Fraud and Corruption Control Framework - RM006

June 2021

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1. Foreword by Chief Executive Officer

The potential for fraud and corruption exists in every organisation and Ahpra is no exception.

Ahpra's primary role is to protect the public and set standards and policies that all registered health practitioners must meet. Fraud and corruption impede this important work.

Ahpra takes its exposure to fraud and corruption seriously and strives to achieve the highest level of ethical standards and behaviour in performing its functions. We do not tolerate fraudulent or corrupt behaviour in any form or to any degree, and we recognise that fraud and corruption in all its forms undermines public trust and confidence.

A strong fraud and corruption framework is critical to ensuring Ahpra can fulfil its obligations under the *Health Practitioner Regulation National Law* and perform its functions to ensure public safety.

This Fraud and Corruption Control Framework outlines Ahpra's approach to preventing, detecting and responding to fraud and corruption. The Framework ensures that Ahpra establishes and maintains appropriate systems of risk oversight and management, and that all reasonable measures are in place to prevent, detect and deal with fraud and corruption. The Framework also reflects Ahpra's organisational commitment to performing its functions with integrity in line with community expectations.

All staff and contractors have a role to play in Ahpra's fraud control arrangements, including identifying and reducing fraud risks, reporting suspected fraud or corruption attempt and participating in fraud control activities. This is essential to ensuring that the National Registration and Accreditation Scheme, as supported by Ahpra and the National Boards, operates effectively to provide the Australian community with access to a safe health workforce.

Mr Martin Fletcher

Chief Executive Officer

2. Executive Summary

2.1 Purpose of Ahpra's Fraud and Corruption Control Framework

Ahpra recognises that fraud and corruption management is an integral part of good governance and management practice. The purpose of this Fraud and Corruption Control Framework (**FCCF** or **Framework**) is to give effect to the Ahpra's commitment to prevent and control fraud and corruption. This FCCF is consistent with the Ahpra's Code of Conduct and all relevant legislation and standards.

This Framework will:

- describe what fraud and corruption is and how it can impact on the functions and service delivery of Ahpra;

- clarify the relationship between this Framework and other related internal and external policies and procedures;

- outline Ahpra's prevention and risk management strategy when it comes to fraud and corruption;

- describe the roles and responsibilities of individuals and business areas within Ahpra regarding the management of fraud and corruption;

- outline the mechanisms that can be used to report fraud and corruption;

- explain how fraud and corruption reports are investigated or referred to investigating agencies; and

- illustrate how the principles in AS 8001-2008: Fraud and Corruption Control (the **Australian Standard)** translate to action within Ahpra.

2.2 Scope and application

This Framework applies to all employees including ongoing, fixed term and casual staff. It also applies to all National Boards, State and Territory Boards and committee members, volunteers, contractors and other external third-parties involved with Ahpra business. A reference to "staff" in this Framework includes all Ahpra employees and members of National Boards, State and Territory Boards and committee members.

This Framework is based on the guidelines and principles of the Australian Standard and the Australian National Audit Agency's Fraud Control in Government Entities Better Practice Guide 2011.

Figure 1: FCCF Model

2.3 Introduction

Fraudulent and corrupt activities undermine the credibility of an organisation and put at risk its assets, interests and reputation. Ahpra's FCCF is designed to ensure that its principal responsibility to deliver services that protect the public and builds confidence in the regulation of the health professions by ensuring the highest levels of probity, integrity, honesty and transparency are maintained.

The Framework is depicted in the model below (see figure 1).
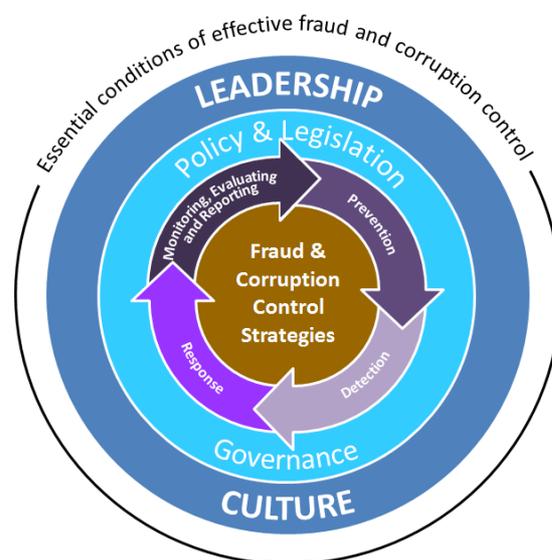
3. Definitions and background

3.1 Definition of fraud

Ahpra defines *fraud* as:

> *"dishonest activity involving deception causing actual or potential financial loss to any person or entity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation for personal financial benefit."*

The Australian Standard also provides that entities themselves (through their directors or managers as their agents) sometimes become involved as perpetrators of fraudulent conduct.

Examples

The standard provides the following examples of fraud:

- theft of money or property;

- false invoicing for goods and services not delivered or inflating the value of goods/services;

- falsely claiming to hold qualifications;

- theft of intellectual property or other confidential information (including cyber fraud);

- falsification of the entity's financial statements to obtain an improper or financial benefit; and

- misuse of position to gain financial advantage or to cause the entity to act to its disadvantage.

3.2 Definition of corruption

Ahpra defines *corruption* as:

> *"dishonest activity in which any employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity."*

The following list provides examples of types of behaviour that may amount to corruption.

Examples

- payment or receipt of bribes;

- manipulation of procurement processes to favour one tenderer over others;

- gifts or entertainment intended to achieve a specific or generic commercial outcome;

- forgery, embezzlement, blackmail;

- nepotism—preferential treatment of family members;

- cronyism—preferential treatment of friends;

- acting (or failing to act) in the presence of a conflict of interest;

- unlawful disclosure of confidential and/or government information;

- perverting the course of justice;

- colluding, conspiring with, or harbouring criminals;

- insider trading—misusing official information to gain an unfair private, commercial or market advantage for oneself or others; and

- green-lighting—making official decisions that improperly favour a person or company, or disadvantage another.

