



**ACT**  
Government

# PLANNING DELIVERY DIVISION

INTEGRITY PLAN 2020-22

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## POLICY STATEMENT

The Planning Delivery Division within the Environment, Planning and Sustainable Development Directorate performs statutory decision-making functions on behalf of the planning and land authority and other planning and land administration functions.

As identified in the Portfolio Fraud and Corruption Prevention Plan 2019-21 (FCPP), the Division has a zero-tolerance policy towards matters of integrity, including unlawful behaviours or corrupt conduct by staff, contractors, third-party service providers, and clients.

This Plan applies to all staff within the Division including:

- Permanent and temporary ACT Government personnel and Executives of the Division;
- Non-government personnel including contractors and consultants acting for, or on behalf of, the Division.

This plan also recognises that many of the Division's functions involve engagement with external personnel such as professional consultants, referral entities and other ACT Government agencies. The statutory and professional relationships with these bodies external to the Division raise their own set of potential integrity issues which is addressed through this Plan.

## PURPOSE

### OUR INTEGRITY COMMITMENT

The Planning Delivery Division (the Division) Integrity Plan 2020-22 (the Plan) has been developed to outline the Division's commitment to integrity, promote transparent and open business processes and raise awareness of response measures and policies to be adhered to in the face of integrity issues, such as fraud, corruption and corrupt conduct. Simultaneously, the operational aim of the Plan is to assist staff within the Division to prevent, detect and report suspected fraud, corruption and corrupt conduct and guide the management of cases where allegations or instances are reported.

The Integrity Plan, Integrity Action Plan and associated risk assessment and risk treatment controls formulate an Integrity Package for the Division, designed to provide a framework for building the capacity of staff with the appropriate knowledge and tools to promote confidence in decision-making and responses that are fit-for purpose.

### OPERATIONAL CONTEXT

The Environment, Planning and Sustainable Development Directorate understands that building public trust is key to upholding organisational integrity. As a global leader in education and government- focused research, the Australia and New Zealand School of Government (ANZSOG) identified in 2019 that there are social good consequences for high functioning trust and the Directorate's integrity vision promotes transparency of integrity functions to build public trust in its policies and protocols.

The Directorate appreciates that if confidence in public integrity is high, it can result in a range of high trust consequences including greater civic participation and social cohesion leading to higher public sector performance, however if public integrity is low, it can result in low trust consequences which can lead to reduced performance. Figure 1.1. below provides an overview of ANZSOG’s analysis of the impact of public trust on public sector performance which provides the context for the Division’s approach to designing this Plan.

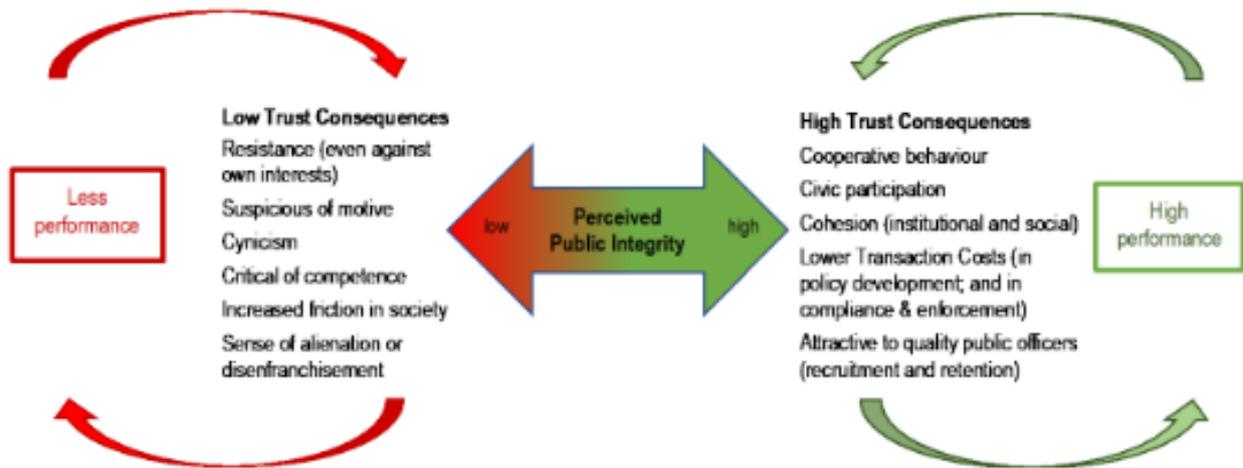


Figure 1.1. ANZSOG Analysis of Public Integrity, Performance and Trust Consequences<sup>1</sup>

