
FINANCIAL WRONGDOING POLICY

APPLICABILITY	AOG World Relief Vietnam Team (Staff) and Advisory Board Members, Volunteers, Visitors & Project Partners (see scope)
VERSION	1
WRITTEN BY	Rebekah Windsor <i>AOGWR Vietnam Program Director</i>
APPROVAL: AOGWRVN	31/05/2023
APPROVAL: ACCI	01/06/2023
REVIEW DATE	31/05/2026

1. PREAMBLE

- 1.1 AOG World Relief Vietnam (hereafter referred to as “AOGWR Vietnam”) is a registered charity both in Vietnam and Australia, as well as a recognised international field office of ACC International Relief Inc (hereafter referred to as ACCI) and therefore must ensure that its funds are used for its specified charitable purposes.
- 1.2 AOGWR Vietnam is committed to the responsible stewardship of the resources entrusted to us. We have zero tolerance for any financial wrongdoing attempted or committed in relation to those resources. We will promote this commitment on our website and in other public materials. Any detected cases of financial wrongdoing will be reported to appropriate authorities and may result in disciplinary action including dismissal, or cessation of funding agreements.
- 1.3 This policy demonstrates AOGWR Vietnam’s commitment to prevent all forms of financial wrongdoing from occurring in our operations and programs. It also acknowledges the special partnership between the two entities of AOGWR Vietnam and ACCI. Therefore, this policy is based on the principles of building trust, being accountable, honest and transparent in all our dealings.
- 1.4 The prevention of financial wrongdoing is the responsibility of all staff (team), governing body members, volunteers, partners, and ACCI more broadly. Therefore, AOGWR Vietnam wants to promote consistent organisational behaviour by providing guidelines and assigning responsibilities for the development of risk management controls.
- 1.5 Financial wrongdoing includes behaviour that is illegal or immoral with regards to financial transactions, including:
 - (a) Bribery – the offering, promising, giving, accepting, or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards, or other advantages.
 - (b) Corruption – the abuse of entrusted power for private gain.
 - (c) Fraud – Dishonestly obtaining a benefit, or causing a loss, by deception or other means.
 - (d) Money Laundering – the process of concealing the origin, ownership or destination of illegally or dishonestly obtained money and hiding it within legitimate economic activities to make them appear legal.

- (e) Terrorism Financing – intentionally providing or collecting funds and being reckless as to whether those funds would be used to facilitate or engage in a terrorist act.
- (f) Violation of sanctions imposed by the Australian government.

2. PURPOSE

2.1 The purpose of this policy is to:

- (a) ensure that all team (staff) and volunteers are aware of their responsibilities regarding the identification and prevention of financial wrongdoing;
- (b) ensure that all employees and volunteers understand who to report to if they suspect financial wrongdoing; and
- (c) provide a step-by-step guide to respond to an allegation regarding fraudulent activity.

3. SCOPE

3.1 This policy applies to all AOGWR Vietnam people, including:

- (a) All AOGWR Vietnam Team **(Staff)** including but not limited to employees, contractors and consultants.
- (b) All AOGWR Vietnam **Volunteers** including but not limited to office and event-based volunteers.
- (c) All AOGWR Vietnam **Project Partners** including any entity receiving AOGWR Vietnam funding in Vietnam or abroad to implement activities including but not limited to community development, disaster response or non-development activities.
- (d) All AOGWR Vietnam **Advisory Board Members**.

SPECIAL NOTE: ACCI has its own Financial Wrongdoing Policy which outlines their specified scope.

4. REGULATORY CONTEXT

4.1 Advisory Board members are required to take reasonable steps to protect AOGWR Vietnam's assets and ensure funds are being used for AOGWR Vietnam's charitable purpose. The External Conduct Standards outlined in Australian Law also expressly requires AOGWR Vietnam to take reasonable steps to minimise the risk of financial wrongdoing given its special relationship to ACCI.

- 4.2 This Financial Wrongdoing Policy has been developed with regard to the Australian ACNC Governance Standards and External Conduct Standards, the ACNC Guide - Protect Your Charity from Fraud, and Board members' statutory and common law obligations.

5. RESPONSIBILITIES

- 5.1 It is the responsibility of the Advisory Board to ensure that:
- (a) Financial wrongdoing is prevented and detected within AOGWR Vietnam;
 - (b) AOGWR Vietnam assesses and take steps to mitigate or remove risks;
 - (c) appropriate and effective internal control systems are in place; and
 - (d) any breaches of this policy that come to the attention of the Advisory Board are dealt with appropriately.
- 5.2 It is the responsibility of the Program Director(s) and/or Management Team to ensure that:
- (a) this policy is implemented and compliance is monitored;
 - (b) AOGWR Vietnam team (staff) are aware of and understand the policy;
 - (c) instances of financial wrongdoing are reported to the Program Director(s) and/or Management Team and are dealt with and investigated in accordance with this policy.
- 5.3 It is the responsibility of AOGWR Vietnam team (staff) to ensure that they:
- (a) assess the risk of financial wrongdoing within their area of control;
 - (b) educate staff/volunteers/contractors/strategic partners/field workers/associates about the prevention and detection of financial wrongdoing; and
 - (c) facilitate the reporting of suspected financial wrongdoing.

PART 2: PREVENTION & RISK MANAGEMENT

6. POLICY

- 6.1 AOGWR Vietnam will not tolerate any financial wrongdoing attempted or committed in any aspect of its operations.
- 6.2 AOGWR Vietnam will:
- (a) assess financial wrongdoing related risks and take mitigating steps;
 - (b) educate Advisory Board members, staff and volunteers on prevention and detection of financial wrongdoing;
 - (c) have mechanisms for reporting of suspected financial wrongdoing; and
 - (d) respond to suspected financial wrongdoing.

