

# Prevention of Fraud and Corruption Policy and Procedure

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## 1. Purpose and Scope

The purpose of this document is to outline the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) policies and procedures to prevent fraud, bribery, and corruption as an integral part of college operations in all countries that it operates in. This policy applies to all Directors, Office holders, Fellows, members, affiliates, associates, trainees, staff, sponsors, volunteers, and all external third-party suppliers or contractors that engage with RANZCOG. This policy aligns with several RANZCOG policies and documents, including but not limited to the Constitution, Code of Conduct, all applicable policies relating to the management of finances, and the RANZCOG Risk Management Framework. The policy applies to all activities and operations carried out by RANZCOG, including, but not limited to:

- Education and training
- Assessments
- Professional development
- Membership services
- Research and policy
- Events
- Sponsorships
- Philanthropic activities
- Project work
- Overseas activities

## 2. Definitions

**Fraud** is dishonestly obtaining a benefit, or causing a loss, by deception or other means.

**Benefit** refers to tangible items, such as money or objects, and intangible benefits including power, status, or information.

**Corruption** is the offering, giving, soliciting, or acceptance of an inducement or reward that may improperly influence the action of a person or entity. Instances of corruption include bribery, conspiracy, and extortion.

**Fellow, member, affiliate, associate, and trainee** have the same meaning as set out in the RANZCOG Constitution.

**Staff** is any person conducting work for the college including permanent, temporary, and casual employees, consultants, contractors, and third-party hires.

For brevity, the broad terms **members**, **staff** and **representatives** will be used to cover the groups that the policy applies to.

### 3. Key Considerations

In its role as a specialist medical college for Obstetricians and Gynaecologists in Australia and Aotearoa New Zealand, RANZCOG trains specialists and supports ongoing professional development of fellows and members through their career. RANZCOG also plays an important role in progressing women's healthcare through advocacy, philanthropy, partnerships, project work, research, and policy development. RANZCOG also supports education and capacity-building in Obstetrics and Gynaecology internationally, particularly in the Asia-Pacific region. In all its operations, it is the responsibility of the College to ensure transparency, and to take the requisite measures to avoid fraud and corruption. Fraud and corruption are regulated by several laws in Australia and Aotearoa New Zealand, including the Australian Commonwealth and State criminal codes, Corporations legislation, the Companies Act 1993 (AoNZ), the Crimes Act 1961 (AoNZ), and common law. RANZCOG is committed to adhering to all laws and standards that regulate fraud and corruption.

## 4. Policies

### 4.1 Standard Requirements

To ensure its credibility as the peak body in Obstetrics and Gynaecology, and to uphold of the trust and confidence of its members and of the public, RANZCOG must be free of undue influence or conflicts, and in control of the decisions it makes. To this end, all RANZCOG's operations must align with the following principles:

- Must adhere to all required laws and codes across all its operations.
- Must be aligned with the objects defined in the RANZCOG Constitution.
- Must be aligned with the business objectives, purpose, and values.
- Must be consistent with RANZCOG's strategic plan and pillars.

### 4.2 Fraud

Fraud involves dishonestly obtaining or trying to obtain a benefit or advantage for a person or organisation or causing a loss through deception or other means. Any representative of RANZCOG must not engage in:

- Misuse of position or role to gain some form of tangible or intangible advantage
- Improper use of information or position for personal gain
- Deliberate falsification, concealment, destruction or inappropriate use of information or documentation intended for normal business purposes
- Unauthorised use of RANZCOG finances for personal benefit
- Inappropriate or unauthorised corporate credit card use, either their own or one issued to another RANZCOG representative.
- False accounting practices that misdirect paid or received funds
- False invoicing practices that create fictitious invoices or falsify the value of goods or services provided
- Theft or misappropriation of money or property

All members, staff and representatives of RANZCOG must comply with all college policies and procedures that address the handling of goods and services, financial accounts, payments and delegation schedules. They must also always comply with the RANZCOG Code of Conduct in all their RANZCOG-related engagements.

