

# Policy

## Reporting Corrupt Conduct Policy

**Version:** 2025.2 | **Version effective date:** 08/12/2025

**Supersedes:** Reporting Corrupt Conduct Policy (version 2025.1)

### Scope

This policy applies to all workplace participants of the Queensland Public Trustee (QPT), including;

- permanent, fixed term temporary, full-time, part-time or casual employees;
- anyone who works in any other capacity for QPT, including volunteer work, contractors and consultants;
- members of the public who want to make a complaint of alleged corrupt conduct may also use this policy, and;
- this policy does not cover a complaint about suspected corrupt conduct by the Public Official (that is, The Public Trustee of Queensland and CEO). See the Complaints about the Public Official Policy for more information.

### Purpose

The policy sets out the process for reporting suspected corrupt conduct as defined under section 15 of the *Crime and Corruption Act 2001* (CC Act) and how the QPT deals with suspected corrupt conduct.

### Policy statement

The QPT is committed to embedding and maintaining a culture of honesty and integrity and will continue to put in place systems and processes to ensure the effective prevention, detection and response to suspected corrupt conduct.

Fraud and corruption undermines the QPT's ability to deliver its strategic vision, purpose and values, and any potential case could cause:

- Reputational loss, by destroying public confidence in the QPT;
- Financial loss to the QPT;
- Reduction in staff morale and performance; and
- Inability to effectively deliver services.

Given the impact that fraud and corruption could have on the QPT and its clients, the QPT has no appetite for fraud and corruption. This is supported by a hierarchy of governance and controls which contributes to and supports our ethical culture.

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## Principles

The principles outlined in the *Public Sector Ethics Act 1994* and Code of Conduct for the Queensland Public Service guide the implementation of the QPT's fraud and corruption control measures:

- integrity and impartiality;
- promoting the public good;
- commitment to the system of government; and
- accountability and transparency.

## Requirements

### What is corrupt conduct?

Under section 15 of the *Crime and Corruption Act 2001* (the CC Act), there are two different types of corrupt conduct: **Type A** and **Type B**.

To be either type of corrupt conduct, the conduct must be either a criminal offence or serious enough to warrant dismissal.

**Type A** corrupt conduct involves conduct that affects, or could affect, a public officer (an employee of the public sector agency) so that the performance of their functions or the exercise of their powers:

- Is not honest or impartial; or
- Knowingly or recklessly breaches public trust; or
- Involves the misuse of agency-related information or material.

Some examples of **Type A** corrupt conduct include (but are not limited to):

- falsely recording work time to gain additional flexitime or over-payment of wages
- misuse of cab charge vouchers or corporate credit cards (i.e., not using them for travelling on official business or work related purchases)
- theft of petty cash
- using work resources for private business purposes
- using Public Trustee information to gain a personal advantage
- deliberate misrepresentation of qualifications or experience in recruitment process

**Type B** corrupt conduct involves specific types of conduct that impair, or could impair, public confidence in public administration. This may include:

- collusive tendering;
- fraud relating to the application for a licence, permit or other authority relating to public health or safety; the environment; or the State's natural, cultural, mining or energy resources; or
- dishonestly obtaining public funds or State assets; or
- evading a State tax, levy or duty or fraudulently causing a loss of State revenue; or
- fraudulently obtaining or retaining an appointment.

For the legal definition of corrupt conduct refer to section 15 of the [\*Crime and Corruption Act 2001\*](#).

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## Reporting matters involving suspected corrupt conduct

### Obligations to report suspected corrupt conduct

All QPT employees, volunteers and contractors have a positive obligation under the [Code of Conduct for the Queensland Public Service](#) and the [Public Sector Act 2022](#) to report wrongdoing, which includes conduct which may be considered corrupt conduct.

### Who to report corrupt conduct to

An employee who has a ***reasonable suspicion*** (refer to page 7 for this definition) of another employee of engaging in corrupt conduct has a duty to immediately report those matters to their manager. Volunteers and others who are not employees are to report such matters to the person who supervises their work.

