

# Fraud and Corruption Control Policy and Procedure – PPO-0026

## Scope

Applies to all QLeave employees (permanent, temporary or contract) consultants.

## Purpose

The purpose of this policy is to outline how QLeave will:

- minimise fraud and corruption risks;
- improve internal controls and accountability; and
- strengthen organisational integrity.

As a key component of QLeave's overarching Integrity Framework, this document provides an overview for the organisation's response to suspected fraud and corruption.

## Policy Statement

QLeave is committed to fraud and corruption prevention, detection and response. QLeave is a public sector agency and is responsible for managing public funds to pay portable long service leave claims. QLeave must ensure it meets the accountabilities as set out in relevant legislation and the Code of Conduct for the Queensland Public Service.

## Context

QLeave supports a positive risk management culture that contributes to good governance by applying a consistent approach to risk management. The management of fraud and corruption risks forms a part of this broader, enterprise-wide approach to risk management.

The Boards set the organisation's risk appetite and, together with the Finance, Audit and Risk Management (FARM) Committee, monitor the governance frameworks to ensure performance, accountability and transparency.

## Responsibilities

### General Manager

- Accountable for the organisation's Fraud and Corruption Controls (FCC), ensuring appropriate governance mechanisms, and that the Integrity Framework is operating as intended.
- Approve investigations and reports and/or complaints of fraud and corruption.
- Report relevant FCC matters to the Boards, FARM Committee, and the Minister.

### Executive Leadership Team (ELT) and Senior Executive Leadership Team (SELT)

- Ensure the effective management of resources, and lead a culture of accountability and integrity
- Provide direction for QLeave's operational and financial management structures in consultation with subject matter experts

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- Provide direction to address material risks, and ensure appropriate internal controls are in place and effectively maintained.

### **Manager Legal Services**

- Owner of the FCC risk register
- Support the investigation of reports and/or complaints of fraud and corruption as required
- Liaise with the Crime and Corruption Commission Queensland (CCC) as required.

### **Manager Governance, Risk and Planning**

- Coordinator of the material risk register (MRR) and the FCC register
- Review and implement frameworks for the functions of governance, risk management, and planning
- Coordinate performance reporting including the annual reports and internal audit recommendations
- Coordinate regular reviews and reporting of the material risk register and the FCC risk register.

### **Managers**

- Promote and model the highest levels of ethical conduct, and encourage a culture of reporting concerns
- Monitor internal controls to identify potential or actual breaches and escalate reports of suspected fraud and corruption.

### **All Staff**

- Meet the requirements of the Code of Conduct, and undertake mandatory training as scheduled
- Comply with legislative requirements to report suspected fraudulent or corrupt activity
- Fully cooperate with fraud and corruption investigations and audits, as may be required.

## **Procedure**

QLeave recognises that prevention, detection and control are central to good governance, minimising any opportunities for employees or other stakeholders to be involved in fraud or corruption. The following are examples of possible fraud and corruption:

- inappropriate access to, personal use of, or distribution of confidential information;
- misuse of power and/or position;
- stealing or borrowing (without authority) supplies, equipment or official documents;
- claiming personal expenses as government expenses;
- deriving benefits from contractors, suppliers or customer arrangements by way of secret commissions, gifts or payment;
- tampering with or destroying documents or public records;
- improper recording of work times and/or leave on timesheets;
- misuse of intellectual property or QLeave information;
- failing to declare a conflict of interest, particularly those that influence or appear to influence the independent exercise of official duties; and
- failing to declare reportable gifts and benefits.



The four stages in the prevention, control and management of fraud and corruption are outlined below:

## 1. Prevention

Internal controls are QLeave's first line of defence and support the Integrity Framework. Once fraud or corruption risks have been identified, internal controls may be modified and, at times, new ones introduced to minimise those risks.