This Plan should be read in conjunction with the EPSDD Portfolio Fraud and Corruption Prevention Plan 2019-21 and the Integrity Framework (Framework) which outlines the integrity management response arrangements, activities and obligations required of all staff within the Portfolio. The Framework draws together relevant policies to ensure staff are aware of their responsibilities to act ethically and appropriately recognising the trust of the community.

The ACT Government has introduced the *Integrity Commission Act 2018* which establishes a formal Integrity Commission for the ACT. The Integrity Commission is focussed on the investigation of potential corrupt conduct within the ACT Government and its agencies. This Plan responds to the potential integrity matters that would come before the Integrity Commission and seeks to develop proactive policies, procedures and actions to educate staff, prevent fraud, corruption and corrupt conduct, and mitigate risks.

Integrity risk management forms part of the business planning cycle and contributes to business performance through minimisation of the Division’s risks. This provides assurance to Executives, relevant audit and risk committees, and the public that appropriate risk management is occurring within the Division.

<sup>1</sup> Image, ANZSOG Analysis of Public Integrity, Performance and Trust Consequences/Kirby, N. & Webbe, S./2019/Being a trusted and respected partner: the APD integrity framework, An ANZSOG Paper for the Australian Public Service Review/ <https://www.apsreview.gov.au/sites/default/files/resources/being-trusted-respected-partner-aps-integrity-framework.pdf>. Web 27022020

## PLAN REQUIREMENTS

Consistent with the FCPP, the Division's approach to integrity risk control is based on three elements:

- mitigation
- detection
- investigation and response.

### MITIGATION

The Division endorses integrity control activities and promotes a culture of staff reporting potential cases of fraud, corruption and corrupt conduct.

Executives should ensure that all business processes, particularly those assessed as having a higher predisposition to the risks of fraud, corruption or corrupt conduct, are subject to a rigorous system of internal controls that are well documented, reviewed and updated regularly, and understood by staff.

The accompanying Division integrity risk assessment identifies integrity risks specific to the functions performed in the Division. General fraud and corruption risks are considered through the Portfolio Fraud and Corruption Prevention Plan and Risk Assessment.

The Division risk assessment identifies risks and the current risk treatment controls currently in place. It also identifies additional risk treatment controls which are recommended to be implemented. Together, the risk treatment controls have been combined into an Integrity Action Plan, implementation of which will be overseen by an Integrity Manager. The Integrity Manager is a senior officer within the Division appointed by the Executive Group Manager. An Integrity Officer may also be appointed to assist the Integrity Manager with implementation and administration of the Integrity Action Plan.

### 1. MITIGATION MEASURES

Generally, the Division implements the following integrity risk mitigation measures:

- Standard Operating Procedures and work instructions, are available to staff and brought to their attention by the team leaders, Directors, Senior Directors and Executives
- Staff training, including on fraud, corruption, integrity and ethics
- Fraud, corruption and corrupt conduct control expectations are included in the new staff induction program and regular training and communications
- Division integrity risk assessments are conducted at least every two years
- Staff are made aware of their obligations under the relevant legislation, policies and procedures
- Facilitation of audits and reviews

- Conflict of interest policies and procedures are regularly communicated to staff
- Statutory delegations and internal work classification instructions are regularly reviewed and updated and available to all staff
- Communications with external personnel, including consultants, referral entities and other ACT Government agencies, on integrity matters relating to planning and development, such as conflict of interest procedures and integrity complaint handling processes.

Specific actions, including current actions to be maintained and actions to be implemented, can be found in the Integrity Action Plan.

### **2. STAFF AWARENESS AND TRAINING**

In addition to training provided by EPSDD, the Integrity Manager will provide initial training and information to all staff within the Division about the content of the Plan and their obligations under it. Refreshing training will be provided at least once yearly for all staff.

Staff awareness of the Plan will allow staff to confidently perform their statutory and administrative functions in the planning and development system. New staff into the Division will be made aware of the Plan and their integrity obligations under it through the induction and training process.

