



# PROVINCE WIDE POLICY

## Australian Province of the Society of Jesus

### Fraud and Corruption Prevention

<b>Section</b>	Governance (Corporate)
<b>Policy Number</b>	GVC.15.00.00
<b>Application</b>	Australian Province of the Society of Jesus
<b>Endorsing Body</b>	Ministries Commission
<b>Last Endorsed</b>	New document
<b>Next Review</b>	12 months from approval and every 2 years thereafter
<b>Version</b>	1.0
<b>Written By</b>	Province Director of Professional Standards
<b>Approved By</b>	Fr Brian F. McCoy SJ - Provincial

#### 1. POLICY STATEMENT

Consistent with the Province’s [Code of Conduct \(Code\)](#) and the Society of Jesus’ Instruction on the Administration of Goods (**IAG**), this Policy demonstrates our commitment to upholding the highest standards of professional and personal conduct and articulating ‘our way of proceeding’ (a way of acting and interacting with people, social structures and the environment that respects and fosters their dignity, freedom and relationship with their Creator) in the stewardship of the assets and ministries entrusted to our care.

The Province is committed to promoting a culture of integrity and trust in the services provided by the ministries and to the effective management of fraud and corruption risks and vulnerabilities. The Province does not tolerate any level of fraud or corruption and views both as serious.

This Policy requires all reports of alleged fraudulent or corrupt activity to be investigated, with the results leading to legal, disciplinary or other action. All allegations of fraudulent or corrupt conduct are to be promptly reported to the Province’s Director of Professional Standards.

This Policy applies to all Jesuits, Partners in Mission and Contractors involved with the Province or a ministry (incorporated or unincorporated).

#### 2. PURPOSE

To outline the approach to strengthen the ethical culture in managing the risk of fraud and corrupt conduct, as required by the Code.

#### 3. KEY REQUIREMENTS

The Province’s commitment is supported by these key requirements with each ministry maintaining evidence of these requirements:

- [Code of Conduct](#) – adherence to the Code’s primary obligations, particularly responsible stewardship of Province resources and protection of its trust in the wider community, and a commitment to act with integrity and to be accountable for actions in performing work or work-related functions;
- [Detection and prevention](#) – proactively manage fraud and corrupt prevention through the identification and provision of adequate internal controls;
- [Reporting](#) – a well understood system to enable confidential disclosure of reportable matters by Jesuits, Partners in Mission and Contractors in respect of suspected wrongdoing in the Province and/or ministries, as provided under the Province wide Policy, titled ‘Whistleblower Policy’;

- Investigation and response – an investigation and response framework that is objective, confidential, independent and based on fair treatment, as provided under the Province wide Policy, titled ‘Whistleblower Policy’; and
- Education and training – communicate and embed awareness of the key requirements, including the creation and maintenance of appropriate records.

#### 4. ACTIONS TO ACHIEVE IMPLEMENTATION OF THIS POLICY

Heads of Ministries are responsible for implementing this Policy and its requirements. The active involvement and commitment of a ministry’s leadership team is essential to ensure the effective application of this Policy.

Ministries **must** have fraud and corruption prevention procedures, accessible for all staff, on an intranet or appropriate management system, to support this Policy.

Ministry fraud and corruption prevention procedures **must** contain all elements as detailed in Appendix 1 covering:

- Delegated authority
- Once removed principle
- Acceptance of gifts and benefits
- Ministry resources
- Secondary employment

#### *Heads of Ministries*

##### 4.1 Strengthen Ministry prevention requirements

Review and, where necessary, strengthen appropriate work processes to provide a framework of fraud prevention, detection, investigation and response mechanisms.

Review and develop a ministry fraud risk assessment to be conducted every two years with the objective of identifying fraud risks requiring management action.

##### 4.2 Reference to fraud and corruption risks

Refer to the management of fraud and corruption risks in ministry procedures on, for example, the acceptable use of ministry resources, financial management, procurement, gifts and benefits, and time-sheet management.

