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# **Corporate Compliance Plan**

**2020**

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## INFORMATION ABOUT THIS DOCUMENT

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<b>Document Development Officer</b>	<i>Governance Coordinator</i>		
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### ***Document History***

<b>Doc No.</b>	<b>Date Amended</b>	<b>Details/Comments eg Resolution No.</b>
<b>E2019/49579</b>	9 July 2019	Draft
	21 April 2020	Amendments following working group discussions and outcomes
	29 April 2020	Endorsed by Executive Team

### ***Further Document Information and Relationships***

*List here the related strategies, procedures, references, Strategy or other documents that have a bearing on this Strategy and that may be useful reference material for users of this Strategy.*

<b>Related Legislation*</b>	Local Government Act 1993
<b>Related Policies</b>	Draft Corporate Compliance Standard 2020 (E2019/49393)
<b>Related Procedures/ Protocols, Statements, documents</b>	Professional Standards Councils 'A Framework for Compliance'

*\*Note: Any reference to Legislation will be updated in the Strategy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.*



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## **1. INTRODUCTION**

Council's compliance framework outlines our approach to ensuring the integrity of our Council, and with Council's policies and procedures the framework is designed to achieve compliance across all of Council's operations. With this in mind, the Corporate Compliance Plan should not be seen as a stand-alone activity but that compliance is integrated with all of Council's systems including financial, risk, environmental and other operational requirements and processes.

## **2. A COMPLIANCE PROGRAM**

According to AS-3806 (now superseded by AS ISO 19600:2015 but still relevant), an effective compliance program is supported by the following twelve principles:

### **Commitment**

- i. Commitment by the governing body and senior management to effective compliance that permeates the whole organisation.
- ii. The compliance policy is aligned to the organisation's strategy and business objectives, and is endorsed by the governing body.
- iii. Appropriate resources are allocated to develop, implement, maintain and improve the compliance program.
- iv. The governing body and senior management endorse the objectives and strategy of the compliance program.
- v. Compliance obligations are identified and assessed.

### **Implementation**

- vi. Responsibility for compliance outcomes is clearly articulated and assigned.
- vii. Competence and training needs are identified and addressed to enable employees to fulfil their compliance obligations.
- viii. Behaviours that create and support compliance programs are encouraged, and behaviours that compromise compliance are not tolerated.
- ix. Controls are in place to manage the identified compliance obligations and achieve desired behaviours.

### **Monitoring and measuring**

- x. Performance of the compliance program is monitored, measured and reported on.
- xi. The organisation is able to demonstrate its compliance program through both documentation and practice.

### **Continual improvement**

- xii. The compliance program is regularly reviewed and continually improved.

The purpose of a compliance program is to: enable councils to meet their obligations under relevant laws; help Councillors, staff and committee members to comply with their statutory obligations; maintain good corporate governance; and to meet community expectations.

Failure to adhere to such a program risks exposing Council to a compliance failure.

### **3. POLICY**

The Corporate Compliance Plan 2020 is developed to support Council's internal policy, Corporate Compliance Standard 2020, which was endorsed by the Executive Team on **<insert date once endorsed by ET>**.

The Standard outlines management's approach to the Council's corporate compliance reporting obligations. The objective of the Standard is to ensure that Council consistently and transparently manages its legislative, policy, and other obligations, providing a framework for good public administration.

### **4. COMPLIANCE MANAGEMENT**

#### **4.1. Implementation steps**

Steps in the development of Council's compliance framework include:

##### Step 1: Identify areas of compliance

Implementing a legislative compliance reporting register will provide a central point to record legislative, regulatory and policy reporting requirements.

An internal policy (Standard) will provide an outline of management's approach to corporate compliance and reporting obligations.

##### Step 2: Allocate responsibilities

The legislative compliance reporting register will identify the relevant Council department that is impacted by, and will oversee, the compliance of the legislation.

Consultation will be held with relevant staff to ensure allocation and detail is correct and to investigate whether the register contains all the relevant requirements at this point in time, whether we have a strategy for complying with each requirement and whether there is a method of providing proof of compliance or an action plan for non-compliance.

##### Step 3: Assess each compliance requirements for risk

Using Council's risk matrix, identify the level of risk associated with non-compliance.

##### Step 4: Inform and educate staff and members of the Audit, Risk and Improvement Committee

Relevant staff will be educated in the role they will play in updating the register to record the status of their tasks. Members of the Audit, Risk and Improvement Committee will be provided with an overview of the legislative compliance register and the role it will take as part of the NSW Government's Risk Management and Internal Audit Framework.

##### Step 5: Ongoing monitoring and review

A <three monthly or 6 monthly (period to be determined by ET)> legislative compliance status report will be coordinated by the Governance Coordinator requesting evidence of compliance or evidence of an action plan for non-compliance from each department. The status report will then be presented to the Executive Team. Any non-compliance from the previous financial year will be presented at the first meeting following 30 June to the Audit, Risk and Improvement Committee.

Reporting will include:

- Actions implemented/reported
- Risk level for any items of non-compliance
- Changes to instruments
- Breaches in compliance

A breach may be reported by a finding in a review or audit. A reported breach will be risk assessed for importance and consequence to Council. A breach will have either a suggested action plan and/or a suggested change in management of the compliance function.

#### Step 6: Improvement

Improvement programs for compliance will generally be overseen by the Audit, Risk and Improvement Committee.

Areas for improvement may include assessment by audit as well as by self-checking.

## **4.2 Legislative Compliance Register**

The aim of the Legislative Compliance Register is to be proactive in allocating responsibility with regards to legislative compliance and to provide staff with an awareness of their reporting requirements that are relevant to their areas.

The Register is a spreadsheet broken down into the following:

- Report
  - Report name
  - Regulatory compliance function
  - Reporting detail
- Legislation
  - Act
  - Reference within Act
- Regulations
  - Regulations, guidelines or circulars
  - Reference within Regulation
- Requirement
  - Where to report to



- Responsible Council department
- Risk (if requirement not met)
- Frequency
- Due date
- Evidence of compliance/Action plan for non-Compliance