

## COUNCIL POLICY

<b>POLICY NUMBER &amp; TITLE:</b>	<b>GOV022</b>	<b>COMPLIANCE POLICY</b>
<b>WORD DOCUMENT ID:</b>	DOC/25/1928	
<b>VERSION:</b>	1.1	
<b>ADOPTED MEETING DATE:</b>	23 June 2025	
<b>REVIEW DUE:</b>	Four yearly or following change of legislation or incident	
<b>VERSION AMENDMENTS:</b>	Nil	

<b>RESPONSIBLE DEPARTMENT:</b>	Corporate Services
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## COMPLIANCE POLICY

### POLICY OBJECTIVE

Wentworth Shire Council (Council) is committed to complying with relevant laws, including legislative requirements, industry codes and organisational standards, as well as standards of good governance, best practice, ethics and community expectations. This policy sets out Council's compliance principles and commitment to embedding a compliance culture across the organisation and integrating the organisation's compliance management system into its business processes.

Council has a responsibility to ensure that all legislative requirements and other compliance obligations are met and managed appropriately and does so based on the principles of good governance, proportionality, transparency and sustainability. This policy is a key element in Council's overall compliance framework intending to build maturity in Council's overall compliance management system.

### 1. POLICY STATEMENT

The intent of this policy is to ensure that Council establishes systems and practices which:

- Promote a culture of compliance within the organisation;
- Prevent, and where necessary, identify and respond to, breaches of laws, regulation, codes or organisational standards applicable to Council;
- Meet the expectations of the community and those working at Council, that Council shall take all appropriate measures to ensure that Council will comply with relevant legislation and other compliance obligations;
- Assist Council in achieving the highest standards of governance; and
- Provide sufficient resources to ensure that Council's compliance management system can be implemented, maintained and improved.

### 2. POLICY COVERAGE

This policy applies to all areas of Council's operations and covers compliance with State and Federal legislation, Council policies and procedures, contracts, funding agreements and relevant standards etc.

### 3. STRATEGIC PLAN LINK

Objective: : 4.0 Wentworth is supported by a strong and ethical civil leadership with all activities conducted in an open, transparent and inclusive manner.

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Strategy: 4.1 Provide a strong, responsible and representative government.

### 4. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
<b>Compliance</b>	Means meeting all the organisation's compliance obligations.
<b>Compliance Culture</b>	Means values, ethics and beliefs that exist throughout an organisation and interact with the organisation's structures and control systems to produce behavioural norms that are conducive to compliance outcomes.
<b>Compliance Framework</b>	Means Council's overarching framework that identifies and manages Council's legal and other compliance obligations.
<b>Compliance Management System</b>	Means the set of interacting elements of an organisation to establish policies and objectives and processes to achieve those objectives.
<b>Council</b>	Wentworth Shire Council
<b>Legislative Obligations</b>	Means legal requirements that an organisation has to comply with.
<b>Non-Compliance</b>	Refers to an act or omission which causes Council to fail to meet its compliance obligations.

### 5. POLICY CONTENT

Council shall have appropriate resources, processes and structures to ensure that legislative and other compliance obligations are managed appropriately. This includes integrating the procedures into usual business processes.

AS ISO 19600:2015 provides guidance for organisations on compliance management systems and practices and places emphasis on the organisational elements that are required to support compliance. The processes and structures we are developing to support our compliance obligations incorporate these elements, noting within AS ISO 19600:2015 they fall within seven key themes, and are described below:

#### 1. Context of the organisation

- Council's compliance management system will acknowledge and address the external and internal factors that shape the organisation's obligations;
- The principles of good governance as discussed in Council's Good Governance Framework will inform the development, implementation, maintenance and continual improvement processes of Council's Compliance management system;
- Compliance obligations are identified, including any changes to those obligations, and processes to address the impact of those changes to the organisation are in place;
- Compliance risk assessment is addressed within Council's Risk Management Processes.

#### 2. Leadership

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- Council's governing body and executive management will commit to upholding the stated values of the organisation and to building a culture of compliance;
- Council's governing body and executive management will endorse the objectives and strategy of the compliance program and ensure they align with the organisation's values, objectives and strategy;
- Appropriate resources will be allocated to develop, implement, maintain and improve the compliance management system, and to provide compliance awareness and training to staff;
- This policy sets out the accountabilities and responsibilities of relevant roles within the organisation with respect to compliance functions.