Review and, where necessary, strengthen requirements for governance positions of the ministry including independent non-Director members of Board/Council subcommittees to undergo background checks (e.g. Working with Children Check and/or National Criminal History Record Check ).Review and, where necessary, strengthen requirements for identified high risk positions such as in the finance and procurement areas of the ministry to undergo a National Criminal History Record Check.

##### 4.3 Reference to reporting requirements

Refer to the requirement that all suspected fraud and corruption related matters are to be reported to the Head of Ministry and the Province’s Director of Professional Standards as soon as practicable.

##### 4.4 Provision of education and training

Provide information, education and training to communicate and embed awareness of fraud and corruption risk management e.g. document and disseminate information to Jesuits and Partners in Mission and Contractors through on-boarding practices, team discussions, hard copy documentation posted on dedicated notice boards, internet and intranet.

Ensure the management of fraud and corruption risks is communicated to interested parties such as external recruitment agents/labour suppliers through inclusion of the ministry's requirements in contractual documents, information to visitors and induction processes.

### **Province Director of Professional Standards**

#### **4.4 Provide support for ministry responses**

Provide guidance to ministries in determining responses such as if there are questions as to the identity of a person who may have committed a criminal offence (e.g. the release of confidential information where it is not apparent who has released the information) or if a director or manager or staff member is unsure if a set of circumstances or incident is a criminal offence.

## **5. Monitor and Review of Policy**

This Policy will be monitored for compliance and effectiveness by the Director of Professional Standards. This Policy will be reviewed after 12 months from approval and at least every two years thereafter, in consultation with Jesuits, Partners in Mission and other stakeholders involved in recruitment and employment matters.

The Ministries Commission will endorse changes to this Policy prior to approval by the Provincial. Policy changes will be communicated to Jesuits, Partners in Mission and other stakeholders.

Interim reviews will occur at any time as required in response to either feedback or changes in legislation / IAG, policy or practices to ensure the information is current, useful and easy to understand.

Any Jesuit, Partner in Mission or Contractor who requires assistance in understanding this Policy should in the first instance contact their Head of Ministry. Further questions, comments or concerns in regard to this Policy or its application should then be directed to the Province's Director of Professional Standards.

## **6. Definitions**

<b>Name</b>	<b>Description</b>
<b>Code of Conduct</b>	The Province-approved document which sets out what personal and professional standards mean for the Province, the Province's primary obligations and the associated behaviour that are expected of all Jesuits, Partners in Mission and Contractors, and how to report inappropriate behaviour. See: <a href="https://jesuit.org.au/wp-content/uploads/Code-of-Conduct.pdf">https://jesuit.org.au/wp-content/uploads/Code-of-Conduct.pdf</a>
<b>Contractor</b>	Means a person who is not an employee but is engaged under an independent service contract to complete a specific job or project within a specified time frame for an agreed price. The Code of Conduct applies to Contractors who are permitted to be unsupervised while on ministry grounds e.g. engaged using a tender process and formal induction.
<b>Corruption</b>	For the purposes of this Policy, conduct is corrupt when it involves deliberate or intentional wrongdoing, not negligence or a mistake. Corrupt conduct occurs when: <ul style="list-style-type: none"> <li>• an employee improperly uses, or tries to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others; or</li> <li>• an employee acts dishonestly or unfairly, or breaches public trust; or</li> <li>• a member of the public influences, or tries to influence, an employee to use his or her position in a way that is dishonest, biased or breaches public trust.</li> </ul> The definition includes matters involving fraud, theft, bribery and forgery.
<b>Delegate</b>	Covers the positions of delegates for Social Ministries, Jesuit and Ignatian Spirituality, Jesuit Life and Formation, Pastoral and Diocesan Ministries, Communication Ministries, and the Chair of Jesuit Education Australia and Education Ministries. These delegates are part of the Ministries Commission which functions as the Provincial's executive management team (see definition below).
<b>Document control</b>	Jesuits, Partners in Mission or Contractors who work with printed copies of this document must check the document regularly to monitor version control. Documents are considered 'uncontrolled if printed', as indicated in the footer.