QLeave has a number of control systems and measures in place including:

<b>Risk management</b>	The Enterprise Risk Management Framework, the Risk Management Policy and Procedure, the Material Risk Register (MRR) and the FCC Risk Register. These registers are regularly monitored to identify areas in which QLeave is most vulnerable and ensure sound mitigation strategies remain in place or are put in place, which are carefully managed by the ELT and the Senior Leadership Team (SLT).
<b>Internal audits</b>	QLeave's internal audit plan, gives priority to fraud and corruption prevention. Regular internal audits of QLeave's internal controls are carried out to identify weaknesses, issues, and opportunities for business improvements, and recommendations are implemented to ensure control effectiveness.
<b>Recruitment practices</b>	The screening of prospective employees, administering policies and procedures and training staff ensure the recruitment and selection processes remain fair and impartial.
<b>Training and awareness</b>	Mandatory training schedules, including Code of Conduct training as informed by the <i>Public Sector Ethics Act 1994</i> (PSE Act), fraud and corruption awareness training, public interest disclosure training, complaints management training and information privacy and right to information training. Training is essential for employees to remain informed of expected high levels of ethical and honest behaviour.
<b>Declarations</b>	The management of conflicts of interest in accordance with the Declaration of Interests Policy, and gifts and benefits are managed in accordance with the Gifts and Benefits Policy and Procedure.
<b>Organisation and supervision</b>	The Delegations and Authorisations Manual, which clearly defines delegated powers for decision-making; Controlled Document Framework ensures essential documents are developed, maintained and accessible across the organisation; promoting ethical standards by holding staff to account in meeting the various policies and procedures; ensuring staff are engaged, interested in their work and encouraged to report matters which do not appear to be ethical. Role descriptions document each role's responsibilities and reinforces the separation of duties between employees as an important preventative control. Performance development plans (PDPs) reinforce high levels of behavioural conduct.
<b>Information security</b>	QLeave maintains appropriate physical security of its offices and assets to minimise the misappropriation of assets or corporate information. In addition, cyber security and technology management is a key priority in managing QLeave's systems.



## 2. Detection

QLeave provides a number of channels to enable staff and the public to report fraud and corruption concerns (see Appendix 1).

In addition, QLeave is obliged to provide reports on matters pertaining to fraud and corruption to external authorities such as the CCC (refer to 4.2 below).

### 2.1 Reporting

While the making of false or frivolous allegations is prohibited, and is in some cases illegal, it is important that employees fulfil their obligations to make any suspicions known to management. In making a disclosure, while evidence is not required, employees must have a reasonable belief that it is true.

Suspected fraud and corrupt conduct should be reported in the first instance to an employee's immediate supervisor or, if this is not practical, then they may be directed to the relevant person within the SLT or ELT.

Initial reports may be made verbally, however, the preferred method is in writing with details to include:

- name of officer/s suspected;
- name of officer making allegation/s;
- nature of allegation/s and basis of allegation/s;
- timing and location of suspected act/s;
- details of any supporting evidence/witnesses; and
- whether the matter has been raised with the suspect yet, or whether the suspect may already be aware that they are under suspicion by the reporting officer.

All allegations are treated confidentially and employees making complaints of this nature will be assessed against the *Public Interest Disclosure Act 2010*, and QLeave's internal policies and procedures.

Where an employee may not be comfortable reporting internally, they can report to an external authority such as the CCC or the Queensland Ombudsman.

### 2.2 Anonymous reports

Anonymous reports will be accepted however, they may be difficult to investigate without the assistance of the reporting employee. Actions may be limited as it will be dependent on the provision of sufficient evidence and details.

## 3. Response

Should the complaint involve the General Manager, the 'Complaints about the General Manager: Section 48A of the *Crime and Corruption Act 2001* Policy and Procedure – PPO-0024' provides a separate process as to how QLeave will deal with a complaint that is suspected to involve, or may involve, corrupt conduct of the General Manager, as QLeave's public official, within the meaning of the *Crime and Corruption Act 2001* (CC Act).

### 3.1 Assessment

When a fraud and corruption matter is reported to QLeave, a risk analysis and assessment will be undertaken by the Manager Legal Services in consultation with the Director Corporate Services, and the General Manager. Key considerations in determining next steps include:

- Legality – does QLeave have a legal obligation to report the matter to a regulatory body?
- Evidence – is there sufficient evidence to support further investigation?
- Procedural fairness – also known as 'natural justice' – what steps need to occur to ensure all parties involved are afforded procedural fairness?



- Confidentiality – what steps need to occur to ensure the confidentiality of the person who reported the matter?
- Protection of evidence – what steps need to occur to ensure all information and evidence relating to the matter is protected from contamination or loss?

### **3.2 Decision not to investigate**

QLeave may decide not to investigate or forward the complaint to an external authority in a number of circumstances, including where:

- the complaint has already been subject to an investigation;
- the length of time passed since the alleged incident and the complaint reported may make it difficult or impractical to investigate;
- there is insufficient evidence/information; and
- the information provided lacks credibility, and dealing with it would substantially and unreasonably diverts QLeave from the performance of its functions.