### **3. INTEGRITY RISK ASSESSMENT**

An integrity risk assessment measures the vulnerability of an organisation to fraud, corruption and corrupt conduct and is essential for risk mitigation and control. At least once every two years, a targeted integrity risk assessment is to be conducted for the Division.

In the development of this Plan, a Division integrity risk assessment was undertaken, involving senior officers and executives across the Division. The risk assessment also drew on the broader EPSDD Portfolio Fraud and Corruption Risk Assessment. The Division integrity risk assessment identified two key integrity risks, both of which were rated high. These high-level risks were: Failure to protect personal or corporate information; and Misuse of delegations and position in decision-making and processing of applications. The Division integrity risk assessment is provided as an attachment in this document.

The most important outcome of an integrity risk assessment process is the development of an effective risk treatment program that specifically addresses the risks faced by the Division. Treatments should be measured for effectiveness over time.

### **4. ENGAGEMENT WITH THIRD PARTIES**

This Plan and the Division integrity risk assessment recognise that much of the work of the Division involves engagement with external personnel, including professional consultants, referral entities, other ACT Government agencies, people providing representations on applications and the interested public.

This engagement raises the potential for integrity risks, including personal and professional relationships, conflict of interest, process corruption and bias in decision-making. While the risk mitigation and treatments identified in this Plan are largely inward facing to the Division, the Plan also recognises these external integrity risks and identifies actions and communications to raise awareness and address risks external to the Division. While often these are beyond the complete control of the Division, it is considered necessary to raise awareness, and proactively consider, the management of integrity risks within the broader planning and development system.

In the course of its duties, the Division is involved in a number of processes which involve the provision of advice prior to formal determination of an application for a relevant approval. Some examples include the ACT Civil and Administrative Tribunal mediation process, the provision of pre-application advice for development applications under the Planning and Development Act, and the provision of informal advice prior to applications being lodged with the Division.

In all cases, the Division's focus is on determining whether an applicant meets statutory criteria for approval. Any advice given is always subject to assessment and determination through a formal application process.

The Division acknowledges that consultants/applicants seek the best outcome for their client/themselves. The Division also acknowledges that there is a difference between seeking a positive outcome on an application, and improper influence or pressure applied to a decision-maker, or attempting to corrupt an assessment process. This Plan and the associated Integrity Action Plan aims to identify this risk and propose appropriate control measures through assessment policies and procedures and integrity actions.

The Division also acknowledges the regular interactions with people making representations through statutory consultation processes and corresponding with the Division on applications. The Division recognises its role in the planning system is to engage with and assist members of the public, as well as receive relevant information relating to an application. The Division acknowledges that the risks of improper influence, pressure applied to a decision-maker, or attempts to corrupt an assessment process are also relevant when engaging with the general public.

At all times, the Division follows its established internal processes, is guided by the statutory framework and is concerned with procedural fairness in all processes and decisions.

### **5. INTERNAL POLICIES**

Other relevant policies are available on the EPSDD intranet, via objective and through regular all-staff emails. For further information, including a list of policies please refer to the FCPP link within the Additional Resources section of this document.

### DETECTION

As identified in the FCPP, fraud, corruption and corrupt conduct can be detected by establishing effective system controls and by recognising variations from standard practice. In addition, staff cooperation, observation and initiative are important in preventing and detecting fraud, corruption and corrupt conduct in the workplace.

Given the significant engagement with external third parties in the Division, there must be a mechanism to receive complaints and allegations of fraud, corruption or corrupt conduct. The Plan includes processes for receiving complaints and allegations from any person, including internal staff, external third parties, and the general public.

#### 1. FRAUD AND CORRUPTION SIGNALS

Managers and staff should be alert to common signs of fraud, corruption and corrupt conduct.

Signals may include:

- Implausible excuses and reasons for unusual events or actions
- Senior staff involved in routine process work such as purchasing, ordering and receiving goods
- Staff evidently living beyond their means, who have access to funds, or control or influence over service providers
- Staff requesting to assess/determine applications for the same applicant
- Staff who do not take holidays for extended periods
- Potential conflicts of interest not declared
- Staff who treat controls and standard practices as challenges to be overcome or defied
- Unauthorised changes to systems or work practices
- Missing documentation relating to decision-making
- “Blind approval”, where the decision-maker does not consider the merits of an application.

