

Fraud Prevention Policy (including Bribery and Corruption)	
Purpose	<ol style="list-style-type: none"> 1. Minimize the risk of fraud, bribery and corruption within RSL LifeCare Limited (RSLLC). 2. Express a clear statement to RSLLC Personnel forbidding fraud, bribery and corruption and emphasising that such conduct is never acceptable. 3. Ensure that all RSLLC Personnel are aware of their responsibilities regarding the identification and prevention of fraud, bribery and corruption and understand who to report to if they suspect such activity.
Application	This Policy applies to all employees, Directors and other personnel engaged to work with RSLLC in the conduct of their duties (Personnel).
Definitions	<p>Corruption occurs where Personnel act contrary to the interests of RSLLC or its clients, and abuses their position of trust to directly or indirectly achieve a personal gain or advantage, or a gain or advantage for another person (including for RSLLC).¹ A 'person' includes an individual, company or other legal entity.</p> <p><i>Examples of corrupt conduct:</i></p> <ul style="list-style-type: none"> • <i>the improper use of knowledge, position or power for personal gain or for the advantage of others; and</i> • <i>acting dishonestly, unfairly or in breach of public trust.</i> <p>Fraud is a specific type of corrupt conduct which occurs when a person, by deceitful conduct, omission or other means, dishonestly obtains a benefit (including property belong to another) or causes a financial disadvantage to someone else.² Fraud can occur when making decisions, handling information and managing and using funds or other assets.³</p> <p>Fraud can occur both internally and externally.</p> <ul style="list-style-type: none"> • Internal fraud means any fraudulent conduct committed by Personnel. • External fraud means any fraudulent conduct committed by a person external to RSLLC, including a client, resident, external service provider or other third party. <p><i>Examples of fraud:</i></p> <ul style="list-style-type: none"> • <i>theft of money or other property by Personnel or persons external to RSLLC;</i> • <i>inappropriate use of RSLLC's property and other facilities, including serious and substantial waste of resources;</i> • <i>the deliberate falsification, concealment or destruction of documentation used or intended for use in RSLLC's normal business operations;</i> • <i>colluding with Personnel or a third party to defraud RSLLC or a client of RSLLC;</i> • <i>any act, behaviour or statement made with the intention of misleading another party to enter into a contractual or other business arrangement which is inappropriate or unsuitable for their circumstances, and which may result in a monetary loss or inadequate benefits for the price/cost incurred.</i>

¹ Standards Australia on Fraud and Corruption Control definition.

² ACNC definition.

³ ACNC External conduct Standard 3 - accessible [here](#)

	<p>Bribery involves the corrupt receiving, soliciting, giving or offering (directly or indirectly) of any benefit (both monetary and non-monetary) to or from Personnel and any person or public official as an inducement or reward for doing or not doing something, showing or not showing favour to any person in relation to the business of RSLLC, or to obtain or retain business or a business advantage.⁴</p> <p><i>Examples of bribery:</i></p> <ul style="list-style-type: none"> • offering money or something of value to a public official to persuade them to do something in their official duties that they would not otherwise do for an advantage;⁵ • paying or accepting a secret commission to facilitate unlawful or corrupt practices.
Policy Principles	<ol style="list-style-type: none"> 1. RSLLC does not tolerate or condone fraud, bribery or corrupt conduct in any aspect of its operations. 2. Personnel are expected to create and promote an ethical workplace culture. They can best do this by ensuring that they themselves always act ethically and follow correct procedures. 3. Personnel in a position of responsibility have additional duties regarding ethical conduct and fraud prevention. 4. All legitimate concerns raised about actual or suspected fraud, bribery or corruption must be treated confidentially by the receiver of the information. Any person reporting such conduct will not be penalised for raising a concern of this nature. 5. All Personnel should feel confident that their concerns will be treated seriously and will be appropriately investigated.
Roles and Responsibilities	<p>RSLLC Personnel</p> <ul style="list-style-type: none"> • All Personnel have a role in detecting fraud, bribery, dishonesty or other corrupt conduct. • All Personnel must not engage in, cover up or in any way assist (including by failing to act) any form of fraud, bribery or corruption. • All Personnel must report and must encourage all persons associated with RSLLC to report all incidents of actual or suspected corrupt conduct (including fraud and bribery), irregularity, misconduct, serious mismanagement or substantial waste of resources. • All Personnel must not engage in, cover up or in any way assist in (including by failing to act) any behaviour or conduct which involves or may be perceived as victimisation, bullying, harassment or any other form of reprisal action against any person who makes a report of wrongdoing covered by this Policy. <p>The Board</p> <ul style="list-style-type: none"> • The Board must always act in a way that protects the assets and resources of RSLLC and ensure that its financial affairs are managed responsibly. This includes: <ol style="list-style-type: none"> 1. using proper financial controls and procedures to ensure that RSLLC's assets are protected and only used to advance its charitable purpose; 2. ensuring that RSLLC's property and finances continue to be used for its charitable purpose; and 3. if fraud or other financial crime which affects RSLLC is identified, ensuring that the appropriate steps are taken to manage the situation, including to ensure that