Name	Description
<b>Fraud and corruption risk</b>	The threat that an internal or external party performs a deliberate and dishonest act or omission that may affect the ministry and/or advantage the perpetrator or an associated party.
<b>Head of Ministry</b>	Means the person who has day to day operational responsibility for a ministry, such as a Chief Executive Officer, Director or Principal.
<b>Jesuit</b>	Means any Priest or Brother member of the Society of Jesus or someone in formation for those roles (e.g. a novice or a scholastic).
<b>Ministry</b>	A Province owned and/or governed organisation at which a Jesuit, Partner in Mission or Contractor works. As parishes are governed by the relevant diocese they are excluded from this definition.
<b>Ministries Commission</b>	Functions as the Provincial's executive management team, meeting regularly to review and plan the work of the Australian Province. Comprises the Socius, Delegates for Pastoral and Diocesan Ministries, Social Ministries, Jesuit and Ignatian Spirituality, Jesuit and Life Formation, Education Ministries and Chair of Jesuit Education Australia, Communication Ministries, Director of Professional Standards and Director of Finance and Special Projects.
<b>Partners in Mission</b>	Means a lay person involved in the Australian Province of the Society of Jesus and its Ministries as: an employee; a member of a Board or Council; a volunteer; or a consultant.
<b>Provincial</b>	The member of the Society of Jesus, as appointed by the Superior General, holding the office of Major Superior of the Province or, in the case of absence or indisposition, the acting Provincial or, in the event of the office of the Provincial being vacant at any time, the member of the Society of Jesus for the time being performing the duties of Provincial.
<b>Reportable matter</b>	Suspected wrongdoing where disclosure assists in managing the risk of fraud, illegal or corrupt conduct, based on the Code of Conduct.
<b>Risk management</b>	Coordinated activities to direct and control the ministry with regard to risk.
<b>Volunteer</b>	A person who willingly gives their time for the common good of the Province and its ministries without financial gain.
<b>Working with Children Check</b>	Each state and territory in Australia has a scheme dedicated to screening people who are seeking to engage in child-related work. Commonly known as Working with Children Checks (WWCC), these schemes check a person's records, such as their criminal history, to assess whether they would pose a risk to children if permitted to engage in child-related work. The equivalent check in Queensland is known as a 'Blue Card'. In the ACT, the equivalent check is known as the Working with Vulnerable People registration. In the Northern Territory the equivalent check is known as the Ochre Card.

## 7. Version Control and Change History

Version	Approved Date	Approved By	Short Description for Development or Review	Review Completed by	Consultation Process
1.0	13/11/2019	Provincial	New document	N/A	N/A

# Appendix 1: Best Practice Operational Procedures

## PURPOSE

- This document sets out some common examples and procedures to assist in the management of fraud and corruption risks. The examples are:
  - Delegated authority;
  - Once removed principle;
  - Acceptance of gifts and benefits;
  - Ministry resources; and
  - Secondary employment.

## DELEGATED AUTHORITY

- When making business decisions on behalf of their ministry, or if entrusted with a delegated authority, you should check that:
  - the decision or action is within your position's delegation;
  - it complies with all decision-making requirements and policies and procedures required by the delegation and any relevant law; and
  - the decision and the evidence upon which it is based are properly documented.
- If you are in any doubt about the limits of your delegated authority, you should talk to your manager. A copy of the delegations policy can be accessed through the ministry's intranet.

## THE ONCE REMOVED PRINCIPLE

- If you are making a decision about an activity or purchase and there is a possibility that people might think you are gaining a personal benefit or that there may be a perception of a conflict of interest, you must inform your manager and obtain approval. This must happen before you make the decision.
- The once removed principle applies to an approval of expenditure within your delegated authority if it is possible that the items to be purchased could give you some kind of personal benefit. Some examples that fall into this area include approving expenditure for a personal benefit, acceptance of an invitation or gift, or authorising a timesheet for a family member.
- You should always tell your manager that you plan to do something – before you do it.