3.3 Conflicts of Interest

A conflict of interest is where an employee or director has private interests that could improperly influence, or be seen to influence, their decisions or actions in the performance of their National Scheme duties. A conflict of interest may be an *actual, perceived* or *potential*[1] and private interests may be direct or indirect, and financial or non-financial. All conflicts of interest must be dealt with in accordance with Ahpra's Conflict of Interest Policy and Procedure

Conflicts of interest can be an indicator, a precursor, or a result of corruption.

Competing interests can make it difficult to fulfil duties impartially. A conflict of interest can create an appearance of impropriety that can undermine confidence in people, processes and organisations. A conflict of interest can impair an individual's ability to perform their duties and responsibilities objectively.

All Ahpra employees and contractors are expected to act in the best interests of the public and refrain from being placed in a position that could result in a conflict between personal activities, financial affairs and their responsibility owed to Ahpra and the public.

4. Relationship with other Policies, Plans, Procedures

The FCCF is a component of a broader integrated governance framework. The FCCF draws on, and is consistent with a number of internal and external policies, legislation and guidelines. These are outlined in Schedule 2.

5. Roles and Responsibilities for Fraud Control

Addressing fraudulent and corrupt practices within Ahpra is the responsibility of every Ahpra employee. Where an employee becomes aware of any suspicious activity which may be fraudulent or corrupt in nature, employees may use any of the available reporting channels, including reporting the activity to a Public Interest Disclosure Officer.[2]

To understand how every level within Ahpra can contribute to fraud and corruption control, it is important to clearly define roles and responsibilities. The individual roles and responsibilities of each stakeholder are described in the table below.

Role	Responsibility
Agency Management Committee	The Agency Management Committee has primary accountability for fraud control, ensuring that appropriate governance mechanisms and fraud control frameworks are in place and operating as designed.
Finance Audit and Risk Management Committee	The Finance Audit and Risk Management Committee play a crucial role in providing independent assurance and advice to the Chief Executive Officer (**CEO**) and Agency Management Committee on Ahpra's operations, its control regime and its adherence to statutory requirements. The Finance Audit and Risk Management Committee's responsibilities in relation to fraud control include:

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[1] Refer to the Glossary for an explanation of the different types of conflicts of interest that may arise.

[2] Refer to Ahpra's Public Interest Disclosure (Whistleblower) Policy.

	• reviewing the Risk Management Framework and associated procedures for the effective identification and management of the entity's financial and business risks, including fraud risks; • reviewing the FCCF to ensure that it provides an effective and efficient foundation for the development of fraud and corruption control strategies and appropriate responses to identified incidents of suspected fraud and corruption; and • review the FCCF and the FCRR to provide assurance that the entity has appropriate processes and systems in place to prevent, detect and effectively respond to fraud and / or corruption related information.
Chief Executive Officer	The CEO is accountable for fraud control within Ahpra and is responsible for ensuring that adequate system of fraud and corruption controls are in place. This includes ensuring that a sound control framework and governance mechanisms exist and are effective in supporting fraud control activities. Together with the National Executive, the CEO is also responsible for fostering an ethical environment and protecting a culture of ethical behaviour.
National Executive	Strong executive leadership from management is integral to effective fraud control within Ahpra. Members of the National Executive will demonstrate a high level of commitment to fraud control and the management of fraud, in addition to ensuring that business processes and internal and external controls are planned and undertaken following the due consideration of fraud risk exposures.
Critical Incident Management Team	The Critical Incident Management Team (**CIMT**) is responsible for the direction of activities associated with the management of critical incidents, provide oversight of the management of serious incidents will determine the response plan once the final investigation brief is submitted.
Fraud and Corruption Control Officer	The Fraud and Corruption Control Officer is the individual with delegated responsibility from the CEO and Agency Management Committee for fraud and corruption control within Ahpra. The Fraud and Corruption Control Officer's responsibilities include to: • develop, implement and maintain the Fraud and Corruption Control Policy and Framework; • facilitate a fraud and corruption risk assessment which will include the development of a FCRR; • monitor, review and report on the implementation of the fraud and corruption control activities identified through the risk assessment and included in the FCRR; • coordinate investigations in relation to incidents of suspected fraud and/or corruption; and • develop and deliver fraud and corruption awareness training for all levels of Ahpra staff. The role of the Fraud and Corruption Control Officer lies with the National Director - Organisational Risk and Resilience.
Corporate Counsel	Corporate Counsel will be responsible for the development, implementation and maintenance of Ahpra's Public Interest Disclosure (Whistleblower) Policy. As a member of the CIMT, Corporate Counsel will provide oversight of the investigation process and the determination of Ahpra's response

