

Fraud and Corruption Prevention and Public Interest Disclosures Procedures

1. Purpose

- 1.1 The Fraud and Corruption Prevention and Public Interest Disclosures Procedures (the procedures) support and implement the [Fraud and Corruption Prevention and Public Interest Disclosures Policy](#) (the policy).
- 1.2 These procedures provide further detail on the framework outlined in the policy for dealing with the fraud and corruption risks faced by UTS. They also provide further detail on UTS's system for reporting disclosures of corrupt conduct, maladministration, serious and substantial waste and government information contravention.

2. Scope

- 2.1 The scope of the policy applies for these procedures.

3. Principles

- 3.1 The principles outlined in the policy apply for these procedures.

4. Procedure statements

Preventing fraud and corrupt conduct

- 4.1 Faculties and units must:
 - maintain current fraud and corruption prevention plans (prevention plan) for their activities, and
 - report by 31 October each year to the relevant member of the Senior Executive on the implementation of their prevention plan.
- 4.2 Prevention plans must include:
 - a fraud and corruption risk assessment (refer [Schedule 3](#) for a fraud and corruption risk assessment template and [Schedule 6](#) for an example of how to complete a fraud and corruption risk assessment template), and
 - an action plan for management of risks (refer [Schedule 4](#) for an action plan template and [Schedule 7](#) for an example of how to complete an action plan template).
- 4.3 Fraud and corruption risk assessments are conducted by using the UTS methodology for the analysis of risks (refer [Schedule 8](#)). Examples of risk that should be considered in conducting fraud and corruption risk assessments are detailed in [Schedule 5](#).

- 4.4 Faculties and units must review their prevention plans (and, therefore, their fraud and corruption risk assessments and action plans) annually to ensure that they remain current and deal effectively with new emerging risks.
- 4.5 If needed, faculties and units may seek assistance in drafting prevention plans from the Director, Risk.
- 4.6 Deans, directors and supervisors are responsible for raising awareness of fraud and corruption risks among staff and affiliates (hereafter staff), including through induction programs, staff development activities, team meetings and the performance management program.

Reporting public interest disclosures

- 4.7 The policy outlines types of disclosures, including what disclosures are regarded as public interest disclosures, to whom a public interest disclosure may be made and the rights and responsibilities of the person making the disclosure.
- 4.8 Staff may ask to meet a nominated public interest disclosures officer in a discreet location off-campus if preferred.
- 4.9 Nominated public interest disclosures officers will refer disclosures to the public interest disclosures coordinator (the coordinator) or the Vice-Chancellor as appropriate. The coordinator or the Vice-Chancellor will then impartially assess each disclosure to determine:
 - whether the disclosure appears to be a public interest disclosure as defined in the [Public Interest Disclosures Act 1994 \(NSW\)](#), and
 - the appropriate action to be taken in relation to the disclosure.
- 4.10 In addition to the rights and responsibilities of staff making a public interest disclosure (outlined in the policy), UTS will provide anyone making a public interest disclosure with a mentor. Mentors are not involved in investigations, rather, their role is to:
 - provide moral support by accompanying staff to any interviews and meetings, and
 - respond to any concerns.
- 4.11 Mentors will be arranged by the coordinator in consultation with the staff member and the People Unit. Mentors may be a senior member of staff or other appropriate person.
- 4.12 Where staff choose not to have a mentor, they may be accompanied by a representative of their own choosing at any meeting convened in accordance with the policy, provided that person is not a barrister or solicitor in private practice.
- 4.13 Nominated public interest disclosures officers and the coordinator will be sensitive to situations that may arise where staff, other than the one making the report (including a person who is mentioned in a disclosure), may need to be offered advice or support.
- 4.14 Confidentiality requirements for public interest disclosures are outlined in the policy.
- 4.15 Staff who believe they have been subject to any kind of unfair treatment because they have made a public interest disclosure in accordance with the policy and these procedures should immediately bring the allegations to the attention of the coordinator

or the Vice-Chancellor. An internal investigation and/or formal disciplinary inquiry may be commenced into the alleged unfair treatment.

- 4.16 Staff who feel that such reprisals are not being effectively managed should contact the [Independent Commission Against Corruption](#) or the [NSW Ombudsman: Public interest disclosures](#).
- 4.17 Supervisors who receive a disclosure that has the potential to be a public interest disclosure, and are not a nominated public interest disclosures officer, should immediately report the matter to a nominated public interest disclosures officer, the coordinator or the Vice-Chancellor (refer [Schedule 1](#)). In line with the policy, it is not appropriate for anyone who receives a public interest disclosure (or suspected public interest disclosure) to do nothing.

