



NACC Integrity Policy

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Authoriser Philip Reed, Chief Executive Officer

1. Purpose

- 1.1 This document sets out the National Anti-Corruption Commission's (NACC) integrity requirements, framework, practices, and procedures established to promote professional standards and mitigate integrity risks to the NACC.
- 1.2 This policy applies to all NACC staff members as defined by s266 of the *National Anti-Corruption Commission Act 2022* (NACC Act), and should be read in conjunction with the following Integrity Framework policies:
- Making a Public Interest Disclosure
 - Notifying NACC Corruption Issues
 - Fraud and Corruption Control Framework
 - Private Interest, Declarable Associations, and Contact Reporting Policy
 - Secondary Employment Policy
 - Gifts and Benefits Policy
 - Personal Use of Social Media Policy
- 1.3 The NACC defines integrity risks as any issue about or in relation to the integrity of a NACC staff member, that can include any of the following matters:
- any issue or matter related to a policy listed at 1.2.
 - where the subject of a *corrupt conduct* referral is an associate or otherwise known to you.
 - *NACC corruption issue* as defined by Division 3 of the NACC Act.
 - staff member misconduct, including potential breach of the APS Code of Conduct, or maladministration (that does not also amount to corrupt conduct).
 - any other 'disclosable conduct' within the meaning of section 29 of the *Public Interest Disclosure Act 2013*.

2. Legislative/Policy Basis

- 2.1 This policy is authorised under the NACC Act, *Public Governance, Performance and Accountability Act 2013*, *Public Service Act 1999* and *Public Interest Disclosure Act 2013*.
- 2.2 This policy also forms the basis of staff responsibilities and standards of behaviour for the purposes of annual performance agreements.

3. Integrity in the legislation

Public Service Act 1999 (PS Act)

- 3.1 As a NACC employee, you are an 'APS employee' for the purposes of the PS Act.
- 3.2 APS employees are required to comply with the APS Code of Conduct set out in section 13 of the PS Act (included at **Appendix A**).
- 3.3 APS employees must behave honestly and with integrity in connection with their employment at the NACC.
- 3.4 In some circumstances, the APS Code of Conduct applies to actions taken by APS employees during times when they are not at work.

Public Governance, Performance and Accountability Act 2013 (PGPA Act)

- 3.5 As a NACC employee, you are an 'official' for the purposes of the PGPA Act.
- 3.6 Officials have the duty to:
 - exercise their powers, perform their functions and discharge their duties honestly, in good faith and for a proper purpose (s26);
 - not improperly use their position, or use information they obtained due to their position, to gain, or seek to gain, a benefit for themselves or any other person (ss27(a) and 28(a));
 - not improperly use their position, or use information they obtained due to their position, to cause, or seek to cause, detriment to the NACC, the Commonwealth or any other person (ss27(b) and 28(b)); and
 - if they have material personal interest/s that relates to the affairs of the NACC, they must disclose details of the interest/s (s29).

Public Interest Disclosure Act 2013 (PID Act)

- 3.7 As a NACC employee, you are a 'public official' for the purposes of the PID Act.
- 3.8 The PID Act allows current or former public officials to disclose 'disclosable conduct' to authorised officers within an agency. More information is available in the *NACC Making a Public Interest Disclosure Policy*.

4. Integrity at the NACC

- 4.1 Maintaining high standards of integrity is core to the NACC's identity and culture, and one way the NACC protects our people, information, assets, and organisational integrity. As a NACC staff member, regardless of your role, you are expected to have a high level of personal integrity and awareness of the critical importance of protecting the NACC's organisational integrity.
- 4.2 The NACC leadership, including the Commissioner, Deputy Commissioners, CEO and Senior Executives, are committed to collaborating with staff to develop and maintain a workplace culture in which integrity, accountability and transparency are central to daily work processes. The NACC achieves this by:
 - delivering integrity, security and fraud awareness training to all staff on a rolling basis to increase integrity risk awareness and accountability. Training covers ethical decision making, APS Values and Code of Conduct obligations and legal and reporting obligations, and informs future integrity education arrangements,

- ensuring a strong, robust internal governance framework within the NACC which promotes ethical operations that effectively prevent and mitigate integrity risks, including through clear and effective audit practices, performance management, recruitment and security vetting, and
 - providing regular structured opportunities to consider and discuss integrity issues and obligations, share knowledge and experiences, and promote ethical behaviour and work practice, allowing ownership of the work culture to guard against self-management of risk.
- 4.3 Staff must be aware of integrity risks, whether to yourself or to the NACC, and adhere to a range of integrity obligations to ensure that integrity risks are identified, reported, assessed, managed and reviewed. In particular, the NACC expects that you will not seek to self-manage risks but actively engage with relevant processes and your supervisor to manage integrity risks to protect yourself and the NACC.
- 4.4 Staff should be aware that integrity risk reporting is not isolated to themselves and can include reporting of colleagues where appropriate, for example where you identify a change in a colleague's circumstances which the colleague has not reported themselves. These reports are strictly through the prescribed process to those with a need to know only.
- 4.5 The NACC encourages and supports all staff to contribute to identifying integrity risks, creating an environment in which employees can discharge their integrity reporting and management obligations safely and effectively. Noting:
- a. Staff are strongly encouraged to proactively report any integrity concerns following procedures set out in the relevant policy (for example, the NACC Fraud and Corruption Control Plan), or seek guidance from their supervisor or the NACC Integrity Officer.
 - b. Staff have a duty to report changes in their personal circumstances to both the NACC and Australian Government Security Vetting Agency. In particular, changes that may affect their security clearance or carry out their role, relate to a potential source of compromise, or give rise to a perceived or actual conflict of interest. Examples of changes are at **Appendix B**.
 - c. The expectation staff will respond appropriately to any suspected misconduct or maladministration by NACC staff members in line with the Notifying NACC Corruption Issues policy¹.