#### 2. REPORTING POTENTIAL BREACHES AND RECEIVING ALLEGATIONS

If a staff member becomes aware of possible fraud, corruption, or corrupt conduct, they are obliged to report their concerns. In the first instance, it is generally best to report any concerns to an immediate supervisor, who is required to refer the report/allegation to the Integrity Manager. The Integrity Manager will liaise with the relevant Division Executives and the EPSDD Legal Services and Integrity team. Any report or allegation of a serious nature, or which requires further investigation, will be referred to the Legal Services and Integrity team. The Legal Services and Integrity will investigate the matter and brief the Senior Executive Responsible for Business Integrity and Risk (SERBIR), as outlined in Section 3 below.

Staff should report suspicions to only those people who absolutely need to know. This protects people from allegations that may not be proven and prevents the possible destruction of evidence.

All staff within the Division may receive complaints or allegations from third parties, such as applicants or the general public. In this instance, the complaint/allegation should be referred to the Integrity Manager to be dealt with as per the process outlined above.

The Integrity Commission Act also includes a mandatory requirement for senior executive service officers to report any matter they suspect, on reasonable grounds, involves serious corrupt conduct or systemic corrupt conduct. It is an offence under that Act to not notify the Commission as soon as practicable where they know that a public official has engaged in serious or systemic corrupt conduct.

### 3. INTERNAL AND EXTERNAL AUDIT

The Division is expected to comply with policies and procedures and are subject to review under their internal audit programs, as well as external audits undertaken by the ACT Audit Office.

Specifically, the Division will undertake audits throughout the life of the Plan to ensure that procedures and processes are being actively implemented and followed by all staff. Audits present an opportunity to detect fraud, corruption or corrupt conduct. The Division executives and Senior officers will consider outcomes to determine process improvements and whether the risk assessment and risk treatments contained in the Integrity Action Plan remain current and effective.

### 4. PUBLIC INTEREST DISCLOSURES

The *Public Interest Disclosure Act 2012* (PID Act) supports the reporting, assessment and investigation of reported wrongdoing by an ACT public servant, including fraud and corruption. The PID Act and procedures adopted by agencies provide a method of investigating allegations, while protecting the individual who has made the disclosure from any reprisals.

Members of the public, as well as current and former ACT public servants may make a public interest disclosure to any ACT government agency.

Disclosable conduct includes activity or conduct (or combination thereof) by an individual or an ACT Public Sector entity that is any of the following:

- Is illegal
- Misuses or wastes public money or resources
- Is misconduct
- Is maladministration
- Presents a danger to the health or safety of the public
- Presents a danger to the environment.

## **5. THE ACT INTEGRITY COMMISSION**

The ACT Integrity Commission is empowered to investigate a wide range of allegations concerning corrupt conduct on the part of ACT public officials and ACT public sector entities dating back to the start of self-government. As described above the Integrity Commission is focussed on the investigation of potential corrupt conduct within the ACT Government and its agencies. The Division will respond to any enquiries from the Commission in a prompt manner.

### INVESTIGATION AND RESPONSES TO INTEGRITY MATTERS

The Division maintains a zero-tolerance approach to all matters of integrity in accordance with the FCPP. In order to coordinate integrity matters and respond immediately if required, all reports, complaints, or allegations on integrity matters should be made or referred to the Integrity Manager in the first instance. The Integrity Manager, in consultation with the relevant Executive, will consider if any immediate risk prevention actions must be taken.

Any report or allegation of a serious nature, or which requires further investigation, will be referred to the Legal Services and Integrity team. The Legal Services and Integrity will investigate the matter and brief the Senior Executive Responsible for Business Integrity and Risk (SERBIR).

Initial investigation into integrity matters will be made by the SERBIR who will determine whether there is any basis for further action. The SERBIR may appoint an officer within the Portfolio to undertake enquiries or may acquire the services of external experts to assist in the conduct of any inquiry. The SERBIR may refer the matter to the police for investigation and potential prosecution.

During investigation processes allegations are assessed to determine whether there is any merit to further investigation and/or referral. The presumption of innocence applies, meaning that people alleged to have committed fraud, corruption and/or corrupt conduct are innocent until proven guilty. People suspected of engaging in fraud, corruption or corrupt conduct will be afforded natural justice.

