



Safe Places  
for Children

# Anti-Bribery and Fraud Policy

COR-ALL-GOV-POL-005  
Rev 0 : 24/08/2020

*At Safe Places it's all about the young people*

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## 1. INTRODUCTION

### 1.1 Purpose

This is the Anti-Bribery and Fraud Policy for Safe Places Community Services Limited (Company and/or Safe Places). Safe Places is committed to conducting business ethically and honestly with high standards of corporate governance. Safe Places does not accept corrupt and fraudulent conduct associated with its business operations.

Fraud and corruption may impact Safe Places reputation and also may have penalties and criminal prosecution for individuals involved.

The purpose of this Anti-Bribery and Fraud Policy is to set out Safe Places commitment to undertaking business without the use of bribery, fraudulent and/or corrupt practices. The Policy is designed to help employees, consultants, contractors, suppliers, agents, Management and Non-Executive Directors understand what is not acceptable conduct and what standards of conduct are required to protect the person and the reputation of Safe Places.

Failure to comply with this Policy may result in disciplinary action, counselling or dismissal.

### 1.2 Scope

This Policy applies to all Non-Executive Directors, Senior Management, line Management, employees (permanent, casual, temporary and contract), consultants, suppliers, agents and contractors for Safe Places and its subsidiaries and related parties.

Any queries or training required on this Policy please contact the Chief of Corporate Services.

### 1.3 Reference Documents

The following referenced documents are available on the Safe Places intranet in the Management System Library:

- Code of Conduct ([COR-ALL-GOV-POL-001](#));
- Gifts and Benefits Policy ([COR-ALL-GOV-POL-006](#));
- Whistleblower Policy ([COR-ALL-GOV-POL-013](#)); and
- Anti-Bribery and Fraud Key Personnel Certification ([COR-ALL-GOV-FOR-003](#)).

## 2. WHAT IS BRIBERY-CORRUPTION?

Bribery involves the provision of offering or providing an undue benefit to a person with the intention of influencing that person to act in an official representative capacity for the purpose of attracting new business, retaining existing business or securing commercial advantage which is not legitimately due. The bribe could be to the person or a family member. This type of conduct is known as corrupt conduct.

Examples of bribes include:

- A payment of travel related expense for a business partner or a government official or their relative;
- Payments to government officials, gifts to government officials or their relatives;
- Provision of expensive gifts, cash and sponsorship;
- Payment of secret commissions; and

- Unreasonable personal benefit outside business operations.

Bribery is acting to improperly influence individuals to act dishonestly when exercising their duties in their designated position. Essentially, it is an abuse of employment position for personal gain or improper gain for Safe Places.

## 2.1 Gifts, Entertainment and Hospitality

A bribe does not include gifts, entertainment or hospitality that are transparent, culturally appropriate and incapable of being considered an inducement to act dishonestly or in breach of any duty. A gift or hospitality should not be extravagant so as to induce or imply an inducement or intention to influence a business decision. It may not be a defence to a claim that a 'gift' was of a customary nature, so care should always be taken regardless of value.

For more detailed information, refer to Safe Places [Gifts and Benefits Policy](#).

## 2.2 Bribery Laws And Potential Impacts

Various countries have Anti-Bribery Laws. If you undertake bribery this may result in prosecution against you and the Company in Australia and other jurisdictions. As a result, the person providing a bribe and the company they work for will be guilty of breaching Anti-Bribery Laws in multiple jurisdictions (if the bribe is made outside Australia).

In Australia you and Safe Places are subject to Anti-Bribery Laws including the *Criminal Code Act 1995 (Cth)*. For an employee and Non-Executive Directors, to offer or accept a bribe is in breach of this Anti-Bribery and Fraud Policy. Safe Places has a zero tolerance for corruption and bribery.

The financial penalties for bribery offences can be significant and may lead to imprisonment. You should be aware any bribe made or accepted from government officials carries increased financial penalties and risk of imprisonment.

The impact of bribery actions can also include:

- Impact on reputation and business operations;
- Failure to certify compliance with laws for various matters including key financing arrangements;
- Breach of contract provisions for various relationships i.e. compliance with applicable laws; and
- Regulator review and continued oversight.

If you are in doubt whether any actions may constitute bribery you should discuss the circumstances with the Managing Director, Chief of Corporate Services or the Board Chair. Alternatively you may take action under Safe Places Whistleblower Policy if it has a material impact on Safe Places.

## 3. WHAT IS FRAUD?

Fraud is the act or course of deception, an intentional concealment, omission, or perversion of truth to gain unlawful or financial gain or cause financial loss to a party, induce another to part with some valuable item or surrender a legal right. It may include the falsification of documents and improper use of position for personal financial gain.