	plan to the brief of evidence provided through the investigation.
Managers / Supervisors	Line managers' and supervisors' responsibilities in relation to fraud and corruption control include to: • ensure that all fraud and corruption controls applicable to their areas are effectively implemented; • immediately report any suspicion of fraudulent or corrupt activity; • provide all assistance possible to the investigation process associated with suspected fraudulent or corrupt activity; and • promote an environment of ethical behaviour within their areas of control.
All employees	All Ahpra employees have a responsibility to use any of the available reporting channels set out in this Framework if they become aware of any suspicious activity which may be fraudulent or corrupt in nature.
Contractors, Suppliers and Third-Party Providers	Contractors, suppliers or other third-party providers of services to Ahpra are encouraged to report any activities associated with Ahpra which they suspect to be fraudulent or corrupt.
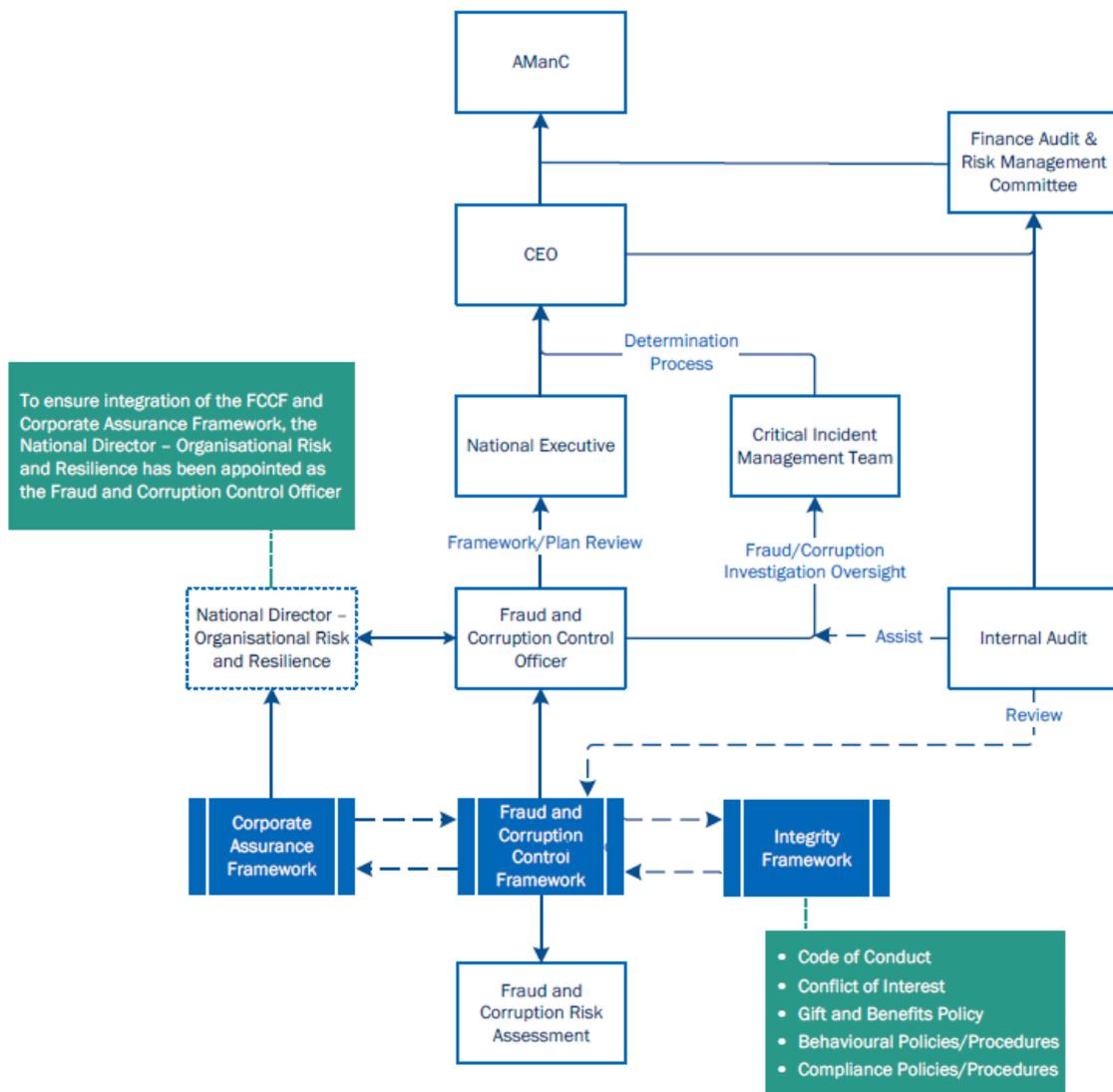
Figure 2:Fraud and Corruption Control Governance Model

6.   Prevention and Risk Management Strategy

Ahpra adopts a multi-faceted approach to prevention of fraudulent and corrupt activity. The strategy is outlined in further detail below and includes:

- risk based strategies through development of the FCRR;

- undertaking a comprehensive Fraud and Corruption Risk Assessment;

- implementing an integrity framework and culture;

- leadership and fostering of an ethical culture; and

- education and training for staff.

6.1   Risk based strategy

Ahpra adopts a risk-based approach to the identification of exposures to fraudulent or corrupt activity.

A Fraud and Corruption Risk Assessment will be undertaken at least every two years and will be based on the principles, criteria and models outlined in Ahpra's Corporate Assurance Framework.

The objectives of the risk assessment will be to identify risk events related to fraudulent or corrupt activities which are likely to impact on Ahpra's and the National Boards' objectives.

The Fraud and Corruption Risk Assessment:

- will identify risks using the consequence and likelihood criteria outlined in the Corporate Assurance Framework.

- will identify and specify risk treatments for all risks which are rated as unacceptable.

Following completion of the Fraud and Corruption Risk Assessment, the outcomes and recommended risk treatments will form the basis of the development of a Fraud and Corruption Risk Register (**FCRR**). The status of the risk treatment implementation and effectiveness of the risk treatments will be monitored and reported annually to the National Executive and the Finance Audit and Risk Management Committee. The FCCR will inform the preparation of the Internal Audit Plan.

6.2 Culture

Organisational culture and leadership is at the heart of an effective framework against fraud and corruption. The establishment of an ethical culture is a key element of sound governance and plays an important role in preventing fraud and helping to detect it once it occurs. Ahpra's Agency Management Committee, CEO and National Executive share a commitment to building and maintaining a strong culture whereby fraud and corruption at any level is not tolerated.

This Framework, as well as Ahpra's Code of Conduct, is underpinned by a range of other integrity framework elements including observable adherence to Ahpra's values by senior management, clear allocation of responsibilities, and regular and clear communication to all employees regarding the importance of our ways of working.

Over a quarter of unlawful activities within an organisation are identified and reported by employees.[3] This response can be substantially improved by ensuring that an ethical culture is fostered in which employees are not prepared to accept unethical behaviour in their work environment and are prepared to report fraudulent or corrupt behaviour when they become aware of it. It is also important to create an environment in which employees are confident that they will be properly supported if they do report fraudulent or corrupt behaviour.

