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## Australian Government

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## Services Australia

### Report suspected fraud and corruption 110-09110000

Currently published version valid from 4/06/2025 9:53 PM

### Background

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This document explains how to report welfare, health, child support and childcare provider fraud and corruption.

#### Definition of fraud

The Commonwealth Fraud Control Framework 2017 defines fraud as 'dishonestly obtaining a benefit or causing a loss by deception or other means'.

#### Definition of corruption

The Commonwealth Fraud Control Framework 2017 defines corruption as 'the abuse of public office for private gain'.

Corrupt activities within the agency may take the form of:

- abuse of confidential or personal information for benefit
- undeclared /unmanaged conflicts of interest, for example in procurement activities
- payment or acceptance of a bribe to forego duties or obligations, show favouritism, or influence a process or decision, such as approving fraudulent claims for services
- accessing agency systems and information for personal benefit, which may be as simple as gratification or more sinister, such as to control, threaten or manipulate a situation or person; and
- a manager using their position of authority to influence the decision-making of a subordinate for personal benefit or to the benefit of another

#### Suspected fraud and corruption identified by staff

If a staff member identifies fraud and corruption, they must report it. For the relevant process see:

- [Welfare](#)
- [Health](#)
- [Child Support](#)
- [Child Care Provider](#)

**Note:** check that the customer is receiving their correct rate of payment when reporting suspected fraud and corruption.

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#### Suspected fraud and corruption identified by members of the public

A member of the public can report fraud by:

- Services Australia website
- telephone

See the [Resources](#) page for website and contact details.

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## Suspected internal fraud and corruption

The Report Suspected Fraud and Corruption system can be used to report suspected fraud and corruption by a staff member as a customer. s37(2)(b)

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## Privacy issues to be aware of when reporting suspected fraud and corruption

### Reporting fraud and corruption against Services Australia:

- Staff working in the Child Support, Centrelink or Medicare programs can report suspected fraud and corruption across any of the agency's programs
- Include any information relevant to the suspected fraud and corruption in the report

### Important points when reporting suspected fraud and corruption:

- Staff reporting suspected fraud and corruption on behalf of an individual or third party must not access the records of the person the report is being made against
- Staff that report suspected fraud discovered as part of their regular duties should not investigate, or access the record any further than is needed to complete their regular duties
- When reporting suspected fraud and corruption do not search the system for customer information to complete the report
- Because of the strict confidentiality provisions in the Acts under which the agency operates, timeframes, progress and outcomes of suspected fraud and corruption reports are never provided

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## Welfare fraud and corruption

Welfare fraud and corruption includes, but is not limited to, a customer or member of the public:

- claiming a welfare payment using a false identity or the identity of another person
- providing false or misleading information
- failing to disclose information, for example not disclosing assets or income from paid employment
- failing to declare they are a member of a couple
- continuing to receive a welfare benefit after a person has died or left their care
- failing to notify of permanent or temporary absence from Australia while receiving welfare payments

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## Health fraud and corruption

Health fraud and corruption may include a customer or member of the public:

- making Medicare claims for services not provided
- using someone else's Medicare card
- claiming a Medicare benefit using a false identity or the identity of another person using an invalid concession card
- forging prescriptions for Pharmaceutical Benefits Scheme (PBS) medicines
- taking or sending PBS medicine overseas that is not for their personal use or the personal use of someone travelling with them

Health provider fraud and corruption relates to allegations of suspected fraud and corruption committed by health providers against a health-related program and may include:

- fraud
- misconduct
- incorrect and/or inappropriate billing

Allegations of health provider fraud will be referred to the Department of Health and Aged Care for investigation.

**Note:** Health fraud and corruption may also include providers reporting allegations of fraud made against their Provider and/or Prescriber numbers.

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## Child support fraud and corruption

Child support fraud and corruption may include:

- making false or misleading statements
- use of false names or documents
- employee/employer collusion
- failure to meet employer obligations
- impersonating an officer
- failure to comply with legislative notices
- offences relating to Departure Prohibition Orders

Many offences are impacted by statutes of limitations. These statutes are usually 12 months from the date of the alleged offence. It is important to report suspected fraud and corruption in a timely manner.

