



# Fraud and Corruption Policy

## 1. Purpose

Unitec policies support and enhance the student experience by providing a clear and consistent framework for decision-making.

The purpose of this policy is to increase awareness and provide guidance for the prevention, detection, reporting and response to fraud and corruption incidents within Unitec.

## 2. Scope

This is a Unitec-wide policy and applies to actual, alleged or suspected fraud and / or corruption involving Unitec staff, students and related third parties (e.g., consultants, contractors, temporary staff, agencies, and/or any other parties with a business relationship with Unitec).

## 3. Policy Statements

- a) Unitec is committed to ethical conduct and values the integrity of its staff, students and related third parties. Unitec relies on staff, students and related third parties to act at all times in an ethical and honest manner to safeguard its assets, resources and interests.
- b) Unitec has **zero-tolerance** towards fraud or corruption, impropriety or dishonesty. All incidents of actual, alleged or suspected fraud and / or corruption will be treated seriously.
- c) Where there is an allegation of fraudulent or corruption activity, an objective and impartial investigation will be conducted regardless of past performance, position held, title, length of service/term of contract or relationship with Unitec.
- d) All alleged or suspected theft, fraud, corruption or other dishonest practices (refer to [APPENDIX A](#) for examples of fraudulent and corruption activities) must be reported as soon as practicable to any one or more of the individuals noted below.
  - Chair of Council;
  - Chair of the Audit and Risk Committee;
  - Chief Executive;
  - A member of the Executive Leadership Team;
  - Conciliator
  - Director Legal and Contracts;
  - Manager, Audit and Risk.
- e) The individual receiving the report must inform Audit and Risk Services of the allegation as soon as practicable. The Manager, Audit and Risk will determine how the allegation is to be investigated.

- f) If the person reporting has reasonable grounds to believe the above individuals may be involved in the suspected fraud or corruption, then as per Unitec's Protected Disclosures Policy the matter may be referred to the following external authority:
- the Commissioner of Police
  - the Controller and Auditor-General
  - the Director of the Serious Fraud Office
  - the Inspector-General of Intelligence and Security
  - an Ombudsman
  - the Parliamentary Commissioner for the Environment
  - the Independent Police Conduct Authority
  - the Solicitor-General
  - the State Services Commissioner
  - the Health and Disability Commissioner.
- g) Staff reporting the incident may be protected under Unitec's Protected Disclosures Policy and the Protected Disclosures Act 2000. However, staff members who knowingly make false allegations of fraudulent or corruption activity may be subject to disciplinary action.
- h) Where allegations are made anonymously and there is no good reason to believe the allegation has merit, no further action will be taken.
- i) Any staff, student or related third party against whom there is an allegation of fraud or corruption may be supported as outlined in the Disciplinary and Performance Policy or Student Disciplinary Statute.
- j) Audit and Risk Services (or the appointed investigators) will have free and unrestricted access to all Unitec records and premises including the authority to examine, copy, and/or remove all or any portion of contents of files, desks, cabinets and other storage facilities without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of the investigation.
- k) All staff, students and related third parties must cooperate fully with those carrying out an investigation pursuant to this policy.
- l) Staff, students and related third parties alleging fraud or corruption and all parties undertaking (or who have been involved in) the investigation must:
- keep the details of the allegations and results of any investigation confidential until such time that the reasons for confidentiality no longer exists.
  - not make contact with the suspected individual/s in an effort to determine facts or demand restitution. Such actions could compromise any ensuing investigation.
- m) Where the result of an investigation confirms fraud or corruption, the person(s) involved will be subject to disciplinary action in accordance with Unitec's Disciplinary and Performance Policy, Code of Conduct (for staff members and related third parties), or Student Disciplinary Statute (for students).
- n) All investigations into allegations of fraud or corruption will be formally reported to the Chief Executive, the relevant Executive Director/Dean, Unitec's external auditors, Unitec's insurers and the Audit and Risk Committee. Where actual fraud or corruption have been proven, the matter will be reported to other appropriate stakeholders such as the Serious Fraud Office, New Zealand Police or other appropriate enforcement agencies.

- o) Unitec will make every effort to gather and preserve sufficient evidence to support a prosecution and will seek to recover funds or property lost through fraud or corruption.
- p) Any staff, students or related third parties contacted by the media with respect to any fraud or corruption investigation must refer the media to the General Manager Governance and External Relations.

The responsibility for the prevention and detection of fraud and corruption rests with all staff, students and related third parties. Managers must take all reasonable steps for the prevention and detection of fraud or corruption. The Chief Executive and the Executive Leadership Team are responsible for fostering a fraud / corruption free culture within Unitec