Examples of fraud include:

- Inappropriate use of cash or payments (diversion);
- Falsifying expense claims or false payment of invoices; and

- Misuse of cash, plant and property, equipment and credit cards.

If you are in doubt whether any actions may constitute fraud you should discuss the circumstances with the Managing Director, Chief of Corporate Services or the Board Chair. Alternatively you may take action under the [Whistleblower Policy](#) if it has a material impact on Safe Places.

## 4. RESPONSIBILITIES

### 4.1 The Board

The Board has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

The Chief of Corporate Services has primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

### 4.2 Employee Obligations

All employees are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.

Safe Places employees and Non-Executive Directors must not use their employment position to undertake fraud and corruption. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

In addition, employees and Non-Executive Directors can assist in minimising fraudulent corrupt conduct by:

- Being aware of responsibilities (acting in accordance with policies and job descriptions in an ethical and honest manner);
- Complying with Safe Places [Code of Conduct](#);
- Not accepting bribes or facilitation payments or committing fraudulent acts;
- Acting in the best interests of Safe Places;
- Undertaking reporting of possible fraudulent or corrupt conduct; and
- Not providing bribes, gifts or undertaking fraudulent acts with third parties in the procurement of goods and provision of services.

### 4.3 Annual Certification By Key Personnel

All key personnel as listed below or equivalents for Safe Places will provide the Chief of Corporate Services an annual declaration that will certify:

- They have complied with the Safe Places Anti-Bribery and Fraud Policy;
- They have not accepted bribes or facilitation payments or committed fraudulent acts;
- They have reported possible fraudulent or corrupt conduct; and
- They have not provided bribes, gifts or undertaken fraudulent acts with third parties in the procurement of goods and provision of services.

The Chief of Corporate Services will be responsible for ensuring all [Anti-Bribery and Fraud Key Personnel Certification](#) forms are completed by the end of January for the prior 12-month period.

Key personnel for the above includes:

- Non-Executive Directors;
- Managing Director;
- Chief Financial Officer;
- Chief of Corporate Services;
- Chief Operations Officer;
- Acting Chief Executive Officer; and
- Chief of Staff.

## 5. MANAGING NON-COMPLIANCE

### 5.1 Reporting

Safe Places encourages all persons to report fraudulent and corrupt conduct. If an employee or stakeholder suspects fraudulent or corrupt conduct associated with Safe Places, this can be reported by any of the following options:

- To your direct line Manager;
- The Managing Director, Chief of Staff, Acting Chief Executive Officer, Chief of Corporate Services, Chief Financial Officer or the Board Chair; or
- Alternatively concerns for bribery or corrupt or fraudulent conduct can be raised under the [Whistleblower Policy](#) if it has a material impact on Safe Places.

### 5.2 Reporting In Good Faith

A report may have a serious consequence, such as damage to reputation and career progression. All reports must be made in good faith, with reasonable facts believing the information is correct or likely to be correct. Safe Places will investigate all reports under this Policy. Disciplinary action may be taken against employees who deliberately make a false, malicious or unsubstantiated incorrect allegation under this Policy.

### 5.3 Investigation and Assessment

The Acting Chief Executive Officer, Chief Financial Officer, Managing Director and/or Chief of Corporate Services will investigate the claim (if it is about either of these individuals it will be assessed by the Managing Director). The Chief of Corporate Services will notify the Board of the allegation and provide a report and copy of investigation files to the Chair of the Audit Committee.

All fraud and corruption notifications under the [Whistleblower Policy](#) will be subject to the provisions of the Whistleblower Policy. The investigation report will be provided to the Audit Committee for recommendation by the Audit Committee to the Board on the matter.

If the fraudulent or corrupt conduct relates to a person in authority for reporting or investigation, then that person will be replaced by the Board for the process. If a report involves a Non-Executive Director, the Managing Director for the Safe Places Board must be notified immediately. If a report involves the Managing Director, the Chair of the Audit Committee must be notified immediately.

### 5.4 Resolution

Safe Places will take prompt action if investigation requires. This may include disciplinary action and reporting to regulatory bodies or law enforcement bodies.

## 6. DOCUMENT REVISION CONTROL

Management will review this Policy at least annually and recommend changes to the Board for approval (if any).

Revision	Date Approved	Description	Policy Owner	Approved By
0	24/08/2020	The policy was approved by the Board on 24/08/20. This version has been reformatted however the intent of the policy has not changed.	Chief of Corporate Services	Board