⁴ Covers [s 249B](#) of the Crimes Act 1900 (NSW) and sections 70.2 and 141.1 of the [Criminal Code Act 1995 \(Cth\)](#)

⁵ [ACNC Definition](#); Criminal Code 1995 (Cth)

	<p>relevant reporting to third party regulators such as the police, NSW Fair Trading and the ACNC occurs.</p> <ul style="list-style-type: none"> The Board has delegated the day to day activities associated with fraud, bribery and corruption prevention to management (see below) and maintains oversight of the implementation of its fraud, bribery and corruption prevention framework through the Audit & Risk Committee and the Enterprise Risk Management System (ERMS). <p>Managers</p> <ul style="list-style-type: none"> Managers are required to assess and rate the risk of fraud, bribery and other corrupt conduct occurring in their areas of responsibility and enter this in the ERMS. Managers are required to ensure that there are appropriate mitigation strategies in place which assist in preventing fraud, bribery and corruption. Managers will ensure that fraud, bribery and corruption prevention measures are updated as workplaces change, and that staff understand their individual responsibilities in preventing such conduct.
Reporting	<p>1. Internal Reporting</p> <p>a. Whistle-blower Policy (GP 11)</p> <p>Conduct constituting fraud, bribery and / or corruption falls within the meaning of a "disclosable matter" as that term is defined in the Whistle-blower Policy (GP 11). All Personnel are encouraged in the first instance to use the reporting mechanisms outlined in the Whistle-blower Policy (GP 11) to raise concerns regarding actual or suspected fraud, bribery and / or corruption. Reports in respect of 'disclosable matters' as defined in that Policy will extend certain statutory protections to the reporting Personnel.</p> <p>b. Alternative reporting mechanism</p> <p><i>Employees and other personnel engaged to work with RSLLC</i></p> <p>Alternatively, fraudulent activity, bribery or other corrupt behaviour can be reported in the first instance to a supervising manager or, if not comfortable in doing so, to the Chief Executive Officer (CEO), an Executive General Manager, Director, General Counsel or Company Secretary.</p> <p>In situations where conduct covered by this Policy is reported to a supervising manager, the supervising manager must then notify the CEO (or the Chair of the Board in circumstances where the reported conduct involves the Executive General Manager or the CEO).</p> <p><i>Directors</i></p> <p>Any Director who has suspicions of corrupt conduct and fraudulent behaviour can discuss the matter with the Chair, or if they are not available, the Chair of the Audit & Risk Committee. The relevant Chair must then notify the CEO (except in circumstances where the reported conduct involves the Executive General Manager or the CEO). A report may alternatively be made in accordance with the Whistle-blower Policy.</p>