5. Integrity risk reporting and management

- 5.1 All NACC staff are responsible for self-identifying risks and submitting an integrity report where necessary. Integrity reporting provides transparency for staff, awareness of risk for managers and the NACC, and for effective management of integrity risks.
- 5.2 To guide and assist staff to meet this responsibility, this section provides the five-step framework for reporting and managing integrity risks.

¹ While misconduct may also be corrupt conduct, special rules applying to NACC corruption issues mean that the issues must be treated separately. The two processes can run in parallel, but care should be taken such that any Code of Conduct process does not prejudice or impede a *NACC corruption investigation* as defined by s210 of the NACC Act. In practice, the conduct and outcome of the s210 investigation will be determinative, if not definitive, in any Code process

Identification of integrity risks

- 5.3 NACC staff members are expected to maintain higher awareness of the impact of integrity risks and actively consider your circumstances to identify actual, potential, or perceived risks. This includes NACC corruption issues and conflicts of interest.
- 5.4 Staff must maintain self-awareness of their activities and behaviour to identify areas likely to create integrity risks or impact their health, wellbeing, or capacity to fulfil their role. This includes excessive or problem gambling, alcohol or prescription drug misuse, or use of illicit drugs.
- 5.5 Staff should be aware of the signs or behaviours of others that may indicate the potential of an integrity risk arising, such as the grooming or cultivation examples at **Appendix C**. Staff should also be familiar with the range of personas adopted by malicious actors, as outlined by the Commonwealth Fraud Prevention Centre at <https://www.counterfraud.gov.au/library/fraudster-persona-poster-a3>.
- 5.6 Integrity risk identification, reporting and management is an ongoing and mandatory obligation. It provides transparency, risk awareness for supervisors and the NACC in general and provides for a structured dialogue in which the NACC can effectively and appropriately manage integrity risks. It is essential that all staff are accountable, and that you do not try to self-manage such risks.

Reporting integrity risks

- 5.7 Integrity risk reports should be made as soon as possible after a new or revised risk is identified. Forms to facilitate reporting are available as part of the Integrity Framework on the NACC intranet, including declarations of private interests or associations, secondary employment, or receipt of gifts and benefits. Any questions or reports that are unable to be put into the forms can be submitted to the Integrity Reporting Inbox by email.
- 5.8 All reports received will be managed by the Integrity Officer on a centralised, restricted access integrity risk register internally maintained by the NACC. The Integrity Officer will maintain oversight of and access to the inbox and register to those with a 'need to know': to balance privacy and mitigate integrity risks to the NACC.
- 5.9 Supervisors will generally be provided with integrity risk reports regarding their team, as they are best placed to assess and manage them. There may be circumstances where this is not appropriate which should be discussed with the Integrity Officer prior to making an integrity risk report.
- 5.10 An integrity risk report should include all the relevant details, including who is involved, the circumstances in which the report is made, timing and location. If you are unsure whether to make a report, you should discuss the matter with your supervisor or with the NACC Integrity Officer.

Assessment of integrity risks

- 5.11 Generally, an integrity risk report is provided to your supervisor, who may discuss the report with you. Where the supervisor has queries or feels that escalation is warranted, they may wish to discuss the matter with the NACC Integrity Officer and/or their own supervisor, including senior executive staff.
- 5.12 Integrity risk reports are reviewed for integrity threats and to identify possible mitigation and avoidance strategies. When reviewing the report, supervisors should consider:
- whether the report reveals a risk (generally, not limited to integrity) to the NACC or to the staff member,

- the severity of any identified risk,
- any methods whereby the risk/s can be managed and/or mitigated,
- whether the report requires further investigation,
- the role of the person who made the report, and
- other integrity risk reports that the person has made previously, in order to aggregate potential risks.

Integrity risk management

- 5.13 Once the integrity risk report has been assessed, appropriate action to mitigate the risk must be agreed, implemented, and monitored. A record of the agreed outcome must be recorded against the report by the Integrity Officer, even if it was agreed that no specific action should be taken. Where reasonable action can be taken to mitigate the risk, the staff member must attempt to do so and be supported where appropriate and practicable by their manager.
- 5.14 Strategies to mitigate or manage risks may include:
- continuing to monitor the risk;
 - where appropriate having regard to an employee's duties, delegating or re-assigning work to limit the risk;
 - removing the employee from related decision-making processes;
 - limiting exposure to the relevant information; and
 - reminding the employee of support available, including through the NACC's Employee Assistance Program (<https://www.convergeinternational.com.au/>).
- 5.15 It is not possible to completely avoid all risks in their entirety. However, all reasonable action must be taken to mitigate the likelihood and impact of integrity risks. Where you can take reasonable action to avoid a risk arising, then you should do so.
- 5.16 Significant risks which cannot be removed require the development and implementation of a risk management plan detailing the proposed method to manage the risk. An immediate supervisor of the person to whom the risk relates is responsible for development of the risk management plan, in conjunction with the person and the Integrity Officer if required. The Integrity Officer is required to record a risk management plan alongside the original risk report received.

Review of identified integrity risk reports

- 5.17 Integrity risks that are reported must be reviewed regularly, to ensure that the management strategy employed for that risk is, and remains, effective. When a change in the nature or exposure to the risk is identified, or where management strategies are proving ineffective, staff must work with their supervisor, and Integrity Officer where necessary, to identify alternative strategies.
- 5.18 When an integrity risk no longer exists (including where the staff member has left the NACC) or has been sufficiently mitigated, the risk report can be closed off and the risk removed from the integrity risk register.