6.3 Leadership

Ahpra is committed to protecting its assets, interests and public trust from fraudulent and corrupt activity and ensuring its principle responsibility to deliver services that protect the public and build their confidence in the regulation of health professions in Australia is maintained by upholding the highest levels of probity, integrity, honesty and transparency.

The ultimate success of any fraud and corruption control program is directly related to management leadership.

Leadership determines how well information is disseminated and absorbed by staff and it also establishes the overall tone of the organisational environment.

Stated simply, fraud and corruption are less likely to occur when every employee feels that management cares about unacceptable behaviour such as fraud and corruption.

Ahpra maintains a zero-tolerance approach to fraudulent and corrupt behaviour.

The National Executive is committed to fostering good judgement and integrity through values-based management, policies, instructions and guidance.[4]

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[3] KPMG Fraud and Misconduct Survey 2010.

[4] Controlling Fraud, Waste, and Abuse in the Public Sector, Grabosky P, Australian Institute of Criminology

6.4 Staff Education and Awareness

Ahpra believes that everybody within Ahpra must have responsibility for the FCCF for it to be effective.

The primary purpose of education and training in the area of fraud and corruption is to raise awareness amongst staff about what fraudulent practices are, how to identify them, how to report them, and to make it clear that fraudulent practices will not be tolerated.

An awareness and training framework for managers and staff will:

- create and maintain awareness of fraud and corruption related risks;

- enable staff to identify fraud risks or red flags pertaining to fraudulent activity;

- educate staff as to how to report fraud and corruption; and

- provide periodic reinforcement of fraud control principles.

To implement the fraud and corruption awareness program all staff will undertake a focussed training program. The training schedule which is the foundation of that program is outlined in the Schedule 4.

7. Detecting fraud and corruption

Early detection is an essential element of fraud control. Almost half of identified fraudulent activities are reported by staff or external third parties.[5] This increases with the provision of appropriate and accessible reporting channels. To ensure the best opportunity to leverage the informal knowledge of fraudulent or corrupt activities within employee / supplier groups, Ahpra has provided a number of reporting channels, including the opportunity to provide anonymous information.

7.1 Reporting Channels

Those channels are illustrated in figure 3 - Fraud / Corruption Control Reporting Channels.

When an instance of suspected fraud or corruption is identified, an initial report should be made to any of the following persons:

- immediate supervisor/manager/director of a staff member who is alleged to have engaged in conduct that constitutes or may constitute fraud or corruption (unless that person may be implicated in said instance);

- using Ahpra's Independent Whistleblower Hotline (see section 7.27.3 below)

- using the Serious Incident online form; or

- to the local HR specialist.

Where a line manager or HR specialist receives a report of suspected fraudulent or corrupt activity, they must immediately notify the Fraud and Corruption Control Officer.

While information will be made available to external contractors and third-party service providers in relation to the reporting channels listed above, from time to time, external parties will use Ahpra's Customer Service Team (**CST**) to report suspicious activities. Under those circumstances, CST must immediately notify the Fraud and Corruption Control Officer.

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[5] KPMG's Fraud and Misconduct Survey 2010.
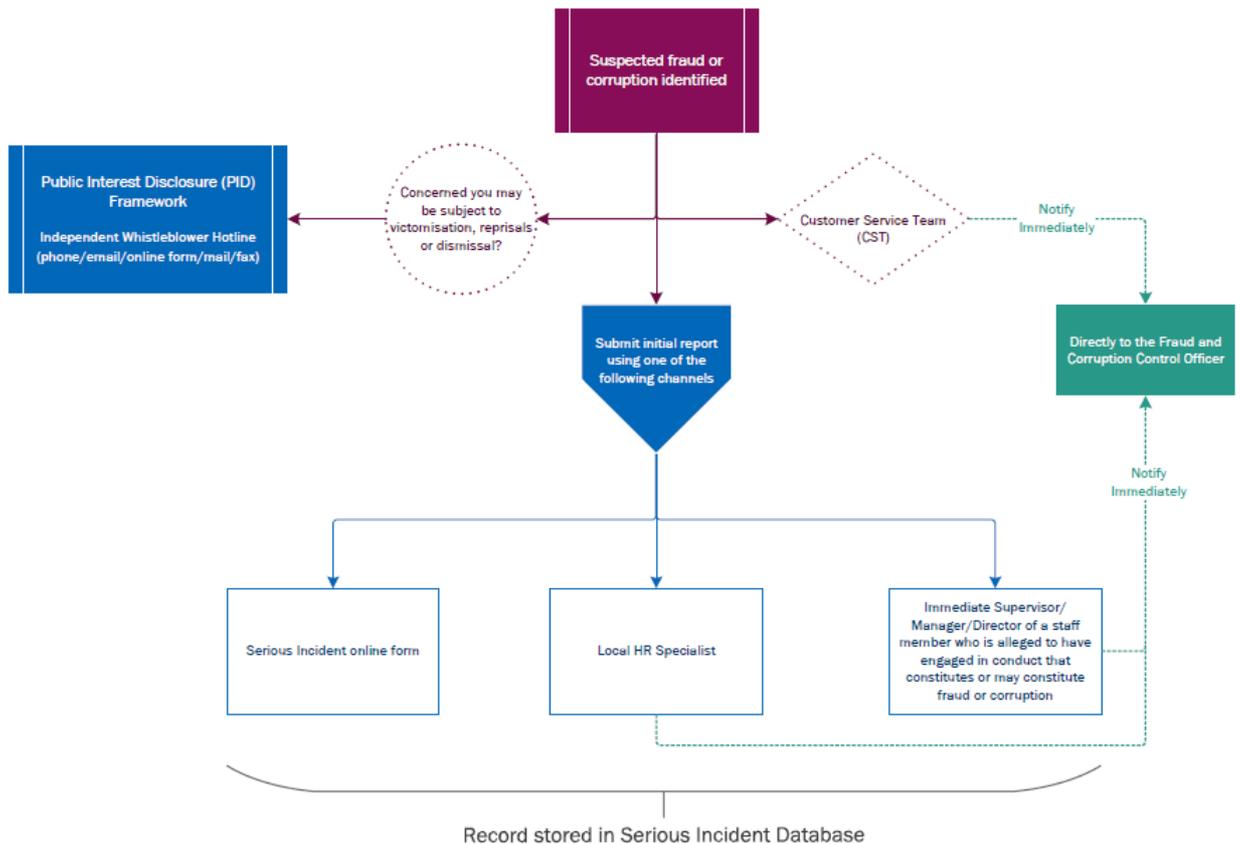
Figure 3:Fraud and Corruption Control Reporting Channels