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## Child Care Provider fraud and corruption

Child Care Provider fraud and corruption may include:

- reporting and charging attendance of a child for more hours attended or non-attendance
- not passing on the Child Care Subsidy (CCS) fee reduction to parents
- not available to provide care for 8 continuous hours on a day they operate (excludes Outside School Hours care (OSHC) and Occasional care (OCC))
- not providing statements or receipts for payment of fees
- refusal to report attendance
- falsely claiming Additional Child Care Subsidy (ACSS) (Child Wellbeing) for children
- charging excessive fees for a child
- child swapping allegations
- parent being asked to provide false information leading to excess Child Care Subsidy (CCS)
- for care before 2 July 2018:
  - not having passed Child Care Benefit (CCB) (and or Child Care Rebate (CCR)) as a fee reduction to parents
  - having falsely claimed Special Child Care Benefit (SCCB) payments
- asking parents to provide false information which lead to excess CCB payments

Suspected approved Child Care provider fraud and corruption reports will be referred to the Department of Education for investigation.

The [Resources](#) page has:

- links to the system and application for reporting suspected fraud and corruption
- links to contact details
- links to public interest certificates
- links to the intranet and Services Australia website
- frequently asked questions, and
- Child Support fraud definitions and tip-off script

## Contents

[Identity fraud \(CLK\)\(CS\)\(MED\)](#)

[Initial processing of reports of suspected fraud and corruption](#)

## Related links

[Requests lodged under the Freedom of Information Act 1982](#)

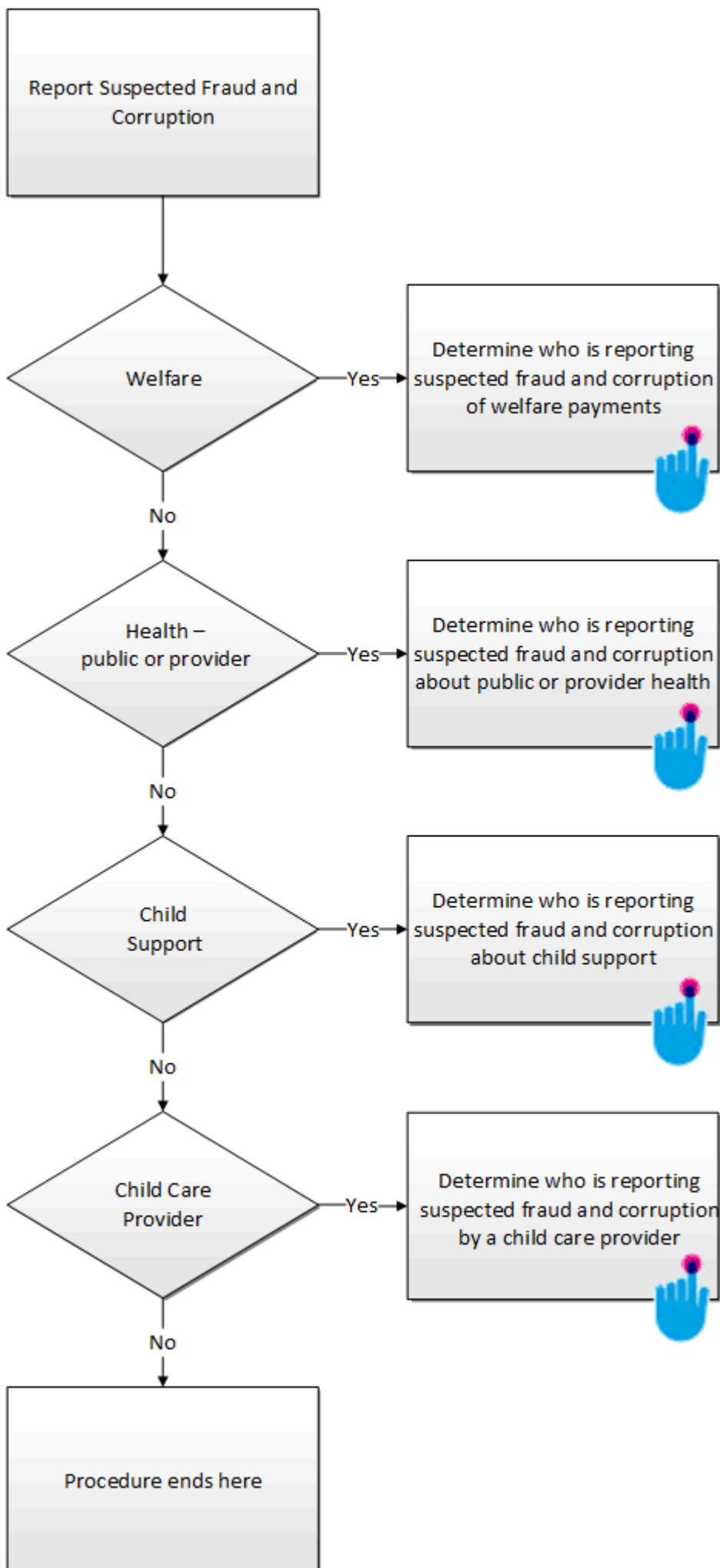
[Digital Commonwealth statutory declarations in myGov](#)