Compliant versus a public interest disclosure

- 4.18 A staff complaint is any type of problem, concern or dissatisfaction about a work environment or individual treatment as defined in the [Staff Complaints Policy](#).
- 4.19 Complaints alleging corruption, maladministration, serious waste and government information contravention are managed as an issue of potential fraud or corruption as managed by the policy and these procedures.
- 4.20 It is recognised that, in some instances, after initial investigation for alleged corruption, maladministration, serious waste or government information contravention, a disclosure or complaint may be more appropriately managed in line with the [Staff Complaints Policy](#) or the [Student Complaints Policy](#) (as appropriate).

Making a disclosure (that isn't a public interest disclosure)

- 4.21 The policy outlines how to make other types of disclosures and the rights and responsibilities of those not covered under the [Public Interest Disclosures Act](#).
- 4.22 A disclosure may be made verbally or in writing. Disclosures may be made anonymously, however it is recommended that people making disclosures identify themselves so they may be provided with any necessary protection, support and feedback (in line with the policy).
- 4.23 Anyone subject to any unfair treatment because of making a disclosure that isn't a public interest disclosure in line with the policy and these procedures should immediately bring the allegations to the attention of their supervisor or, if the concerns relate to a supervisor, to the Office of the Director, Risk. If necessary, the allegation may be made to a member of the Senior Executive.
- 4.24 Options for external reporting of public interest disclosures, or the reporting of unfair treatment as a result of making a public interest disclosure, are outlined in the policy.
- 4.25 An internal investigation and/or formal disciplinary inquiry may commence into the alleged unfair treatment.

Investigating concerns of fraud and corruption that are not public interest disclosures (other disclosures)

- 4.26 Information that reveals or tends to reveal fraud or corrupt conduct will be referred to the Office of the Director, Risk.
- 4.27 The Office of the Director, Risk may refer the information to an investigator to undertake a preliminary assessment. The preliminary assessment will advise on what action, if any, UTS should take in response to the information.
- 4.28 Depending on the outcome of the preliminary investigation, the Office of the Director, Risk may:
- advise the Vice-Chancellor that the information should be reported to the Independent Commission Against Corruption (ICAC), having regard to the [Independent Commission Against Corruption Act 1988 \(NSW\)](#) and ICAC's Section 11 Reporting guidelines for principal officers (2022) (available at [All NSW ICAC publications](#)), and/or
 - advise the Vice-Chancellor that the information should be reported to the police.
- 4.29 The Office of the Director, Risk will assist the Vice-Chancellor to report the information to ICAC and/or the police as necessary. No further action will be taken on the matter without the further advice of ICAC or the police (as appropriate).
- 4.30 Once a matter has been reported to ICAC and/or the police, the Office of the Director, Risk may refer the information to an internal or external investigator for further inquiry.
- 4.31 The Office of the Director, Risk will provide the investigator with a letter setting out the terms of reference of the investigation. These terms will include:
- the name of the appointed investigator
 - the purpose of the investigation
 - that the investigation is to be conducted in accordance with:
 - the relevant [Enterprise agreement](#), and
 - ICAC's A guide to conducting internal investigations (2012) (available at [All NSW ICAC publications](#))
 - that the investigator will not interview the person who is the subject of a disclosure without first consulting UTS, and
 - a due date for the investigation report.
- 4.32 On receipt of the investigation report, the Director, Risk will advise the Vice-Chancellor on what further action, if any, should be taken. This may include:
- disciplinary action under the relevant [Enterprise agreement](#)
 - advising the NSW Ombudsman of the matter, and/or
 - advising the NSW Auditor-General of the matter.
- 4.33 Where requested by ICAC, UTS will inform ICAC of the outcome of the investigation and any further action taken.
- 4.34 Staff who report concerns of fraud and corruption will be given feedback in response to their disclosure, including:

- acknowledgement that the disclosure has been received
- a timeframe for receiving further updates
- the names and contact details of the people who can update them regarding the progress of the disclosure
- information regarding the resources and support available to handle the staff member's concerns.

4.35 UTS will maintain a record of all information received that shows or tends to show fraud or corrupt conduct at UTS in line with the policy. The record will contain:

- the name of the person who is the subject of the disclosure
- the unit/faculty of the person who is the subject of the disclosure
- the alleged fraudulent or corrupt conduct
- when the conduct was reported to external bodies
- the outcome of the investigation process, and
- any broader issues identified as part of the investigation process.

4.36 The record will be reviewed regularly by the Director, Risk to identify any areas of concern or trends in the information received.

4.37 The Director, Risk will maintain a register of recommendations made by investigations, internal and external audits and other reviews.

5. Procedure ownership and support

5.1 **Procedures owner:** The Director, Risk has primary oversight of the operation of these procedures in line with the policy.

5.2 **Procedures contact:** The Head, Compliance and Assurance is the primary point of contact for advice on implementing and administering these procedures.

