Compliance Framework

<table>
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<tr>
<th>Approving authority</th>
<th>University Council</th>
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<tbody>
<tr>
<td>Approval date</td>
<td>5 December 2011 (5/2011 meeting)</td>
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<tr>
<td>Advisor</td>
<td>Vice President (Corporate Services)</td>
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<td>Next scheduled review</td>
<td>2017</td>
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<td>TRIM document</td>
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<tr>
<td>Description</td>
<td>This framework sets out the University's approach to meeting its compliance obligations.</td>
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Related documents

- Code of Conduct
- Public Interest Disclosure Policy
- Register of Compliance Obligations

[Commitment to Compliance] [Compliance Program] [Responsibilities for compliance] [Review and complaints handling] [Identifying the University's compliance obligations] [Register of Compliance Obligations] [Management of compliance] [Developing procedures and processes to ensure compliance] [Continuous improvement of procedures and processes] [Reporting incidents of non-compliance]

1. COMMITMENT TO COMPLIANCE

As a public entity, the University has a responsibility to identify and comply with all relevant obligations. Compliance means "adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community and ethical standards" (Australian Standard AS 3806 - 2006).

The University's commitment to compliance is demonstrated by

- the sponsorship and support from University Council, Finance, Resources and Risk Committee and Audit Committee for the University's compliance program
- the active engagement of senior management in the identification and management of compliance issues and risks
- the allocation of resources throughout the University to manage compliance obligations.

2. COMPLIANCE PROGRAM

The University's compliance program is an important element of the University's corporate governance framework.

The compliance program aims to prevent, and where necessary, identify and respond to, non-compliance with the University's obligations under laws, regulations, codes and its own organisational standards. An important priority for the compliance program is to encourage a culture of valuing compliance with obligations, consistent with the profile of a good corporate citizen.

The compliance program's general aims are pursued through the following key elements:

- identification and management of the University's legal obligations in the Register of Compliance Obligations;
allocation of responsibility to the relevant operational areas for ensuring compliance with obligations;

- the assessment of how well the University meets its obligations, and where and how it could improve, including identification of any non-compliance and remedial action taken;

- promotion and training to staff and management on the importance of compliance with specific obligations, as well as commitment to compliance as an organisational value in line with the University's Code of Conduct.

### 3. RESPONSIBILITIES FOR COMPLIANCE

#### 3.1 All staff

In accordance with the University's Code of Conduct, and the principle of respect for the law, all University staff should be conscientious in seeking to comply with relevant obligations in the course of their duties.

#### 3.2 Vice President (Corporate Services)

The Vice President (Corporate Services) is responsible for implementation of the compliance program, including:

- maintaining the Register of Compliance Obligations
- preparing reports to University Council through the Audit Committee on compliance lapses
- developing training programs for relevant obligations to raise awareness of the University's obligations
- providing advice to responsible officers and other staff on compliance obligations and issues.

#### 3.3 Responsible officers

Responsible officers are designated for all obligations, and are normally the head of the operational area allocated responsibility for ensuring compliance with a specific obligation. There may be multiple responsible officers for certain obligations.

Responsible officers are required to:

- confirm that they are seeking, in the course of their operational activities, to ensure compliance with each obligation for which they are the designated responsible officer
- report on any incidents of non-compliance and the remedial action taken to address them, including any ongoing non-compliance issues.

Responsible officers are expected to maintain a sound knowledge of their designated obligations, and should convey advice of new obligations or changes to existing ones to the Vice President (Corporate Services).

#### 3.4 Senior managers

The management of compliance will chiefly occur within operational areas, and non-compliance will be dealt with through existing operational level management processes. However, compliance issues will on occasion necessitate an escalation to senior management because of the nature of the risk or resources involved. In these cases, it is the responsibility of senior managers to review the situation and implement remedial procedures.

At all times it is the responsibility of senior managers to remain aware of the compliance obligations allocated to operational areas under their supervision, and the designated responsible officer's management of these obligations.

#### 3.5 Audit Committee

Audit Committee is responsible for ensuring that it receives an annual report and ad hoc reporting as required from the Vice President (Corporate Services), and that it identifies and requests follow-up action on any issues of concern.
3.6 University Council

University Council is responsible for ensuring that it receives adequate reporting on compliance from the Vice President (Corporate Services).