## Process Summary

### Flowchart

## Reporting suspected fraud and corruption for welfare, health, child support and childcare provider

**Note:** [a text-based version of the following process summary image is available.](#)



## **Policy**

[Child Support Guide 11.6.1 Employer offences](#)

[Child Support Guide 11.6.2 Offences involving a failure to comply with notices](#)

[Child Support Guide 11.6.4 False & misleading statements](#)

[Child Support Guide 11.6.5 Offences in relation to DPO's](#)

[Social Security Guide, 1.3.3 Privacy and Confidentiality](#)

For information about the obligation of Services Australia to tell individuals what their information will be used for and to whom it will be disclosed, see:

[Privacy and Secrecy Hub](#)

## Legislation

Links to the Federal Register of Legislation site go to a 'Series' page. Select the 'Latest' version.

[Criminal Code Act \(1995\) Division 148](#)

## Legislation providing Services Australia power to obtain information

[Social Security \(Administration\) Act 1999, section 192, General power to obtain information](#)

## Australian Privacy Principles (APPs)

Information on the collection, storage, and limits on the use of personal information and the alteration of records while undertaking these reviews is found in the Australian Privacy Principles (APPs).

[Privacy Act 1988, Schedule 1, Australian Privacy Principles](#)

Relevant Principles

- APP 1, Open and transparent management of personal
- APP 3, Collection of solicited personal information
- APP 5, Notification of the collection of personal information
- APP 6, Use or disclosure of personal information

## Centrelink legislation

The following secrecy provisions do not prevent the disclosure of protected information for the purpose of reporting suspected fraud and corruption to Serious Non-compliance if a Services Australia employee working under Centrelink legislation discovers suspected Child support fraud and corruption:

[Section 201\(1\) of the Social Security \(Administration\) Act 1999](#)

[Section 161\(1\) of the A New Tax System \(Family Assistance\) \(Administration\) Act 1999](#)

[Section 126\(1\) of the Paid Parental Leave Act 2010](#)

[Section 351\(3\) of the Student Assistance Act 1973](#)

The following secrecy provisions permit the disclosure of protected information when the disclosure is in the public interest:

[Section 208\(1\)\(a\) of the Social Security \(Administration\) Act 1999](#)

[Section 168\(1\)\(a\) of the A New Tax System \(Family Assistance\) \(Administration\) Act 1999](#)

[Section 128\(1\)\(a\) of the Paid Parental Leave Act 2010](#)

[Section 355\(1\)\(a\) of the Student Assistance Act 1973](#)

The following public interest certificate certifies that the reporting of suspected fraud and corruption to Serious Non-compliance if a Services Australia employee working under Centrelink legislation discovers suspected Health fraud and corruption is in the public interest:

[Public Interest Certificate: Centrelink for Health Fraud](#)

## Medicare legislation

The following secrecy provisions permit the disclosure of protected information when the disclosure is in the public interest:

[Sections 135A\(3\)\(a\), 135A\(7\)\(a\) and 135A \(8\) of the National Health Act 1953](#)

[Section 130\(3\)\(a\), 130\(7\)\(a\) and 130\(8\) of the Health Insurance Act 1973](#)

The following public interest certificate certifies the reporting of suspected fraud and corruption to the Intelligence and Investigations Branch if an employee working under Medicare legislation discovers suspected Child Support or Centrelink fraud and corruption is in the public interest:

[Public Interest Certificate: Medicare for Child Support and Centrelink Fraud](#)

## **Child Support legislation**

The following secrecy provisions do not prevent the disclosure of protected information if it is for the purpose of a Centrelink or Medicare program:

[Section 150\(3\) \(bb\) of the Child Support \(Assessment\) Act 1989](#)

[Section 16\(3\) \(bb\) of the Child Support \(Registration and Collection\) Act 1988](#)

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Table 5

Step	Action
1	<p><b>Making false or misleading statements</b></p> <p>A false or misleading statement may include:</p> <ul style="list-style-type: none"><li>• either parent deliberately omitting or under-declaring income or assets</li><li>• an employer advising a customer is not employed despite regular payments being deposited into the customer's account from the employer</li><li>• a customer claiming a child is in their care when this is not the case</li><li>• either parent stating they have relevant dependants when this is not the case</li></ul> <p>For more information, see the <a href="#">References</a> page for a link to Child Support Guide 11.6.4: False and misleading statements.</p>
2	<p><b>Use of false names or documents</b></p> <p>False or forged documents may include:</p> <ul style="list-style-type: none"><li>• a statutory declaration</li><li>• payslips</li><li>• bank statements</li><li>• a birth certificate</li><li>• Non-agency payment (NAP) receipts</li></ul>