7.2 Public Interest Disclosure Procedures

Any fraud or corruption can also be reported through the Ahpra's Public Interest Disclosure Framework. This is particularly relevant where the person reporting a suspicious activity is concerned that he or she might be subjected to victimisation, reprisals or dismissal as a consequence of reporting suspected fraud or corrupt conduct. Where the Public Interest Disclosure Officer determines that the circumstances meet the criteria for the report to be considered under the public interest disclosure framework, all ongoing investigations and management of the information will be in accordance with Ahpra's Public Interest Disclosure (Whistleblower) Policy.

Where the Public Interest Disclosure Officer determines that the circumstances *do not* meet the criteria for the report to be considered under the public interest disclosure framework, it will nevertheless be thoroughly investigated and managed appropriately.

Ahpra's Independent Whistleblower Hotline can be contacted in the following ways:

- by telephone at: 1800 325 002

- by website at: www.WhistleblowerHotline.deloitte.com.au

- by email to: WhistleblowerHotline@deloitte.com.au

- by mail to: Whistleblower Hotline, Reply Paid 12628 A'Beckett Street, Victoria 8006

- by fax to: +61 3 9691 8182:

7.3 Recording Incidents of Fraudulent or Corrupt Activity

Suspected fraudulent or corrupt activity which is not being managed through the Public Interest Disclosure Framework is considered a "serious incident" under Ahpra's Critical Incident Management Plan.

Any report of suspected fraudulent or corrupt activity must be recorded using a serious incident report and recorded in the serious incident database. This database is managed by the Organisational Risk & Resilience team.

7.4 Internal and external audit

Internal audit provides an independent and objective review and advisory service to:

- provide assurance to the CEO and Agency Management Committee that the controls designed to manage Ahpra's risks and achieve Ahpra's objectives are operating in an efficient, effective and ethical manner; and

- assist management in improving Ahpra's business performance.

Internal audit can specifically assist with fraud control by providing advice on the risk of fraud and corruption, advising on the design or adequacy of internal controls to minimise the risk of fraud and corruption occurring, and assisting management to develop fraud and corruption prevention and monitoring strategies.

Internal audit can also act as a resource to support the investigation of suspected risk or corruption activities.

Ahpra's external auditors conduct financial, information technology, performance and special audits, including an examination of corporate governance issues such as risk management and other control structures, resource use, information systems, performance measures, reporting and monitoring systems, and legal compliance.

Audits may be undertaken from time to time to examine Ahpra's fraud control arrangements.

7.5 Other Fraud and Corruption Detection Controls

In addition to staff and third-party reporting, Ahpra implements a number of passive and active controls to prevent and detect fraudulent or corrupt activities.

Passive controls include controls or activities that do not require the active and ongoing involvement of management but exist as a means by which fraud is detectable within an organisation. They include controls which encourage ethical behaviour and influence the cultural development of the organisation.

Active controls include controls that require the assertive involvement of management and by their nature are designed to detect or assist in detecting fraud within an organisation. Examples include data mining, targeted audits, exception reporting, internal audit and quality assurance.

The nature, type and complexity of controls will be individually determined in response to the significance of the risks identified in the Fraud and Corruption Risk Assessment. When developing internal controls intended to protect against the risk of fraud and corruption, consideration should be given to the following:

- controls are risk focused, aimed at mitigating those risks identified through the fraud and corruption risk assessment;

- controls are appropriately documented;

- controls are regularly reviewed and improved to remain relevant; and

- controls are communicated effectively and accessible to all personnel appropriate to their level of responsibility and position description.

8. Responding to Fraud and Corruption Incidents

8.1 Investigation

Ahpra will investigate instances of suspected fraud or corruption and will take appropriate action (including referral to an appropriate regulator, the police, IBAC and/or disciplinary action).

The primary purpose of an investigation is to establish whether fraud or corruption may have occurred and, if so, what action Ahpra can/should take. During the investigation it is also important to gather admissible evidence for any subsequent action, whether under criminal, civil, disciplinary or administrative sanctions.

It is also important when conducting or managing an investigation to:

- gather relevant information in a timely and legally admissible manner; and

- protect the privacy of those making an allegation and other witnesses.

All investigations into allegations of fraudulent or corrupt activities will be coordinated by the Fraud and Compliance Control Officer in accordance with the Australian Government Investigations Standards – 2011. In particular, all investigations will be conducted on the principles of independence, objectivity and the rules of natural justice.

The process associated with conducting investigations is outlined in figure 4 below.

Initially, the Fraud and Corruption Control Officer should complete a preliminary case assessment and make recommendations to the Critical Incident Management Team (**CIMT**) in relation to reporting the matter to an appropriate law enforcement agency for criminal investigation.

The CIMT may choose to:

- continue with the internal investigation;

- refer the matter to the appropriate local law enforcement agency for them to conduct the investigation; and/or

- in conjunction with the local law enforcement agency, agree to undertake a joint investigation.