Following the discovery of fraud, corruption, or corrupt conduct, the SERBIR will determine if an internal control review is required. An internal control review will include a reassessment of the adequacy of the internal control environment (particularly those controls directly impacting on the fraud or corruption incident and potentially allowing it to occur) and will consider whether improvements are required. Where improvements are required, these should be implemented as soon as practicable.

In addition, a staff member committing fraud or engaging in corrupt conduct may be in breach of the *Public Sector Management Act 1994* (section 9) and may be subject to separate disciplinary action. Possible outcomes of disciplinary action range from receiving a warning about the conduct to dismissal.

#### 1. ADVICE TO DIVISION MANAGEMENT

Team Leaders, Directors and Senior Directors are leaders in the Division and are required to display high levels of integrity and probity in their work. They have an obligation to apply the Public Sector Management Act, the Code of Conduct and ACTPS Signature Values and Behaviours, and to make their staff aware of their obligations and appropriate behaviour.

Fraud, corruption or corrupt conduct allegations, or suspected cases, can be extremely sensitive and cause disruption in the workplace and severely damage the reputation of the Division. Allegations remain *allegations* until confirmed, and the presumption of innocence applies.

Discretion is to be maintained and information on fraud, corruption, or corrupt conduct investigations is on a strict need to know basis. The appropriate parties who must be informed will also vary from case-to-case and be subject to change based on the particulars.

All public servants are bound by the *Information Privacy Act 2014* and therefore individuals who have made allegations or are the subject of an investigation are to have their privacy protected, in accordance with the Information Privacy Act and Information Privacy Policy.

Team Leaders, Directors and Senior Directors should provide support to their staff and may wish to encourage staff who have made an allegation or are the subject of an allegation to seek assistance from the Employee Assistance Program.

## 2. RECORDS OF REPORTS

All reports of fraud, corruption or corrupt conduct are recorded on the EPSDD Fraud and Corruption Incident Register for each entity within the Portfolio, which is maintained by Legal Services and Integrity. These registers are updated regularly to reflect the outcome of investigations into each incident.

Legal Services and Integrity prepares a report for the SERBIR for EPSDD's Audit Committee on allegations of fraud and/or corruption and their assessments and investigations. A summary of each incident is also recorded in Annual Reports.

## CONTINUOUS IMPROVEMENT

### MONITORING AND REVIEW

Continuous improvement of processes, procedures and operations is a priority for the Division as a central component of quality management of its activities. For this reason, the Plan endeavours to embed mechanisms for ongoing monitoring, review and evaluation to ensure Divisional processes and the Plan itself maintain currency to achieve the intended purpose.

In alignment with this aim, the Division commits to reviewing delegations, standard operating procedures and work instructions at least annually (or more frequently as required) to ensure documents remain appropriate to business needs and are used appropriately.

As the Division's functions change and evolve, new systems and processes are introduced or modified, then the risk of possible fraud or corruption may increase. Every change presents the possibility of new or altered business risks and changes must therefore be subjected to the risk assessment process. This includes an assessment of any change of general integrity risks, including fraud and corruption risks, and addressing fresh or revised measures to control or manage those risks.

The Integrity Manager, after consulting with Senior Directors, Directors and Team Leaders, will provide half yearly reports to the Executive Group Manager, Planning Delivery on the implementation of the Plan. In addition, the respective audit committee may initiate audits designed to measure or monitor the implementation of the Plan or associated aspects of fraud and corruption.

The Plan itself will be reviewed at least once every two years, including undertaking an integrity risk assessment.

Documents created or used during the management of an alleged integrity incident will be stored in an electronic document and records management system (EDRMS) in accordance with the *Territory Records Act 2002*. Access to relevant files should be restricted in accordance with the relevant permissions policy. Personal information will be collected, used and disclosed in accordance with the *Information Privacy Act 2014* and the Information Privacy Policy.

Data and statistics, with personal information removed, may be generated to assist with reporting on the management of allegations related to integrity and their investigations.

## PLAN EVALUATION

The Plan will be evaluated periodically to ensure it remains fit-for-purpose by delivering on the Division’s integrity commitment. Evaluation of the effectiveness of the Plan will be in accordance with the outcome measures below and will be undertaken with the monitoring and review of the Plan.