3	<p><b>Employee/employer collusion</b></p> <p>Employee/employer collusion is any instance where an employee and employer are working together to disrupt or avoid child support collection action. For example, if the customer is employed by a family member who has refused to comply with an employer withholding notice.</p> <p>For more information, see the <a href="#">References</a> page for a link Child Support Guide 11.6.1: Employer offences.</p>
4	<p><b>Failure to meet employer obligations</b></p> <p>An employer may fail to comply with their obligations if they:</p> <ul style="list-style-type: none"> <li>• dismiss or threaten to dismiss an employee (customer) solely because of a garnishee request or the employee's role as the paying customer of a child support liability</li> <li>• disclose a customer's details obtained because of our request to deduct from the customer's salary or wages to other persons <ul style="list-style-type: none"> <li>◦ <b>Note:</b> this offence also applies to persons employed by or performing services for an employer</li> </ul> </li> </ul> <p>For more details, see the <a href="#">References</a> page for a link to Child Support Guide 11.6.1: Employer offences.</p>
5	<p><b>Impersonating an officer</b></p> <p>Impersonating a public official (including an officer of Services Australia) is fraud. For example:</p> <ul style="list-style-type: none"> <li>• an employer or customer contacts us to advise someone contacted them to ascertain information and claimed to be from the agency but our records do not indicate any such contact</li> <li>• a representative from a child's school advises someone contacted them for information and claimed to be from the agency but our records do not reflect the contact attempt or any reason for such a contact</li> </ul> <p>For more details, see the <a href="#">References</a> page for a link to the Criminal Code Act (1995) Division 148.</p>
6	<p><b>Failure to comply with legislative notices</b></p> <p>Failure to comply with legislative notices may occur when:</p> <ul style="list-style-type: none"> <li>• an employer or other third party refuses or fails to comply with an information gathering notice: <ul style="list-style-type: none"> <li>◦ section 120 of the Child Support (Registration and Collection) Act 1988</li> <li>◦ Confirmation of a Person's Employment form</li> <li>◦ section 161 of the Child Support (Assessment) Act 1989</li> </ul> </li> <li>• an employer or other third party refuses or fails to deduct child support</li> <li>• an employer or other third party refuses or fails to remit deducted child support</li> <li>• a customer fails to inform a change to their circumstances in line with the requirements of a notice that has been issued listing their obligations, such as: <ul style="list-style-type: none"> <li>◦ change in income</li> <li>◦ change in employment</li> <li>◦ change in care</li> </ul> </li> </ul> <p>For more details, see the <a href="#">References</a> page for a link to Child Support Guide 11.6.2: Offences Involving a Failure to Comply with Notices.</p> <p>See <a href="#">Child Support's information gathering powers</a> for more details.</p>
7	<p><b>Offences relating to Departure Prohibition Orders</b></p> <p>It is an offence if a customer leaves or attempts to leave Australia where a Departure Prohibition Order (DPO) is in place without having a Departure Authorisation Certificate (DAC).</p> <p>For more details, see <a href="#">Departure Prohibition Orders (DPO) for Child Support customers</a>. The <a href="#">References</a> page has a link to Child Support Guide 11.6.5: Offences in Relation to Departure Prohibition Orders.</p> <p><b>Note:</b> a statute of limitations of 12 months from the date of the offense does apply to certain sections</p>

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## Australian Government Services Australia

### Initial processing of reports of suspected fraud and corruption 110-09110040

Currently published version valid from 10/05/2025 12:11 AM

#### Background

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This document outlines the identification and processing of reports of suspected fraud or corruption using the Report Suspected Fraud and Corruption system.

#### Management of reports of suspected fraud and corruption

Staff or members of the public report an allegation and/or information of a person/organisation they believe to be:

- dishonestly obtaining a benefit, or
- causing a loss by deception or other means

**Note:** all reports of suspected fraud are sent to Tip-off Operations for analysis.

#### Role of Tip-off Operations

Tip-off Operations completes an initial assessment and triage of reported fraud allegations, then refers to:

- Compliance Risk Branch
- Intelligence and Investigations Branch, and/or
- external agencies, for example the Australian Taxation Office (ATO)

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#### Related links

[Report Suspected Fraud and Corruption](#)

[Requests lodged under the Freedom of Information Act 1982](#)

#### Process

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## Policy

[Social Security Guide, 1.3.3, Privacy and Confidentiality](#)

For information about Centrelink's obligation to tell individuals what their information will be used for and to whom it will be disclosed, see [Privacy and Secrecy](#).

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