



# ANTI-FRAUD AND CORRUPTION POLICY AND PROCEDURES

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## Purpose

Acts of fraud and corruption, regardless of their scale, compromise the integrity of Lincoln Education Australia's (LEA's) operations and represent a major risk to LEA. Thus, LEA is committed to preventing, minimising, identifying and responding to fraud and corruption, not only to protect LEA's operations but also to maintain the positive reputation of the Australian higher education sector.

The *Anti-Fraud and Corruption Policy and Procedures* describes the procedures that all LEA staff and students shall follow to prevent and address fraud and corruption.

## POLICY

### Scope

This policy applies to all staff and students at LEA.

### Principles

LEA recognises its obligations under the *Corporations Act 2001* as administered by the Australian Securities and Investments Commission (ASIC).

LEA shall prevent, identify, and address fraud and corruption and foster a culture of integrity, ethics, and trust in its community.

LEA is dedicated to maintaining transparency, impartiality, and confidentiality, and prioritising staff and student welfare throughout these processes.

LEA acknowledges that a report of fraud and corruption from an individual involved in LEA's business operations (a 'whistle-blower') presents an opportunity for improvement. Whistle-blowers will be afforded protections in line with the principles outlined in this policy and LEA's legal responsibilities.

## PROCEDURES

### Responsibilities

It is the responsibility of the Corporate Governance Board to:

- Ensure LEA complies with its own Constitution, policies and procedures
- Maintain up-to-date knowledge of and ensure compliance to relevant Australian laws and regulations



- Inform all staff and students of their rights and responsibilities through induction, orientation, and ongoing training and education
- Regularly review the policies and procedures surrounding fraud and corruption
- Inform staff and students of any changes to policies and procedures
- Review and address reports of fraud and corruption
- Address the underlying causes of incidents and direct Executive Management staff to take specific action or revise policies or processes in light of incidents discovered.

The Corporate Governance Board will delegate certain responsibilities to other positions and bodies within LEA. Refer to the *Governance Framework, Delegations Policy and Procedures*, and the *Delegations Schedule*.

All staff are expected to:

- Abide by general professional and ethical standards
- Understand the policies and procedures surrounding fraud and corruption
- Take all reasonable steps to prevent fraud and corruption, such as declaring conflicts of interest
- Report instances of fraud and corruption in good faith.

## **Prevention and Mitigation**

Key to preventing and minimising the risk of fraud and corruption is a suite of general measures as outlined below:

- Effective risk management processes as per the *Risk Management Policy and Procedures* and *Business Continuity Plan*
- Ensuring that all those involved in operations at LEA are fully informed of their rights and responsibilities through codes of conduct, induction, orientation, and ongoing training and information sessions.
- Maintaining an incident database in which all instances of fraud or corruption are recorded, monitored, and referred to in developing changes to policies and procedures
- Maintaining ongoing internal reporting and auditing processes
- Undertaking regular independent audits of LEA finances by a qualified auditor.

Furthermore, LEA has identified the following high-risk areas for fraud and corruption, and corresponding measures to prevent and minimise the risk of incidents:

### ***Governance***

LEA has a delegations and reporting system defined through a current, approved *Delegations Schedule*, which ensures appropriate oversight and reporting to upper management and the Corporate Governance Board with regard to financial decision making

LEA will ensure that conflicts of interest in governance matters are swiftly and appropriately resolved, as per the *Conflict of Interest Policy and Procedures*.



### ***Accounting, Payroll, and Procurement***

In addition to the governance arrangements described above, LEA will maintain sound financial management processes as per the *Financial Management Policy and Procedures*.

### ***Legal and Regulatory Non-Compliance***

LEA will monitor laws and regulations and ensure that LEA's policies and procedures are compliant, as outlined in the *Compliance Framework Policy*.

### ***Recruitment***

LEA will ensure that recruitment processes are impartial and based on merit as per the *Higher Education Workforce Policy and Procedures*.

### ***Staff Training***

Training, support, and professional development will be offered to all staff members. Those involved in financial decision-making will be provided with specific financial management training and support.

### ***Delegations of Authority***

A framework of delegations of authority will be implemented within LEA to ensure that staff members with the appropriate seniority handle decision-making. See *Delegations Policy and Procedures* and *Delegations Register* for more information.

### ***Academic Misconduct***

As per the *Academic Integrity and Misconduct Policy*, LEA will implement policies and procedures to prevent and address instances of academic misconduct. In addition to this, the *Intellectual Property Policy and Procedures* and *Copyright Policy and Procedures* establish clear procedures to safeguard against breach of intellectual property and copyright law infringements.

### ***Student Admissions and Records***

LEA has established a suite of policies to safeguard against fraud and corruption in student admissions and records, including the *Falsification of Documentation Policy and Procedures*, *Degree Issuance and Replacement Policy and Procedures*, *Admissions Policy and Procedures*, and *Data and Records Integrity Policy and Procedures*.