NOTE: During the coordination of the investigation, consideration should be given to the skills and experience required to effectively carry out the investigation and where necessary, external specialist investigation resources may be engaged.
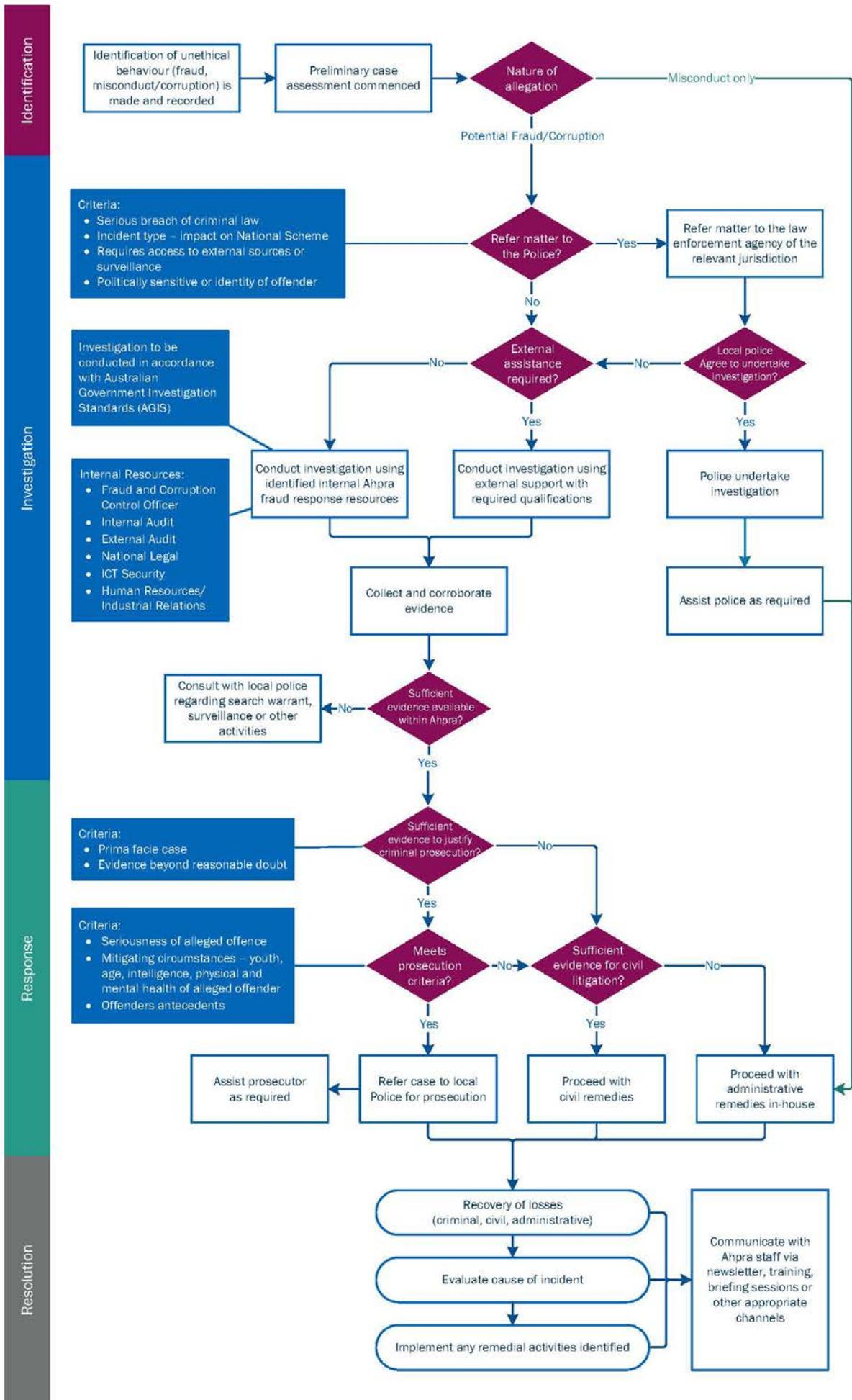
Figure 4: Fraud and Corruption Investigation and Response Tree

8.2 Determination Process

The investigation process and the determination process are separate, as shown in Figure 4 above. The CIMT will oversee the quality of the investigation, while the investigation itself is managed by the Fraud and Corruption Control Officer. Following the completion of an investigation, the CIMT will determine the appropriate course of action to deal with and mitigate the fraudulent or corrupt behaviour or incident.

8.3 Internal reporting and escalation

It is the responsibility of the Fraud and Corruption Control Officer to report on all fraud and corruption matters within Ahpra. The CEO and Agency Management Committee must notify the Fraud and Corruption Control Officer of any fraud or corruption that they are aware of for inclusion in any internal reporting.

Any report of fraud or corruption received by Ahpra staff member must be relayed to the Fraud and Corruption Control Officer.

Matters requiring particular urgency (which should be reported to the Fraud and Corruption Control Officer *immediately*) include those involving material loss, media attention, potential political notice, or potential for criminal charges against a staff member.

8.4 Record keeping

The Fraud and Corruption Control Officer is responsible for documenting the decisions in relation to investigations and maintaining an appropriate record of all instances of investigated fraud and corruption. The Fraud and Corruption Control Officer will report annually to the FARMC and provide annual summaries of all reported fraud and corruption incidents. Reporting will include the outcome of investigations and any remedial actions taken.

8.5 Escalation to law enforcement agency

In accordance with the process chart shown in figure 4 above, the CIMT will determine whether the matter will be escalated to the appropriate law enforcement agency for criminal action.

The following criteria will be considered when determining if criminal action is appropriate:

- there is a *prima facie* case that a criminal charge has been committed and prosecution would be successful;

- the impact on the National Scheme;

- access is required to external sources or surveillance;

- whether the offence has been determined to be serious or trivial in nature;

- any mitigating or aggravating circumstances;

- the age, intelligence, health or any special infirmity of the offender, any witness or victim;

- the age of the offence;

- the degree of culpability of the offender;

- the availability and efficacy of any alternatives to prosecution;

- the likely outcome in the event of a finding of guilt; and

- the need for deterrence.

In addition to or instead of criminal prosecution, the CIMT may consider civil or administrative action against the offender.

