officials including heads of public sector entities and MLA's and Chief of staff have a mandatory obligation to report serious corrupt conduct and systemic corrupt conduct to the ACT Integrity Commission.

Serious corrupt conduct means corrupt conduct that is likely to threaten public confidence in the integrity of government or public administration. Systemic corrupt conduct means instances of corrupt conduct that reveal a pattern of corrupt conduct in one or more public sector entities.

Additionally, under the *Integrity Commission Act 2018*, heads of public sector entities and senior executives have certain obligations that must be met. This includes mandatory corruption notification responsibilities. That is, heads of public sector entities and senior executives must notify the ACT Integrity Commission about any matter the person suspects on reasonable grounds may involve serious corrupt conduct or systemic corrupt conduct. Serious corrupt conduct is conduct that is likely to threaten public confidence in the integrity of government or public administration in the ACT. Systemic corrupt conduct refers to corrupt conduct that reveals a pattern of conduct in one or more ACT public sector entities.

The *Integrity Commission Act 2018* also mandates that a Member of the Legislative Assembly must notify the Commission about any matter the member suspects on reasonable grounds involves serious corrupt conduct or systemic corrupt conduct by another member of the Legislative Assembly or by a member of their staff. This is also extended to a Chief of Staff of a Minister or a Chief or Staff of the Leader of the Opposition.

It is an offence for any party who is required to make a mandatory notification of corruption regarding a public official engaging in conduct that constitutes serious corrupt conduct or systemic corrupt conduct and does not, as soon as practicable, notify the commission. The offence may result in a fine.

DGs and CEOs should ensure that their directorates/agencies are aware of their reporting requirements and the integral role of the ACT Integrity Commission in holding the Public Sector and Legislative Assembly to account.

Public Interest Disclosure

The *Public Interest Disclosure Act 2012* (PID Act) supports the reporting, assessment, and investigation of reported wrongdoing by an ACT public servant, including fraud and corruption. The PID Act and procedures adopted by agencies provide a method of investigating allegations, while protecting the individual who has made the disclosure from any reprisals.

Members of the public, as well as current and former ACT public servants may make a public interest disclosure to any ACT government agency or to the Integrity Commission.

Disclosable conduct includes activity or conduct (or combination thereof) by an individual or an ACT Public Sector entity that is any of the following:

- maladministration
- Substantial and specific danger to public health or safety, or the environment

However, disclosable conduct does not include actions that relate to a personal work-related grievance or that is to give effect to a policy of the Territory about amounts, purposes, or priorities of public expenditure. A person who has been served with an examination summons and gives evidence at an examination that the person knows is false or misleading is in contempt of the Commission, and will have committed a criminal offence.

A person who makes a report to the Commission and knowingly provides information that is false, misleading or vexatious forfeits the protections under the *Integrity Commission Act 2018*.

Under section 37 of the *Public Interest Disclosure Act 2012*, protections may be lost if a court determines that the discloser has provided false or misleading information to a Public Interest Disclosure investigator, or where the discloser's report is vexatious.

Following a disclosure to a Disclosure Officer, they assess it and if satisfied on reasonable grounds that the disclosure is about disclosable conduct and disclosed in good faith give it to the Integrity Commissioner. The Integrity Commissioner then assesses the disclosure and if satisfied on reasonable grounds that it is about disclosable conduct, disclosed in the public interest and is not frivolous or vexatious, decides that it is a public interest disclosure. Once determined to be a public interest disclosure the Integrity Commissioner may either investigate the matter or refer it to another entity for investigation.

Integrity Commission

ACT Integrity Commission (the Commission) is an independent body that has the power to investigate alleged corruption in public administration that involves or affects an ACT public official, former public official, or public sector entity, or relate to certain aspects of ACT public administration. Its purpose is to strengthen public confidence in government integrity.

The Commission can also receive reports relating to corrupt conduct involving or affecting ACT Government contractors, employees of a contractor, or volunteers exercising a function of a public sector entity.

If a person forms a reasonable suspicion that an ACT public official, former public official or public sector entity has engaged in wrongdoing, then the matter should be reported to the Commission, even if it has already been reported to another entity. Senior ACT officials must report those matters to the Commission.