5.3 **Others:**

Nominated public interest disclosures officers ([Schedule 1](#)) are responsible for receiving, forwarding and/or acting on disclosures in accordance with the policy and these procedures. Nominated public interest disclosures officers will:

- clearly explain to people making disclosures what will happen in relation to the information received
- when requested, ensure that disclosures can be made privately and discreetly (if necessary, away from the workplace)
- put in writing and date any disclosures received verbally
- deal with disclosures impartially
- forward disclosures to the public interest disclosures coordinator (or, if appropriate, the Vice-Chancellor) for assessment
- take all necessary and reasonable steps to ensure that the identity of people who make disclosures, and people who are the subject of the disclosures, are kept confidential
- act fairly to people who are the subject of disclosures
- support people who make disclosures and protect them from victimisation, harassment or any other form of reprisal, and

- provide acknowledgement to people making disclosures when organisational objectives are advanced as a result of the report.

The University Secretary as public interest disclosures coordinator (refer [Schedule 1](#)) will:

- provide an alternative internal reporting channel to nominated public interest disclosures officers and to the Vice-Chancellor
- assist management in ensuring that all staff and affiliates are aware of how to make a public interest disclosure using UTS's internal reporting system
- acknowledge receipt of a public interest disclosure to the person making the disclosure within 45 days of receiving the disclosure
- impartially assess each disclosure to determine:
 - whether the disclosure appears to be a public interest disclosure within the meaning of the Act, and
 - the appropriate action to be taken in relation to the disclosure
- consult the Vice-Chancellor and other relevant senior management as appropriate
- be responsible for coordinating any internal investigation arising out of a public interest disclosure, subject to the direction of the Vice-Chancellor
- report to the Vice-Chancellor on the findings of any investigation and recommended remedial action
- take all necessary and reasonable steps to ensure that the identity of people who make disclosures, and people who are the subject of the disclosures, are kept confidential
- act fairly and ensure appropriate support is provided to people who are the subject of disclosures
- ensure people who make disclosures are supported from victimisation, harassment or any other form of reprisal
- provide staff making disclosures with notification of the action taken or proposed to be taken in respect to the disclosures within six months of the disclosure being made
- report suspected or actual corrupt conduct to the Director, Risk and the Vice-Chancellor to enable reporting responsibilities to the ICAC to be fulfilled.

The Vice-Chancellor will handle disclosures with the same care and confidentiality as the public interest disclosures coordinator. The Vice-Chancellor will also:

- ensure the policy and procedures have been communicated to all staff and affiliates
- receive reports from the public interest disclosures coordinator on the findings of any investigation and any recommendations for remedial action, and determine what action should be taken
- have primary responsibility for protecting those who make disclosures, or provide information to any internal or external investigation of a disclosure, from victimisation, harassment or any other form of reprisal
- implement organisational reform identified as necessary following investigation of a disclosure, and
- report criminal offences to the police; actual or suspected corrupt conduct to the ICAC; and evidence of detrimental action to the NSW Director of Public Prosecutions.

Staff and affiliates must ensure the integrity of UTS's management and administrative practices, including by reporting corrupt conduct, maladministration, serious and substantial waste and government information contravention. Staff and affiliates should support those who make genuine disclosures by:

- abstaining from any activity that is or could be perceived to be victimisation or harassment of people who make disclosures, and
- protecting and maintaining the confidentiality of people they know or suspect to have made disclosures.

6. Definitions

The definitions outlined in the policy apply for these procedures.

Approval information

Policy contact	Director, Risk
Approval authority	Director, Risk University Secretary
Review date	2022
File number	UR09/417
Superseded documents	Fraud and Corruption Prevention and Public Interest Disclosures Guidelines

Version history

Version	Approved by	Approval date	Effective date	Sections modified
1.0	Deputy Vice-Chancellor (Corporate Services)	14/07/2010	01/09/2010	New guidelines.
2.0	Deputy Vice-Chancellor (Corporate Services)	30/09/2010	30/09/2010	Amended list of Public Interest Disclosures Officers.
3.0	Deputy Vice-Chancellor (Corporate Services)	30/05/2011	30/05/2011	Amendments to accommodate changes to the Public Interest Disclosures Act 1994 (NSW).
4.0	Deputy Vice-Chancellor (Corporate Services)	30/03/2012	30/03/2012	Amendments to accommodate changes to the Public Interest Disclosures Act 1994 (NSW).
4.1	Deputy Vice-Chancellor (Corporate Services)	02/12/2013	06/12/2013	A minor amendment to the review schedule, from annually to every three years.
4.2	Director, Governance Support Unit (GSU) (Delegation 3.17 (now 3.14.1))	27/05/2016	11/08/2016	Changes to update references to the role of Registrar (part of the 2014 restructure).