6. Other Integrity Issue Reporting

- 6.1 Staff are encouraged to explore all internal options for handling an integrity issue prior to engaging external organisations, except where legislated or stipulated in a NACC policy authorised by the CEO. For example, a NACC Corruption Issue to the NACC Inspector (Refer Part 10, Division 3, Subdivision B of the NACC Act).
- 6.2 Notwithstanding 6.1, staff may report matters of concern to the Australian Public Service Commission (APSC), Merit Protection Commissioner, or the Commonwealth Ombudsman where in jurisdiction and they believe it to be appropriate.
- 6.3 Staff also have the option to make a public interest disclosure under the *Public Interest Disclosure Act 2013* that provides statutory protections for whistle-blowers to raise allegations of 'disclosable conduct'. The NACC *Making a Public Interest Disclosure* policy available on the NACC intranet sets out the procedure for making an internal, external, emergency, or legal practitioner disclosure.
- 6.4 In taking a matter outside the NACC, staff are reminded of their confidentiality requirements in relation to Part 11, Division 1 of the NACC Act, which may in practice prevent or restrict a staff member's ability to seek external advice on the facts of any matter.

7. Review or variation of this policy

- 7.1 This policy will be reviewed as necessary to ensure consistency with legislation, government policy, organisational changes within the NACC and/or changes in the working environment. It may also be reviewed at the request of employees.

8. Approval



Philip Reed
Chief Executive Officer

Date 18 July 2023

Appendix A – APS Code of Conduct (s 13, PS Act)

13 The APS Code of Conduct

- (1) An APS employee must behave honestly and with integrity in connection with APS employment.
- (2) An APS employee must act with care and diligence in connection with APS employment.
- (3) An APS employee, when acting in connection with APS employment, must treat everyone with respect and courtesy, and without harassment.
- (4) An APS employee, when acting in connection with APS employment, must comply with all applicable Australian laws. For this purpose, **Australian law** means:
 - (a) any Act (including this Act), or any instrument made under an Act; or
 - (b) any law of a State or Territory, including any instrument made under such a law.
- (5) An APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction.
- (6) An APS employee must maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff.
- (7) An APS employee must:
 - (a) take reasonable steps to avoid any conflict of interest (real or apparent) in connection with the employee's APS employment; and
 - (b) disclose details of any material personal interest of the employee in connection with the employee's APS employment.
- (8) An APS employee must use Commonwealth resources in a proper manner and for a proper purpose.
- (9) An APS employee must not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment.
- (10) An APS employee must not improperly use inside information or the employee's duties, status, power, or authority:
 - (a) to gain, or seek to gain, a benefit or an advantage for the employee or any other person; or
 - (b) to cause, or seek to cause, detriment to the employee's Agency, the Commonwealth, or any other person.
- (11) An APS employee must at all times behave in a way that upholds:
 - (a) the APS Values and APS Employment Principles; and
 - (b) the integrity and good reputation of the employee's Agency and the APS.
- (12) An APS employee on duty overseas must at all times behave in a way that upholds the good reputation of Australia.
- (13) An APS employee must comply with any other conduct requirement that is prescribed by the regulations.

Appendix B – Change in Circumstances

1. All NACC staff have a duty to report changes in their personal circumstances which:
 - a. may affect their ability to hold a security clearance or otherwise carry out their work;
 - b. may relate to a source of compromise; or
 - c. may give rise to an actual, potential, or perceived conflict of interest.
2. Such reportable changes include but are not limited to:
 - a. entering into, or ceasing, a marriage or domestic partnership;
 - b. visits to foreign countries;
 - c. change of address;
 - d. significant purchases or sales of property, shares or other financial interests;
 - e. relatives moving to or residing in foreign countries of security significance;
 - f. changes in citizenship or nationality (including changes that impact your Australian citizenship);
 - g. being charged or convicted for criminal behaviour;
 - h. changes in health or medical circumstances;
 - i. new financial liabilities, debts, or difficulties (including gambling addictions);
 - j. a new pattern of abuse of alcohol, illicit drug use or pharmaceutical drugs of dependence; and
 - k. other relevant changes to your personal circumstances.
3. More information about your duty to report changes, and how this duty can be discharged is available from the NACC Agency Security Adviser or from the Australian Government Security Vetting Agency (AGSVA). You may also be required to separately advise AGSVA of changes to your personal circumstances as part of your obligations regarding your security clearance.
4. Perceived or actual conflicts of interest can be reported using the NACC *Declaration of private interests and associations form* available on the NACC's intranet, to the Integrity Reporting inbox.

Appendix C – Behaviours of integrity concern

Characteristics of relationships or contacts that may indicate the potential for integrity risks include:

- contacts (either in the physical or virtual/online) which involve specific questioning about non-public NACC information, including staff, investigations or areas of investigative interest, operational capabilities or strategies, funding, contracting and supplies, premises, and/or security measures;
- persistent or repeated general questioning about the NACC or its work (including questioning over a number of occasions), particularly if questions have previously been avoided or rebuffed;
- an unusual or unexpected exchange of, or request for, personal contact details such as telephone numbers, email addresses, physical addresses etc;
- unusual or unexpected attempts to elicit specific details about your family, activities, movements, address etc, especially when not volunteered;
- signs of potential cultivation (grooming), such as:
 - inexplicable or uninvited efforts to 'get to know' you or bringing you into the contact's confidence;
 - offering or giving you or your family gifts, incentives, favours or facilitations;
 - offering to pay for domestic or overseas travel/ accommodation/ conference attendance etc;
 - requesting favours of you (usually minor, non work-related to start with but these may progress too work-related);
 - expressing a desire to develop common ground with you, such as sharing personal interests, likes or activities;
 - developing a relationship with you which involves elements of contrived trust, shared deception or lies, or overlooking certain inappropriate or illegal behaviours;
 - claiming, without substance, to have mutual associates/friends; or
 - unusually rapid development of an intimate relationship;
- the repetition of characteristics noted in a previous contact relationship – possibly suggesting a failed first cultivation passed onto another for a second attempt;
- an unusual coincidence;
- any form of direct or implied threat, compromise, intimidation, or coercion; or
- anything else causing you to have suspicions about the genuineness or motives behind the contact.