Where an employee suspects their manager of engaging in suspected corrupt conduct they can report their concerns to the following staff:

- Another senior officer at the QPT
- The QPT Ethics and Integrity Unit (EIU)
- The Crime and Corruption Commission (CCC).

Managers who receive a report of suspected corrupt conduct are required to immediately notify the Director of Independent Services and the Customer Advocate through the EIU email [ethicsandintegrity@pt.qld.gov.au](mailto:ethicsandintegrity@pt.qld.gov.au) or contact 07 3564 2694.

If the matter concerns the Director Independent Services and the Customer Advocate then managers are required to immediately notify the Public Trustee of Queensland and CEO.

If the matter concerns the Public Trustee of Queensland and CEO, the concerns can be reported to the nominated person, or to the CCC directly. The nominated person at the QPT is the Executive Director, Corporate Services and they can be reached via the following method:

Executive Director, Corporate Services  
PRIVATE & CONFIDENTIAL  
The Public Trustee  
GPO Box 1449  
BRISBANE QLD 4001

For further information on complaints involving the Public Trustee of Queensland and the CEO refer to the QPT's [Complaints about the Public Official Policy](#).

### What information do you need to provide?

To report suspected corrupt conduct, there does not need to be a formal complaint from an aggrieved person or witness. Suspected corrupt conduct also does not have to be serious corrupt conduct and you do not require proof that it has occurred. If you are in doubt as to whether the matter may be corrupt conduct, you should report it so that an assessment can be undertaken by the EIU, who are appropriately trained and experienced in undertaking corrupt conduct assessments.

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It is important to know that suspected corrupt conduct may arise from other information or matters such as the findings of an audit report or in the course of resolving a grievance. Some complaints may appear minor yet turn out to be quite serious, or an aggregation of minor issues can indicate a systemic problem.

Whilst you do not need evidence or proof to report suspected corrupt conduct, the following information if you are able to provide, will be very helpful in conducting an assessment on the matter:

1. Who is the complaint about? What is their role and where do they work?
2. What is the complaint about? Consider the following:
  - a) when did the conduct occur?
  - b) where did it happen?
  - c) are there any witnesses? If so, who?
3. Is there any evidence or supporting material? If so, where is it located?
4. Is there any further information that may be relevant to the assessment and investigation of the matter.

You can also make a complaint of suspected corrupt conduct anonymously. Although, in doing so it may make it harder for the EIU to investigate, particularly if there is further information or clarification required to undertake the assessment.

## Confidentiality

Any employee who reports or receives information about suspected corrupt conduct must be careful from the outset to maintain confidentiality, as a public interest disclosure may be involved (see the [Public Interest Disclosure Policy and Procedure](#)).

Confidentiality is also very important as it will help to protect the integrity of any review or other process to deal with the alleged conduct.

## Protections for reporting corrupt conduct

The QPT encourages any employee who believes that they have witnessed wrongdoing to come forward and make a disclosure.

In some circumstances, an employee who makes a disclosure about corrupt conduct will be regarded as a 'discloser' under *the Public Interest Disclosure Act 2010*. Disclosers are provided with a range of protections, including protection from reprisal.

The QPT will ensure complaints and disclosures are managed impartially and provide support and protection from reprisals to disclosers, in accordance with the legislation and policy.

Even if the concerns you have raised are not assessed as suspected corrupt conduct, the QPT is committed to protecting any person who raises concerns and there are general protections to prevent adverse action being taken against you for reporting suspected wrongdoing.

## External reporting obligations

Section 38 of the [Crime and Corruption Act 2002](#) (the CC Act) places an obligation on the public official (that is, The Public Trustee of Queensland) to notify the Queensland Crime and Corruption Commission (CCC) where there is reasonable suspicion that a complaint, information or matter involves, or may involve, corrupt conduct. The Public Trustee of Queensland has delegated this responsibility to the Director, Independent Services and

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the Customer Advocate and any officer of the Independent Services Unit acting under the Director's instruction and guidance to make the notification to the CCC.

