

Policy number	2	Version	3.0
Drafted by	Rebecca Bromhead & Deirdre Looney	Approved by Board on	11/03/2022
Responsible person	AMS Board	Scheduled review date	21/02/2024

Introduction

Australian Marist Solidarity (AMS) is the international development arm of the Marist Brothers Province of Australia and the Marist Association of St Marcellin Champagnat. It has a particular focus on empowering young people to transform their lives and community. Promoting the dignity of the human person, as safeguarded by internationally recognised human rights conventions, is a core value of AMS.

Not-for-profit organisations, like their commercial counterparts, may be subject to fraudulent activity, corruption and money laundering and must therefore implement effective prevention strategies to minimise legal and financial exposure.

Purpose

The purpose of this policy is to:

- Provide all AMS stakeholders with information on what constitutes financial wrongdoing, with explicit reference to fraud, corruption and money laundering;
- Set out the responsibilities that are incumbent on staff members and project partners for the management and reporting of issues that may constitute financial wrongdoing; and
- Express a clear statement to AMS stakeholders forbidding financial wrongdoing for individual or organisational benefit.

Scope

This policy applies to all Board and committee members, staff, project partners, contractors, consultants, volunteers, visitors, interns and other stakeholders who operate under the auspices of AMS.

Definitions

AMS accepts the definitions provided by the Australian Council for International Development (ACFID) and uses these in the development of this list of definitions.

Financial wrongdoing is illegal or immoral behaviour that divert resources from their intended goals. This is often related to financial resources, but could also include actions to gain non-monetary benefits such as status, control or power. There are various forms of financial wrongdoing, but this policy applies in particular to fraud, corruption (including bribery) and money-laundering.

Fraud is the use of one's occupation for personal enrichment through deception or the deliberate misuse or misapplication of an organisation's resources or assets.

Corruption is the abuse of entrusted power for private gain.

Bribery is the offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages.

Money Laundering is the process of concealing the origin, ownership or destination of illegally or dishonestly obtained money and hiding it within legitimate economic activities to make them appear legal.

Whistleblower is a member of staff, volunteer, contractor, partner or director who reports suspected wrongdoing, including suspicion of fraud, misuse of resources, neglect of duties or a risk to health and safety.

Financial wrongdoing includes, but is not limited to the following:

- Any dishonest or fraudulent act;
- Misappropriation of funds, securities, supplies or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Disclosing confidential and proprietary information to outside parties;
- Accepting or seeking anything of material value from contractors or persons providing services or materials to AMS;
- Destruction, removal or inappropriate use of records, furniture, fixtures or equipment;
- Any similar or related irregularity;
- Providing false or misleading information;
- False accounting;
- Wrongfully using information or intellectual property;
- Bribery, corruption or abuse of office.

Policy

AMS promotes a culture of honesty, integrity and trust and has zero tolerance for financial wrongdoing, misconduct, dishonesty, fraud, corruption or money laundering within its operations. It is committed to responsible stewardship of the resources that it holds on behalf of the communities it services. AMS commits itself to minimising the risk of financial wrongdoing and to promoting transparency within its operations according to the following guidelines.

1. AMS prohibits illegal activity, including fraud, corruption, bribery and money laundering by all who operate under the auspices of or in partnership with AMS.
2. AMS will ensure that all stakeholders are aware of their obligation to act in an honest manner; to assist in the control and mitigation of financial wrongdoing; and to report any suspicious behaviour to the appropriate authority.
3. AMS maintains effective prevention, control, detection and reporting measures to avoid and respond appropriately to financial wrongdoing hazards. AMS completes a check of individuals and organisations receiving funds against the DFAT consolidated list of individuals and entities subject to targeted financial sanctions.
4. Any suspected financial wrongdoing activity or irregularity will be fully investigated objectively, as deemed necessary, regardless of the position, title, length of service or relationship with the organisation of any party who might be the subject of such investigation.
5. Any serious case of financial wrongdoing will be reported to the police or other relevant authorities.
6. Any incident of financial wrongdoing relating to funds from a grant partner to that partner will be reported in line with the requirements of the relevant grant agreement.

Implementation

The implementation of this policy will be guided by the AMS Operations Manual.

Reporting and Investigation

All those operating under the scope of this policy, have a responsibility to report and prevent financial wrongdoing, fraud, corruption or money laundering and should report any suspected incidents to the Chief Executive Officer (ams.ceo@marists.org.au). The Chief Executive Officer has the primary responsibility for the investigation of all alleged breaches of this policy unless they are the subject of the allegation, in which case the allegation will be reported to the AMS Board Chair to determine the appropriate course of action.

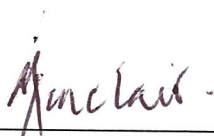
Monitoring & Review of Policy

AMS will undertake a review of this policy in accordance with the AMS Policy Review Process as it appears in the AMS Policy & Procedures Register or sooner if required. Reviews will initially be undertaken by the CEO and AMS staff, with oversight by the AMS Finance & Risk Committee and final approval by the AMS Board.

Related Resources

- AMS Risk Management Policy, Matrix and Register
- AMS Transparency Policy
- AMS Counter-Terrorism Policy
- AMS Operations Manual
- AMS Delegations of Authority
- AMS Fundraising and Donations Policy
- AMS Complaints Handling Policy
- AMS Whistleblower Policy
- AMS Privacy Policy
- AMS Conflict of Interest Policy
- ACFID Code of Conduct (Quality Principle 8)
- ACNC Governance Standards
- ACNC External Conduct Standards
- Australian Criminal Code Act 1995 (Cth)
- Anti-Money Laundering and Counter-Terrorism Financing Act 2006

Authorisation



Signature of Board Secretary

Michael Sinclair

Name of Board Secretary

11/03/2022

Date of approval by the Board