In the event that the fraudulent or corrupt activity has resulted in losses or damages to Ahpra, consideration should also be given to available recovery remedies.

8.6   Post Investigation Review

While the main focus of the investigation process is to stabilise the incident and its consequences, the cause of the incident and associated control failures must also be identified.

The Fraud and Corruption Control Officer will coordinate activities in conjunction with the line manager responsible for the area, process or function in which the incident occurred, to identify control deficiencies and recommend remediation where appropriate.

The mitigation plan developed through this process will be include in the FCRR and implementation and status will be reported quarterly.

9.   Fidelity Guarantee Insurance

Having consideration to the fraud and corruption risk profile, Ahpra's insurance portfolio should include appropriate insurance coverage relative to the risks of dealing with fraudulent or improper conduct.

As required by the Critical Incident Management Plan, the Critical Incident Management Coordinator will ensure that Ahpra's insurance underwriter is notified immediately when a serious incident involving fraudulent or corrupt behaviour is identified. The underwriter must continue to be informed of the status of the investigation as it progresses.

10.   Monitoring and Review

This FCCF and its component elements will be reviewed in accordance with the following schedule:

Element	Review	Approve	Frequency
Fraud and Corruption Control Policy	Fraud and Corruption Control Officer	Agency Management Committee	2 years
FCCF	Fraud and Corruption Control Officer	National Executive Committee	2 years
Fraud and Corruption Control Risk Profile	Fraud and Corruption Control Officer	National Executive Committee	Annual
Fraud and Corruption Controls – status	Fraud and Corruption Control Officer Internal Audit	National Executive Committee	Half-yearly According to Internal Audit Plan

Schedule 1: Glossary

Term	Description and Source
Bribe	Payment or receipt of secret commissions, which may be paid in money or in some other form of value to the receiver and may relate to a specific decision or action by the receiver or generally. AS 8001—2008
Code of Conduct	Provides a framework for ethical decision-making and articulates the standards of behaviour and actions expected of individuals who work within the organisation. The Code explains the principles covering appropriate conduct in a variety of contexts and assist individuals to recognise and avoid behaviours that could potentially be corrupt or involve maladministration or waste, and it provides guidance with respect to the reporting of such matters.
Conflict of interest	The term 'conflict of interest' refers to situations where a conflict arises between the public duty and private interests of an official, which could improperly influence the performance of official duties and responsibilities. The types of conflicts that can occur include: • An actual conflict of interest - involves a direct conflict between an employee or director's Scheme duties and responsibilities and existing private interests. • A perceived or apparent conflict of interest - exists where it a third party could form the view that an employee or directors private interests could improperly influence the performance of his/her duties now or in the future, whether or not this is in fact the case. • A potential conflict of interest- arises where an employee or director has private interests that could conflict with their official duties in the future, and steps should be taken now to mitigate that future risk.
Control (also internal control)	An existing process, policy, device, practice or other action that acts to minimise negative risks or enhance positive opportunities. AS 8001—2008
Corruption	Dishonest activity in which any employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of 'corruption' within this standard can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly AS 8001—2008

Term	Description and Source
Evidence	Oral testimony either given in legal proceedings or which a witness indicates he or she is prepared to give under oath or affirmation in legal proceedings and documents of any description that can legally be admitted as evidence in a Court of Law. AS 8001—2008
Fraud	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. The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' for the purposes of this Standard. NOTE: The concept of fraud within the meaning of this Standard can involve fraudulent or corrupt conduct by internal or external parties targeting the entity or fraudulent or corrupt conduct by the entity itself targeting external parties. AS 8001—2008
Fraud and Corruption Control Officer	Officer appointed by the organisation responsible for ensuring that all of the organisation's fraud and corruption control resources are coordinated through the FCCF to achieve the organisation's fraud and corruption control objectives.
FCRR (Fraud and Corruption Risk Register)	A document summarising identified risks of fraud and corruption and associated mitigation strategies.
Investigation	An investigation is a process of seeking information relevant to an alleged, apparent or potential breach of the law, involving possible judicial proceedings. The primary purpose of an investigation is to gather admissible evidence for any subsequent action, whether under criminal, civil penalty, civil, disciplinary or administrative sanctions. Investigations can also result in prevention and/or disruption action. The term investigation can also include intelligence processes which directly support the gathering of admissible evidence. Australian Government Investigation Standards - 2011
Private interest (Direct)	Includes an employee or director's own personal, family, professional or business interests
Private interest (Indirect)	Includes the personal, family, professional or business interests of individuals or groups with whom the employee or director is, or was recently, closely associated

Term	Description and Source
Private interest (Financial)	Involves an actual, potential or perceived financial gain or loss. Money does not need to change hands for an interest to be financial. People have a financial interest if they (or a relative, or a close associate) own property, hold shares, have a position in a company bidding for government work, receive benefits such as concessions, discounts, gifts or hospitality from a particular source related to the public sector organisation, or can benefit financially from a decision significantly influenced or made by the organisation.
Private interest (non-financial)	Arise from personal or family relationships, or involvement in sporting, social or cultural activities. They include any tendency toward favouritism or prejudice resulting from friendship, animosity, or other personal involvement with another person or group. If personal values are likely to impact on the proper performance of public duty, then these can also lead to a conflict of interest.
Public Interest Disclosure	Public Interest Disclosure means a disclosure of information that shows or tends to show (or that the person reasonably believes shows or tends to show) that a person engaged by Ahpra or a Board (e.g. a member, employee or contractor), or Ahpra or a Board itself, or other person involved in administering the National Law: • has engaged in, is engaging in, or proposes to engage in improper conduct or corrupt conduct; or • has taken, is taking, or proposes to take detrimental action against a person in reprisal for a public interest disclosure.
Secret Commission	A payment in money or in kind which will or is intended to cause a person to act in a way that is contrary to the interests of his or her principal or employer, is contrary to the principal's or employer's policy on a given issue or is against the public interest. Secret commissions, by definition, will typically be paid without the knowledge or express or implicit agreement of the principal or employer and include payments intended to influence the outcome of a specific action or event as well as the actions generally over a period of time. AS 8001—2008

Term	Description and Source
Serious Incident	Relates to any event which has or could have a significant impact on the operations of the business and may require central oversight, if not intervention or allocation of additional or specialist resources and includes any one or more of the following: • Regulatory failure, error or omission • Substantial impact on ability to continue business as usual • Likely to draw media or political attention or to impact negatively on Ahpra's or the National Boards' reputation • Legal / statutory breaches and/or decisions. • Significant negative financial impact or threat of impact • Emergency • Unlawful activity • Fatality / serious injury (notifiable incident) to any Ahpra or National Board personnel, through any action or omission by Ahpra or National Board personnel or on any property owned or operated by Ahpra. Ahpra's Critical Incident Management Plan (refer to plan for further information on the categories listed).

