



Policy document

Fraud Control

This Fraud Control Policy establishes guiding principles for the Independent Planning Commission to prevent, detect and properly respond to fraudulent conduct. It complements our Ethical Conduct Policy which seeks to promote a culture of honesty and ethical behaviour.

Our role as the Commission

The Independent Planning Commission of NSW was established by the NSW Government on 1 March 2018 as an independent statutory body operating separately to the Department of Planning and Environment.

The Independent Planning Commission (IPC) is supported by the Office of the Independent Planning Commission (OIPC), which on 1 July 2020 became a separate government agency to the then Department of Planning, Industry and Environment. Except where indicated otherwise, a reference to the Commission in this Policy includes a reference to the OIPC.

The Commission plays an important role in strengthening and maintaining transparency and independence in the decision-making processes for major development and land use planning in NSW. The key functions of the Commission include to:

- determine State significant development applications
- conduct public hearings for development applications and other matters
- provide independent advice on any other planning and development matter, when

requested by the Minister for Planning or Planning Secretary.

The Commission is an independent consent authority for state significant development applications and provides an additional level of scrutiny where there are:

- more than 50 public objections
- reportable political donations
- objections by the relevant local council(s).

Purpose of the Fraud Control Policy

To enhance public trust in the Commission and strengthen the Commission's decision making and service delivery, by ensuring systems are in place for preventing, detecting and properly responding to fraud.

Overview

This policy promotes a Commission culture of honesty and ethical behaviour, and complements the Commission's Ethical Conduct Policy, in particular the following **Core Values**:

- **act professionally with honesty**, consistency and impartiality
- **uphold the law**, institutions of government and democratic principles
- **be fiscally responsible** and focus on efficient, effective and prudent use of resources.

It must be applied in conjunction with the Ethical Conduct Policy. It also complements the Commission's Risk Management Policy, and other internal Commission policies and processes; and is

designed to be consistent with the [Audit Office of NSW Fraud Control Improvement Kit \(February 2015\)](#).

This policy applies to all people engaging in Commission activities including Commissioners, OIPC staff, contractors, consultants and suppliers.

Principles

The Commission's guiding principles are to:

- apply a consistent, Commission-wide approach to fraud prevention and deterrence
- ensure that the *Risk Management Policy* requirement — that risks be routinely identified, and strategies and responsibilities for mitigating them be developed and implemented — is applied specifically to fraud prevention, detection and response
- investigate all reports of fraud or fraudulent conduct, and take disciplinary action against perpetrators of fraud when fraud is proven
- provide opportunities for Commissioners and employees to develop their knowledge and skills in ways that will support the above principles
- ensure that communication about fraud-related issues and responsibilities is regular and clear.

Implementation

Implementation occurs through:

- including fraud control in all Commissioner inductions and requiring compliance with this Policy as part of the Commissioner Code of Conduct
- periodically updating Commissioners on fraud control at Commissioners' meetings
- maintaining existing controls, including providing guidance on expected Commissioner hours for cases, and covering fraud in regular Risk agenda items
- regular fraud risk assessments, including post-incident reviews when required
- maintaining fraud control as a specific component of the Risk Register, and associated strategies and responsibilities for fraud prevention and detection
- implementation of a pre-employment screening program, based on *Australian Standard AS 4811-2006 – Employment Screening*, for all new OIPC staff and existing staff who move to senior roles
- regular updating of OIPC staff on their general and specific fraud prevention and detection responsibilities
- segregation of duties for financial processes undertaken by OIPC staff.

Fraudulent conduct

Commissioners or OIPC staff who suspect fraud is occurring, or who see another Commissioner, staff member or Commission-engaged consultant, contractor or supplier acting fraudulently, are expected to report it to the Chair or Executive Director.

Members of the public, including contractors, consultants and suppliers, may report suspected fraud or fraudulent conduct within the Commission by direct contact with the Chair or Executive Director, or via the email ipcn@ipcn.nsw.gov.au.

All persons making a report in good faith may expect that that they will be treated respectfully, that their identity will remain confidential if they so request, and that their report will be investigated.

Actual or suspected fraud may be referred to the Risk and Compliance Committee, which may advise the Chair on consequential actions.

All allegations of fraud or fraudulent conduct will be investigated in timely fashion in accordance with the Complaints Management Policy and, for staff of the OIPC, the *Government Sector Employment Act 2013* and the *Government Sector Employment (General) Rules 2014*. Anonymous allegations will be investigated, to the extent practicable.

Actual or suspected fraud may also be referred to external bodies (including the NSW Police Force and the Independent Commission Against Corruption (ICAC)) for independent investigation.

The Commission does not tolerate fraud. Conduct that is found to be fraudulent may result in the termination of a Commission member's appointment, a staff member's employment, or the arrangement with a consultant, contractor or supplier. The Commission may also take legal and/or recovery action against the perpetrator.

Responsibilities

Role	Responsibilities
Chair of the Commission	Provide leadership in promoting a culture of honesty and ethical behaviour, with sound systems for preventing, detecting and responding to fraud.
Risk and Compliance Committee	In carrying out its charter, and implementing the Risk Management Policy, ensure that fraud prevention, detection and response systems are regularly reviewed and strengthened.
Executive Director, OIPC	Oversee and report regularly to the Chair on fraud risk management issues, including updates on implementation of the Risk Register fraud risk mitigation strategies. Promote fraud prevention and detection within the Commission. Oversee the day-to-day activities associated with coordinating, maintaining and embedding fraud risk management in the Commission.
All OIPC managers	Ensure staff have the appropriate capability to prevent and detect fraud within their area of responsibility. Identify and communicate potential improvements in fraud risk management practices to the Executive Director.
Commissioners and all staff	Be familiar with, and understand, this policy and the Commission's Ethical Conduct Policy and related Code of Conduct. Minimise opportunities within their area of responsibility for fraud to occur and apply all approved policy and operational work instructions. Report any suspected fraud or fraudulent behaviour in accordance with this policy.



For more information

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