Australian Government

National Anti-Corruption Commission

Private Interest, Declarable Association, and Contact Reporting Policy

Issued 18 July 2023

File Ref 23#37349DOC

1. Purpose

- 1.1 This document sets out your responsibilities as an employee of the National Anti-Corruption Commission (NACC or Commission) to declare financial and other relevant private interests, report declarable associations and make contact reports. These requirements aim to mitigate integrity risks to yourself and the NACC, including through perceived or actual conflicts of interest.
- 1.2 A conflict of interest occurs where there is the possibility a personal interest could influence a staff member while carrying out their duties as an officer of the Commission, and includes:
 - **Actual** conflicts where a direct, material interest exists between duties and personal interests.
 - **Perceived** conflicts where a third party could form the view a conflict exists between duties and personal interests.
 - **Potential** where a staff member has a private interest that could, or may foreseeably, come into conflict with their duties.
- 1.3 It aims to help determine whether you are at risk of associates exploiting their relationships with you for purposes contrary to the NACC's interests and ensuring that you are supported and do not have to self-manage your own risks. This policy is not intended to restrict your private interests and relationships but instead aims to provide transparency and accountability and give you the tools to identify relationships which may compromise your integrity or security, or that of the NACC.

2. Legislative/Policy Basis

- 2.1 This policy is authorised under the *Public Service Act 1999* (PS Act) and the *Public Governance, Performance and Accountability Act 2013* (PGPA), and should be read in conjunction with the NACC's *Integrity Policy*.
- 2.2 Any information collected under this policy will be restricted to those with a need to know and managed in line with the *NACC Privacy of Staff Records Policy*.

3. Policy Guidance

Private Interest

- 3.1 A private interest is any interest you have that prevents, potentially prevents or could be seen as preventing or potentially preventing you from impartially carrying out your duties as a NACC employee.
- 3.2 There is no standard list of private interests that must be declared. It is your responsibility as a NACC employee to consider and declare those private interests that could, or could be seen to, influence your work.
- 3.3 However, the types of private interests that could, or could be seen to affect an employee's responsibilities and therefore may need to be disclosed include (but are not limited to):
- Significant liabilities or debts (these should also be notified to AGSVA)
 - Connections to businesses which are potential or actual suppliers of goods and services (including consultants and contractors) provided to the NACC or other Commonwealth entities, and
 - Connections to businesses that are involved in activities such as prostitution, gambling, service of alcohol or provision of private security.
- 3.4 Consistent with the above legislation, staff members are required to disclose private interests. Where appropriate, private interests of immediate family, to the extent that they are aware that those interests could have a bearing on your role at the NACC, must also be declared. In these circumstances, you should first obtain your family member's consent prior to making the declaration to enable the NACC to comply with the *Privacy Act 1988*.

Problem Gambling, Alcohol Misuse and Drug Use

- 3.5 Any excessive or problem gambling, alcohol or prescription drug misuse, or use of illicit drugs or similar activity impacting your health and wellbeing, or ability to maintain a security clearance and capacity to fulfil your role must be notified to the NACC. Staff experiencing these issues are strongly encouraged to access support services, including assistance through the NACC's Employee Assistance Program by calling 1300 687 327 or visiting <https://www.convergeinternational.com.au/>.

Declarable Associations

- 3.6 A declarable association is any association which creates or may give rise to a perceived or real conflict of interest between your private relationships, associations or acquaintances and your position with the NACC.
- 3.7 There is no standard list of declarable associations. It is your responsibility as a NACC employee to consider relationships that may affect, or be perceived as affecting, the NACC or your role as a staff member of the NACC.
- 3.8 The types of relationships or contact that may constitute a declarable association include relationships with:
- People engaged by an agency or entity in the NACC's jurisdiction either (paid or unpaid), including parliamentarians based on 'employees of public sector agencies' subpoint below. Note that casual contacts such as a parent at the school your child attends do not need to be reported unless they display characteristics of concern as identified in paragraph 3.16.

- persons that you know or suspect are being of interest to or investigated by the NACC (Section 5.14 of the NACC Integrity Policy outlines required actions in these circumstances).
- persons of interest to law enforcement agencies and known criminals.
- journalists, academics, politicians, prominent private sector business leaders or executives of civil society or non-governmental organisations (NGO).
- members of groups or organisations which could present a conflict of interest, such as groups who support extreme/radical views, outlaw motorcycle gangs or related criminal activities.
- potential or actual suppliers or providers, of goods or services to the NACC.
- former employees of the NACC (See subpoint on 'Former staff members' below).
- foreign nationals, who may have associations with foreign governments or foreign law enforcement agencies.
- contacts online that show an interest in sensitive information or show signs of potential grooming.
- a contact exhibiting concerning characteristics as identified in paragraph 3.16.