<b>OUTCOME MEASURE</b> <i>What will be measured to determine achievement - has the plan purpose occurred?</i>	<b>METHOD</b> <i>How will this be done?</i>	<b>RESPONSIBILITY</b> <i>Who is responsible for evaluation?</i>
<p><b>Division staff are aware of Integrity risks and how to identify potential instances of fraud and corruption and how to report</b></p>	<p>Divisional staff emails</p> <p>Accessible on intranet/Objective</p> <p>Attendance at ‘Fraud and Ethics’ and Integrity training sessions.</p> <p>Undertaking eLearning on MyLearning, which includes an assessment of the participants’ knowledge and understanding of fraud, corruption and ethics</p> <p>Induction of new staff into Division</p> <p>Divisional staff training on commencement of the plan</p> <p>Executives and managers regularly and actively addressing integrity risk prevention in business units</p>	<p>Integrity Manager</p> <p>Senior Directors, Directors, Team Leaders</p>
<p><b>Division staff are aware of the Integrity Plan and their responsibilities under the Plan</b></p>	<p>Divisional staff emails</p> <p>Accessible on intranet/Objective</p> <p>Attendance at ‘Fraud and Ethics’ and Integrity training sessions.</p> <p>Induction of new staff into Division</p> <p>Divisional staff training on commencement of the plan</p> <p>Executives and managers promote the Plan</p>	<p>Integrity Manager</p> <p>Senior Directors, Directors, Team Leaders</p>

## RELATED RESOURCES

The table below provides an overview of broader resources which relate to this Plan and are useful sources of additional information.

For a full list of documents related to integrity matters please refer to the Fraud and Corruption Prevention Plan 2019-2021.

RESOURCE	LINK
<b>Fraud Corruption and Prevention Plan</b>	<ul style="list-style-type: none"> <li>• <a href="https://actgovernment.sharepoint.com/sites/Intranet-EPsDD/Shared%20Documents/Fraud%20and%20Corruption%20Prevention%20Plan%202019-2021.pdf#search=fraud%20and%20corruption%20plan">https://actgovernment.sharepoint.com/sites/Intranet-EPsDD/Shared%20Documents/Fraud%20and%20Corruption%20Prevention%20Plan%202019-2021.pdf#search=fraud%20and%20corruption%20plan</a></li> </ul>
<b>SOPs</b>	<ul style="list-style-type: none"> <li>• See Planning Delivery objective files for relevant SOPs</li> </ul>
<b>Public Interest Disclosures</b>	<ul style="list-style-type: none"> <li>• <a href="https://www.planning.act.gov.au/about-us/public-interest-disclosures">https://www.planning.act.gov.au/about-us/public-interest-disclosures</a></li> </ul>
<b>Mandatory reporting of corrupt conduct</b>	<ul style="list-style-type: none"> <li>• <a href="https://www.integrity.act.gov.au/reporting-corruption/mandatory-reporting-of-corruption">https://www.integrity.act.gov.au/reporting-corruption/mandatory-reporting-of-corruption</a></li> </ul>
<b>Directorate Governance Statement</b>	<ul style="list-style-type: none"> <li>• <a href="https://www.environment.act.gov.au/_data/assets/pdf_file/0010/1305883/EPsDD-Governance-Commitment-Statement.pdf">https://www.environment.act.gov.au/_data/assets/pdf_file/0010/1305883/EPsDD-Governance-Commitment-Statement.pdf</a></li> </ul>
<b>ACTPS Integrity Policy</b>	<ul style="list-style-type: none"> <li>• <a href="https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0006/1013748/Integrity-Policy.pdf">https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0006/1013748/Integrity-Policy.pdf</a></li> </ul>