The Commission can receive reports about:

- corruption;
- maladministration (which is in essence substantial mismanagement); or,
- conduct that poses a substantial and specific danger to public health or safety, or the environment.

The ACT Ombudsman is the Inspector of the ACT Integrity Commission (the Inspector). The ACT Ombudsman is independent and impartial and has a variety of specialist functions which it performs on behalf of the ACT Government.

Financial Reporting and Data Analysis

EPSDD Strategic Finance, SLA Strategic Finance and CRA Finance undertake monthly budget monitoring to track spending against the budget and aim to identify any inconsistencies as soon as possible. All staff involved in the expenditure of government funds have a responsibility to ensure expenditure is lawful. This includes payment of funds, execution of contracts and internal budget management.

The ACT Audit Office and agencies' audit committees also conduct annual reviews of financial statements.

Records Management

Documents created or used during the management of an alleged fraud or corruption incident will be stored in an electronic document and records management system (EDRMS) in accordance with the *Territory Records Act 2002*. Access to relevant files should be restricted in accordance with the relevant permissions policy. Personal information will be collected, used and disclosed in accordance with the *Information Privacy Act 2014*, the EPSDD Information Privacy Policy and the SLA Privacy Policy.

Data and statistics, with personal information removed, may be generated to assist with reporting on the management of allegations of fraud and corruption and their investigations.

Evaluation

Evaluating the effectiveness of the Plan is integral to understanding whether the key activities of the Plan is being implemented and contributing to raising awareness and managing fraud and corruption risk. Ongoing evaluation of the Plan is directed by key measures of outcome as articulated in the table below. EPSDD will lead the evaluation process in collaboration with SLA and CRA. The SERBIR will provide regular reports to the EPSDD Audit and Risk Committee and Executive Teams to demonstrate the implementation and effectiveness of the Plan. Regular risk reviews and reports will be provided to the SLA's and CRA's Board Audit and Risk Committees (BARC) and Boards.

Outcome Measures What will be measured to determine achievement of the Plan's purpose?	Method How will this be done?	Responsibility Who is responsible for evaluation?
Staff are aware of fraud and corruption risks and how to identify potential instances of fraud and corruption and how to report	<p>Attendance at 'Fraud and Ethics' and 'Integrity' training sessions</p> <p>Tip sheets and resources made available via the EPSDD intranet</p> <p>Undertaking eLearning, which includes an assessment of the participants' knowledge and understanding of fraud, corruption, and ethics</p> <p>Executives and managers regularly and actively address</p>	<p>Legal Services and Integrity</p> <p>People and Capability</p> <p>Governance and Business Resilience</p> <p>SLA and CRA Governance</p>

Outcome Measures What will be measured to determine achievement of the Plan's purpose?	Method How will this be done?	Responsibility Who is responsible for evaluation?
	fraud and corruption prevention in business units Facilitation of an all-staff survey	
Staff are aware of the Fraud and Corruption Prevention Plan	Frequent all staff emails The Plan is accessible on the intranet Attendance at 'Fraud and Ethics' and Integrity training sessions Undertaking eLearning, which includes an assessment of the participant's knowledge and understanding of fraud, corruption, and ethics. Facilitation of an all-staff survey	Legal Services and Integrity SERBIR Governance and Business Resilience team SLA and CRA Governance

Key Control Implementation

There are a host of possible controls and treatments that can address fraud risks. The Fraud and Corruption Risk Register ('Register') has identified a number of key controls and treatments in managing fraud and corruption risk across the portfolio. The implementation, monitoring and review of the controls and treatments within the Register is the responsibility of EPSDD and the land entities collectively and will be undertaken by the directorate and land entities through entity specific risk registers and action plans.

The design, development and maintenance of financial, administrative, and operational systems, procedures and controls are paramount to the control of financial fraud and will always be undertaken with a view to the possibility of fraud and corruption and ensuring an appropriate audit trail exists. Compliance with these procedures will be reviewed through spot checks and audits. The results of Audit reviews will be reported to the relevant Audit and Risk Committee and incorporated into the Register.