Relationships with employees of public sector agencies within the NACC's jurisdiction

- 3.9 Personal relationships with staff employed in the NACC's jurisdictional agencies have a significant potential to give rise to conflict of interest and grooming risks. NACC employees are entitled to have such relationships and should be open about them. It is therefore essential to declare associations in jurisdictional agencies that are relatives or close contacts with who you have recurrent, regular and close contact. After declaring the association, contact reports only need to be made where the contact is assessed as showing characteristics of concern, such as the examples set at 3.17.
- 3.10 The exception to 3.9 are associates working in a Commonwealth intelligence agency whose identity is subject to secrecy arrangements (e.g. *Australian Security Intelligence Organisation Act 1979*, *Intelligence Services Act 2001*). In these circumstances a staff member's declaration need only state:

'An association with an individual/s from an intelligence agency'

Where staff subsequently become aware of an associate's link to a referral, they must advise their supervisor a conflict exists with that referral that must be managed.

- 3.11 Generally professional dealings with staff members of agencies over which the NACC has jurisdiction do not require contact reporting, however judgement should be shown in relation to the guidance below in the Discretionary Reporting section.

Former staff members

- 3.12 Former employees of the NACC, due to their familiarity and former positions of trust and friendship, present a possible source of compromise to NACC operations. Former employees have no entitlement to be informed of operational matters (including the progress of matters in which they may have been involved). Part 11 of the *National Anti-Corruption Commission Act 2022* generally prohibits sharing information outside the NACC, unless for operational reasons, and staff must not share or comment on any Commission business.

- 3.13 Former staff members meeting section 3.9 criteria must be declared, however due to the risks set out at 3.11, contact reports must be made if the contact is assessed as showing characteristics of concern. This includes behaviours consistent with those outlined at 3.16.

Contact Reporting

- 3.14 Further to section 3.12 criteria for declarable associations (i.e. 'exhibit characteristics of concern'), contact reports should be made for incidental/casual contact with associates who also exhibit characteristic of concern by emailing the Integrity Reporting inbox. All information will be treated confidentially with access to the inbox restricted to the NACC's Integrity Officer and Agency Security Adviser (ASA). Information may on occasion be disclosed to managers or relevant executives if areas of concern are noted.

Mandatory Reporting

- 3.15 You must report any contact (including online contact) with persons who:
- Are known or suspected of being of interest to law enforcement agencies, including known criminals.
 - Are the subject of a NACC investigation.
 - Are members of groups, organisations or businesses which could present a real or perceived conflict of interest, including potential or actual suppliers or contractors of goods or services to the NACC (refer *NACC Gifts and Benefits Policy*)
 - Make unsolicited approaches with offers of employment, financial remuneration, gifts, reward, hospitality or other inducement.
 - Are members of the media, or persons who make approaches for information about the NACC and its activities (e.g. academics, researchers, civil society etc.). NACC information must not be disclosed without approval and requestors directed to the NACC's Media team, or
 - Are foreign nationals who are known or suspected of acting on behalf of foreign entities, and express an interest in the NACC, or the development of a personal/business relationship (excluding known, generic online scams). Guidance on reporting contact with foreign nationals to AGSVA is available at [Applicants & Holders - Reporting changes in circumstances | Sectors | Defence](#).

Discretionary Reporting

- 3.16 You may make discretionary judgements about the need to report other forms of contact (i.e. not of the type identified above) provided you make a conscious assessment about the presence of characteristics of concern (identified below). This list of characteristics is not exhaustive but should assist when making judgements about the types of concerns that exist, and thereby contact which should be reported.
- 3.17 Characteristics of relationships or contacts which are potentially of security or integrity concern and which you should report include:
- Contacts (either in person or virtual/online) which involve specific questioning about non-public NACC information, including staff, investigations or areas of investigative interest, operational capabilities or strategies, funding, contracting and supplies, premises, and/or security measures.

- Persistent or repeated general questioning about the NACC or its work (including questioning over a number of occasions), particularly if questions have previously been avoided or rebuffed.
- An unusual or unexpected exchange of, or request for, personal contact details such as telephone numbers, email addresses, physical addresses etc
- Unusual or unexpected attempts to elicit specific details about your family, activities, movements, address etc, especially when not volunteered.
- Signs of potential cultivation (grooming), such as:
 - inexplicable or uninvited efforts to 'get to know' you or bringing you into the contact's confidence.
 - offering or giving you or your family gifts, incentives, favours or facilitations
 - offering to pay for domestic or overseas travel/ accommodation/ conference attendance etc.
 - requesting favours of you (usually minor, non-work-related to start with but these may progress too work-related)
 - expressing a desire to develop common ground with you, such as sharing personal interests, likes or activities.
 - developing a relationship with you which involves elements of contrived trust, shared deception or lies, or overlooking certain inappropriate or illegal behaviours.
 - claiming, without substance, to have mutual associates/friends, or
 - unusually rapid development of an intimate relationship.
- The repetition of characteristics noted in a previous contact relationship – possibly suggesting a failed first cultivation passed onto another for a second attempt.
- An unusual coincidence
- Any form of direct or implied threat, compromise, intimidation or coercion, or
- Anything else causing you to have suspicions about the genuineness or motives behind the contact.

3.18 If you are not sure whether something should be reported, discuss it with your manager or contact the Integrity Officer, Agency Security Adviser or email the Integrity Reporting inbox.

4. Requirement to complete a declaration

- 4.1 The APS Code of Conduct at section 13(7) of the PS Act requires staff to take reasonable steps to avoid conflicts of interest and disclose personal interests in connection with your employment. The PGPA also outlines the *General duties of officials*, including duty to act honestly, in good faith and for a proper purpose, and disclose interests.
- 4.2 In addition to legislative requirements, making a declaration supports transparency and integrity and ensures the NACC is taking all reasonable measures to manage risks.