## ATTACHMENTS

### ATTACHMENT 1: KEY DEFINITIONS

TERM	DEFINITION
<p><b>Corruption (as defined in the ACTPS Integrity Policy 2010)</b></p>	<p>In relation to an employee, [corruption] means that the employee seeks, obtains or receives any benefit, other than lawful salary and allowances on the understanding that the employee will do or refrain from doing anything in the course of their duties or will attempt to influence any other employee on behalf of any person.</p> <p>Relevant examples of corruption for this Plan include:</p> <ul style="list-style-type: none"> <li>• Unauthorised use of government facilities and time to operate a private business</li> <li>• Misusing information or material obtained during the course of official duties</li> <li>• Receiving personal benefits in exchange providing inappropriate advantage to commercial partners (e.g. suppliers, Lessees, etc) or other (e.g. levy payers, developers etc)</li> <li>• Not disclosing and/or allowing a conflict of interest to obtain a preferred outcome.</li> </ul>
<p><b>Fraud (as defined in the ACTPS Integrity Policy 2010)</b></p>	<p>Taking or obtaining by deception, money or another benefit from the government when not entitled to the money or benefit, or attempting to do so – this includes evading a liability to the government.</p> <p>Fraud is not restricted to obtaining monetary or material benefit. The benefits of fraudulent acts can either be tangible or intangible.</p> <p>Relevant examples of fraud include:</p> <ul style="list-style-type: none"> <li>• Assisting others to obtain a benefit</li> <li>• Theft of money (cash, cheques, EFTPOS) due to the government</li> <li>• Releasing misleading or inaccurate information for the purpose of deceiving, misleading or to hide wrongdoing.</li> </ul>
<p><b>Corrupt conduct (as defined in the Integrity Commission Act 2018)</b></p>	<p>(1) For this Act corrupt conduct is conduct:</p> <p>(a) that could:</p> <ul style="list-style-type: none"> <li>(i) constitute a criminal offence; or</li> <li>(ii) constitute a serious disciplinary offence; or</li> </ul>

- (iii) constitute reasonable grounds for dismissing, dispensing with the services of, or otherwise terminating the services of, a public official; and
- (b) that is any of the following:
  - (i) conduct by a public official that constitutes the exercise of the public official's functions as a public official in a way that is not honest or is not impartial;
  - (ii) conduct by a public official or former public official that:
    - (A) constitutes a breach of public trust; or
    - (B) constitutes the misuse of information or material acquired by the official in the course of performing their official functions, whether or not the misuse is for the benefit of the official or another person;
  - (iii) conduct that adversely affects, either directly or indirectly the honest or impartial exercise of functions by a public official or a public sector entity;
  - (iv) conduct that:
    - (A) adversely affects, either directly or indirectly the exercise of official functions by a public official or public sector entity; and
    - (B) would constitute, if proved, an offence against a provision of the Criminal Code, chapter 3 (Theft, fraud, bribery and related offences);
  - (v) conduct that involves any of the following:
    - (A) collusive tendering;
    - (B) fraud in relation to applications for licences, permits or other authorities under legislation designed to protect health and safety, protect the environment or facilitate the management and commercial exploitation of resources;
    - (C) dishonestly obtaining or assisting in obtaining, or dishonestly benefiting from, the payment or application of public funds for private advantage or the disposition of public assets for private advantage;
    - (D) defrauding the public revenue;
    - (E) fraudulently obtaining or retaining employment or appointment as a public official;
  - (vi) conduct engaged in by a person in relation to conduct mentioned in subparagraphs (i) to (iv) (the

primary conduct), that would constitute an offence against the Criminal Code, part 2.4 (Extensions of criminal responsibility) on the basis that the primary conduct is an offence, whether or not the primary conduct is in fact an offence.

- (2) For subsection (1)(a) it does not matter if:
  - (a) proceedings or action in relation to the conduct can no longer be taken; or
  - (b) the conduct happened outside the Territory.

(3) In this section:  
 criminal offence means a criminal offence under the law of the Territory or under any other law relevant to the conduct in question.

serious disciplinary offence includes:

- (a) any serious misconduct; or
- (b) any other matter that constitutes or may constitute grounds for:
  - (i) termination action under any law; or
  - (ii) a significant employment penalty

<p><b>Serious corrupt conduct (as defined in the Integrity Commission Act 2018)</b></p>	<p>serious corrupt conduct means corrupt conduct that is likely to threaten public confidence in the integrity of government or public administration.</p>
<p><b>Systemic corrupt conduct (as defined in the Integrity Commission Act 2018)</b></p>	<p><i>systemic corrupt conduct</i> means instances of corrupt conduct that reveal a pattern of corrupt conduct in 1 or more public sector entities.</p>
<p><b>Planning Delivery Division (the Division)</b></p>	<p>The Division performs the statutory functions of the planning and land authority through the development assessment and approvals process. The Division also performs many land administration functions including lease administration, deed management and strategic assessments. The Division includes the Office of the Surveyor-General and Land Information whose functions include mapping, surveying approvals and the management of land information databases.</p>

## ATTACHMENT 2: ROLES AND RESPONSIBILITIES

The following roles and responsibilities are identified in the Plan.

