

# Legislative Compliance Policy

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| <b>Reference number:</b>   | POL 101                     |
| <b>Approval date:</b>      | 17 October 2022             |
| <b>Policy owner:</b>       | Manager Governance and Risk |
| <b>Next adoption date:</b> | September 2025              |

Wagga Wagga City Council (Council), in its role as a local government authority, is committed to compliance with all statutory and common law requirements relating to operations and governance of Council.

Council maintains the highest standards of diligence in all areas of public accountability, through its policies, in meeting its legal obligations and in the promotion of a compliance culture.

In particular, Council recognises its obligations to its stakeholders, its staff and the wider community to provide an environment that is safe, a culture that promotes equity and an administration that adopts the highest standards of probity, transparency and accountability in all its operations.

In relation to compliance risk, Council's Risk Appetite states, "Council has a **low appetite** for compliance breaches"

## Purpose

This Policy, and the principles set out in this policy, aim to:

1. identify and respond to breaches of laws, regulations, codes or organisational standards occurring in the organisation;
2. promote a culture of compliance within the organisation; and
3. assist Council in achieving the highest standards of governance

## Scope

This Policy applies to all areas of Council's operations, and covers compliance with Commonwealth and State legislation, Council codes and policies, contracts, funding agreements, and relevant standards.

## Policy Provisions

### General Principles

Council has adopted the following principles based on the Australian Standard AS ISO 19600:2015 *Compliance management systems - Guidelines*:

1. Council is committed to achieving compliance in all areas of its operations.

2. Council will provide sufficient resources to support ongoing legislative compliance. Council will ensure that all managers, supervisors and staff generally understand, promote and be responsible for compliance with relevant laws, regulations, codes and Council standards that apply to activities within their day-to-day responsibilities.
3. Council will maintain its commitment to continuous improvement through its Continuous Improvement Model.
4. Council will use its established risk management practices to identify, assess, evaluate and treat compliance risks.
5. Council will support integration of compliance requirements into day-to-day operating procedures as appropriate.
6. Council will maintain a *Legislative Compliance Register* in association with its *Risk Register*.
7. Council will investigate, rectify and report all compliance failures to the relevant authority as may be required.
8. Council will allocate appropriate responsibility for managing compliance at various levels.
9. Council will provide appropriate practical education and training of staff in order for them to meet their compliance obligations.
10. Council will actively promote the importance of compliance to staff, contractors and other relevant third parties.
11. Council will monitor legislative compliance through activities approved within its Internal Audit Strategy.

### Policy Implementation Guidelines

The Legislative Compliance Policy will be implemented through the provisions of Council's Legislative Compliance activities.

Council has processes in place to:

- Identify its compliance obligations
- Identify new and changed laws, regulations, codes and other compliance obligations to support ongoing compliance
- Evaluate the impact of changes and implement any changes in management of compliance obligations
- Periodically identify, analysis and evaluate its compliance risks

Compliance can be promoted and maintained, and compliance failures identified by appropriate monitoring and assessment. Monitoring may also occur through an assessment of:

- Complaints made through Council's Complaints Handling Policy and Complaints Handling Framework
- Internal Audit activities in line with the approved Internal Audit Plan
- External Audit activities

Assessment of compliance failures identified should include recommendations for improvement to processes.

### Related Documents

- Code of Conduct
- Good Governance Framework
- Complaints Handling Policy (POL 103)
- Complaints Handling Framework
- Legislative Compliance Register

Compliance failure may require mandatory reporting to the relevant regulatory authority.

In addition, Council supports a risk-based internal escalation reporting process that considers investigation, rectification and continuous improvement in response to compliance failures.

### Definitions

| Term               | Definition  |
|--------------------|---|
| Codes              | Mandatory industry codes and voluntary industry codes with which the Council chooses and/or is required to comply.  |
| Compliance         | Ensuring that the requirements of laws, regulations, industry codes and Council standards are met.  |
| Compliance failure | A breach, of applicable laws, regulations, codes and Council standards.   |
| Compliance culture | The promotion of a positive attitude to compliance within the Council.  |
| Legal compliance   | Effective control of legal risks in order to ensure that the law is complied with.  |
| Legislation        | The laws that are made by Parliament, or under the authority of Parliament of which Council is required to comply.  |
| Council standards  | Any codes of ethics, codes of conduct, policies, procedures and charters that Council may deem to be appropriate standards for its day-to-day operations. |

### Revision History

This Policy is to be reviewed in accordance with legislative requirements for the term of each Council being every four years or sooner should circumstances change that require revision of the policy.

| Revision number | Council resolution   | Council meeting date |
|-----------------|--|----------------------|
| 1               | Res No: 07/367.4   | 24 September 2007    |
| 2               | Res No: 09/077   | 27 July 2009         |
| 3               | Res No: 13/224.1   | 26 August 2013       |
| 4               | Res No: 17/282   | 28 August 2017       |
| 5               | Res No: 17/350.11  | 23 October 2017      |
| 6               | Minor amendments with General Manager approval under delegated authority | 27 August 2021       |
| 7               | Res No: 22/354   | 17 October 2022      |