### 4.3 Corruption

Corruption refers to dishonest activity where the College or representatives engage in offering, giving, soliciting, or accepting an inducement or reward that may improperly influence the action of a person or entity. Instances of corruption include bribery, conspiracy, and extortion. Any representative of RANZCOG must not engage in:

- The offer, payment, solicitation, or receipt of secret commissions, bribes, and kickbacks, which may be paid as money or another form of value, and which may generally relate to a specific decision or action by the receiver
- Release of confidential information for other than a proper business purpose in exchange for some form of nonfinancial benefit or advantage accruing to the persons releasing the data
- Collusive tendering (the act of multiple tenderers for a particular contract colluding in preparation of their bids)
- Payment or solicitation of donations for an improper political purpose
- Actions that represent a serious conflict of interest, which could involve a member, staff, or other representatives of RANZCOG acting in self-interest rather than the interests of the College
- Manipulation of the procurement process by selectively providing information to some bidders and not to others
- Receipt or provision of facilitation payments, gifts or entertainment intended to achieve a specific or generic commercial, strategic or operational outcome
- Serious nepotism and cronyism where the appointee is inadequately qualified to perform the role to which they have been appointed
- Causing, contributing to, or being directly linked to modern slavery (defined broadly as all forms of human trafficking, forced labour and slavery-like practices), which can be closely linked to corruption or fraud
- Bribing government officials and authorities (locally or in foreign jurisdictions) for any reason, including securing a contract to supply goods or services.

### 5. International transactions and operations

RANZCOG engages in international activities, predominantly in the Asia-Pacific, through its Global Health and Foundation business units. Activities primarily relate to funded support of projects, scholarships or initiatives that help build capacity, enhance education and training, enable professional development, and benefit the local communities. All RANZCOG's overseas activities must comply with relevant Australian legislation, and avoid risks related to the financing of terrorism and money laundering. To ensure good practice in all financial dealings, RANZCOG must:

- Conduct financial transactions where possible through regulated financial institutions
- Maintain oversight of all the Global Health activities and keep records of assistance provided to partners and any third parties
- Conduct follow-up checks including in-country reporting and, based on the level of risk internal and external audits, to ensure assistance is delivered as intended and financial records are accurate.

The funding of Global Health or Foundation activities must exercise due diligence. This will include checking that those receiving funding or support are not identified terrorist individuals or organisations, or associated or affiliated with terrorist individuals or organisations by consulting 'proscribed lists':

- Department of Foreign Affairs & Trade 'Consolidated List' of persons and entities subject to a targeted financial sanctions Consolidated List | Australian Government Department of Foreign Affairs and Trade (dfat.gov.au)
- Australian Government 'List of Terrorist Organisations': Listed terrorist organisations (nationalsecurity.gov.au)
- The World Bank's Listing of Ineligible Firms and Individuals: <https://www.worldbank.org/en/projects-operations/procurement/debarred-firms>
- The Asian Development Bank's Sanctions List: <https://www.adb.org/site/integrity/sanctions>

Where funds are provided to program partners or other external parties, RANZCOG must:

- Use its best endeavours to confirm their identity, credentials, and good standing, including, where appropriate, obtaining police and reference checks
- Establish funding agreements with specific deliverables and timeframes for any such funding activity.
- Seek financial acquittal reports and progress reports to ensure that funds are being used appropriately for the purposes set out in the funding agreements
- use its best endeavours to ensure that the program partner is aware of, and seek assurance that the partner will comply with, all applicable laws (whether within Australia or overseas) in respect of counter terrorism and anti-money laundering, as well as relevant RANZCOG policies.

### 5.1 Governance of international transactions and operations

The RANZCOG Global Health Committee and the RANZCOG Women's Health Foundation Committee are accountable to the Board for fulfilment of duties and responsibilities under international transactions and operations related to these areas, as well as overall risk management of Global Health or Foundation activities. The Committees' proceedings are recorded in minutes and reported to the Board and Council.

## 6. Roles and Responsibilities

The Board, Chief Executive Officer and the Executive Leadership team are responsible for fraud and corruption control at the College. All RANZCOG members, staff and representatives are responsible for promoting a corruption and fraud-free operating environment. Indicative responsibilities of specific groups and roles have been set out below. This is not intended to be definitive or limiting.

### 6.1 Board

The Board must ensure that management implements a sound system of fraud and corruption management and internal control which, in all material respects, implements the policies adopted by the Board. The Board must acknowledge the importance of ensuring that matters within the scope of this Policy are dealt with under the Policy, the principles of procedural fairness, and the overriding obligations imposed by applicable law.