In addition, EPSDD acknowledges the importance and value of trust and loyalty in managing and maintaining fraud behaviour within organisations. The Register contains a range of control

measures intended to address potential risks associated with reliance on the trust and loyalty of staff.

The following table describes the most critical management controls as identified within the Register.

Key control	Why this control is important	Management action
<p>Leading by example (tone at the top)</p>	<p>Setting high level expectations of yourself in respect of ethical behaviour and integrity provides an example for all subordinate staff. If the leader is prepared to bend or break important rules this will provide an environment where all staff will see this sort of behaviour as acceptable.</p>	<ul style="list-style-type: none"> • Demonstrate commitment to mitigate fraud risks. • Ensure you are familiar with the ACTPS Employment Portal and the ACTPS Managers Toolkit. • Be consistent in your approach to the workplace and work hard to maintain high standards of ethical behaviour. • Ensure all staff are familiar with and understand the fraud and corruption control framework. • Hold team meetings to discuss fraud identification and mitigation techniques and expectations of ethical behaviour. • Ensure all staff are aware of the code of conduct and have a good appreciation and understanding of their responsibilities for preventing, detecting, and reporting fraud.
<p>Comprehensive and well documented policies and procedures</p>	<p>Where policies and procedures are comprehensive and easy to read, staff members in the business unit have a clear statement of expectations and the mandated control environment. In the absence of clear guidance, inappropriate practices have the opportunity to be adopted.</p>	<ul style="list-style-type: none"> • Review internal policies and procedures on an ongoing basis to ensure they are current and relevant. • Ensure internal business unit policies and procedures are accessible to all relevant staff. • Ensure staff annually evidence their commitment to acceptable standards of behaviour through their Performance and Development Plan.

<p>Internal Audit Program / Compliance reviews</p>	<p>Compliance reviews provide assurance to the Director-General that financial and operational controls designed to manage risks and achieve the objectives are operating in an efficient, effective, economical, and ethical manner.</p> <p>Compliance reviews also assist management in improving business performance.</p>	<ul style="list-style-type: none"> • Schedule business unit lead internal audits and/or compliance spot checks. • Implement subsequent recommendations quickly to ensure an efficient, effective, economical, and ethical manner. • Identified risks are adequately treated. • Escalate risks to Governance if they are unable to be accepted or treated by the business unit. • Review relevant systems and procedures following the identification of fraudulent activity. • Report effective fraud control measures and risk treatments to the relevant Audit and Risk Committee.
<p>Segregation of functions</p>	<p>Where a number of people are involved in the processing of transactions, the risk of fraudulent activity occurring is substantially reduced. If one person is able to solely influence the outcome of a transaction from beginning to end, an opportunity for manipulation occurs.</p>	<ul style="list-style-type: none"> • Ensure that the Workforce Management Plan is current and relevant. • Monitor processing system operations and amend if no longer current. • Implement Performance and Development Plans for all staff. • Ensure all staff take annual leave in accordance with the relevant enterprise agreement. • Ensure all staff who are required to handle cash, facilitate payments or approval payments have the correct delegations to do so, and that they understand the powers and limitations of their delegations. • Ensure approvals of transactions are not conducted by the staff member responsible for processing the transaction • Access control

