

# Policy

## Fraud and Corruption Control

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		Position	Signature	Position	Signature	Date
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# 1 Purpose

Seqwater has zero tolerance for corrupt conduct and fraud. This policy position is actively supported by the Executive Leadership Team who “set the tone at the top” and will continue to develop an ethical culture within Seqwater in alignment with our values of integrity, respect, care and courage

This policy outlines Seqwater’s commitment to prevent, detect and respond appropriately to fraud and corruption within and against Seqwater, and the contributions expected of all workers towards this commitment.

# 2 Scope

This policy applies to all Seqwater employees, suppliers, consultants, contractors and stakeholders. Detailed operational guidance for controlling, preventing, detecting and responding to fraud and/or corruption is contained within the Fraud and Corruption Control Procedure ([PRO-01604](#)).

# 3 Definitions

Term	Definitions
Corrupt Conduct	<p>Has the same meaning as corrupt conduct as defined in s15 of the <i>Crime and Corruption Act 2001 (Qld)</i>. Specifically, Section 15(1) - corrupt conduct is conduct that:</p> <ul style="list-style-type: none"> <li>• adversely affects, or could adversely affect, the performance of functions or the exercise of powers of a unit of administration or a person holding an appointment; and</li> <li>• is not honest or impartial; or involves a breach of trust (knowingly or recklessly); or involves a misuse of information; and</li> <li>• would, if proven, be a criminal offence or a disciplinary breach providing reasonable grounds for termination of the person’s employment.</li> </ul> <p>As per s15(2), corrupt conduct is conduct that:</p> <ul style="list-style-type: none"> <li>• impairs, or could impair, public confidence in public administration; and</li> <li>• involves, or could involve: <ul style="list-style-type: none"> <li>- collusive tendering;</li> <li>- fraud relating to an application for a licence, permit or other authority under an Act with a purpose of protecting health or safety of persons, protecting the environment, or protecting or managing the use of the State’s natural, cultural, mining or energy resources;</li> <li>- dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;</li> <li>- evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;</li> <li>- fraudulently obtaining or retaining an appointment; and</li> <li>- would, if proven be a criminal offence or a disciplinary breach providing reasonable grounds for termination of the person’s services, if the person is or were the holder of an appointment.</li> </ul> </li> </ul> <p>For the full definition, including any amendments that may not be reflected above, please refer to s15 of the <i>Crime and Corruption Act 2001 (Qld)</i>.</p>

Term	Definitions
Formal Investigation	<p>In the context of this policy, a formal investigation process involves the appointment or engagement of an investigator by the CEO, or authorised delegate (Fraud Control Officer). The investigation is a focused and detailed examination or inquiry, for which an investigator(s) is appointed to uncover facts and determine the truth of an allegation. This may include accessing, collecting, processing, analysing, storing, and evaluating evidence and providing findings and recommendations. A formal investigation may play an integral role to an effective response to reported fraud or corruption.</p> <p>The final product of a formal investigation is an investigation report which is provided to an appropriate decision maker (normally a General Manager or CEO) for consideration regarding any appropriate action.</p>
Fraud	<p>Means fraud as defined in s408C of the <i>Criminal Code Act 1899 (Cth)</i>.            In addition, the <i>Australian Standard Fraud and Corruption Control AS 8001-2021</i> defines fraud as “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.” The <i>AS 8001-2021</i> definition applies more specifically to organisations, whether public and/or private.            Both definitions apply to Seqwater.</p>
Fraud and/or corruption risk	<p>The effect of possible fraud and/or corruption on the objectives of Seqwater and/or a Seqwater business groups or functional areas.</p>
Natural Justice	<p>Natural justice is an administrative law principle that provides for fairness in decision-making. It is concerned with ensuring that an objective decision maker reaches a procedurally fair decision. Natural justice has two rules:</p> <ul style="list-style-type: none"> <li>• Rule against bias: decision-makers are to be objective, free of bias, and have no personal interest in the matter being decided.</li> <li>• Hearing rule: an individual is to be informed of the substance of an allegation/s against them and have the opportunity to present their case prior to a decision being made.</li> </ul>
Public Interest Disclosure	<p>A public interest disclosure means a disclosure under Chapter 11 of the <i>Public Interest Disclosure Act 2010</i> and includes all information and help given by the discloser to a proper authority for the disclosure.</p>
Unit of Public Administration (UPA)	<p>As defined in section 20 of the <i>Crime and Corruption Act 2001 (Qld)</i>, a UPA is one of the following:</p> <ul style="list-style-type: none"> <li>• the Legislative Assembly, and the parliamentary service;</li> <li>• the Legislative Assembly, and the parliamentary service;</li> <li>• a department;</li> <li>• the police service;</li> <li>• a local government;</li> <li>• a corporate entity established by an Act or that is of a description of a corporate entity provided for by an Act which, in either case, collects revenues or raises funds under the authority of an Act;</li> <li>• a noncorporate entity, established or maintained under an Act, that is funded to any extent with State moneys; or is financially assisted by the State;</li> <li>• a State court, of whatever jurisdiction, and its registry and other administrative offices;</li> <li>• another entity prescribed under a regulation.</li> </ul>

