



LEGISLATIVE COMPLIANCE POLICY

Document Version Control

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1.0	Director Governance	9 December 2020 Resolution No 2020/283	December 2024

1. POLICY STATEMENT

Council is committed to ensuring that it complies with all applicable laws and regulations, and that it strives to meeting the requirements of those standards and codes of practice that apply to its day to day activities and responsibilities.

2. PURPOSE

The policy provides a strategic and consistent approach to establishing and promoting a good governance culture, ensuring that Council meets its compliance obligations in a proactive, timely and transparent manner.

3. DEFINITIONS

Council	Narromine Shire Council
Compliance	Adhering to the requirements of the laws, industry and organisational standards and codes, Council policies and plans, principles of good governance and accepted community and ethical standards
Compliance Obligation	A requirement specified by laws, regulations, codes and organisation standards
Executive Leadership Team	General Manager, Directors, Executive Manager Human Resources
Legislative Compliance Register	A record maintained by the Director Governance used to identify Council's compliance obligations and to assess the risk, impact and likelihood of non-compliance with these obligations
Legislative Compliance Checklist	A record maintained by the Director Governance to monitor compliance with legislative obligations
Non-Compliance	Refers to an act or an omission, which causes Council to fail to meet its compliance obligations
Responsible Officer	An employee who has been assigned responsibility for specified compliance obligations

4. SCOPE

This policy applies to all Councillors, staff, contractors and volunteers.

5. PRINCIPLES

- Council will identify relevant requirements of Commonwealth and State legislation, regulations, codes and Australian Standards that govern its operations.
- Council will identify a responsible officer for legislative compliance obligation. The information will be compiled in a Legislative Compliance Register. The register will be risk rated according to Council's Enterprise Risk Management Policy, and legislative compliance obligations will receive a rating.

- Council will utilise NSW Legislative notifications, Office of Local Government Circulars, and various industry subscription notifications to flag changes to legislative obligations to the responsible officer.
- The responsible officer will ensure any changes are implemented and communicated.
- Employees will be responsible for identifying and reporting suspected or potential legislative compliance failures.
- Council will monitor compliance with legislative obligations using the Legislative Compliance Checklist.
- Identified non-compliance with legislative obligations will be reported to the Internal Audit Committee.
- Council will regularly review the Legislative Compliance Policy and related documents.

6. ROLES AND RESPONSIBILITIES

Legislative compliance is an ongoing responsibility of all Council officers including contractors and volunteers. To ensure organisational compliance: -

Councillors will

- Adhere to and comply with all relevant legislation and policies that are endorsed by Council
- Review and endorse the Legislative Compliance Policy periodically.

Internal Audit Committee will

- Adhere to and comply with all relevant legislation, including Council policies and administrative procedures
- Review the Legislative Compliance Policy periodically
- Evaluate the adequacy and effectiveness of controls in responding to compliance with laws, regulations and policies
- Provide recommendations for any reporting on compliance, including any identified areas of non-compliance or breaches

Executive Leadership Team will

- Adhere to and comply with all relevant legislation, including Council policies and administrative procedures
- Encourage behaviours that create a positive compliance culture
- Support implementation to better identify, monitor and report on compliance obligations
- Report on any areas of identified non-compliance and ensure corrective action is taken

General Manager will

- Be responsible for organisational compliance, ensuring a framework is in place and providing Councillors and staff with the necessary information and training to fulfil their compliance obligations and reduce the organisation's risk of non-compliance
- Investigate and report any breaches of identified non-compliance to the Director Governance

Director Governance will

- Be responsible for managing the implementation and ongoing coordination of the Legislative Compliance Register and Checklist, ensuring all responsible officers fulfil their compliance obligations
- Be responsible for applying risk ratings to individual compliance obligations
- Monitor changes to laws and other obligations through NSW Legislation notifications, Office of Local Government circulars, and subscription notifications and advise responsible officers of such
- Report any areas of identified non-compliance to the Internal Audit Committee

Managers and Co-ordinators will

- Adhere to and comply with all relevant legislation and policies and administrative procedures
- Review and provide regular reporting updates on legislative compliance obligations
- Notify the General Manager and Director Governance on any identified areas of non-compliance
- Undertake corrective action to comply in a timely manner

Employees will

- Adhere to and comply with all relevant legislation and policies and administrative procedures
- Report any identified risks of non-compliance or breaches, when they become aware, to their supervisor.

7. POLICY NON-COMPLIANCE

Failure to comply with legislative compliance obligations may result in penalties, fines, adverse findings or breaches resulting in the risk of costly legal action.

8. RELATED DOCUMENTS

- Code of Conduct and Procedures
- Enterprise Risk Management Policy
- Legislative Compliance Register
- Legislative Compliance Calendar
- Delegations Register
- Procurement Policy