



9. GOVERNANCE

Policy
9.16

COMPLIANCE POLICY

Version
~~21~~

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1. INTRODUCTION

Lithgow City Council is committed to delivering its strategic and operational goals in accordance with the law and principles of good governance. To do this, Council must comply with a range of State and Commonwealth legislation, regulatory requirements and reporting obligations. This policy provides a compliance framework that will assist Council in managing its compliance risks and meeting its legal obligations.

2. COMMUNITY STRATEGIC PLAN

This policy supports the sentiments expressed by the community during the preparation of the Community Strategic Plan ~ Our Place, Our Future that "Council focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future".

- GL2 Moving towards a sustainable council.
 - GL2.1 Revenue opportunities, cost savings and/or efficiencies are achieved.
 - GL2.2 Use modern operating systems and apply contemporary practices.

3. POLICY OBJECTIVE

This policy aims to:

- Establish a co-ordinated, organisation wide compliance framework to ensure that the Council's activities and business are conducted responsibly and in accordance with legal requirements; and
- Assist in promoting a culture of compliance and to assist in achieving the highest standards of governance within Council.

4. POLICY SCOPE

This Policy applies to all areas of Council's operations and includes State and Federal legislation, Council Codes and Policies, contracts, funding agreements and relevant standards.

5. POLICY STATEMENT

The Compliance Policy:

- Affirms the Council's commitment to compliance;
- Acknowledges responsibility for compliance at the operational level;
- Identifies obligations;
- Provides for education and training;
- Establishes monitoring and reporting mechanisms, and;
- Promotes continuous improvement in compliance processes.

5.1 Commitment to Compliance

- Council is committed to the maintenance and continuous improvement of a compliance framework and the development of a compliance culture throughout the Council;
- Council will allocate appropriate resources to the development, implementation and continuous improvement of its compliance program;

- Council and the General Manager are responsible for overseeing the Council's compliances with State and Commonwealth legislation, statutory and regulatory requirements, codes, policies and reporting obligations;
- Council is responsible for approving Council's Compliance Policy;
- The General Manager is responsible for administering Council's Compliance Register;
- Compliance is a shared responsibility between the Council and Council officers;
- The Corporate Strategy & Communications Officer will have responsibility for maintaining and promoting the Compliance Register, providing training and monitoring and reporting on compliance;
- Directors and Managers will be responsible for the identification and management of ~~legal~~ compliance risks in their Divisions/Sections and for reporting compliance; and
- All Council Officers must be aware of compliance responsibilities that apply to their work area or activities and ensure that their actions comply with relevant laws.

5.2 Policy Implementation

- Compliance responsibilities will be identified in the Compliance Register; and
- All Council officers will receive appropriate training to encourage the promotion and support of compliance activities.

5.3 Monitoring and Reporting Mechanisms

Responsible Officers are required to ensure compliance with each obligation allocated to them. They will also be required to report to the Corporate Strategy & Communications Officer on any instances of non-compliance with obligations and the remedial actions taken to address non-compliance.

Substantial non-compliance (e.g. which may result in an Office of Local Government Performance Improvement Order), both one-off and systemic, must be reported to the General Manager. An action plan will be developed and will be tracked until the matter is resolved.

5.4 Compliance Register Continuous Improvement

The Compliance Register is to be used as a guide, however, relevant State and Commonwealth Government legislation, Council codes and policies, as well as industry standards and guidelines will be the first reference.

The Compliance Register will be regularly updated as legislation, regulations, policies and reporting obligations change.

6. LEGAL & POLICY FRAMEWORK

Includes all legislation applicable to Council, Council Codes and Policies and relevant standards.

7. REVIEW

The General Manager will review the policy ~~every 2~~ each four (4) years.

DEFINITIONS

Compliance means ensuring that the requirements of laws, regulations, industry codes and organisational standards are met.

Compliance Culture means the promotion of a positive attitude to compliance within the organisation.

Non-compliance means a failure to comply, by the organisation, with applicable laws, regulations, codes and policies.

Compliance program means a series of activities designed to achieve compliance.

Organisational standards means any codes of conduct, good practices and charters that the Council deems to be appropriate standards for its day to day operations. In most cases these are detailed in Council's Codes, Policies and Standard Working Procedures Registers.

Compliance Register is the list of compliance requirements that have been identified by Council Officers.

Council means Lithgow City Council – the governing body that has overall responsibility for the direction and control of the Council;

Responsible Officer means the head of an organisational area allocated responsibility for ensuring compliance with a specific obligation;

Council Officer means a person who works on the Council's behalf; it includes part-time staff, full time employees, sub-contractors, temporary employees, casual employees and volunteers.

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