	Director, Governance Support Unit (GSU) (Delegation 3.17 (now 3.14.1))	29/07/2016		Editorial amendments to align with UTS governance instrument template, and to update the definition of 'corrupt conduct' in Schedule 2.
4.3	Director, Governance Support Unit (GSU) (Delegation 3.17 (now 3.14.1))	30/05/2017	30/05/2017	Changes to implement 2017 change of name to Jumbunna Institute for Indigenous Education and Research.
4.4	Academic Board	09/08/2017	01/01/2018	'Result Ratification Committee' removed from risk controls in Schedule 6 (risk 1.5), to reflect the abolition of result ratification committees under changes associated with the new Coursework Assessment Policy and Procedures (AB/17-3/52) and changes to UTS Rules (COU/17-4/80).
4.5	Council (COU/22-1/14)	16/02/2022	22/02/2022	Change title from guidelines to procedures. Changes and updates to reflect new ownership under portfolio realignment under Fit for 2027 project. Template update.
4.6	Director, Governance Support Unit (Delegation 3.14.1)	25/08/2022	25/08/2022	Minor amendment to Schedule 1.

References

[Enterprise agreements](#)

[Fraud and Corruption Prevention and Public Interest Disclosures Policy](#)

[Independent Commission Against Corruption](#)

[Independent Commission Against Corruption Act 1988 \(NSW\)](#)

[All NSW ICAC publications](#)

[NSW Ombudsman](#)

[NSW Ombudsman: Public interest disclosures](#)

[Public Interest Disclosures Act 1994 \(NSW\)](#)

[Public Interest Disclosures Regulation 2011 \(NSW\)](#)

[Staff Complaints Policy](#)

[Student Complaints Policy](#)

Schedule 1: List of nominated public interest disclosures officers

Vice-Chancellor

Provost

Chief Operating Officer

Deputy Vice-Chancellor (Education and Students)

University Secretary

Director, Risk

Director, People

General Counsel

Dean, Faculty of Law

Public interest disclosures coordinator

University Secretary

Schedule 2: Definition of corrupt conduct in the Public Interest Disclosures Act 1994 (NSW)

Corrupt conduct in the [Public Interest Disclosures Act 1994 \(NSW\)](#) has the same meaning given to it by the [Independent Commission Against Corruption Act 1988 \(NSW\)](#).

Section 7 Corrupt conduct

- (1) For the purposes of this Act, corrupt conduct is any conduct which falls within the description of corrupt conduct in section 8, but which is not excluded by section 9.
- (2) Conduct comprising a conspiracy or attempt to commit or engage in conduct that would be corrupt conduct under section 8 shall itself be regarded as corrupt conduct under section 8.
- (3) Conduct comprising such a conspiracy or attempt is not excluded by section 9 if, had the conspiracy or attempt been brought to fruition in further conduct, the further conduct could constitute or involve an offence or grounds referred to in that section.

Section 8 General nature of corrupt conduct

- (1) Corrupt conduct is:
 - (a) any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority, or
 - (b) any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or
 - (c) any conduct of a public official or former public official that constitutes or involves a breach of public trust, or
 - (d) any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.
- (2) Corrupt conduct is also any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the exercise of official functions by any public official, any group or body of public officials or any public authority and which could involve any of the following matters:
 - (a) official misconduct (including breach of trust, fraud in office, nonfeasance, misfeasance, malfeasance, oppression, extortion or imposition),
 - (b) bribery,
 - (c) blackmail,
 - (d) obtaining or offering secret commissions,
 - (e) fraud,
 - (f) theft,
 - (g) perverting the course of justice,
 - (h) embezzlement,
 - (i) election bribery,
 - (j) election funding offences,
 - (k) election fraud,

- (l) treating,
 - (m) tax evasion,
 - (n) revenue evasion,
 - (o) currency violations,
 - (p) illegal drug dealings,
 - (q) illegal gambling,
 - (r) obtaining financial benefit by vice engaged in by others,
 - (s) bankruptcy and company violations,
 - (t) harbouring criminals,
 - (u) forgery,
 - (v) treason or other offences against the Sovereign,
 - (w) homicide or violence,
 - (x) matters of the same or a similar nature to any listed above,
 - (y) any conspiracy or attempt in relation to any of the above.
- (2A) Corrupt conduct is also any conduct of any person (whether or not a public official) that impairs, or that could impair, public confidence in public administration and which could involve any of the following matters:
- (a) collusive tendering,
 - (b) fraud in relation to applications for licences, permits or other authorities under legislation designed to protect health and safety or the environment or designed to facilitate the management and commercial exploitation of resources,
 - (c) dishonestly obtaining or assisting in obtaining, or dishonestly benefiting from, the payment or application of public funds for private advantage or the disposition of public assets for private advantage,
 - (d) defrauding the public revenue,
 - (e) fraudulently obtaining or retaining employment or appointment as a public official.
- (3) Conduct may amount to corrupt conduct under subsection (1), (2) or (2A) even though it occurred before the commencement of that subsection, and it does not matter that some or all of the effects or other ingredients necessary to establish such corrupt conduct occurred before that commencement and that any person or persons involved are no longer public officials.
- (4) Conduct committed by or in relation to a person who was not or is not a public official may amount to corrupt conduct under this section with respect to the exercise of his or her official functions after becoming a public official. This subsection extends to a person seeking to become a public official even if the person fails to become a public official.
- (5) Conduct may amount to corrupt conduct under this section even though it occurred outside the State or outside Australia, and matters listed in subsection (2) or (2A) refer to:
- (a) matters arising in the State or matters arising under the law of the State, or
 - (b) matters arising outside the State or outside Australia or matters arising under the law of the Commonwealth or under any other law.
- (6) The specific mention of a kind of conduct in a provision of this section shall not be regarded as limiting or expanding the scope of any other provision of this section.