4. REVIEW AND COMPLAINTS HANDLING

4.1 Review

Responsible officers must ensure that procedures in place to manage compliance with obligations are regularly reviewed, as part of their continuous improvement processes.

The operation of the compliance program itself will be regularly reviewed by Internal Audit.

4.2 Complaints handling

Complaints about non-compliance, impacts of remedial action, or other issues arising from the compliance process are dealt with at the operational management level, through existing grievance procedures or the Public Interest Disclosure policy.

5. IDENTIFYING THE UNIVERSITY'S COMPLIANCE OBLIGATIONS

As a large and complex statutory authority, the University has a significant number of compliance obligations, at both the Commonwealth and State level. To ensure that the University can comply with all of its obligations, it is important to identify legislation and other legislative instruments which impose a compliance obligation. These obligations may arise because the University is, for example, an employer, a provider of goods and services, a statutory body or a recipient of Commonwealth funding. Compliance obligations might include:

- reporting requirements (provision of statistics or information);
- requirements for accreditation, registration or licensing;
- complying with timeframes set down by the legislation for performing activities;
- a requirement to provide a specified service or range of services;
- restrictions or limitations on how these services can be offered;
- financial obligations.

6. REGISTER OF COMPLIANCE OBLIGATIONS

A comprehensive list of the University's compliance obligations is kept in the Register of Compliance Obligations. The Register of Compliance Obligations is maintained by the Vice President (Corporate Services).

Identification of the University's compliance obligations is an ongoing activity undertaken by designated responsible officers and senior management.

7. MANAGEMENT OF COMPLIANCE

Reasonable management of compliance obligations incorporate the following activities:

- the identification, development and/or documentation of the relevant procedures and processes necessary to ensure compliance and to manage non-compliance;
- a systematic approach to continuous improvement of these procedures and processes on a regular basis;
- adequate recordkeeping of compliance issues and non-compliance incidents;
• assurance over compliance activities;
• adequate monitoring and reporting of non-compliance incidents, together with appropriate remedial action.

8. DEVELOPING PROCEDURES AND PROCESSES TO ENSURE COMPLIANCE

Responsible officers should ensure that there are in place procedures to ensure both compliance with obligations and the management of non-compliance incidents. Examples of such procedures may include:
• obtaining accreditation, registration or licensing from the relevant authority;
• reporting to a relevant authority on statistics, or activities relating to compliance;
• developing a policy or procedure at either the University or organisational area level;
• employing or training particular staff to undertake compliance-related duties;
• creating a particular committee or working group to oversee compliance-related activities;
• maintaining records on activities undertaken by staff or students in accordance with the legislation;
• offering regular training programs for staff or the University community on the obligation;
• developing a procedure for reporting of non-compliance incidents within the organisational area.

Compliance procedures are not "add-on" activities which require additional resources, but should be integrated with the normal business activities of the relevant organisational unit.

9. CONTINUOUS IMPROVEMENT OF PROCEDURES AND PROCESSES

Responsible officers should ensure that procedures for managing compliance with obligations are regularly reviewed and improved as required. This provides assurance that the procedures in place remain relevant to, and adequate for, proper management of the obligation. Continuous improvement activities may include:
• a one-off or trial training program run by an organisational area;
• establishment of advisory service for particular activities or commencement of a new obligation;
• any audits undertaken on specific activities;
• any policies, procedures or processes developed and/or documented;
• establishment of any working parties or committees for specific issues;
• any projects undertaken relating to compliance activities;
• compliance process reviews and improvements.

10. REPORTING INCIDENTS OF NON-COMPLIANCE

Responsible officers are required to identify and maintain records of all non-compliance incidents within their designated obligations. Formal reporting on non-compliance incidents and their management is to be made to the Vice President (Corporate Services) as and when such incidents occur.

Information received from responsible officers during this process is used to advise University Council through Audit Committee of high risk non-compliance incidents or significant compliance trends. Actions may be taken on the basis of this reporting by senior management to clarify any non-compliance incidents which have not been satisfactorily addressed by an organisational area.
A staff member who wishes to report any incident of non-compliance should approach either the relevant designated responsible officer if the incident relates to a specific obligation, or to their operational manager if the incident relates to an operational matter. Alternatively, a staff member may follow the Public Interest Disclosure policy.