MISCONDUCT, FRAUD AND CORRUPTION POLICY

ASPIRATION	**Leadership**
RESPONSIBLE DIRECTORATE	CEO
RESPONSIBLE BUSINESS UNIT	City Legal
RELEVANT LEGISLATION	*Local Government Act 1995 (WA)* *Corruption, Crime and Misconduct Act 2003 (WA)* *Public Sector Management Act 1994 (WA)* *Public Interest Disclosure Act 2003 (WA)*

1. Objective

To reinforce the City's commitment to an organisational culture that is free of misconduct, fraud and corruption and demonstrates the City's commitment to the prevention, detection and response to suspected fraudulent or corrupt conduct. The City has zero tolerance for misconduct, fraud or corruption and will take all reasonable steps that are necessary to prevent misconduct, fraud and corruption occurring.

2. Policy

All elected members and employees have a collective responsibility to safeguard against damage and loss through fraud, corruption or misconduct and to support efforts to reduce associated risks by behaving with integrity and professionalism in undertaking their duties.

The City expects its elected members and employees to:

- comply with the Code of Conduct for Council Members, Committee Members and Candidates;
- comply with the Code of Conduct for Employees and Volunteers;
- behave ethically and honestly when performing their functions and during their interactions with each other, the community and all stakeholders of the City;
- comply with the Misconduct, Fraud and Corruption Control Plan which details:
  - prevention, detection and response strategies;
  - clearly defined roles and responsibilities of elected members and staff;
  - identified misconduct, fraud and corruption risks and mitigating controls;
  - reporting and investigation mechanisms; and
  - ongoing awareness training.

3. Influencing Strategies or Plans

- Influencing Strategies or Plans
- City of Armadale Strategic Community Plan 2020-2030
- City of Armadale Corporate Business Plan
- Public Interest Disclosure Guideline
- City of Armadale Fraud & Corruption Control Plan
- Australian Standard AS8001-2021 – 'Fraud and Corruption Control'

4. Applicable Legislation

- Corruption, Crime and Misconduct Act 2003 (WA)
- Local Government Act 1995 (WA)
- Public Sector Management Act 1994 (WA)
- Public Interest Disclosure Act 2003 (WA)

5. Related Codes or Policies

- Code of Conduct for Council Members, Committee Members and Candidates;
- Code of Conduct for Employees and Volunteers.

6. Definitions

Corruption means "dishonest activity in which a person associated with an organisation, such as a director, executive, manager, employee or contractor, acts contrary to the interests of the organisation and abuses their position of trust in order to achieve personal advantage or advantage for another person or organisation. This can also involve corrupt conduct by the organisation, or a person purporting to act on behalf of and in the interests of the organisation, in order to secure some form of improper advantage for the organisation either directly or indirectly" (Australian Standard AS8001:2021 Fraud and Corruption Control).

Corruption is any deliberate or intentional wrongdoing that is improper, dishonest or fraudulent and may include:

- conflict of interest;
- failure to disclose acceptance of gifts or hospitality;
- acceptance of a bribe;
- misuse of internet or email; or
- release of confidential or private information or intellectual property.

Corrupt conduct tends to show a deliberate intent or an improper purpose and motivation and may involve conduct such as the deliberate failure to perform the functions of office properly; the exercise of a power or duty for an improper purpose or dishonesty.

Fraud means "dishonest activity causing actual or potential gain or loss to any person or organisation including theft of moneys or other property by persons internal and/or external to the organisation and/or 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 information or position for personal financial benefit" (Australian Standard As8001: 2021 Fraud and Corruption Control).

Fraud can take many forms including:

- the misappropriation of assets;
- the manipulation of financial reporting (either internal or external to the organisation); or
- corruption involving abuse of position for personal gain.

Misconduct has the meaning given by section 4 of the Corruption, Crime and Misconduct Act 2003 (WA) and can be either minor or serious misconduct as defined within section 3 of the Act.

VERSION CONTROL			
RELEVANT DELEGATIONS	**Nil**		
INITIAL COUNCIL ADOPTION	**20/02/2006**	**REFERENCE**	**D9/2/06**
LAST REVIEWED	**13/11/2025**	**REFERENCE**	**CA3/10/25**
NEXT REVIEW DUE	Click or tap to enter a date.		

CITY OF Armadale

armadale.wa.gov.au