Once a matter has been received and assessed by the EIU, if it is determined it does meet the threshold for suspected corrupt conduct the EIU will refer it to the CCC. The EIU will take no further action on the matter until the CCC advises the QPT it may proceed to deal with the matter.

The QPT also has specific obligations to report suspected fraud and corruption to other public sector agencies which provide oversight and assistance in dealing with fraud and corruption. The EIU will facilitate external reporting to the following agencies:

- Queensland Crime and Corruption Commission (CCC) for allegations of suspected corrupt conduct;
- Queensland Police Service (QPS) for criminal matters where necessary and where loss is a material loss;
- The Queensland Ombudsman for public interest disclosures (PIDs);
- The Queensland Audit Office (QAO) in relation to prevention and detection of fraud; and
- The Queensland Auditor-General and Minister for material losses.

## Dealing with suspected corrupt conduct

Section 44(2) of the CC Act informs how a complaint of suspected corrupt conduct may be dealt with, subject to any monitoring role by the CCC. The actions taken to deal with or manage allegations of corrupt conduct will vary depending on factors such as the nature and seriousness of the alleged conduct, the complexity of the issue or the seniority of the people involved.

Some of the ways the QPT may deal with a matter involving suspected corrupt may include:

- Local enquiries such as reviews, audits, witness statements
- Refer the complaint, information or matter to another appropriate authority
- Investigate the complaint, information or matter – which may be undertaken by an approved investigator (internal and/or external) appointed by the Public Trustee and CEO
- Take other action to address the complaint in an appropriate way. This could include:
  - Managerial action
  - Mediation
  - Grievance Process
  - Systems Review;
  - Take no action.

For further information on the way in which the QPT may deal with a complaint involving suspected corrupt including how the EIU assesses complaints to determine whether they raise a suspicion of corrupt conduct refer to the [Intake and Assessment of Complaints Guide](#).

After a matter has been dealt with, the EIU will provide outcome advice to the complainant. Although in most circumstances due to privacy the information provided may be limited in nature. If the complaint is made anonymously, for obvious reasons the EIU is unable to provide an outcome.

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## Recordkeeping requirements

If the nominated person decides that a complaint, or information or matter, about alleged corrupt conduct is not required to be notified to the CCC under s38 of the CC Act, the nominated person must make a record of the decision. The record must include:

- a) the details of the complaint or information or matter; and
- b) the evidence on which the nominated person relied in making the decision; and
- c) any other reasons for the decision.

The information recorded should be sufficient for a reasonable person to understand how and why the decision was made, including how it was assessed against the definition of corrupt conduct and why it did not meet the threshold for notification to the CCC.

## Awareness and training

Managers are responsible for ensuring their staff and or any volunteers, contractors and consultants under their supervision are made aware of their obligations contained in this policy and undertake the online mandatory training in the Code of Conduct and Fraud and Corruption Control.

Compliance with this policy is mandatory for all staff. Managers must ensure the policy is embedded into practice within their teams, and staff are required to report any instances of non-compliance immediately through their manager to the policy owner or policy delegate listed in this document.

Disciplinary action may be taken against an employee who fails to report acts or suspicions of corrupt conduct. A failure to report suspected corrupt conduct can in itself be corrupt conduct.

