

THE UNIVERSITY OF QUEENSLAND

INTEGRITY AND INVESTIGATIONS UNIT

TERMS OF REFERENCE

Reporting To	Chief Operating Officer
Contact	Associate Director, Integrity and Investigations Unit
Date Last Amended	8 October 2014

Purpose

The purpose of the investigations function is to effectively manage and undertake investigations in respect of specified aspects of the University's operations

The responsibilities of the Investigations function are to:

- Manage and undertake investigations in a manner which meets the requirements of the University.
- Develop investigations frameworks and escalation protocols which are appropriate to meet the needs of the University.
- Manage external contracting-out of investigation services to external suppliers as appropriate.
- Develop reporting on investigation and complaints trends for in-scope areas.
- Escalate individual investigations of significance to the Issues Management Group based on the criteria defined by that group.
- Receive reports from external consultants on the progress of significant investigations and provide advice and guidance on the appropriateness of actions taken.
- Discuss and report to the Issues Management Group significant investigations and trends.
- Manage professional investigations staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of these terms of reference. This staff may be supplemented by external parties where skills are not available internally.
- Develop and deliver a suite of training and awareness tools aimed at minimising the incidence of misconduct at the University.
- Develop mechanisms to identify and deal with systemic issues.
- Maintain a professional working relationship with the Crime and Corruption Commission (CCC), including the referral of appropriate matters and dealing with requests or instructions from the CCC.
- Provide assistance and support to the complaints management functions of the University as directed.
- Provide policy advice as request on related topics.
- Manage the Public Interest Disclosure (PID) responsibilities of the University, including data collection and management.

Scope

Generally the scope of services would normally include, but not be limited to, investigations of allegations or suspicions of the following:

- Fraud or corruption;
- Conflict of Interest;
- Breach of Privacy;
- Misuse of University equipment or resources; and
- Matters that may amount to misconduct, serious misconduct or corrupt conduct.

The Integrity and Investigations Unit would not normally investigate matters that involve the following:

- Student complaints or grievances;
- Research misconduct; (unless upon request from the PVC (R&I) and after approval by the COO or VC)
- Occupational Health and Safety;
- Discrimination as defined by the Anti-Discrimination Act; and
- Bullying and harassment.

Investigations undertaken by the Integrity and Investigations Unit would be confined to the University of Queensland and may extend to its controlled entities or associated bodies.

Authority

The Integrity and Investigations Unit is authorised by Senate to oversee or carry out investigations within the defined scope of this Terms of Reference

In carrying out its responsibilities, the Integrity and Investigations Unit will have:

- With the appropriate approvals, free and unrestricted access to all premises of the University and the right to inspect all correspondence, files, records, accounts and all other forms held by the University as is necessary for the conduct of investigations.
- The right to require all officers of the University to supply such information, explanations and documentation as is necessary for the conduct of investigations.
- Every assistance from University staff as is necessary for the conduct of investigations.
- The right to meet with Senate Risk Committee without other management personnel present. Such meetings with the Integrity and Investigations Unit should address, amongst other things whether there have been any impediments to carrying out their respective investigations.

Accountability

The Integrity and Investigations Unit reports to the Vice-Chancellor's Risk and Compliance Committee (VC RCC) on systemic risk issues which may be highlighted by investigations activities.

The Integrity and Investigations Unit shall be accountable for routine operations to the Issues Management Group to:

- Report on significant investigations.
- Provide information periodically on the status and results of the program of activity for the function.
- Coordinate with other control and monitoring functions (internal audit, compliance, risk management, security, legal, ethics, environmental, external audit).

The Associate Director, Integrity and Investigations Unit has direct access to the Vice-Chancellor, Chancellor and Chair of the Senate Risk Committee where required.

The Chief Operating Officer or Associate Director, Integrity and Investigations Unit must brief the Chair of the Senate Risk Committee on current investigations undertaken by the Integrity and Investigations Unit on a periodic basis.

Qualification of the Associate Director, Integrity and Investigations Unit

The officer assuming responsibilities of the Associate Director, Integrity and Investigations Unit must, as a minimum, hold a level of professional membership or accreditation in a recognised industry body associated with Investigations.

Evaluation

The Integrity and Investigations Unit will be subject to review to ensure compliance with expected standards and to identify any areas of its operations and performance requiring improvement.

The review will include discussions with senior management and the chairperson of the Issues Management Group to understand their views and identify improvements on the level of service and quality of work performed by the Integrity and Investigations Unit.

Review

This Terms of Reference should be reviewed every year by the Issues Management Group and the Senate Risk Committee

Investigation Approach

The investigation of allegations may include:

- Preliminary assessment of the complaint or allegation;
- Gathering documentary evidence;
- Reviewing contracts or agreements;
- Conducting interviews of allegedly involved parties, including complainants and subject officers;
- Analysing financial information and establishing the amount of any loss resulting from fraudulent or corrupt practice;
- Preparing a report of investigation findings together with recommendations for action including advice and recommendations in relation to any systemic problems uncovered;
- Liaison with the Crime and Corruption Commission in relation to referable matters; and
- Liaison with the Fraud and Corporate Crime Group of Queensland Police in relation to fraud and corruption matters.
- Contemporary investigative practices are to be utilised and the CCC's Corruption in Focus publication is to be used as a guide.

Confidentiality

In carrying out its responsibilities the Integrity and Investigations Unit will treat all allegations and investigation materials with the utmost confidentiality and discretion. Sharing of any of these materials will be strictly limited to the extent necessary to carry out the investigation. Proper safeguards will be observed to protect the complainant, subject officers and witnesses.

Where the matter is determined to be a Public Interest Disclosure the Integrity and Investigations Unit will ensure that protection in accordance with the Public Interest Disclosure Act is provided to the complainant.

Standards

In carrying out its investigations the Integrity and Investigations Unit will follow best practice including:

- Where practicable observing misconduct investigation guidelines *Corruption in Focus* as published by the Crime and Corruption Commission;
- Application of the rules of natural justice and procedural fairness; and
- Following proper protocols in relation to the preservation of documentary and electronic evidence to ensure it is legally admissible in any resultant judicial or administrative hearing.

Observance of Legislative and other requirements

The Associate Director, Integrity and Investigations Unit will undertake the role of the Crime and Corruption Commission Liaison officer in addition to the Chief Operating Officer.

The Integrity and Investigations Unit will be cognisant at all times of the requirements of the Crime and Corruption Act as it applies to the University. The Integrity and Investigations Unit undertakes to bring to the attention of the Vice-Chancellor any matter involving suspected corrupt conduct to assist the University in complying with the reporting obligations of Section 38 of the Crime and Corruption Act.

The Integrity and Investigations Unit will be cognisant at all times of the requirements of the Public Interest Disclosure Act as it applies to complaints received by the University. The Integrity and Investigations Unit will ensure it liaises with the officer responsible for recording and reporting matters determined to be Public Interest Disclosures.

The Integrity and Investigations Unit will be cognisant at all times of the misconduct provisions of the University of Queensland Enterprise Agreement.

The Integrity and Investigations Unit will be alert to any other legislative requirements that may be applicable to investigations conducted by the Unit.

Independence

The Integrity and Investigations Unit will be administered by and report routinely to the Chief Operating Officer and Issues Management Group. It also has direct access to the Vice-Chancellor, Chancellor and Chair of the Senate Risk Committee where required.