

**Investigation into undisclosed conflicts of interest of a  
University of Sydney employee****ICAC FINDINGS**

- Ms Yandell engaged in corrupt conduct by deliberately failing to declare her conflicts of interest in awarding work to Razorback Services Pty Ltd and approving its claims for payment, and by manipulating University procurement processes to favour Razorback.
- There was insufficient evidence to establish whether Razorback issued any fraudulent invoices.
- Ms Yandell was aware at all times that as an employee of the University of Sydney she was under an obligation to declare any conflicts of interest in accordance with the requirements of the University's 2003 and 2008 Codes of Conduct and the Conflicts Policy.
- Razorback Services Pty Ltd was registered as a company on 10 May 2007. Ms Yandell and her husband, Dino Radovac, were joint shareholders. She remained a shareholder until 30 September 2009, when she transferred her shares to Mr Radovac.
- From 2007 to 2009, Ms Yandell allocated a number of cleaning contracts to Razorback. During this period, she submitted a total of 19 requests to raise purchase orders in favour of Razorback, and approved payment of 267 invoices issued by Razorback in the total amount of \$355,843.
- Ms Yandell derived financial benefits as a result of the cleaning contracts allocated to Razorback. A total of \$353,060.50 out of the total amount paid by the University was deposited into Razorback's company account. Out of this amount, a total of at least \$153,984.27 was transferred to Ms Yandell and Mr Radovac's joint accounts, which was subsequently expended for their benefit.

**ICAC RECOMMENDATIONS**

- The Commission is not of the opinion that consideration should be given to obtaining the advice of the DPP with respect to the prosecution of Ms Yandell for any criminal offences. In the Commission's opinion, an employee of an educational institution that receives public money is not, at common law, a public official for the purposes of the common law offence of misconduct in public office, and therefore that offence is not applicable to Ms Yandell's conduct.
- As Ms Yandell resigned from the University during the Commission's investigation, the issue of disciplinary action does not arise.
- There is no evidence suggesting that Mr Radovac engaged in any conduct that could constitute or involve corrupt conduct or a criminal offence. The Commission is therefore not of the opinion that consideration should be given to obtaining the advice of the DPP with respect to the prosecution of Mr Radovac for any criminal offence.

**CORRUPTION PREVENTION**

The Commission makes five corruption prevention recommendations to the University of Sydney, including training on the Purchasing Policy and procurement for staff from the University of Sydney's Campus Infrastructure Services (CIS) that undertake contracting and procurement functions. Other recommendations include that:

- the University of Sydney ensures CIS staff responsible for certifying invoices receive information about the importance of their role in verifying that work charged for has been completed satisfactorily.

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- the CIS requires that the E-Service Desk receives all requests for non-routine or additional cleaning services.
- the Procurement Services Division of the University of Sydney develops clear procurement processes and procedures, including a component for evaluation of quotations under \$200,000.
- CIS establishes processes to review “emergency” service arrangements after a three month period.

The Commission will seek an implementation plan for recommendations, monitor progress and publish outcomes on the ICAC website [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au).

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