	<p>c. Incident Reporting Policy (OHS 02)</p> <p>Separate to reporting described elsewhere in this Policy, Personnel may also have a duty to report conduct constituting fraud, bribery and / or corruption in accordance with the Incident Reporting Policy (OHS 02).</p> <p>2. External Reporting</p> <p>There is no minimum level of incident that must be considered for reporting to external regulators and other third parties. Any case of fraud, bribery or corruption, whether suspected or proven, must be considered for reporting to the relevant and appropriate authorities such as the police, NSW Fair Trading, the ACNC or ASIC.</p> <p>The CEO in consultation with the Board and, where appropriate, the Company Secretary - see Board Charter and Board Code of Conduct which give CEO (determination, regulatory reporting) and Company Secretary (regulatory reporting) roles is responsible for determining whether to refer any conduct covered by this Policy to an external authority or body. In circumstances where the reported conduct involves the Executive General Manager or the CEO, this responsibility rests with the Chair of the Board in consultation with, where appropriate, the General Counsel..</p> <p>RSLLC must, as soon as practicable and no later than 28 days after first becoming aware of the non-compliance, notify the Commissioner of the ACNC in circumstances where there has been a significant non-compliance by RSLLC with an ACNC Governance Standard and as a result of the non-compliance RSLLC is (or is at risk of being) no longer entitled to be registered as a charity under the <i>ACNC Act 2012</i> (Cth). This may include for example, where RSLLC engages in serious fraudulent conduct.</p> <p>If you know or believe that someone has committed a fraud or bribery wholly or partly in NSW, or committed a fraud or bribery that has effect in NSW, and you are in possession of information which might assist in securing the apprehension of the offender, you are legally required to bring that information to the attention of the NSW police force or other appropriate authority.⁶ You must not solicit, accept, or agree to accept, any benefit in exchange for not reporting a fraud or bribery to the NSW police force or other appropriate authority.⁷</p> <p>3. Responding to a report</p> <p>RSLLC is committed to promptly investigating any suspected acts of fraud, bribery, corruption, misappropriation or other similar irregularity. An objective and impartial investigation in accordance with natural justice principles, as required by any other RSLLC policy or otherwise deemed necessary, will be conducted regardless of the position, title, and length of service or relationship with RSLLC of any person who might be the subject of such investigation. If necessary, the CEO or Board may appoint an independent third party to investigate the allegations.</p>
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⁶ Obligation under s 316(1) of the *Crimes Act 1900* (NSW).

⁷ Per s 316(2) of the *Crimes Act 1900* (NSW).

Policy	GP03 Fraud, Bribery and Corruption Prevention Policy	Next Review: June 2022
Approval Date	17 June 2021	Version: 3
Approved on	RSL LifeCare Board RSL LifeCare	
Policy Owner		

Policy Review	<p>This policy must be reviewed the earlier of:</p> <ul style="list-style-type: none"> • a significant change in the relevant legislation; • in the event of a significant incident concerning the subject matter of the policy; and • around the one-year anniversary of the last review.
Legislative Compliance	<p>This policy supports RSLLC's compliance with the following legislation:</p> <ol style="list-style-type: none"> 1. <i>Corporations Act 2001 (Cth)</i> 2. <i>Australian Charities and Not-for-profits Commission Act 2012 (Cth)</i> 3. <i>Australian Charities and Not-for-profits Commission Regulation 2013 (Cth)</i> 4. <i>Criminal Code Act 1995 (Cth)</i> 5. <i>Crimes Act 1900 (NSW)</i> 6. <i>Criminal Code 2002 (ACT)</i>
Related Documents	<ol style="list-style-type: none"> 1. Conflicts of Interest Policy (GP 02) 2. Directors' Gifts Policy (GP 13) 3. Board Code of Conduct (GP 05) 4. Code of Conduct (HR 06) 5. Whistle-blower Policy (GP 11) 6. Incident Reporting Policy (OHS 02)