Reasons for the decision not to refer an allegation of corrupt conduct to the CCC or to investigate further internally must be captured within QLeave's Records Management System.

### **3.3 Investigation plan**

Should the assessment indicate that the matter is to be investigated, the scope and nature of the investigation is to be determined by the General Manager. The conduct of an investigation should be planned with a view to:

- make findings about the conduct of an employee (if one was involved);
- make findings about the organisation's policies and systems;
- make recommendations about appropriate action to take, by whom and by when; and
- make recommendations as to any redress for any detriment suffered because of the conduct.

### **3.4 Notify ELT and the SES Officers**

The General Manager will notify relevant members of the SELT and ELT. The Director Corporate Services will provide reports as appropriate to SELT and/or ELT (unless the matter is about an SELT or ELT member).

### **3.5 General Manager approval**

The Manager Legal Services, or another investigating officer, is responsible for preparing a proposed investigation plan and is to seek General Manager approval. Once approved, the investigation will be conducted by an officer determined by the General Manager. In some instances, external legal advice may be required, or the matter may be outsourced to an external investigator.

### **3.6 Investigation and report**

Over the course of the investigation, employees may be contacted by internal or external investigators for the purpose of:

- conducting an interview;
- recording a statement; and
- providing documentation.

In such cases, employees involved must always maintain confidentiality of the matter. Employees may seek legal advice or to obtain legal representation and may also request to have a support person attend with them. In such instances, any advice or representation obtained by an employee will be at their own cost.

Investigating officers will maintain appropriate confidentiality and discretion during such investigations.



An investigation report will be prepared for the General Manager together with recommendations for approval. The General Manager may report to one or more of QLeave's Boards or FARM Committee, if appropriate, to advise of the outcome of the investigation and measures adopted to prevent reoccurrences. Legislative restrictions apply in certain circumstances, e.g. corrupt conduct investigations cannot be disclosed to other parties such as boards and committees.

Instances of fraud or other suspected criminal activity will be referred to the Queensland Police Service.

### **3.7 Records and evidence management**

The investigating officer is responsible for ensuring:

- full and complete records are maintained of all potential fraud and corruption investigations;
- records of all reports of fraud and corruption investigations are held securely, with minimal opportunities for tampering or unauthorised removal; and
- the security of evidentiary materials, when conducting interviews.

### **3.8 Disciplinary action**

An investigation of fraud or corruption may result in disciplinary action in accordance with the *Public Sector Act 2022* (PS Act). Disciplinary action can include, but is not limited to, termination of employment, reprimand, reduction of classification or remuneration level, transfer or redeployment to other public service employment.

More serious cases of official misconduct can lead to criminal prosecutions.

## **4. Reporting and monitoring**

### **4.1 Internal reporting by QLeave**

Internal reporting to the SLT, ELT and SELT of suspected and substantiated fraud and corruption complaints regularly occurs to ensure that all matters are monitored, and fraud and corruption risks and issues are highlighted. These include:

- significant project reports e.g. design and build of a Customer Relationship Management system
- QLeave's Boards and FARM Committee reports
- decisions made to not refer an allegation of corrupt conduct to the CCC.

### **4.2 External reporting**

An external report will generally be made where:

- the complaint is a public interest disclosure and is required by statute to be made to the CCC
- an employee, supplier or member of the public does not wish to report suspicion of fraud or corruption or maladministration through QLeave and elects to make a report directly to the CCC or the Queensland Ombudsman
- the nature of the complaint requires the General Manager to forward the complaint to one or more agencies such as:
  - the CCC (for suspected corruption),
  - The Office of the Information Commissioner (for suspected information leaks),
  - the Queensland Ombudsman (for suspected maladministration),
  - the Queensland Police Service (for suspected criminal offences e.g. fraud), etc.
- the agency suffers a loss of \$5,000 or more and considers that the loss may be as a result of a criminal offence or corrupt conduct, QLeave must notify the Minister and the Auditor-General.

All employees should note that QLeave has an obligation to refer fraudulent or corrupt behaviour to external bodies in the above circumstances. There is no discretion in this matter.



### 4.3 Ongoing monitoring

The ongoing monitoring of incidents of fraud and corruption and the monitoring of activities associated with FCC are the responsibility of the Manager Legal Services, including through the FCC risk register.