### 6.2 Governance, Finance, Audit and Risk Management (GFARM) Committee

The FARM Committee must monitor the implementation of the risk management framework by:

- a. Receiving and reviewing regular reports from management, external auditors, legal counsel, regulators, and consultants as appropriate.
- b. Monitoring fraud and corruption within the risk register.

### 6.3 Chief Executive Officer (CEO)

The CEO is tasked with ensuring that the fraud and corruption prevention policy is understood, adopted, complied with, and effective at all levels of the College. The CEO is responsible for making any reports and disclosures relating to fraud and corruption required by law or regulation.

### 6.4 Executive Leadership Team (ELT)

The ELT are tasked with ensuring that:

- a. All fraud and corruption risks in their areas of responsibility are identified, understood, and responded to following the fraud and corruption policy
- b. Internal control systems in their areas of responsibility operate effectively
- c. Any inconsistencies, conflicts, and gaps in the College's fraud and corruption prevention activities and internal control systems are identified and addressed
- d. New and emerging risks are identified, assessed and responded to as appropriate
- e. Ownership of fraud and corruption risks and control activities are assigned as appropriate

### 6.5 Executive Director, Finance, STP and Risk

The Executive Director, Finance, STP and Risk is responsible for supporting the CEO in ensuring that:

- a. Fraud and corruption prevention policies are understood and coordinated across the College
- b. Fraud and corruption prevention processes are implemented and working effectively
- c. Collation and recording of fraud and corruption risks identified and treatment strategies in the Risk Register
- d. Educating Board, management, and employees on fraud and corruption management principles and procedures
- e. Monitoring of compliance with the fraud

They will also provide support to the CEO, GFARM and ELT by:

- a. Providing advice on appropriate fraud and corruption management procedures throughout the College
- b. Assisting in the identification of stakeholders and parties affected by potential fraud and corruption risks
- c. Reviewing fraud and corruption risk analyses and risk treatment plans and advising on potential treatment strategies
- d. Coordinating and monitoring the provision and completion of fraud and corruption training by all relevant personnel
- e. Ensuring that processes are in place to notify partner organisations of our expectations of their capacity and processes on fraud and corruption awareness
- f. Ensuring processes are in place to monitor the probity of procurement procedures

### 6.6 College Bodies

College bodies are tasked with identifying potential fraud and corruption risks and advise their relevant member of ELT accordingly. College bodies must comply with all College policies, frameworks, and guidelines.

## 6.7 Staff

Staff are responsible for adhering to the requirements and directives set out within this Policy, and any other associated policies and documents.

## 7. Reporting and investigation

RANZCOG is committed to timely reporting and responding to any concerns, suspicions, or allegations of corruption or fraud. All personnel must report concerns, immediately or as soon as practical, to the Chief Executive Officer or Executive Director of STP, Finance and Risk who will take appropriate action, including reporting to relevant authorities. Reports will align with RANZCOG's policies and escalation processes. The CEO and the Executive Director of STP, Finance and Risk will provide directions on the most appropriate reporting and escalation mechanisms on a case-by-case basis.

If alleged fraud or corruption is identified and relates to donor funds, it must be reported to the donor as soon as reasonably possible. All suspected or detected frauds related to funding by the Department of Foreign Affairs and Trade (DFAT) are required to be reported to within 5 days of becoming aware of the allegation.

RANZCOG will engage external resources as considered necessary to be able to conduct the investigation. RANZCOG will co-operate with authorities if any legal, regulatory or criminal investigations or proceedings are brought in relation to actual or suspected conduct contrary to anti-bribery and corruption laws, including in respect of RANZCOG People and our business partners.

## 8. Non-compliance

All members, staff and representatives are expected to comply with this Policy when representing RANZCOG in any dealings with commercial third-parties, suppliers, vendors, agents, contractors, government officials or any other stakeholders.

Any breach of this Policy may have serious consequences including disciplinary action, termination of employment, and/or criminal prosecution. RANZCOG representatives should be aware that the payment of a bribe, or any other corrupt conduct in relation to a government, could become subject to an investigation under the relevant laws in Australia and Aotearoa New Zealand.

Version	Date of Version	Pages revised / Brief Explanation of Revision
v1	March 2023	Policy developed

Policy Version:	Version 1
Policy Owner:	Chief Executive Officer / Executive Director, STP, Finance and Risk
Policy Approved by:	Board and ELT
Review of Policy:	March 2025