## **Identification**

### ***Identification Through Monitoring Activities***

Fraud and corruption may be identified during Corporate Governance Board review of reports from LEA's departments, or by independent auditors. In these cases the Corporate



Governance Board will instigate an investigation driven either by a senior staff member or someone independent of LEA.

### ***Reporting***

All members of LEA community are expected to report any instances of fraud or corruption or suspicious circumstances that may indicate an instance of fraud or corruption. Staff may be held liable if they do not report an incident that they have witnessed.

Reports should be made to internal or external auditors, a member of the Risk Management Committee, a director, secretary, or senior manager. Reports may be submitted via three means:

- Email
- Face-to-face meeting with a senior manager
- Externally to the Australian Securities and Investment Commission (<http://www.asic.gov.au/report-misconduct>).

### ***Whistle-Blower Protection***

Any member of the LEA community who reports acts of fraud and corruption will be afforded the following rights:

- Their identity will be kept completely confidential
- LEA will continue to treat them as employees equal to all other employees
- They will not be subjected to any kind of reprisal in response to their report by LEA.
- LEA will, to the best of its ability, protect them from reprisal by others.

### **Response**

Anyone accused of fraud or corruption will be treated with the principles of natural justice and will thus have the opportunity to present their case to a committee.

Disciplinary measures may include:

- Suspension
- Expulsion or termination of contract
- For more serious offences, the incident may be handled by law enforcement authorities

In the event that an incident is to be reported to the policy or regulatory bodies, LEA will cooperate fully and provide the documents required for their investigation.

LEA will seek legal advice for any attempt to recover losses incurred in due to fraud or corruption.

Once the incident is resolved, a report summarising the proceedings will be finalised, added to the incident database, and circulated to the relevant stakeholders. Based on the report of



events, the Finance, Risk & Audit Committee will investigate LEA’s policies and procedures and recommend changes to the Corporate Governance Board to address any issues or loopholes.

## Compliance

All staff and students at LEA are required to comply with this policy and its procedures, and with related policies and respective procedures. Non-compliance may result in a disciplinary action.

<b>File Number</b>	LEA-GEN-COR-70009-D
<b>Responsible Officer</b>	Chief Executive Officer
<b>Contact Officer</b>	Chief Operating Officer
<b>Legislative Compliance</b>	<ul style="list-style-type: none"> <li>• <i>Higher Education Standards Framework (Threshold Standards) 2015</i></li> <li>• <i>Tertiary Education Quality and Standards Agency Act 2011</i></li> </ul>
<b>Supporting Documents</b>	<ul style="list-style-type: none"> <li>• <i>Governance Framework</i></li> </ul>
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• <i>Academic Integrity Policy and Procedures</i></li> <li>• <i>Academic Misconduct Policy and Procedures</i></li> <li>• <i>Conflict of Interest Policy and Procedures</i></li> <li>• <i>Copyright Policy and Procedures</i></li> <li>• <i>Data and Records Integrity Policy and Procedures</i></li> <li>• <i>Degree Issuance and Replacement Policy and Procedures</i></li> <li>• <i>Delegations Policy and Procedures</i></li> <li>• <i>Delegations Schedule</i></li> <li>• <i>Falsification of Documentation Policy and Procedures</i></li> <li>• <i>Financial Management Policy and Procedures</i></li> <li>• <i>Intellectual Property Policy and Procedures</i></li> <li>• <i>Risk Management Policy</i></li> <li>• <i>Compliance Framework Policy</i></li> </ul>
<b>Superseded Documents</b>	
<b>Effective Date</b>	1 January 2022
<b>Next Review</b>	3 years from the effective date

## Definitions

**Corporate Governance:** Framework of structures, rules, relationships, systems and processes through which authority is delegated, accountability is maintained, the directions and targets of the higher education provider are determined and implemented, performance is monitored, risks are identified and managed, and a corporate culture is developed.

**Corporate Governance Board:** Governing body responsible for oversight of all higher education operations, including the ongoing viability of LEA and the quality of its higher education delivery. The Corporate Governance Board guides the Management and delegates responsibility for academic matters to the Academic Board.



**Corruption:** Dishonest act contrary to the interests of LEA and which abuses a position of power or misuses inside information.

**Fraud:** Dishonest act in which an individual or individuals obtain material benefit by deceptive means.

**Finance, Risk and Audit Committee:** Committee of the Corporate Governance Board responsible for monitoring and advising the Corporate Governance Board on key risks relating to sustainability as well as issues relating to the financial performance of LEA.

## Review Schedule

This policy shall be reviewed by the Corporate Governance Board every three years.

Version History			
Version number:	Approved by:	Approval Date:	Revision Notes:
1.0	Corporate Governance Board	17/12/2020	New policy