7. RISK ASSESSMENT

- 7.1 The AOGWR Vietnam Advisory Board will specifically include financial wrongdoing related risks as part of the AOGWR Vietnam Annual Risk Assessment, submitted to the ACCI Board.
- 7.2 The completed Risk Assessment may be conducted through a sub-committee but must be reviewed by the full AOGWR Vietnam Advisory Board and tabled at an Advisory Board meeting for discussion. In addition, it must be submitted to the ACCI Board thereafter to undergo the same process.
- 7.3 The Advisory Board will:
- (a) assess and prioritise risks identified; and
 - (b) approve any additional or amended controls to remove or lessen financial wrongdoing related risks.
 - (c) The Program Director(s) and/or Management Team must implement approved controls.

8. EDUCATION

- 8.1 The Program Director(s) and/or Management Team will ensure that induction processes for team (staff), volunteers and Advisory Board members include training and education on this policy, prevention, reporting, and detection of financial wrongdoing.

9. REPORTING PROCEDURE

- 9.1 Reporting of financial wrongdoing may be done in line with the AOGWR Vietnam Whistle-blower Policy.
- 9.2 All AOGWR Vietnam people have the responsibility to report suspected financial wrongdoing.
- 9.3 Any AOGWR Vietnam people who suspect financial wrongdoing must immediately notify their supervisor or the Program Director(s) and/or Management Team about the concern.
- 9.4 In situations where the staff member, volunteer or contractor notifies their supervisor, the supervisor must then notify the Program Director(s) and/or Management Team (or the ACCI Finance Manager in circumstances where the suspected financial wrongdoing involves the Program Director(s) and/or Management Team).
- 9.5 Any person reporting a financial wrongdoing suspected, attempted, or committed, shall not be penalised for raising a concern of this nature.

10. RESPONDING TO SUSPECTED FINANCIAL WRONGDOING

- 10.1 Upon notification of an allegation pertaining to financial wrongdoing, the Program Director(s) and/or Management Team (or the ACCI Finance Manager) will promptly arrange to carry out an initial review into the allegation.
- 10.2 After an initial review and a determination that the allegation warrants additional investigation, the Program Director(s) and/or Management Team (or the ACCI Finance Manager) shall coordinate the investigation with the appropriate law enforcement officials or external investigator as deemed appropriate. Internal or external legal representatives will be involved in the process, as deemed appropriate.
- 10.3 Once an allegation is reported, immediate action must be taken to prevent the theft, alteration, or destruction of relevant records. Such actions include, but are not necessarily limited to, removing relevant records/information, and placing them in a secure location, limiting access to the location where the records / information currently exists, and preventing the individual suspected of committing the fraud from having access to the records/ information.
- 10.4 If an allegation is substantiated by the investigation, disciplinary action, up to and including dismissal (or termination of an individual's right to work as a contractor or volunteer), shall be taken by the appropriate level of management.

- 10.5 AOGWR Vietnam will also pursue every reasonable effort, including Vietnamese and/or Australian court ordered restitution, to obtain recovery of any losses from the offender.

11. REPORTING FINANCIAL WRONGDOING TO AUTHORITIES

- 11.1 The Program Director(s) and/or Management Team (or the ACCI Finance Manager) must notify the police or relevant law enforcement authority of any suspected criminal activity.

12. FINANCIAL WRONGDOING CONNECTED TO THIRD PARTY PROGRAMS

- 12.1 AOGWR Vietnam pursues its charitable purposes in part through collaborating with a third party or third parties to deliver programs overseas.
- 12.2 Due to its special relationship with ACCI, AOGWR Vietnam is required by the Australian ACNC External Conduct Standards (**ECS**) to minimise the risk of financial wrongdoing by collaborating third parties outside of Australia.
- 12.3 As part of its ECS risk assessment, the Advisory Board must determine what level of oversight it requires in relation to financial wrongdoing connected to third parties, with reference to matters including the:
- (a) level of risk associated with the operations;
 - (b) relationship with the third party;
 - (c) prevention and risk management controls within the third party; and
 - (d) consequences of financial wrongdoing connected to overseas operations not being acted upon.
- 12.4 The Advisory Board must consider whether it is appropriate, given the context of Vietnam as a Communist State, to:
- (a) impose financial wrongdoing prevention and risk management obligations on third parties through a Strategic Partnership Agreement, Memorandum of Understanding, or other agreement;
 - (b) offer training to third parties on financial wrongdoing prevention and risk management;
 - (c) require third parties to produce their own Financial Wrongdoing Policy or procedure (or provide one for them to adopt); and/or

- (d) implement AOGWR Vietnam’s own controls and monitoring systems to prevent and detect financial wrongdoing in the third party’s operations.

13. COMPLIANCE WITH THIS POLICY

- 13.1 If the Program Director(s) and/or Management Team or Advisory Board have reason to believe that this policy has not been complied with, they must investigate.
- 13.2 If it is found that a person has failed to comply with this policy, the Program Director(s) and/or Management Team or Advisory Board may take action against them, including disciplinary action up to and including dismissal (or termination of an individual’s right to work as a contractor or volunteer).

14. RELATED POLICIES

- 14.1 Finance Policy
- 14.2 Whistle-blower Policy
- 14.3 Conflicts of Interest Policy

15. REVIEWING THE POLICY

AOGWR Vietnam’s Financial Wrongdoing Policy will be **reviewed every three years**. AOGWR Vietnam management (Program Director(s) and/or the Management Team) will manage the review and stakeholders will be consulted during this process.

16. COMMITMENT

I, _____, **have read and understood the above AOGWR Vietnam Financial Wrongdoing Policy and agree to adhere to it and the associated procedures in their entirety.**

Signed: _____

Date: _____