

1. RATIONALE

The City of Marion ('the Council') is committed to excellence in governance. The Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency, which are all key components of good governance. It is recognised that Fraud and Corruption in Public Administration have the potential to cause significant financial and non-financial harm and, therefore, the prevention and control of Fraud and Corruption should be covered within the Council's Risk Management systems and procedures.

2. POLICY STATEMENT

This Policy is designed to protect public funds and assets as well as the integrity, security and reputation of the Council. It outlines the Council's approach to the prevention or minimisation, identification and control of fraudulent and/or corrupt activity and summarises the associated responsibilities.

The Council is committed to protecting its revenue, expenditure and assets and therefore has implemented appropriate Fraud and Corruption prevention and will:

- Comply with the requirements of the Independent Commission Against Corruption (ICAC) Act 2012
- Foster an ethical environment in which dishonest and fraudulent behaviour is not tolerated.
- Adopt a risk management approach to Fraud and Corruption, including pro-active assessment of risks establishing and maintaining an effective system of controls and enforcing compliance with those controls.
- Ensure all of the Council's employees and elected members are aware of their obligations through the induction process, ongoing training and the evaluation of practices relevant to the control of Fraud and Corruption.
- Take appropriate action in response to allegations of fraudulent and/or corrupt activity including reporting in accordance with the ICAC Act and the City of Marion Whistleblower Policy including taking the appropriate disciplinary action in accordance with the Council's Code of Conduct.

The purpose of this Policy is to formalise the Council's commitment to managing Fraud and Corruption risks and to establish responsibilities for the application of Fraud and Corruption mitigation strategies and Internal Controls within the Council's operations.

3. OBJECTIVES

The following objectives underpin the City of Marion's approach to addressing Fraud and Corruption Management:

- Introduce and embed an ethical culture and high level of Fraud and Corruption awareness throughout all levels of CoM to support the prevention, assessment, reporting, action and investigation of Fraud and Corruption.
- Implement consistent Fraud and Corruption management processes to manage Fraud and Corruption throughout CoM's organisational systems and functions in line with Fraud and Corruption standards including AS 8001:2008 Fraud and Corruption Control.
- To clarify the responsibilities within the Fraud and Corruption Control Framework to enable the consistent and systematic application of our Fraud and Corruption management approach within all of the Council's operations.
- To guide a risk management approach to Fraud and Corruption control to ensure proactive management strategies are implemented to mitigate against events occurring and ensure robust contingency plans to lessen the impact of events if they were to materialise.

The overarching aim of the Fraud and Corruption Management Policy is to embed appropriate fraud controls throughout CoM's operational work areas to ensure outcomes in alignment with objectives.

To achieve the Council's objectives, the City of Marion Fraud and Corruption Control Framework ("the Framework") has been established and refined in accordance with the Australian Standard 8001:2008 Fraud and Corruption Control. The aim of the Framework is to provide guidance on the most effective way to prevent and manage Fraud and Corruption activities to minimise the associated risks that may impact on achievement of the Council's strategic objectives as outlined in the Community Plan.

4. POLICY SCOPE AND IMPLEMENTATION

This Fraud and Corruption Management Policy applies to all operations and functions of the Council.

5. DEFINITIONS

Corruption in public administration, as defined in the ICAC Act, includes:

- bribery or corruption of public officers

- threats or reprisals against public officers and
- certain offences committed by public officers including:
 - abuse of public office
 - demanding or requiring a benefit on the basis of public office
 - an offence, or an attempt to commit an offence against the Public Sector (Honesty and Accountability) Act 1995 or the Public Corporations Act 1993 and
 - any other offence committed by a public officer whilst acting in his or her capacity as a public officer.

Fraud, as defined in the AS 8001:2008 Fraud and Corruption Control, is Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

6. ROLES AND RESPONSIBILITIES

As the decision making body of the Council, Elected Members are responsible for ensuring that the Council promotes community awareness of the Council's commitment to the prevention of Fraud and Corruption, providing adequate resources and security for the prevention of Fraud and Corruption, providing mechanisms for receiving allegations of Fraud and Corruption and appoints a Responsible Officer to manage the prevention and control of Fraud and Corruption.

To assist the Council in discharging its responsibility in relation to Fraud and Corruption control, the Council will seek the views of its Finance & Audit Committee. The responsibilities of the Committee are contained in the Committee's Policy and Terms of Reference.

Council has also delegated various powers and functions to the Responsible Officer (Chief Executive Officer) to enable the setting of the policy and procedures to assist with the management of the City of Marion Fraud and Corruption profile and therefore has overall accountability for an effective Fraud and Corruption management program.

Note: The Framework provides further information on the Fraud and Corruption management roles and responsibilities.

7. REFERENCES

- City of Marion Fraud and Corruption Control Framework
- City of Marion Whistleblower Policy
- City of Marion Code of Conduct
- City of Marion Risk Management Policy and Framework
- City of Marion Finance & Audit Committee Policy and Terms of Reference
- AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines
- AS 8001:2008 Fraud and Corruption Control

Compliance Obligations

Local Government Act 1999

Independent Commissioner Against Corruption Act 2012

Public Sector (Honesty and Accountability) Act 1995

Public Corporations Act 1993

8. REVIEW AND EVALUATION

Review May 2020