Section 9 Limitation on nature of corrupt conduct

- (1) Despite section 8, conduct does not amount to corrupt conduct unless it could constitute or involve:
 - (a) a criminal offence, or
 - (b) a disciplinary offence, or
 - (c) reasonable grounds for dismissing, dispensing with the services of or otherwise terminating the services of a public official, or
 - (d) in the case of conduct of a Minister of the Crown or a member of a House of Parliament—a substantial breach of an applicable code of conduct.
- (2) It does not matter that proceedings or action for such an offence can no longer be brought or continued, or that action for such dismissal, dispensing or other termination can no longer be taken.
- (3) For the purposes of this section:

applicable code of conduct means, in relation to:

- (a) a Minister of the Crown—a ministerial code of conduct prescribed or adopted for the purposes of this section by the regulations, or
- (b) a member of the Legislative Council or of the Legislative Assembly (including a Minister of the Crown)—a code of conduct adopted for the purposes of this section by resolution of the House concerned.

criminal offence means a criminal offence under the law of the State or under any other law relevant to the conduct in question.

disciplinary offence includes any misconduct, irregularity, neglect of duty, breach of discipline or other matter that constitutes or may constitute grounds for disciplinary action under any law.

- (4) Subject to subsection (5), conduct of a Minister of the Crown or a member of a House of Parliament which falls within the description of corrupt conduct in section 8 is not excluded by this section if it is conduct that would cause a reasonable person to believe that it would bring the integrity of the office concerned or of Parliament into serious disrepute.
- (5) Without otherwise limiting the matters that it can under section 74A (1) include in a report under section 74, the Commission is not authorised to include a finding or opinion that a specified person has, by engaging in conduct of a kind referred to in subsection (4), engaged in corrupt conduct, unless the Commission is satisfied that the conduct constitutes a breach of a law (apart from this Act) and the Commission identifies that law in the report.
- (6) A reference to a disciplinary offence in this section and sections 74A and 74B includes a reference to a substantial breach of an applicable requirement of a code of conduct required to be complied with under section 440 (5) of the [Local Government Act 1993 \(NSW\)](#), but does not include a reference to any other breach of such a requirement.

Schedule 3: Fraud and corruption risk assessment template

Risk #	Issue / risk	Impact	Likelihood	Inherent risks	Current controls / risk mitigation strategies	OR action needed to minimise risk	Control rating / residual risk
1.1							
1.2							
1.3							
...							

[Fraud and corruption risk assessment template](#) (Word 29kb)

Schedule 4: Action plan template

Risk #	Nature of the risk	Residual risk rating	Action needed	Responsible manager(s) / target implementation date(s)
1.1				
1.2				
1.3				
...				

[Fraud and corruption action plan template](#) (Word 29kb)

Schedule 5: Risks to consider in conducting fraud and corruption risk assessments

Examples of risks that should be considered in conducting fraud and corruption risk assessments include (but are not limited to) the following. University-wide generic risks are identified with (G) in the table below and described in the university-wide risks table that follows.

Risks in divisions

Division	Key responsibilities	Risk areas / events
Division of the Vice-Chancellor and President	Governance Support Unit (GSU)	<ul style="list-style-type: none"> • Misuse of confidential matters and privileged information discussed at meetings, including Council • Exposed to university-wide generic risks
	Internal Audit (GSU)	<ul style="list-style-type: none"> • Manipulation of findings • Exposed to university-wide generic risks
	Advancement	<ul style="list-style-type: none"> • Risks around donations • Exposed to university-wide generic risks
Division of the Provost and Senior Vice-President	Faculties	<ul style="list-style-type: none"> • Falsification of exam and assessment results • Manipulation of student grades through favouritism/bias in the assessment process (ie 'soft marking') • Plagiarism • Theft or leakage of exam papers • Academics could be misdirecting resources, either through running their own businesses or misusing university resources • Academic misconduct or corruption regarding Intellectual Property for Curriculums • Bribery by students • Exposed to university-wide generic risks