- 4.3 Declarations are made using the form contained within and through the process set out in section 5 of the *NACC Integrity Policy*. Completing a declaration on commencement provides a baseline which must be updated annually by 31 July or wherever a conflict or potential conflict is identified (e.g. the NACC is considering entering a contract with a business which you or a family member has an interest).
- 4.4 Completed declarations should be forwarded to the Integrity Reporting inbox that is restricted to the NACC's Integrity Officer and Agency Security Adviser (ASA).
- 4.5 The NACC is committed to protecting your privacy; any information provided will be treated with the highest level of confidentiality and only used to assist in managing conflicts.
- 4.6 Depending on the nature of your declaration, your manager may discuss it with their relevant executive. In some cases, a strategy for managing any potential or actual conflicts of interest may need to be developed in conjunction with your manager and a management plan developed which may be reviewed on an annual basis.

5. Review or variation of this policy

- 5.1 This policy will be reviewed as necessary to ensure consistency with legislation, government policy, organisational changes within the NACC and/or changes in the working environment. It may also be reviewed at the request of employees.

6. Approval



Philip Reed
Chief Executive Officer

18 July 2023



Australian Government

National Anti-Corruption Commission

Gifts and Benefits Policy

Issued 6 July 2023

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1. Purpose

- 1.1 This document sets out your responsibilities as an employee of the National Anti-Corruption Commission (NACC) regarding receiving or offering gifts or benefits.
- 1.2 This policy applies to all NACC staff members, including any secondees and contractors, and any gifts or benefits that may be offered or given to a partner, family member, or associate in connection with your employment as a NACC employee.
- 1.3 This policy applies to all gifts and benefits, whether they are provided by a publicly funded or private sector organisation.
- 1.4 For the purpose of this policy, a gift or benefit is any item or service that is accepted by a NACC employee in the course of their official duties.

2. Legislative/Policy Basis

- 2.1 This policy is authorised under the *Public Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*, and should be read in conjunction with the NACC Integrity Policy and NACC Accountable Authority Instructions: specifically, sections 2.7 - Official hospitality and 6.1c – Receiving gifts and benefits.

3. Offers of Gifts or Benefits

- 3.1 Circumstances surrounding an offer of a gift or benefit can vary greatly. It is not possible to devise a prescriptive set of rules that will cover every eventuality. You will need to carefully consider and exercise your judgment in each case.
- 3.2 Examples of some common gifts and benefits that may be offered to you are outlined in **Appendix A**.
- 3.3 Except in some circumstances outlined in section 4, you must not accept gifts or benefits that are offered in the course of carrying out your duties.
- 3.4 Specifically, you must refuse any offer of a gift or benefit that is:
 - Intended to influence your judgment, or which could be perceived to give rise to a conflict of interests, or
 - Made in connection with a tender or purchasing process.

- 3.5 You must report any offers of this nature to the Integrity Reporting inbox.
- 3.6 NACC staff are not permitted to enter any competition or lottery style promotion in connection with their work, for example those offered by an airline in exchange for feedback when the flight was taken for official travel.

4. Circumstances where gifts or benefits may be accepted with written approval

- 4.1 Where practicable, you should seek approval to receive a gift or benefit prior to the offer being made. Where this is not practicable, and it is not appropriate to refuse the offer, you must declare the gift or benefit within **31 days** of receipt using the *Receiving a Gift or Benefit Form* available on the NACC Intranet.
- 4.2 Forms must be submitted to the Integrity Reporting inbox, including your intention and approval to retain or dispose the gift or benefit. Approval to retain the gift or benefit may only be given by the receiver's General Manager (SES Band 1) or above.
- 4.3 Examples of gifts and benefits that you may accept, but seek approval to retain include:
- Low value commemorative items, such as coffee mugs, ties, scarves and pens, or
 - Gifts or benefits received in the course of official duties, such as gifts from overseas visitors, where refusal could result in embarrassment or reputational damage to the NACC or the Australian Government.
- 4.4 If you attend a function or conference in your capacity as a NACC employee, where a gift bag is provided to attendees, you do not have to seek approval to accept the gift bag where the value of the gifts included is less than \$100 (ex GST).
- 4.5 Any electronic or ICT equipment you receive in accordance with this policy must be surrendered to the Agency Security Adviser for disposal. Under no circumstances may these items be used for official purposes or on the NACC network.

Meals and refreshments

- 4.6 If you attend a function, conference or other event in your capacity as a NACC employee (including as a presenter), you may accept food and refreshments up to the value of \$100 (ex GST). You must declare food and refreshments in all other cases, before the event if possible. Where the food and refreshments were not anticipated, they can be declared after the event. However, light snacks, tea and coffee do not need to be declared.
- 4.7 You must not seek or receive a meal allowance where you have been provided a meal through the event organiser. If you were paid a meal allowance in such circumstances, you should report this and arrange to repay the allowance.

Disposal of gift after consideration by General Manager

- 4.8 Where it is determined by your General Manager that it is not appropriate for you to keep a gift, or if you do not want to keep the gift, the General Manager will determine an appropriate manner to dispose of the gift in accordance with Accountable Authority Instructions regarding the disposal of relevant property.

5. Offering gifts or benefits

- 5.1 You must seek prior approval from a NACC General Manager in order to offer official gifts or benefits to individuals or organisations in appropriate circumstances, such as:
- to commemorate an official event or visit by providing a NACC branded gift to a guest or host;
 - refreshments and catering where the NACC is facilitating an event or visit.
- 5.2 The relevant manager will be guided by Accountable Authority Instructions relating to official hospitality to determine whether it is appropriate to offer gifts or benefits in the circumstances.
- 5.3 You may seek approval to offer other gifts or benefits by completing the *Request for Official Gift Presentation Form* available on the NACC intranet and emailing it to the Integrity Reporting inbox.
- 5.4 When offering the official gift, it must be made clear you are providing the gift as a representative, and on behalf of, the NACC.