## Roles and responsibilities

Position	Responsibility	Audit criteria
<b>The Public Official</b> <b>The Public Trustee of Queensland and CEO</b>	<ul style="list-style-type: none"><li>• Ensure the QPT is compliant with the CC Act.</li><li>• Inform the CCC of nominations made in accordance with sections 48A (2) and 48A (3) of the CC Act.</li><li>• Appoint Investigators to conduct investigations into allegations of suspected corrupt conduct.</li></ul>	<ul style="list-style-type: none"><li>• A record of the approval captured in CM and copies of communiques sent to all staff are captured in SharePoint by the Executive Assistant.</li></ul>
<b>Executive Director, Corporate Services</b>	<ul style="list-style-type: none"><li>• Nominated person to receive reports of suspected fraud and corruption by The Public Trustee of Queensland.</li><li>• If the Executive Director, Corporate Services reasonably suspects the complaint may involve corrupt conduct of The Public Trustee of Queensland, they must refer the complaint to the CCC and deal with the</li></ul>	

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Position	Responsibility	Audit criteria
	<ul style="list-style-type: none"> <li>complaint, subject to the CCC's monitoring role. For further information refer to the Complaints about the Public Official Policy</li> </ul>	
<b>Director Independent Services and the Customer Advocate and Ethics and Integrity Unit</b>	<ul style="list-style-type: none"> <li>Nominated person to receive reports of suspected fraud and corruption across the QPT.</li> <li>Where complaint is assessed as raising a suspicion of corrupt conduct, refer the complaint to the CCC as delegated by the Public Trustee and CEO.</li> <li>Make a record of alleged corrupt conduct not notified to the CCC, in accordance with section 40A of the CC Act (where the public official is the decision-maker).</li> <li>Provide reports on corrupt conduct matters to the Public Trustee and CEO, the CCC and other relevant stakeholders as required.</li> <li>Initiate, oversee and monitor investigations according to the principles of natural justice and in accordance with the CCC's Corruption in Focus – A guide to dealing with corrupt conduct in the Queensland public sector. and</li> <li>Provide advice and support to managers and ELT on corrupt conduct matters.</li> <li>Provide education and awareness session across the QPT on fraud and corruption matters.</li> </ul>	<ul style="list-style-type: none"> <li>Fraud and Corruption Control Policy remains current.</li> <li>A record of the consultative process will be captured in CM.</li> <li>Policies submitted for approval or rescission have been developed or reviewed in accordance with the requirements in this Policy and the Policy Management Procedure.</li> <li>Timely policy reviews are conducted as required.</li> <li>Policy compliance is monitored and reported, and remedial action developed as required.</li> <li>All rescinded policies are filed for audit purposes.</li> </ul>
<b>Managers, Senior and Executive Directors</b>	<ul style="list-style-type: none"> <li>Receiving reports of incidents of suspected fraud or corruption.</li> <li>Reporting details of relevant reports received to the Director Independent Services and the Customer Advocate.</li> <li>Ensure their areas of responsibility comply with this policy, related policies and the CC Act.</li> <li>Encourage and support the reporting of corrupt conduct in the workplace.</li> </ul>	

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Position	Responsibility	Audit criteria
	<ul style="list-style-type: none"><li>Provide advice and support to staff who seek to report suspected corrupt conduct.</li><li>Ensure staff have completed their mandatory online training.</li><li>Role model ethical conduct and decision making and adhere to the Code of Conduct.</li></ul>	
<b>Employees</b>	<ul style="list-style-type: none"><li>Report any concerns of suspected corrupt conduct as soon as possible to their manager and/or another senior officer of the Ethics and Integrity Unit as outlined in this policy.</li><li>Complete mandatory online training.</li></ul>	

## Definitions

Term	Definition
<b>Complaint</b>	Complaint means not only a formal complaint, but also— “information” that might be received through such means as routine agency audits, media articles, Crime Stoppers or the CCC’s intelligence activities or sources; “matter” that might be received through such means as court proceedings, or referrals from the coroner or a public inquiry.
<b>Conduct</b>	As defined in section 14 of the CC Act. It includes neglect, failure and inaction, conspiracy to engage in conduct and attempts to engage in conduct.
<b>Corrupt conduct</b>	As defined in section 15 of the CC Act. Under the Act, there are two different types of corrupt conduct.  “Type A” corrupt conduct involves conduct that affects, or could affect, a public officer (an employee of a public sector agency such as the PT) so that the performance of their functions or the exercise of their powers: · <ul style="list-style-type: none"><li>is not honest or impartial, or ·</li><li>knowingly or recklessly breaches public trust, or ·</li><li>involves the misuse of agency-related information or material.</li></ul> Common examples of Type A corrupt conduct include fraud and theft, extortion, unauthorised release of information, obtaining or offering a secret commission and nepotism.  "Type B" corrupt conduct involves specific types of conduct that impair, or could impair, public confidence in public administration. This may include: ·

