

Compliance Policy

Policy type	Administration
Function	Council
Policy Owner	Corporate Governance
Effective date	23 July 2020

1. Purpose

The purpose of this policy is to outline Cassowary Coast Regional Council's commitment to a culture of compliance and provide a framework for good public administration. Council has an obligation to ensure that all legislative requirements and obligations are met and this policy is a key element in its overall legislative compliance framework for monitoring compliance and identifying action required for corrective measures.

2. Scope

This policy applies to all employees of Council whether full-time, part-time, casual or volunteers. The policy also applies to all contractors, consultants or temporary staff that may be considered workers within Council's work environment.

The policy applies to all areas of Council's operations and covers compliance with State and commonwealth legislation, Council policies and procedures, contracts, funding agreements and relevant standards etc.

3. Definitions and Principles

Council is committed to the principles of effective compliance programs. In order to support this commitment, Council will apply appropriate resources and procedures to ensure that the following principles are integrated into Council's administration procedures:

3.1 Commitment

3.1.1 commitment by the Council and the Executive Leadership Team to effective compliance across all areas of the organization;

3.1.2 the compliance policy is aligned to the organisation's strategy and business objectives, and is endorsed by Council;

3.1.3 appropriate resources are allocated to develop, implement, maintain and improve the compliance program;

3.1.4 the Council and Executive Leadership Team endorse the objectives and strategy of the compliance program;

3.1.5 compliance obligations are identified and assessed.



3.2 Implementation

3.2.1 responsibility for compliance outcomes is clearly articulated and assigned;

3.2.2 competence and training needs are identified and addressed to enable employees to fulfil their compliance obligations;

3.2.3 behaviours that create and support compliance programs are encouraged, and behaviours that compromise compliance are not tolerated;

3.2.4 controls are in place to manage the identified compliance obligations and achieve desired behaviours.

3.3 Performance

3.3.1 performance of the compliance program is monitored, measured and reported on;

3.3.2 the organization is able to demonstrate its compliance program through both documentation and practice.

3.4 Continues Improvement

3.4.1 the compliance program is regularly reviewed and continually improved.

4. Policy

4.1 Responsibilities

4.1.1 The Executive Leadership Team shall ensure that adequate training and instruction is given to all reporting staff to ensure that legal obligations for their responsibilities are identified and met. Reports of significant non-compliance must be promptly addressed and the necessary steps taken to comply.

4.1.2 Managers must ensure that procedures and systems are established to support compliance with the framework for all Council activities and are regularly maintained.

4.1.3 All Council employees have a responsibility to ensure that they remain abreast of legislation changes which affect their area of work to ensure that they are aware of their legislative obligations and compliance is achieved at all times. All employees must immediately report through their Principal / Lead / Manager any areas of non-compliance identified.

4.1.4 Internal and external audit functions are responsible for auditing compliance with the framework.

4.2 Maintenance

Council will ensure adequate processes are in place to ensure that timely advice is received regarding changes to compliance obligations and good governance practices by:-

- maintaining arrangements with legal advisors
- continuing memberships with professional bodies
- subscribing to relevant information services
- attending industry forums, conferences, workshops and seminars
- monitoring regulators' websites


4.3 Implementation and Review

Legislative compliance is primarily a management responsibility and therefore commitment must be demonstrated by all levels of management to ensure Council's legal obligations within their area of responsibility are met. Appropriate actions must be taken to ensure an adequate understanding of obligations and where necessary expert advice sought to guide management actions. To achieve Council's compliance objective, a compliance framework has been implemented to support monitoring and review of obligations and responsibilities. To support the framework all levels of management will:-

- promote a culture of compliance and good governance;
- uphold a culture of open disclosure of non-compliance without fear of reprisal;
- document and review council processes to ensure they comply with applicable laws and regulations;
- provide training and assistance to employees to enable understanding of compliance obligations and required management actions;
- continue to monitor and report on compliance to identify breaches or system failures; and
- promptly address identified breaches or other non-compliances to mitigate Council's exposure to legal risk.

Council's level of compliance will be assessed using the Local Government Association of Queensland's Legislation Compliance Service. Regulator monitoring and review of compliance rates will be provided by Council, the Audit Committee and the Executive Leadership Team.

Related forms, policies and procedures	Audit Committee Policy Compliance Framework and Report Data Breach Response Plan Delegated Power and Authorisations Policy Enterprise Risk Management Policy Fraud and Corruption Control Policy Internal Audit Policy Local Laws Workplace Health & Safety Policy Statement
Relevant legislation	<i>Local Government Act 2009</i>
Reference and resources	AS/ISO 19600:2015 Compliance Management Systems – Guidelines LGAQ Compliance Service



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