6. Gifts and Benefits Register

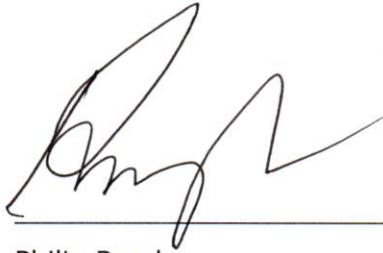
- 6.1 Except as specified above, the details of all gifts and benefits received and offered by NACC employees in their official capacity will be included in the NACC's Gifts and Benefits Register. Updates to this register are reported to the NACC's Governance Committee on a monthly basis.
- 6.2 Where you received a gift or benefit, the register will include the following details:
- Your name and position as a NACC employee;
 - A description of the gift or benefit and its estimated value;
 - The person or organisation who gave you the gift or benefit;
 - The circumstances under which the gift or benefit was given; and
 - Whether the gift or benefit was retained by you, the NACC or was disposed of.
- 6.3 Where the gift or benefit is valued over \$100 (ex GST), the above details will be published on the NACC's website on a quarterly basis. Because of this, before accepting a gift or benefit with a value of over \$100 (ex GST), you should inform the person or organisation that is giving you the gift or benefit that their name will be published on a public register if accepted. If the value of the gift is unknown at the time of accepting it, you should still inform the person or organisation that their details may be published.

7. Review or variation of this policy

- 7.1 This policy will be reviewed as necessary to ensure consistency with legislation, government policy, organisational changes within the NACC and/or changes in the working environment. It may also be reviewed at the request of employees.



8. Approval

A handwritten signature in black ink, appearing to read 'Philip Reed', is written over a horizontal line.

Philip Reed
Chief Executive Officer
July 2023

Appendix A – Examples of gifts or benefits

- Airline lounge membership
- Christmas function invitations
- Gift baskets
- Flowers
- Gift cards
- Promotional materials, including manufacturer's samples, clothing or books
- Benefits under loyalty schemes
- Hire car discounts, or other transportation
- Tickets to cultural, theatre or sporting events
- Discounts on commercial items
- Free attendance at training and development events
- Items such as bottles of wine, clothing and jewellery
- Sponsored travel or upgrades
- Discounts or product offers not available to members of the public
- Hospitality, for example meals, drinks and refreshments
- Accommodation
- Entertainment
- Use of facilities
- Cash, shares or similar benefits (including a cash discount off travel or restaurants)

This list is not exhaustive.



Australian Government

National Anti-Corruption Commission

Personal Use of Social Media Policy

Issued 6 July 2023

File Ref 23#31349DOC

1. Purpose

- 1.1 This document sets out your responsibilities as an employee of the National Anti-Corruption Commission (NACC) regarding your personal use of social media. These requirements aim to mitigate integrity risks to yourself and the NACC.
- 1.2 This policy does not affect the use of social media where it is authorised for work purposes.

2. Legislative/Policy Basis

- 2.1 This policy is authorised under the *Public Service Act 1999* and should be read in conjunction with the APS Values and Code of Conduct.

3. What is covered by the term 'social media'?

- 3.1 Social media takes on many different forms including, but not limited to, internet forums, blogs, picture and video sharing sites and apps, wikis, social networks (including dating and professional network sites), podcasts and experience rating websites.
- 3.2 Social media can be used in a number of capacities, including your official capacity, a professional capacity and your personal capacity.
- 3.3 Social media often includes the following characteristics, which can pose a risk to users:
 - It is easily accessible through web-based and mobile technology
 - It relies on user-generated content
 - Its content can be searchable
 - It is socially interactive and collaborative, and
 - It is operational and available at any time.
- 3.4 In addition, many forms of social media enable or deploy other risk-related technology such as:
 - Geo-positioning or tracking
 - Phishing, and
 - Malware.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a flourish.

4. Being aware of risks associated with social media use

- 4.1 As a NACC employee, you occupy a position of heightened trust. The access of some NACC employees to sensitive information and certain statutory powers makes all NACC staff attractive targets for organised crime or criminals.
- 4.2 Social media provides opportunities for criminals and others to harvest information to assist them to infiltrate an organisation or to groom or compromise its employees.
- 4.3 The following risks are associated with personal social media use by NACC employees:
- Unlawful disclosure of sensitive information (whether deliberate or inadvertent)
 - Identification of NACC staff, locations, operational activities and capabilities
 - Safety risks for staff and their families
 - Grooming
 - Infiltration, and
 - Blackmail.
- 4.4 Information inappropriately placed on social media can be used for cybercrime, fraud and identity theft. It can also prejudice NACC investigations or legal procedures.
- 4.5 Careless use of social media can also compromise your personal safety, as well as that of your family members, friends and colleagues, and jeopardise future career opportunities.
- 4.6 Risks arise not only from your personal use of social media, but also the use of social media by colleagues, family and friends.
- 4.7 NACC staff should be mindful of the speed and reach of the internet and associated technologies. In particular, you should be aware that material posted on social media may be:
- seen by recipients other than those for whom it was intended;
 - endlessly replicated and therefore it effectively lasts forever;
 - changed or manipulated by others; or
 - taken out of context.