ROLE	RESPONSIBILITY
<p><b>Executive Group Manager, Planning Delivery</b></p>	<ul style="list-style-type: none"> <li>• Ensure the Division has a current Integrity Plan and that this plan is reviewed at least every two years</li> <li>• Monitor the Plan’s implementation and coordinate any risk treatments</li> <li>• Act as the primary senior executive point of contact for integrity allegations, including fraud and corruption, and determine how escalated allegations should be handled</li> <li>• Mandatory reporting of any matter suspected of involving serious corrupt conduct or systemic corrupt conduct to the Integrity Commission</li> <li>• Promote a culture of a well-informed, engaged and ethical workforce</li> </ul>
<p><b>Executive Branch Manager, Development Assessment</b></p>	<ul style="list-style-type: none"> <li>• Provide oversight and make decisions on the direction of enquiries related to integrity, such as fraud and corruption</li> <li>• Ensure that Risk Registers reflect integrity risks and are regularly reviewed and updated</li> <li>• Report to the Audit Committee, Executive Steering Committee, and Executive Management Board on the implementation of the Plan</li> <li>• Ensure that the Plan is brought to the attention of staff through training sessions and regular communications</li> <li>• Review effectiveness of integrity measures following significant functional or structural changes.</li> </ul>
<p><b>Integrity Manager</b></p>	<ul style="list-style-type: none"> <li>• Appointed by the Executive Group Manager, Planning Delivery to the role of Integrity Manager for the Division for the purposes of this plan</li> <li>• Coordinates the implementation of the Integrity Plan with Senior Directors, Directors and Team Leaders across the Division</li> <li>• Coordinates the keeping of a Division Conflict of Interest Register</li> <li>• Coordinates the undertaking of specific identified actions to deliver the Integrity Plan</li> <li>• Ensures all planning and land authority and internal Division delegations are up-to-date, accurate, accessible and appropriately stored</li> <li>• Coordinate the attendance of staff at relevant training programs, including development and delivery of training relating to this Plan and staff obligations</li> </ul>

	<ul style="list-style-type: none"> <li>Responsible for undertaking initial assessments of a complaint/disclosure (and decide whether a disclosure is a public interest disclosure), referral to the relevant Executive or the Legal Services and Integrity team for further investigation, and act as a central coordination point for all matters relating to integrity including implementation of agreed actions, complaints and investigations</li> </ul>
<p><b>Integrity Officer</b></p>	<ul style="list-style-type: none"> <li>A person appointed by the Executive Group Manager, Planning Delivery to assist the Integrity Manager with the implementation and administration of the Integrity Plan</li> </ul>
<p><b>Senior Directors, Directors, Team Leaders</b></p>	<ul style="list-style-type: none"> <li>Take a lead role in entrenching a positive workplace integrity culture</li> <li>Report potential integrity incidents or system risks, and encourage team members to do the same</li> <li>Work with the Integrity Manager to implement the actions of the Integrity Plan and ensure staff are aware of their integrity obligations and practices are entrenched within teams</li> </ul>
<p><b>All staff</b></p>	<ul style="list-style-type: none"> <li>Become familiar with the Plan and contribute to its effective implementation, thereby assisting in minimising the incidence of fraud, corruption and corrupt conduct within the Division</li> <li>Report any fraudulent activity or corrupt behaviour within the Division that they become aware of or suspect. Reports can be made to managers/supervisors, the Integrity Manager, an Executive within the Division, or EPSDD Legal Services and Integrity (as the situation necessitates)</li> <li>Ensure declarations of any conflict of interest, either actual, potential or perceived, are made as soon as practicable after the conflict becomes apparent</li> <li>Comply with the <i>Public Sector Management Act 1994</i>, specifically section 9 – General obligations of public employees, the ACTPS Code of Conduct and the ACTPS Values and Signature Behaviours.</li> </ul>

ATTACHMENT 3: INTEGRITY RISK ASSESSMENT

**ATTACHMENT 4: DIVISION INTEGRITY ACTION PLAN**