## ACCEPTANCE OF GIFTS AND BENEFITS

- Do not accept any gift or benefit if you think, or a reasonable person could think, that it would influence the way you do your job. Token gifts may only be accepted if the gift is not likely to be seen to be compromising. Token gifts are inconsequential or trivial, generally mass produced, often carry a company logo and are not offered on a frequent basis.
- If you are uncertain the gift can be classed as a token, you should discuss it with your manager or Head of Ministry.
- Gifts of more than \$100 in value must be declared and entered into the ministry's Register of Gifts and Benefits.
- Offers of a gift or benefit made and refused, should be reported to your manager.
- If a gift or benefit is offered to you to influence the way you do your work, you should report this immediately to your manager, Head of Ministry or any of our Province Protected Disclosures Officer (for detail, see the Province wide Policy, titled 'Whistleblower Policy').
- Acceptance of invitations
  - You can only accept an invitation if you and your manager believe that a reasonable person would not think it affected your ability to impartially do your job.
  - If the invitation has a retail value more than \$100, it can only be accepted with the prior approval of your manager. If approved by your manager, these invitations must be registered with the relevant manager for entry into the ministry's Register of Gifts and Benefits as there may be taxation implications.
  - If the invitation is in exchange for you doing something in your official capacity, you must report the matter immediately to your manager, Jesuit Superior/Head of Ministry or any of our Province Protected Disclosures Officer (for detail, see the Province wide Policy, titled 'Whistleblower Policy').

- Take the GIFT test

The GIFT test is a good checklist for all employees when deciding to accept or decline a gift, benefit or hospitality.

- Giver: Who is providing the gift, benefit or hospitality and what is their relationship to me?
- Influence: Are they seeking to influence my decisions or actions?
- Favour: Are they seeking a favour in return for the gift, benefit or hospitality?
- Trust: Would accepting the gift, benefit or hospitality diminish public trust?

If you would like to discuss any aspect of this information, you can speak to either your manager or Head of Ministry.

## MINISTRY RESOURCES

- Our resources are vital to our mission activities and exist solely to help us with those needs. You are expected to be careful, efficient and economical in your use and management of ministry resources, including your work time.
- Ministry resources include:
  - material, equipment and vehicles;
  - cash, cheques, credit cards, accounts and securities;
  - documents, records, data and information; and
  - time and employees.
- As a general rule, ministry resources cannot be used for private purposes without specific permission. However, employees are allowed to have minimal use of the telephones, faxes, photocopiers and desktop and laptop computers, including email and internet access for private purposes.
- Unauthorised interstate and international telephone calls should not be made and you should be aware of the ministry's policy on the use of email and the internet.
- Certain tools and minor items of equipment can be borrowed but prior permission must be obtained from the manager who is responsible for the resources and the loan has to be appropriately recorded.
- Motor vehicles are to be used in accordance with the policies and procedures dealing with the use of vehicles.
- Ministry resources and equipment cannot be used in the course of secondary employment.

## SECONDARY EMPLOYMENT

- We are committed to ensuring that employees undertake their duties with the highest degree of integrity and that no safety risks, conflicts of interest or contractual breaches result from other paid employment. In some cases, secondary employment will not have any impact on an employee's job with the ministry. However, at other times this secondary employment could lead to a real or potential conflict of interest.
- Some of the other major risks associated with secondary employment include fatigue, misuse of resources, security of information, and availability for work.
- Employees who wish to have a second job should apply to their leader by seeking approval from the Head of Ministry. If you have an approved second job, you must while performing that second job:
  - not use ministry resources (such as tools, equipment, computer systems);
  - not use ministry information;
  - be alert for any conflicts of interest, real or perceived, and take appropriate steps to deal with them; and
  - take personal responsibility for your fitness for duty and be certain that the quality of your ministry work is not affected.
- The ministry can require you to cease any secondary employment that adversely affects your employment with the ministry and if you fail to do so, your employment with the ministry may be terminated.