Division	Key responsibilities	Risk areas / events
	Centre for Social Justice and Inclusion	<ul style="list-style-type: none"> • Exposed to university-wide generic risks • No formal fraud and corruption risk strategies
	Jumbunna Institute for Indigenous Education and Research	<ul style="list-style-type: none"> • Exposed to university-wide generic risks
Chief Operating Officer (COO) and Vice-President	Data Analytics and Insights Unit	<ul style="list-style-type: none"> • Exposed to university-wide generic risks
	Legal Unit	
	Marketing and Communication Unit	
	Finance Unit	<ul style="list-style-type: none"> • Exposed to university-wide generic risks • Collusion in fraudulent activities • Misuse of travel allowances (G) • Theft of equipment (G) • Misuse of credit cards (G) • Fraudulent payroll transactions (G) • Fraudulent investment transactions • Fees for conferences misappropriated (G)
	Information Technology Unit	<ul style="list-style-type: none"> • Misuse of computers and the internet (G) • Unauthorised access to information (G) • Exposed to university-wide generic risks
People Unit	<ul style="list-style-type: none"> • Lack of training and awareness (G) • Probity checks are not being done 	

Division	Key responsibilities	Risk areas / events
		<ul style="list-style-type: none"> • Misrepresentation of qualifications, skills, experience and citizenship, leading to appointment to higher paid positions than the person would otherwise be entitled to • Manipulation of leave entitlements (G) • Corruption around academic promotions • Exposed to university-wide generic risks
	Property Unit	<ul style="list-style-type: none"> • Theft of equipment • Exposed to university-wide generic risks
Division of the Deputy Vice-Chancellor and Vice-President (International)	UTS International	<ul style="list-style-type: none"> • Improper recruitment of agents • Falsification of qualifications by agents on behalf of students • Exposed to university-wide generic risks
	UTS: IELTS Centre	<ul style="list-style-type: none"> • Exposed to university-wide generic risks
	UTS Shenzhen Research and Innovation Centre	
	Australia–China Relations Institute	
Division of the Deputy Vice-Chancellor and Vice-President (Enterprise)	Corporate Relations Centre	<ul style="list-style-type: none"> • Exposed to university-wide generic risks
	Innovation and Entrepreneurship	
	2SER	
Division of the Deputy Vice-Chancellor and	Institute for Public Policy and Governance	<ul style="list-style-type: none"> • Exposed to university-wide generic risks

Division	Key responsibilities	Risk areas / events
Vice-President (Research)	Institute for Sustainable Futures	<ul style="list-style-type: none"> • Misuse of grants • Theft of intellectual property (G) • Falsification of research results • Abuse of outside employment (G) • Conflict of interest regarding the commercialisation of intellectual property • Fraud regarding funding agreements with industry • Falsification of research results (ie the results or conclusions of research deliberately manipulated or skewed) • Collusion in fraudulent activities • Misuse of travel allowances (G) • Theft of equipment (G) • Fees for conferences misappropriated (G)
	Research Office	
	Graduate Research School	
Division of the Deputy Vice-Chancellor and Vice-President (Education and Students)	Connected Intelligence Centre	<ul style="list-style-type: none"> • Exposed to university-wide generic risks • No formal fraud and corruption risk strategies
	Student Ombud	
	University Library	
	Student Services Unit	<ul style="list-style-type: none"> • Misuse of university assets and resources (G) • Favouritism and fraud in procurement and contracting • Exposed to university-wide generic risks
	Institute for Interactive Media and Learning	<ul style="list-style-type: none"> • Bribes or favouritism within commercial activities/negotiations • Favouritism and fraud in leasing and contracting • Exposed to university-wide generic risks

Division	Key responsibilities	Risk areas / events
	Lifetime Learner Experience Unit (LLE)	<ul style="list-style-type: none"> • Corruption in relation to fees • Risks regarding exams papers and taking exams • Unauthorised access to student records and risk of unauthorised changes in student marks • Possible kickbacks for corruption in the process of admitting students • Exposed to university-wide generic risks
	Activate UTS	<ul style="list-style-type: none"> • Exposed to university-wide generic risks
	Students' Association	<ul style="list-style-type: none"> • Risks around cash handling • No formal fraud and corruption risk strategies
Major related entities		<ul style="list-style-type: none"> • Risks around cash handling • No formal fraud and corruption risk strategies • Exposed to university-wide generic risks

University-wide risks

University-wide generic risks that should also be considered include:

	Generic risk areas / events
University-wide	<ul style="list-style-type: none"> • Misuse of computers and the internet • Unauthorised access to information • Lack of training and awareness • Manipulation of leave entitlements • Theft of intellectual property • Abuse of secondary (outside) employment • Misuse of travel allowances • Theft of equipment • Misuse of credit cards • Fraudulent payroll transactions • Fees for conferences misappropriated

Schedule 6: Example fraud and corruption risk assessment — Lifetime Learner Experience Unit

Risk #	Issue / risk	Impact	Likelihood	Inherent risk	Current controls / risk mitigation strategies	OR action needed to minimise risk	Control rating / residual risk
1.1	Kickbacks for admission or obtaining credit (eg secret commissions paid by fee paying students for admission or recognition of prior learning).	4	3	High 7	<ul style="list-style-type: none"> The selection of most fee-paying students is subject to approval by more than one person Clear standard admission criteria monitored by the Admission Standards Committee 		Effective/ Mod 4
1.2	The theft or leakage of exam papers prior to examinations.	4	3	High 7	<ul style="list-style-type: none"> Robust process for securing hardcopy exam papers Developing and drafting of exam by academic staff under clear rules 	<ul style="list-style-type: none"> Process for faculty exams and in-class tests needs to be assessed and improved. Security of exam papers being prepared by staff needs to be assessed and improved. 	Partly effective/ Mod 5

Risk #	Issue / risk	Impact	Likelihood	Inherent risk	Current controls / risk mitigation strategies	OR action needed to minimise risk	Control rating / residual risk
1.3	The falsification of student identification (ie allowing other people to sit exams for students).	4	3	High 7	<ul style="list-style-type: none"> Requirements for issuing and renewing identification cards are robust Photo ID cards required entering the exam Attendance card to be signed and signature checked to ID 	<ul style="list-style-type: none"> Process for faculty exams and in-class tests needs to be assessed and improved. 	Effective for formal exams/ Mod 5
1.4	Students obtaining assistance during exams	4	3	High 7	<ul style="list-style-type: none"> Confined locations Invigilators adequately trained 1 invigilator for 40 students Electronic detection devices used Robust investigation process 	<ul style="list-style-type: none"> Process for faculty exams and in-class tests needs to be assessed and improved. 	Effective for formal exams/ Mod 5
1.5	Manipulation of student grades during results processing	5	3	Critical 8	<ul style="list-style-type: none"> Formal documented process for processing results 	<ul style="list-style-type: none"> AVR forms are manual and signatures are not being verified. An 	Partly effective/ Mod 5

Risk #	Issue / risk	Impact	Likelihood	Inherent risk	Current controls / risk mitigation strategies	OR action needed to minimise risk	Control rating / residual risk
					<ul style="list-style-type: none"> • Audit trail reports are being reconciled to Faculty reports • Authority to vary results authorisation process 	<p>electronic process where delegations could be controlled and monitored more effectively may be considered.</p> <ul style="list-style-type: none"> • Student results should not be emailed to Sydney from overseas and, if this can't be avoided, it should be encrypted. 	

Risk #	Issue / risk	Impact	Likelihood	Inherent risk	Current controls / risk mitigation strategies	OR action needed to minimise risk	Control rating / residual risk
1.6	Unauthorised changing of student grades in the database.	5	3	Critical 8	<ul style="list-style-type: none"> • CASS system owner determine the level of access for users • Periodic review of access undertaken 	<ul style="list-style-type: none"> • Audit trails within system for grade changes should be developed and/or activated. • Actions by super users in the CASS system should be monitored. • Database administrator actions should be monitored. 	Effective/ Mod 4
1.7	Corruption in relation to student fees management	2	3	Moderate	<p>Following areas have effective controls as per the Internal Audit report 2006:</p> <ul style="list-style-type: none"> • Processing of invoices • Subject/course fee maintenance • Applications for financial assistance (HECS-HELP/FEE-HELP) 		Effective/ Low

Risk #	Issue / risk	Impact	Likelihood	Inherent risk	Current controls / risk mitigation strategies	OR action needed to minimise risk	Control rating / residual risk
					<ul style="list-style-type: none"> • Processing of receipts from students • Refunds and remissions 		

An assessment would also need to be conducted of university-wide generic risks.

Schedule 7: Example action plan — Lifetime Learner Experience Unit

Risk #	Nature of the risk	Residual risk rating	Action needed	Responsible manager(s) / target implementation date(s)
1.2	The theft or leakage of exam papers prior to examinations	Moderate	Process for faculty exams and in-class tests needs to be assessed and improved.	
1.3	The falsification of student identification (ie allowing other people to sit exams for students)	Moderate	Process for faculty exams and in-class tests needs to be assessed and improved.	
1.4	Students obtaining assistance during exams	Moderate	Process for faculty exams and in-class tests needs to be assessed and improved.	
1.5	Manipulation of student grades during results processing	Moderate	AVR forms are manual and signatures are not being verified. An electronic process where delegations could be controlled and monitored more effectively may be considered. Student results should not be emailed to Sydney from overseas and, if this can't be avoided, it should be encrypted.	
1.6	The changing of student grades in the database.	Moderate	Audit trails within system for grade changes should be developed and/or activated. Actions by super users in the CASS system should be monitored. Database administrator actions should be monitored.	