## 4 Roles and Responsibilities

Role	Responsibility
Audit and Risk Committee	<ul style="list-style-type: none"> <li>Discharge the responsibilities set out in the Audit and Risk Committee Charter.</li> <li>Oversee Seqwater’s system of internal controls.</li> </ul>
Chief Executive Officer (CEO)	<ul style="list-style-type: none"> <li>Ultimate management responsibility for Seqwater’s system of internal controls and reporting obligations.</li> <li>Discharge of obligations under the <i>Crime and Corruption Act 2001 (Qld)</i> as a “Public Official”, including s38, “Duty to notify commission of corrupt conduct”. This duty may be delegated to a person other than the CEO as per s48A(2) of the <i>Crime and Corruption Act 2001 (Qld)</i>.</li> <li>Keep the CCC informed of the contact details for the CEO and the Fraud Control Officer (FCO), who is the nominated delegate under s48A(2) of the <i>Crime and Corruption Act 2001 (Qld)</i>.</li> </ul>
General Managers	<ul style="list-style-type: none"> <li>Oversee the assessment and management of fraud and corruption risks relevant to their business groups.</li> <li>Cultivate an ethical culture by leading by example and setting the “tone at the top”.</li> <li>Foster and promote an environment where employees feel confident and comfortable to make a disclosure of wrongdoing.</li> <li>Oversee the development and maintenance of internal controls that prevent or minimise the opportunity of fraud and corruption within their business group.</li> <li>Promote fraud and corruption awareness through team meetings and other means as appropriate.</li> <li>Promptly and appropriately report suspected fraud or corrupt conduct to the Fraud Control Officer (FCO).</li> </ul>
Fraud Control Officer (FCO) (Company Secretary and General Counsel)	<ul style="list-style-type: none"> <li>Oversee the management of the fraud and corruption control framework as outlined in this Policy and the Fraud and Corruption Control Procedure (<a href="#">PRO-01604</a>).</li> <li>Oversee the review of the Fraud and Corruption Control Policy and Procedure periodically, taking into account any incidents, internal audit recommendations and updates to recommended best practice.</li> <li>Report to relevant executive groups and Board committees on the status of the Fraud and Corruption Control Plan.</li> </ul>
Level 3 Manager	<ul style="list-style-type: none"> <li>Lead by example and set clear expectations for performance and conduct.</li> <li>Promptly refer suspected fraud or corruption to the appropriate General Manager or FCO.</li> <li>Respond to employees disclosures of wrongdoing promptly, appropriately and in accordance with the Fraud and Corruption Control Procedure (<a href="#">PRO-01604</a>) and the Public Interest Disclosures &amp; Whistleblowers Policy and Procedure (<a href="#">PRO-01748</a>).</li> <li>Foster and promote an environment where employees feel confident and comfortable to make a disclosure of wrongdoing.</li> </ul>

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Role	Responsibility
All Employees	<ul style="list-style-type: none"> <li>Report suspected fraudulent or corrupt conduct promptly and appropriately in accordance with the Fraud and Corruption Control Procedure (<a href="#">PRO-01604</a>).</li> <li>Conduct themselves in accordance with the Seqwater values as outlined in <i>The Way We Work – Our Code of Conduct</i>.</li> <li>Perform duties as per Seqwater policies, procedures, standards and within the law.</li> </ul>

## 5 Policy

The principles and values outlined in [The Way We Work – Our Code of Conduct](#) underpin the implementation of fraud and corruption control measures within Seqwater. Seqwater’s values align with our ethical culture and strategic approach to controlling fraud and corruption:

**Integrity:** honesty and accountability in the way we work

**Respect:** for our people, the public, the law and Seqwater’s strategic objectives

**Care:** for our people who report concerns and for Seqwater’s objectives, assets and resources

**Courage:** to speak up and report concerns

Fraud and corruption control is everyone’s responsibility in Seqwater. Seqwater’s fraud and corruption control strategy is based on the recognised best practice approach of:

**Prevention** via an ethical culture underpinned by a robust system of controls and effective risk management.

**Detection** as early as possible. This relies on workforce awareness backed up by a robust system of controls and proactive detection mechanisms.

**Response** which is prompt, provides natural justice, minimises or recovers losses and meets legislative reporting and complaint management obligations such as those contained in the *Crime and Corruption Act 2001* (CC Act) and the Crime and Corruption Commission’s (CCC) guideline on managing corrupt conduct (Corruption in Focus, January 2020).

**Compliance** with our policies, procedures, systems, values and the law.

Specific and detailed guidance on the relevant systems and procedures for fraud and corruption control in Seqwater can be found in [PRO-01604](#) Fraud and Corruption Control Procedure.

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## 6 References and Related Materials

Description	Status	Location
Australian Standard for Fraud and Corruption Control AS 8001-2021	Active	Intranet via SAI Global
<i>Crime and Corruption Act 2001 (Qld)</i>	Active	www.legislation.qld.gov.au
<i>Financial Accountability Act 2009 (Qld)</i>	Active	www.legislation.qld.gov.au
<i>Financial and Performance Management Standard 2019 (Qld)</i>	Active	www.legislation.qld.gov.au
<a href="#">POL-00034</a> Gifts and Benefits Policy	Active	Rex & Waternet
<a href="#">POL-00038</a> <i>The Way We Work – Our Code of Conduct</i>	Active	Rex & Waternet
<a href="#">POL-00080</a> Trading in Securities Policy	Active	Rex & Waternet
<a href="#">POL-00147</a> Conflict of Interest Policy	Active	Rex & Waternet
<a href="#">PRO-00040</a> Conflict of Interest Procedure	Active	Rex & Waternet
<a href="#">PRO-01604</a> Fraud and Corruption Control Procedure	Active	Rex & Waternet
<a href="#">PRO-01748</a> Public Interest Disclosure and Whistleblowers Policy and Procedure	Active	Rex & Waternet
<i>Public Interest Disclosure Act 2010 (Qld)</i>	Active	www.legislation.qld.gov.au
<i>Public Sector Ethics Act 1994 (Qld)</i>	Active	www.legislation.qld.gov.au

## 7 Review of this Policy

Seqwater has a commitment to review the Fraud and Corruption Control Policy once every two years.