#### 4. Responsibilities

Position	Responsibility
<b>Unitec Council</b>	<ul style="list-style-type: none"> <li>Approve Unitec's Fraud and Corruption Policy.</li> </ul>
<b>Chief Executive</b>	<ul style="list-style-type: none"> <li>Overall responsibility and accountability for preventing fraud and corruption at Unitec.</li> <li>Decide whether to refer the incident to the appropriate law enforcement and/or regulatory agencies based on initial investigation report.</li> </ul>
<b>Staff, Students, Related third parties</b>	<ul style="list-style-type: none"> <li>Adhere to Unitec's Fraud and Corruption Policy.</li> <li>Report all alleged / suspected fraud or corruption to an individual noted in 3 (d) above.</li> <li>Cooperate fully with those carrying out any investigation pursuant to this policy or Unitec's Disciplinary and Performance Policy.</li> <li>Keep information confidential.</li> </ul>
<b>Executive Leadership Team and Managers</b>	<ul style="list-style-type: none"> <li>Foster effective management controls, processes, training and awareness of fraud and corruption within area of responsibility.</li> <li>Develop and maintain robust risk management and internal control systems for the prevention and detection of fraud and corruption.</li> <li>Report suspected fraud or corruption to an individual noted in 3 (d) above.</li> </ul>
<b>Audit and Risk Services</b>	<ul style="list-style-type: none"> <li>Lead and coordinate investigation of alleged / suspected fraud or corruption.</li> <li>Formally report all alleged frauds and corruption to the Chief Executive, appropriate Executive Director/Dean, Unitec's external auditors and the Audit and Risk Committee and other appropriate stakeholders, as required.</li> <li>Incorporate fraud risk assessments in the internal audit planning activities.</li> <li>Report recovery of fraudulent amounts to the Audit and Risk Committee and Council.</li> </ul>
<b>Human Resources</b>	<ul style="list-style-type: none"> <li>Provide guidance on relevant employment law principles, including the concepts of natural justice, the right of reply and collection of adequate evidence.</li> <li>Provide guidance on disciplinary action.</li> <li>Establish procedures and guidance on giving references for employees dismissed in connection with fraud and corruption.</li> </ul>

	<ul style="list-style-type: none"> <li>Establish relevant policy relating to persons with previous convictions for dishonesty.</li> </ul>
<b>General Manager Governance and External Relations (or delegate)</b>	<ul style="list-style-type: none"> <li>Coordinate and control any information requests or media releases.</li> </ul>

## 5. Definitions

<b>Fraud</b>	<b>"Fraud</b> is an intentional act by one or more individuals among management, those charged with governance, employees, or third parties, involving the use of deception to obtain an unjust or illegal advantage." - <i>Office of the Auditor-General</i>
<b>Corruption</b>	<b>"Corruption</b> is the lack of integrity or honesty (especially susceptibility to bribery) or the use of a position of trust for dishonest gain. It includes foreign and domestic bribery, coercion destruction, removal or inappropriate use or disclosure of records, data, materials, intellectual property or assets, or any similar or related inappropriate conduct." - <i>Ministry of Justice</i>

## 6. Reference Documents

Disciplinary and Performance Policy  
 Outside Work Policy  
 Code of Conduct  
 Protected Disclosures Policy  
 Intellectual Property Policy  
 Electronic Devices and Systems Policy  
 Student Disciplinary Statute  
 Protected Disclosures Act 2000  
 Crimes Act 1961  
 Ministry of Justice Fraud and Corruption Policy Framework  
 Auditor-General Auditing Standards - Fraud

## 7. Appendices

APPENDIX A: Examples of Fraud / Corruption Activities

## 8. Approval Details

Approval Authority	Unitec Council		
Approval Date:	April 2018	Issue Date:	April 2018

Policy Sponsor:	Chief Financial Officer	Policy Owner:	Manager, Audit and Risk
Contact Person:	Manager, Audit and Risk	Date of Next Review:	April 2021

**APPENDIX A:                   EXAMPLES OF FRAUD / CORRUPTION ACTIVITIES**

The following are examples (but not an exhaustive list) of fraudulent conduct / corruption activities:

- embezzlement, theft, misappropriation of cash and assets or other financial irregularities
- forgery, falsification or alteration of documents (financial and non-financial) or computer files
- purposely falsify financial and non-financial reports
- fabrication or falsification of data, plagiarism or other dishonest practices
- misapplication, destruction, removal, concealment or misuse of Unitec resources or property, including but not limited to funds, supplies, intellectual property or tangible property
- improper handling or reporting of money or financial transactions, fiscal misconduct or violation of Unitec policies, including but not limited to submission of false, forged or improperly completed documentation
- authorisation or receipt of compensation for goods not received or services not performed
- authorisation or receipt of compensation for hours not worked
- fraudulent use of the Unitec brand, including but not limited to logos or trademarks
- false claims or representations, including (but not limited to) applications for reimbursement, time records, leave claims, not submitting leave forms and false invoices
- inappropriate use of information technology and communication systems, including hacking and software piracy
- disclosing confidential information
- offering or accepting bribes, secret commissions, rebates or “kickbacks”
- seeking or accepting gifts from vendors, consultants or contractors doing business with Unitec
- using Unitec-paid travel ostensibly for Unitec business when in fact the principal purpose is private enjoyment or benefit
- diversion of income opportunities from Unitec to other businesses or individuals
- identity theft
- any other similar or related inappropriate conduct where there is intent to deceive for personal gain.
- Any person associated with Unitec improperly using, or trying to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others, for example, fabrication of business travel requirement to satisfy personal situations;
- Knowingly providing, assisting or validating in providing false, misleading, incomplete or fictitious information to circumvent Unitec’s procurement processes and procedures to avoid further scrutiny or reporting

- Disclosing private, confidential or propriety information to outside parties without implied or expressed consent;
- Accepting or seeking anything of material value from contractors, vendors, or persons providing services or materials to Unitec;
- A member of the public influencing or trying to influence, a public official, contractor, person seconded to, or any other party that has a business involvement with Unitec to use his or her position in a way that is dishonest, biased or breaches public trust.