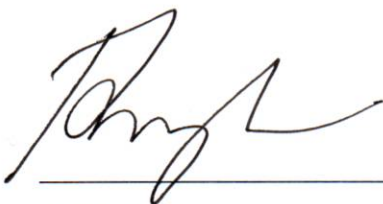
5. Policy

- 5.1 As a NACC employee, it is your responsibility to take reasonable measures to mitigate the risks associated with your personal social media use, including where you operate an anonymous or third-party account. You should take care not to:
- Disclose your employment with the NACC, except where the details of your employment are publicly available (generally statutory office holders only) or pre-approval is obtained
 - Post or share photos taken in the workplace or with the workplace or any workplace identifier (such as logos or a statutory office holder) in the background

- Post or share photos of your colleagues
 - Post or share comments that could be perceived as political, or as compromising your impartiality, your professionalism or confidence in the APS in general
 - Post or share, or make any comment that is, or could be perceived to be, made on behalf of the NACC or the Australian Government, or
 - Commit the NACC or the Australian Government to any action or initiative.
- 5.2 You should seek advice from your manager or the Integrity Officer, as appropriate, about integrity risks relating to your use of social media.
- 5.3 As a NACC employee, you must:
- Declare conflicts of association, including online associations
 - Submit contact reports as appropriate, and
 - Adhere to the APS Values and Code of Conduct – this includes private conduct that may have an impact on your professional standards or conduct.
- 5.4 Further to NACC requirements, as an APS employee you are also expected to maintain appropriate standards of behaviour. Guidance on expected social media behaviour to assist staff is produced by the Australian Public Service Commission as part of its Integrity Resources.
- 5.5 Your use of personal social media during working hours, for example on personal phones, should be limited and responsible, so as not to interfere with normal working arrangements and obligations.
- 5.6 If you fail to comply with this policy, you may be subject to sanctions under section 15(1) of the *Public Service Act 1999*. Sanctions could range from a reprimand to termination of employment.

6. Review or variation of this policy

- 6.1 This policy will be reviewed as necessary to ensure consistency with legislation, government policy, organisational changes within the NACC and/or changes in the working environment. It may also be reviewed at the request of employees.



Philip Reed
Chief Executive Officer

6 July 2023



Australian Government

National Anti-Corruption Commission

Secondary Employment Policy

Issued 6 July 2023

File Ref 23#31348DOC

1. Purpose

- 1.1 This policy sets out the expectations of the National Anti-Corruption Commission (NACC) and your responsibilities as a NACC employee in relation to secondary employment, also known as outside employment.

2. Legislative/Policy Basis

- 2.1 This policy is authorised under the *Public Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*.
- 2.2 Staff considering engaging in secondary employment should also read the NACC's Integrity Policy, Integrity Risk Reporting and Management documents, and Private Interest Declarations policy.

3. Background

- 3.1 It is possible that some forms of secondary employment may present a perceived, potential or actual conflict of interest with your official duties as a NACC employee. Some types of employment also have the potential to interfere with the ability of NACC employees to efficiently and effectively perform their duties.
- 3.2 The NACC therefore requires all employees to disclose the nature of any secondary employment to the NACC for consideration, prior to accepting or commencing that secondary employment.

4. What is covered by the term 'secondary employment'?

- 4.1 Secondary employment includes, but is not limited to, any of the following:
- paid work of any kind, with another employer;
 - unpaid work of any structured kind (such as committee or volunteer work);
 - working for another employer while on leave from the NACC (including long service, maternity or miscellaneous leave, whether with or without pay);
 - any activity that may be perceived as a conflict of interest.

A handwritten signature in black ink, consisting of a stylized capital 'A' followed by a flourish.

5. Policy

- 5.1 Generally, staff members should not engage in secondary employment if it:
- could create a perceived or actual conflict of interest;
 - is likely to affect their ability to perform their official NACC duties;
 - cannot be performed wholly in private time; or
 - may reflect adversely on the NACC, the Australian Public Service or the Australian Government.
- 5.2 Prior to commencing any form of secondary employment, you must disclose your intent to engage in the employment, so that any risks can be assessed, and if required specific direction given on how to manage any actual, potential or perceived conflict of interest. Failure to comply with this, or any, direction by the NACC may be construed as a breach of the APS Code of Conduct.
- 5.3 Ongoing secondary employment in connection with an entity or business that may meet the definitions set out in the NACC Private Interest Declarations policy must be declared as required by that policy.
- 5.4 The APS Code of Conduct applies to out-of-hours conduct in certain circumstances, which may mean you are expected to comply with the Code of Conduct while engaged in secondary employment.

6. Application process

- 6.1 Applications for secondary employment must be lodged using the *Notification of Secondary Employment* form available on the NACC intranet.
- 6.2 The requirement for staff to declare secondary employment should be discussed with candidates prior to formal offer so potential staff can make an informed decision on the offer. Where the candidate has a form of secondary employment outside their regular role (i.e. the position they are transferring from to the NACC), the pre-existing secondary employment should be disclosed as part of their engagement and no later than onboarding.

7. Review and revocation of approval

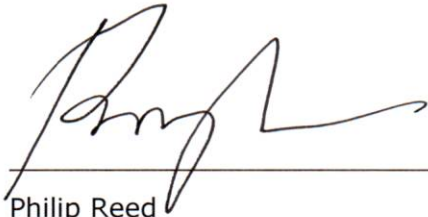
- 7.1 Your secondary employment arrangements, and the NACC's approval of the arrangements, can be reviewed and/or revoked at any time if it is considered that the risks associated with the secondary employment arrangements are not being managed appropriately, or if any circumstances or risks have changed.
- 7.2 You must inform your manager of any change in the nature or circumstances of your approved secondary employment arrangements, and these must be reported in line with the NACC's Integrity Risk Reporting and Management policy.
- 7.3 If you are unhappy with a decision made in accordance with this policy, you may seek a review by emailing the HR Assist inbox.



8. Review or variation of this policy

- 8.1 This policy will be reviewed as necessary to ensure consistency with legislation, government policy, organisational changes within the NACC and/or changes in the working environment. It may also be reviewed at the request of employees.

9. Approval



Philip Reed
Chief Executive Officer

July 2023