Schedule 2: Ahpra Policies

Ref	Policy / Plan / Procedure	Dependency
PC 011	Code of Conduct	Outlines the standards of behaviour expected of employees and encompasses Ahpra's values for achieving an ethical culture.
Part 2 Board Member Manual	Conflict of Interest – National Boards	Guidelines for behaviour in situations where there is a conflict between a person's public duties and private interest. This version relates to the Agency Management Committee, Board, Committee and Panel Member.
RM007	Conflict of Interest - Policy and Procedure	Applies in situations where there is a conflict between a person's public and private interest and outlines how to identify an actual, perceived or potential conflict of interest and the steps to be taken in order to manage a conflict of interest.
RM001	Corporate Assurance Framework	Establishes the framework for all risk management activity within Ahpra to ensure an integrated approach to managing risk and providing assurance that agreed mitigation actions are being delivered effectively.
AManC03	Gifts, Benefits and Hospitality Policy	Outlines when it is appropriate to accept or decline gifts, benefits or hospitality. Also outlines process of formally declaring offers.
	National Boards Gifts, Benefits and Hospitality Policy	Outlines when it is appropriate for National Board members to accept or decline gifts, benefits or hospitality. Also outlines process of formally declaring offers.
RM002	Critical Incident Management Framework (Serious Incident Reporting)	Defines the organisation structures, accountabilities and reporting to oversee: • implementation of stabilising or response activities associated with serious or critical incidents • disaster recovery plans, and • business continuity plans. Also defines "serious incident" and the associated reporting process.

	Public Interest Disclosure Framework	The main purposes of the framework are; 1. To encourage and assist people to make a disclosure of improper conduct and detrimental action by public officers and public bodies 2. To provide certain protections for people who make a disclosure, or those who may suffer detrimental action in reprisal for a disclosure 3. To ensure that certain information about a disclosure is kept confidential – the identity of the person making the disclosure, and the content of that disclosure.
PC004	Ahpra Recruitment and Selection Policy – in particular "Pre-employment verification"	Describes the core principles of the organisation's approach to recruitment and selection for all vacant positions, including pre employment screening.
	Internal Audit Plan: • Strategic (3 years) • Annual Plan	The Internal Audit plan aims to articulate a program of internal audit activity for the next three years, with particular focus on the upcoming year. The reviews proposed are selected strategically by adopting a risk based approach to the identification of key reviews that focus on the risk profile.
	Information Security Policy	This policy provides the organisational direction, management intent and compliance requirements for the security of Ahpra's Information. The policy identifies the information security fundamentals and assigns responsibilities essential to the control of risk when handling information. Included are detailed policies and standards to help ensure that Ahpra meets its legal and regulatory requirements.,.
	IT - Acceptable Use Policy	Specifies and promotes responsible and appropriate use of Ahpra IT facilities and technology, including protecting and securing information.
	Ahpra Procurement Policy and Ahpra Procurement and Contracting Manual	Outlines appropriate governance, responsibility and capability according to level of procurement risk. The Policy also promotes efficient and ethical use of resources to achieve value for money and to ensure accountability, transparency, fairness and risk management

Schedule 3: Sources

This Framework draws on a number of external references and authorities including:

Ref	Document	Dependency
AS 8001-2008	Australian Standard Fraud and Corruption Control	This Standard provides an outline for an approach to controlling fraud and corruption and is intended to apply to all entities including government sector agencies, publicly listed corporations, private corporations, other business entities and not-for-profit organisations engaged in business or business-like activities.
F2011L00511	Commonwealth Government Fraud Control Guidelines 2011	A set of principles-based guidelines to enable Commonwealth Government entities to establish a fraud control policy framework within which they determine their own specific practices, plans and procedures to manage the prevention and detection of fraudulent activities.
	Australian National Audit Agency's Fraud Control in Government Entities Better Practice Guide 2011	The Better Practice Guide is intended to complement the Fraud Control Guidelines, and to augment the key fraud control strategies referred to in the Guidelines. The Guide takes account of the fact that fraud control arrangements need to be tailored to the individual entity's circumstances.
	Australian Government Investigation Guidelines	The Australian Government Investigations Standards (AGIS) establishes the minimum standards for Australian Government agencies conducting investigations.

Schedule 4: Ahpra staff training schedule

Training / Position	Induction	Fraud and Corruption Information Sheet	Fraud and Corruption Awareness Training (General)	Fraud and Corruption Awareness Training (Specific)	Certificate IV in Government (Investigation), or its equivalent. *	
Agency Management Committee	✓			✓		
CEO / NE	✓			✓		
CIMT				✓		
Fraud and Corruption Control Officer	✓			✓		
Investigators	✓			✓	✓	
Managers / Supervisors	✓	✓	✓			
All employees	✓	✓				
Contractors / third party providers		✓				

* This qualification should be obtained before an officer is primarily engaged as an investigator; otherwise the officer should be under the supervision of a qualified investigator. Two years' experience with a law enforcement agency in the role of investigator or completion of Ahpra's Investigation Officer training together with three years investigation experience will be considered equivalent.

Document Control

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