Risks associated with fraud and corruption are regularly reviewed, with particular focus on periods of significant change to agency structure, function, or services. These assessments may also form part of internal audit programs.

### Legislation

- *Crime and Corruption Act 2001*
- *Financial Accountability Act 2009*
- *Public Interest Disclosure Act 2010*
- *Public Sector Ethics Act 1994*
- *Public Sector Act 2022*
- *Public Sector Regulation 2023*

### Other related documents

- Australian Standard AS 8001 – 2021 Fraud and Corruption Control
- Code of Conduct for the Queensland Public Service
- Complaints about the General Manager: Section 48A of the Crime and Corruption Act 2001 Policy and Procedure – PPO-0024
- Crime and Corruption Commission: Fraud and Corruption Control: Best Practice Guide – March 2018
- Declarations of Interest Policy
- Financial and Performance Management Standard 2019
- Gifts and Benefits Policy and Procedure
- Public Interest Disclosure Management Program Procedure
- QLeave's Integrity Framework

### Definitions

Term	Definition
<b>Corrupt conduct</b>	<p>As defined under section 15 of the <i>Crime and Corruption Act 2001</i>, corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that:</p> <p>(a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of:</p> <p style="padding-left: 40px;">(i) a unit of public administration; or</p> <p style="padding-left: 40px;">(ii) a person holding an appointment; and</p> <p>(b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that:</p> <p style="padding-left: 40px;">(i) is not honest or is not impartial; or</p>





Term	Definition
	<p>(ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or</p> <p>(iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and</p> <p>(c) would, if proved, be:</p> <p>(i) a criminal offence; or</p> <p>(ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.</p> <p>Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that:</p> <p>(a) impairs, or could impair, public confidence in public administration; and</p> <p>(b) involves, or could involve, any of the following:</p> <p>(i) collusive tendering;</p> <p>(ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described):</p> <p>(A) protecting health or safety of persons;</p> <p>(B) protecting the environment;</p> <p>(C) protecting or managing the use of the State's natural, cultural, mining or energy resources;</p> <p>(iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;</p> <p>(iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;</p> <p>(v) fraudulently obtaining or retaining an appointment; and</p> <p>(c) would, if proved, be:</p> <p>(i) a criminal offence; or</p> <p>(ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.</p>
<b>Fraud</b>	<p>Dishonest activity causing actual or potential gain or loss to any person or organisation including theft of moneys or other property by persons internal and/or external to the organisation and/or where deception is used at the time, immediately before or immediately following the activity.</p> <p>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 (from Australian Standard 8001:2021 Fraud and Corruption Control).</p>





Term	Definition
<b>Fraud and Corruption Control Risk Register</b>	A register comprising of operational risks relating to potential dishonest and fraudulent behavioural events. Reviews of the FCC register is coordinated quarterly by Governance, Risk and Planning, updated by SELT, ELT and SLT, and reported to the FARM Committee and the Boards.

### Content Owner

For further information, please contact:

Manager, Legal Services

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### Version Control

Version	Effective Date	Comments
1	2020	Previous version.
2	23/10/2023	Previous version.
3	03/02/2025	Scheduled review and minor updates for consistency.



## Appendix 1

There are numerous ways to report suspected fraud or corruption. The below methods are available for reporting, and anonymous methods are available.

How	Who receives the information
Contact your supervisor or manager	Your supervisor or manager will receive the report and can escalate to Legal Services.
Contact Legal Services team <a href="mailto:LegalServices@qleave.qld.gov.au">LegalServices@qleave.qld.gov.au</a>	The Legal Services team receives the report and can provide further guidance.
Anonymous feedback email <a href="mailto:anonymousfeedback@qleave.qld.gov.au">anonymousfeedback@qleave.qld.gov.au</a>	QLeave's General Manager receives these emails directly. There is no way of tracing who sent the email.
Online feedback and anonymous reporting form <a href="https://www.qleave.qld.gov.au/forms/feedback">https://www.qleave.qld.gov.au/forms/feedback</a>	Received through QLeave's YourSay platform (see below).
YourSay feedback email <a href="mailto:yoursay@qleave.qld.gov.au">yoursay@qleave.qld.gov.au</a>	Received by QLeave's Executive Assistant, General Manager's Office.
Send written correspondence to QLeave: PO Box 315 Virginia BC QLD 4014.	Collected and opened by QLeave Client Services employees who will then provide correspondence to the General Manager's Office.