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Term	Definition
	<ul style="list-style-type: none"><li>• collusive tendering, or</li><li>• fraud relating to an application for a licence, permit or other authority relating to public health or safety; the environment; or the State's natural, cultural, mining or energy resources, or</li><li>• dishonestly obtaining public funds or State assets, or</li><li>• evading a State tax, levy or duty or fraudulently causing a loss of State revenue, or</li><li>• fraudulently obtaining or retaining an appointment.</li></ul> <p>Both Type A and Type B corrupt conduct must be either a criminal offence or serious enough to warrant dismissal. See <b>Appendix 1</b> for more information.</p>
<b>Deal with</b>	Dealing with a complaint, information or matter includes: <ul style="list-style-type: none"><li>• investigating</li><li>• gathering evidence for prosecutions for offences or disciplinary proceedings</li><li>• referring the complaint, information or matter to an appropriate authority to start a prosecution or disciplinary proceeding;</li><li>• starting a disciplinary proceeding; and</li><li>• taking other action, including managerial action, to address the complaint appropriately.</li></ul>
<b>Fraud</b>	<p>Fraud is dishonest activity which causes actual or potential gain or loss to any person or organisation including theft of moneys or other property by internal (employee or contractor of an organisation) or external persons (customer, or external service provider), and/or where deception is used at the time, immediately before or immediately following the activity.</p> <p>Examples of fraud include:</p> <ul style="list-style-type: none"><li>• falsely recording work time to gain additional flexitime or over-payment of wages</li><li>• misuse of cab charge vouchers or corporate credit cards (i.e., not using them for travelling on official business or work related purchases)</li><li>• theft of petty cash</li><li>• using work resources for private business purposes</li><li>• using Public Trustee information to gain a personal advantage</li><li>• using personal relationships to gain an advantage in recruitment/procurement processes</li><li>• deliberate misrepresentation of qualifications or experience in recruitment process</li><li>• individuals making false declarations or fraudulently completing forms (e.g., court forms, statutory declarations)</li><li>• an external vendor knowingly providing a false invoice for payment</li><li>• individuals creating a false vendor in order to request payment from the Queensland Public Trustee for goods and/or services that were not provided</li><li>• theft or misappropriation of customer or Public Trustee assets</li><li>• colluding with external providers to influence the outcomes of procurement processes</li></ul>

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Term	Definition
<b>Investigation</b>	<p>A formal investigation process involves the appointment of an investigator by The Public Trustee of Queensland and CEO, or a nominated person.</p> <p>The final product of a formal investigation is an investigation report. The investigator must prepare and provide a report to the appointer.</p> <p>After considering the report, The Public Trustee of Queensland and CEO or nominated person may take any action they consider appropriate in relation to the matters identified in the report.</p>
<b>Nominated person</b>	<p>A nominated person serves as the <b>primary point of contact</b> for handling <b>corruption reports</b> and ensures <b>due process</b> is followed in addressing any concerns raised.</p>
<b>Public Interest Disclosure (PID)</b>	<p>A public interest disclosure is a disclosure under Section 12 and 13 of the <i>Public Interest Disclosure Act 2010</i> and includes all information and help given by the discloser to a proper authority for the disclosure.</p>
<b>Reasonable suspicion</b>	<p>For a suspicion to be “reasonable”, there needs to be more than bare or idle speculation (<i>George v Rockett</i> (1990) 170 CLR 104). In essence, there must be some evidence sufficient for a reasonable person to suspect corrupt conduct.</p> <p>You do not have to <i>believe</i> that the alleged conduct is corrupt conduct, or that the conduct has occurred. Reasonable suspicion must be based on an objective assessment of the information at hand. It is not sufficient for you to subjectively decide that someone is or is not capable of the alleged conduct.</p> <p>You do not have to have sufficient evidence to <i>prove</i> the corrupt conduct allegation, but the available facts, evidence or other information must suggest that the allegation, if proven, would amount to corrupt conduct. The suspicion may be based on hearsay and other inadmissible material that nevertheless is relevant (<i>George v Rockett</i>).</p> <p>You do not have to notify the CCC if you do not hold a reasonable suspicion. For example, you do not need to notify the CCC if there is something about the allegation — including any direct knowledge you might have — which shows beyond doubt that it is not correct.</p>