<p>Appropriate supporting documentation</p>	<p>All transactions must be supported by the appropriate documentation in order to provide evidence of legitimacy. Documentation may be generated by third parties or internally as part of a manual or computerised process. Such documentation provides evidence to the reviewing officer that the necessary approvals or certifications have been obtained and that a legitimate liability exists.</p>	<ul style="list-style-type: none"> • Ensure service providers that have not been engaged via a panel contract are screened for any publicly reported fraudulent activity. • Make decisions using a documented risk-based process. • Maintain vigilance when reviewing and approving transactions to ensure that documentation standards have not been weakened • All documentation relating to financial transaction should be filed in accordance with the Territory Records Act 2002.
<p>Review and approval</p>	<p>All transactions and records must be subject to independent review, reconciliation, and authorisation, preferably by a manager at the appropriate level.</p> <p>This provides the opportunity to test the legitimacy of the transaction and indicate that it has been reviewed.</p>	<ul style="list-style-type: none"> • When undertaking review and approval of transactions, it is critical that the review is effective and not just a rubber stamp exercise. The act of review and authorisation provides protection to the processing operators as it indicates that a more senior officer considers the transaction to be legitimate. • Ensure staff are aware of their delegations and that they understand the powers and limitations of their delegations.
<p>Staff Education and Training</p>	<p>The most effective tool to prevent fraud and corruption is a well-informed, engaged, and ethical workforce, which is prepared to uphold sound administrative decision-making and disclose fraudulent activities and corrupt behaviours.</p>	<ul style="list-style-type: none"> • General fraud and corruption awareness training • Targeted training to business areas with a higher disposition to potential fraud and corruption risk • Information sessions presented across the portfolio • Resources and fact sheets available to all staff on the EPSDD intranet

Glossary of Terms

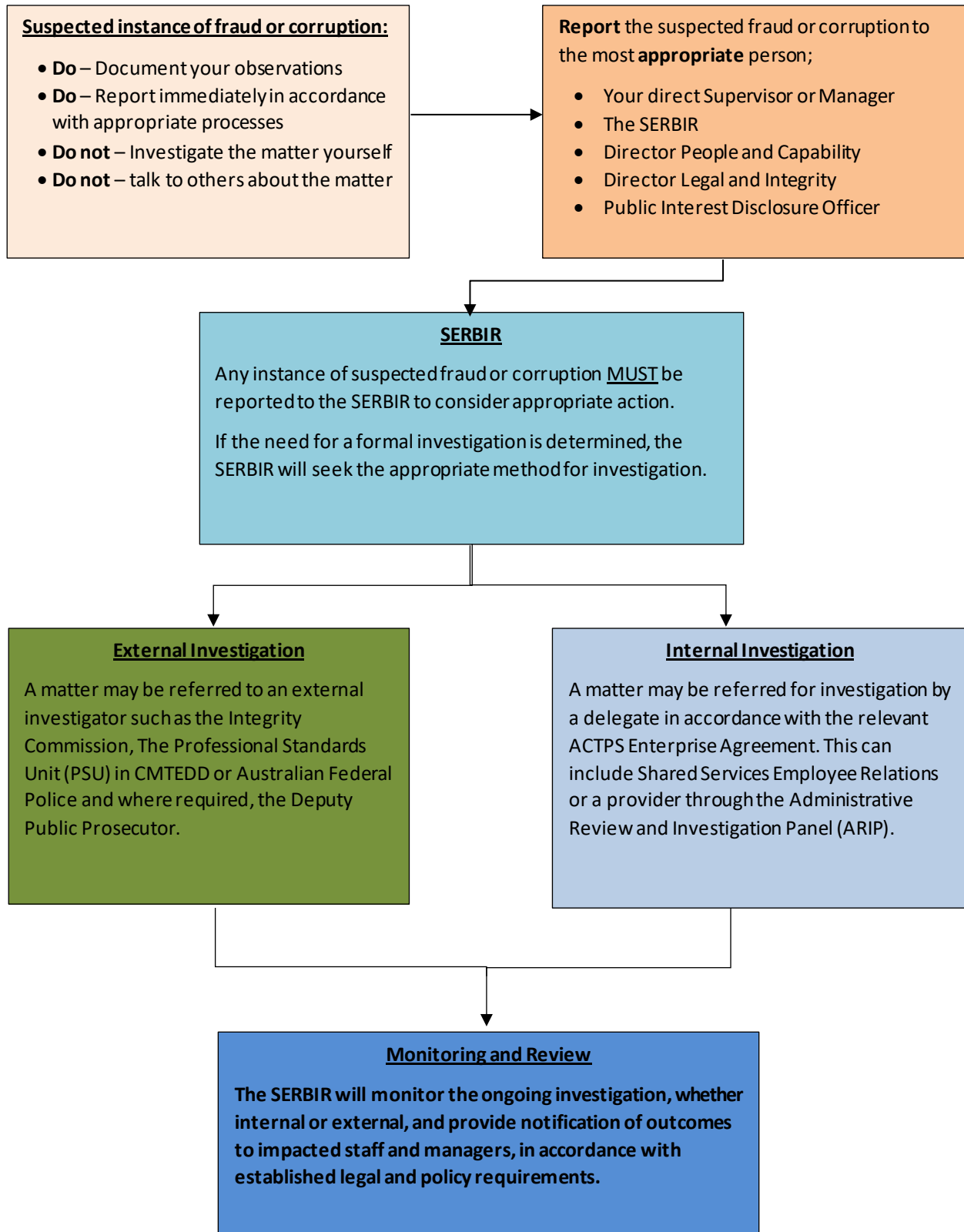
Term	Definition
ACTPS	ACT Public Service
AFP	Australian Federal Police
ARIP	Administrative Review and Investigations Panel
DPP	Director of Public Prosecutions
Employees	Persons employed in the ACT Public Service or employed by a territory instrumentality or statutory office and includes permanent, temporary, casual and contracted employees engaged under the <i>Public Sector Management Act 1994</i>
Executive Team	A management group made up of Executive staff reporting to the EPSDD Director-General, the SLA CEO or the CRA CEO.
IC Act	<i>Integrity Commission Act 2018</i>
PID Act	<i>Public Interest Disclosure Act 2012</i>
PID	Public Interest Disclosure
Portfolio	Includes the administrative unit as determined by the Administrative Arrangements (currently the Environment, Planning and Sustainable Development Directorate, City Renewal Authority and Suburban Land Agency) and their staff
PSM Act	The <i>Public Sector Management Act 1994</i>
PSM Standards	The Public Sector Management Standards 2016
SERBIR	Senior Executive Responsible for Business Integrity Risk
EPSDD	Environment, Planning and Sustainable Development Directorate
The Plan	Environment, Planning and Sustainable Development Portfolio Fraud and Corruption Prevention Plan
SLA	Suburban Land Agency
CRA	City Renewal Authority