Schedule 8: UTS methodology for the analysis of risks (including fraud and corruption risks)

Consequence of risk occurring

The definitions in the table below classify the consequences of identified risks. For the purposes of fraud risk assessments the focus should be on financial and reputational risks.

Rating description	Financial	Health and safety	Business interruption	Reputation and image	Legal liabilities
Catastrophic 5	Threatens university viability; Above \$40m or >6% of operational budget	Single or multiple deaths	Business interruption greater than 6 weeks	Reputation of the university affected nationally and internationally; front page news. Demand for government inquiry.	Breaches of legislation; (eg financial management act, work cover, EPA, trade practices, corporations law) Found guilty — multiple jail sentences; Fines / claims > \$40m
Major 4	Above \$5m – \$40m or 6% of operational budget	Intensive care hospital	Business interruption between 4–6 weeks	Embarrassment for the university; including adverse media coverage.	Breach of legislation; Found guilty — single jail sentence; Fines / claims between \$5m – \$40m
Moderate 3	Above \$250,000 – \$5m or 2% of operational budget	Injury/hospital	Business interruption between 2–4 weeks	Student, staff and/or community concern; heavy local media coverage.	Breach of legislation; Found guilty — fines / claims between \$250,000 – \$5m
Minor 2	Above \$50,000 – \$250,000 or 1% of operational budget	Injury/treatment	Business interruption between 1–2 weeks	Issue raised by students; staff and/or local press	Breach of legislation; Found guilty — fines / claims between

Rating description	Financial	Health and safety	Business interruption	Reputation and image	Legal liabilities
					\$50,000 – \$250,000
Insignificant 1	Up to \$50,000 or 0.05% of operational budget	First aid	Business interruption up to 1 week	Issue resolved promptly by day-to-day management process	Breach of legislation; Found guilty — fines / claims up to \$50,000

Likelihood of risk occurring

The definitions in the table below are for estimating the likelihood of the occurrence of an identified risk.

Rating description	Likelihood of occurrence
Almost Certain 5	The risk is expected to occur in most circumstances, say many times a month or already is happening.
Likely 4	The risk will probably occur in most circumstances say once a year.
Possible 3	The risk should occur at some time, say once in 3 years.
Unlikely 2	The risk may occur at some time, say once in 10 years.
Rare 1	The risk may occur only in exceptional circumstances.

Assessment of the level of risk (ie combination of consequence and likelihood)

The overall ranking of each risk is a combination of the two characteristics of consequence and likelihood. For example a risk with an extreme consequence but a rare likelihood would result in a high risk ranking.

The conversion of the combination of consequence and likelihood into a risk ranking is achieved by using the following matrix.

	Almost Certain 5	H 6	H 7	C 8	C 9	C 10
Likelihood	Likely 4	M 5	H 6	H 7	C 8	C 9

	Possible 3	M 4	M 5	H 6	H 7	C 8
	Unlikely 2	L 3	M 4	M 5	H 6	H 7
	Rare 1	L 2	L 3	M 4	M 5	H 6
		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
		Consequence				

After the inherent risk has been determined, the controls in place need to be evaluated for adequacy and effectiveness, to determine the residual risk. The effectiveness of controls influence the likelihood of an occurrence and therefore the residual risk will always be lower than the inherent risk, or where no controls are in place, the same.

This matrix provides a guide for UTS to determine which risks are the highest priorities from the perspective of the timeliness of the corrective action required. The following table provides more detail.

LEGEND	
C = critical	Needs active management, planning and decision making at Senior Executive levels of management within 3 months to reduce risk to acceptable levels.
H = high	Senior management attention and action needed within 3 to 6 months to reduce risk to acceptable levels. Existing good controls should be maintained and any additional risk treatment actions required should be defined and implemented.
M = moderate	Line management responsibility must be defined to ensure risks are being monitored and managed effectively. Risk should be monitored in conjunction with a review and improvement of existing controls.
L = low	No major concern and can be managed by routine controls or procedures. Improvements could be implemented depending on resource availability. Significant management effort should not be directed towards these risks.

The matrices and associated legend provide a guide to prioritising any actions that may be required. Note, however, that some high and moderate risks may already be mitigated to the maximum extent possible or practicable in current circumstances. In such situations, no action would be required apart from ongoing monitoring of the situation to identify opportunities to effectively manage UTS's risk exposure.