Fraud and Corruption Control Policy

Section 1 - Preamble

(1) The University does not tolerate dishonest or fraudulent behaviour and is committed to preventing, detecting and responding to such behaviour.

(2) Fraud and corrupt conduct identification and reporting is the responsibility of all members of the University community including those acting for or providing services to the University. This involves taking responsibility for personal behaviour, acting with integrity, and encouraging others to embrace ethical practices. It also means taking appropriate actions to prevent and minimise fraud and corruption risks, and to report any incidents to the University should they arise.

Section 2 - Purpose

(3) This document outlines the University's legislative requirements regarding fraud and corruption and establishes the principles by which all University employees and members of the University community shall work to prevent, control and respond to incidents of fraud and corruption.

(4) As a public body established by an Act of the Northern Territory Parliament, the University has obligations under the Northern Territory Independent Commissioner Against Corruption Act 2017 (ICAC Act) and Part IVD of the Taxation Administration Act 1953 and as such, all University employees and members of Council are public officers under the legislation.

Section 3 - Scope

(5) All employees of the University and other members of the University community including students, contractors and adjuncts must be aware of their legislative obligations regarding fraud and corruption.

(6) This policy should be read in conjunction with the Whistleblower Reporting (Improper Conduct) Procedure.

Section 4 - Policy

Fraud and Corruption

(7) Fraud involves dishonestly obtaining or attempting to obtain a benefit or advantage for any person, or dishonestly causing or attempting to cause a loss by deception or other means to the University or its Controlled Entities. This includes the theft of money or other property (whether deception is used or not), as well as 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.

(8) Corruption is a dishonest activity in which a director, executive, manager, adjunct, employee or contractor of the University or its Controlled Entities acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or parts thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of staff printing this document to always refer to the Governance Document Library for the latest version.

(9) The concept of corruption can also involve corrupt conduct by the University, or by a person purporting to act on behalf of and in the interests of the University, in order to secure some form of improper advantage for the University either directly or indirectly. Examples that constitute corrupt behaviour include but are not limited to, misappropriation or misuse of public or University resources, including fraud, collusive tendering, dishonestly obtaining or retaining employment or appointment as a public officer, falsifying documents, as well as taking or offering a bribe, undeclared conflicts of interest and dishonestly releasing information.

(10) Examples of research and academic fraud include but are not limited to:

a. falsification of research results;
b. falsification of qualifications;
c. fabrication of research articles;
d. identity theft; and
e. theft or leaking of examination papers.

Control Framework

(11) The University Council and senior management have responsibility for fraud and corruption control within the University. They must also strive to create and support, through their own actions, a positive workplace culture that promotes integrity, respect and excellence.

(12) The Fraud and Corruption Control Framework (Framework) includes an on-going system of training, regular risk assessment and reporting to ensure senior management and University Council regularly review exposure to fraud risk.

(13) The Framework identifies potential risks and sources of fraud and corruption within the University.

(14) The audit program undertakes regular internal and external audits of control systems and practices for detecting and dealing with fraud and corrupt conduct. This includes undertaking risk assessments and compliance reporting.

(15) The Framework is endorsed by the Audit, Risk and Compliance Committee. The Framework includes this fraud and corruption control policy along with the following documents which detail how fraud may be reported:

a. Charles Darwin University and Union Enterprise Agreement 2025;
b. Charles Darwin University – Student Conduct By Laws;
c. Code of Conduct - Employees;
d. Code of Conduct - Students:
e. Conflicts of Interest Policy;
f. Conflicts of Interest Procedure;
g. Gifts and Benefits Policy;
h. Responsible Conduct of Research Policy;
i. Responsible Conduct of Research Procedure; and
j. Whistleblower Reporting (Improper Conduct) Procedure.

Reporting

(16) The Whistleblower Reporting (Improper Conduct) Procedure, Framework and Risk Management Plan are in place to ensure that all reports of wrongdoing including fraud and corruption are managed and investigated appropriately. This includes reports of improper conduct that qualify as protected communication under the ICAC Act.

(17) Reports made under the Whistleblower Reporting (Improper Conduct) Procedure and relevant legislation include

requirements for the University to maintain confidentiality and protection against retaliation. Whistleblowers should carefully consider the legislation under which their disclosure is being made to ensure they meet the requirements of the applicable law to be protected. This may involve obtaining independent legal advice.

(18) The University will not tolerate harassment of, retaliation against or victimisation of the persons who report concerns.

Mandatory Reporting

(19) The ICAC Commissioner has significant statutory powers to investigate serious fraud and corruption within the University. Where there is a reasonable suspicion that a matter may involve improper conduct as defined by the ICAC Act, a Public Officer is bound by section 22 to report the matter to the ICAC Commissioner. All members, officers or employees of the University community, including Council or committee members are Public Officers for the purpose of the ICAC Act.

(20) Matters not required to be reported to the ICAC Commissioner will be investigated and reported to the relevant law enforcement agency or regulator, or handled internally in accordance with the relevant policy or procedure.

(21) Crimes against persons or University property will be reported to the Police. Suspected fraud or corruption committed against the University by an external party may also be reported directly to the Police.

Response and Recovery

(22) Where there is clear evidence of fraud or corruption and the likely benefits of a recovery action will exceed the funds and resources invested in the recovery action, recovery action should be undertaken in accordance with the Fraud and Corruption Control Framework.

Section 5 - Non-Compliance

(23) Non-compliance with governance documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct - Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct - Students.

(24) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(25) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Current
Effective Date	13th December 2024
Review Date	13th December 2027
Approval Authority	University Council
Approval Date	13th December 2024
Expiry Date	Not Applicable
Responsible Executive	Brendon Douglas Vice-President Governance and University Secretary
Implementation Officer	Brendon Douglas Vice-President Governance and University Secretary
Enquiries Contact	Brendon Douglas Vice-President Governance and University Secretary --- Governance

Glossary Terms and Definitions

"University community" - Officials and individuals carrying out University business. This includes, but is not limited to, all employees, researchers, peer reviewers, adjuncts, students, volunteers, consultants, agents and contractors.

"University" - Charles Darwin University, a body corporate established under section 4 of the Charles Darwin University Act 2003. The University is comprised of the various faculties, CDU TAFE, organisational units, and formal committees, including the governing University Council and Academic Board.

"Governance document" - means policy or procedure published in the Governance Document Library. Policies and procedures are collectively called ‘governance documents’ and are often referred to as ‘policy’ or ‘University policy’.