Documents References

Documents have been cited in this plan can be found via the EPSDD Intranet or by contacting the Governance and Business Resilience team via EPSDD.Governance@act.gov.au

Document	Location
ACTPS Integrity Governnace Policy	EPSDD Intranet
ACTPS Code of Conduct	EPSDD Intranet
ACTPS Code of Ethics	EPSDD Intranet
ACTPS Standards for the conduct of inquiries and investigation for ACT Agencies	Please contact the People and Capability branch
ACT Government Risk Management Policy	Please contact the Governance and Business Resilience team
AS ISO 31000:2018 - Risk Management Standard	Please contact the Governance and Business Resilience team
AS 8001:2021 - Fraud and Corruption Control Standard	Please contact the EPSDD Governance and Business Resilience team
EPSDD Fraud and Corruption Risk Assessment	Please contact the EPSDD Governance and Business Resilience team
<i>Integrity Commission Act 2018</i>	ACT Legislation Register
<i>Public Sector Management Act 1994</i>	ACT Legislation Register
Public Sector Management Standards 2016	ACT Legislation Register
<i>Public Interest Disclosure Act 2012</i>	ACT Legislation Register
EPSDD Director-General Financial Instructions	EPSDD Intranet
EPSDD Public Interest Disclosure Guidelines	EPSDD Intranet
EPSDD Risk Management Framework	EPSDD Intranet
<i>SLA Risk Management Framework and Policy Statement</i>	SLA Intranet
SLA CEO Financial Instructions	SLA Intranet

Attachment A – Reporting and Investigation Process Flowchart



Attachment B - Mandatory Reporting and Investigation Process Flowchart

The *Integrity Commission Act 2018* provides that certain people (mandated reporters) must report conduct that they suspect on reasonable grounds to be serious or systemic corrupt conduct to the Commission.

Mandated reporters are Members of the Legislative Assembly, heads of public sector entities and senior executives in the public sector and certain statutory officers.

The Commission has issued mandatory corruption notification directions pursuant to s 64 of the *Integrity Commission Act 2018*. The below flow chart illustrates the decision-making process for making a mandatory corruption notification.