## Legislation and other compliance obligations

- [Crime and Corruption Act 2001](#)
- [Criminal Code Act 1899](#)
- [Public Interest Disclosure Act 2010](#)
- [Public Sector Ethics Act 1994](#)
- [Public Sector Act 2022](#)
- [Human Rights Act 2019](#)

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## Supporting documents

- [Code of Conduct for the Queensland Public Service](#) (Code of Conduct)
- [Complaints about the Public Official Policy](#)
- [Public Interest Disclosure Policy](#)
- [Fraud and Corruption Control Policy](#)
- [Fraud and Corruption Control Procedure](#)
- [Fraud and Corruption Control Plan](#)
- [Intake and Assessment of Complaints Guide](#)
- [Gifts and Benefits Policy and Procedure](#)
- [Other Employment Policy and Procedure](#)
- [Crime and Corruption Commission Corruption in focus: a guide to dealing with corrupt conduct in the Queensland public sector](#)

## Related resources and information

- Nil

## Contact

For further information, please contact:      Ethics and Integrity Unit  
Email: [ethicsandintegrity@pt.qld.gov.au](mailto:ethicsandintegrity@pt.qld.gov.au)

## Document information (for internal use only)

<b>Policy Owner</b>	Director, Independent Services and the Customer Advocate.
<b>Policy Delegate</b>	The Public Trustee of Queensland and CEO.

Current Version				
Approver's title	Approval date	Effective date	Next review date*	File number
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\*If this field is left blank, the next routine review date will be three years from the effective date

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<b>Document title</b>	<b>Version Number</b>
Reporting Corrupt Conduct Policy	2022.1

<b>Revision history</b>			
<b>Version No.</b>	<b>Document title</b>	<b>Date approved</b>	<b>Sections modified</b>
1.0	Reporting Corrupt Conduct Policy	Dec 2015	Approved policy
1.1	Reporting Corrupt Conduct Policy	Nov 2016	Annual review
1.2	Reporting Corrupt Conduct Policy	Nov 2017	Annual review incorporating EMT feedback
1.3	Reporting Corrupt Conduct Policy	Mar 2019	Revised to reflect legislative amendments concerning the definition of corrupt conduct
2020.1	Reporting Corrupt Conduct Policy	02/06/2020	General update and policy owner changed to Human Resource Services. Reviewed in consideration of the <i>Human Rights Act 2019 (Qld)</i> .
2020.2	Reporting Corrupt Conduct Policy	25/06/2020	Updated to reflect feedback provided by CCC.
2022.1	Reporting Corrupt Conduct Policy	13/01/2022	Annual policy review. Updated to reflect structural movement of the Ethics and Integrity function from HR Services to Independent Services.
2025.1	Reporting Corrupt Conduct Policy	12/05/2025	Desktop review to update legislative references, titles, addresses, hyperlinks and transfer to current QPT branding and template.
2025.2	Reporting Corrupt Conduct Policy	08/12/2025	Change of nominated person from Chief Financial Officer to Executive Director, Corporate Services.