### 3. Planning

- Council has considered the organisation and its context in planning its compliance framework and has had regard to the principles of good governance in developing the associated processes and structures.
- Council's Risk Management Framework is a tool utilised to help incorporate compliance into usual business activities.

### 4. Support

- Responsibility for compliant outcomes is clearly articulated and assigned;
- Competence and training needs are identified and are being addressed to enable employees to fulfil their compliance obligations;
- Behaviours that create and support compliance are encouraged and behaviours that compromise compliance are not tolerated;
- Controls are in place to manage the identified compliance obligations and achieve desired behaviours;
- The organisation is able to demonstrate its compliance management system through both documentation and practice. Documented information is subject to controls consistent with sound records management practices. Compliance risks and planned actions are recorded in a Risk Register.

### 5. Operation

- Council's Compliance Framework and Compliance Procedure describe the operational planning and control mechanisms that comprise Council's compliance management system;
- Council is endeavouring to embed these mechanisms into its usual business processes;
- Council has established oversight functions (Audit Risk and Improvement Committee and Internal Audit Function) for review of the robustness of its compliance management system and to ensure that effective measures are in place to monitor and review that system.

### 6. Performance evaluation

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- Responsible management of compliance obligations includes a systematic approach to continuous improvement. This consists of on-going monitoring and reporting of non-compliance incidents, together with appropriate remedial action;
- Council's Risk Register identifies and records controls for identified compliance risks with regular review processes;
- Council maintains a section on its website to seek feedback including feedback on compliance matters with specific arrangements for Code of Conduct Complaints, Alleged Fraud or Corrupt Conduct, Public Interest Disclosures and other reporting requirements;
- Council has an Audit Risk and Improvement Committee which provides oversight on Council's compliance framework.

### 7. Improvement

- Council will ensure adequate processes are in place to ensure that timely advice is received regarding changes to compliance obligations and good governance practices by:
  - Maintaining arrangements with legal advisors;
  - Continuing memberships with professional bodies;
  - Subscribing to relevant information services;
  - Attending industry forums, conferences, workshops and seminars; and
  - Monitoring regulators' website.

Council extends responsibility to building a culture of compliance beyond the governing body and executive management to all levels of management. Appropriate actions must be taken to ensure an adequate understanding of obligations and where necessary expert advice sought to guide management actions. To achieve Council's compliance objective, a compliance framework has been implemented to support monitoring and review of obligations and responsibilities.

To support the framework all levels of management will:

- Promote a culture of compliance and good governance;
- Uphold a culture of compliance without fear of reprisal;
- Document and review Council's processes to ensure they comply with applicable laws and regulations;
- Provide training and assistance to employees to enable understanding of compliance obligations and required management actions;
- Continue to monitor and report on compliance to identify breaches or system failures; and
- Promptly address identified breaches or other non-compliance to mitigate Council's exposure to legal risk.

### Accountabilities and Responsibilities

#### **Councillors**

- Adhere to and comply with all relevant legislation and policies that are endorsed by Council;

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- Review and endorse this policy periodically; and
- Support a positive culture.

### **Audit, Risk and Improvement Committee**

- Review compliance status reports annually, noting the effectiveness of the framework and identified areas for improvement;
- Review this policy periodically; and
- Provide recommendations for any reporting on compliance, including any identified areas of non-compliance or breaches.

### **General Manager**

- Will be responsible for developing a framework to ensure that when legislation changes, steps are taken to ensure that actions comply with the amended legislation; and
- Will ensure that the framework sets out a range of actions required to achieve compliance with legislation and other obligations through addressing the key themes set out in AS ISO 19600:2015 Compliance Management Systems. Achievement will be assessed internally through Council's Internal Audit Plan and reported to the Audit, Risk and Improvement Committee annually;

### **Directors**

- Adhere to and comply with all relevant legislation including Council's policies and operating policies;
- Review this policy periodically;
- Encourage behaviours that create a positive compliance culture;
- Support system implementation to better identify, monitor and report on compliance obligations;
- Participate in training as required; and
- Report on any areas of identified non-compliance and ensure corrective action is taken.

### **Managers /Team Leaders**

- Cooperate with and support the compliance function and ensure employees do the same;
- Have systems in place to ensure that all their staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal and other requirements relative to their work;
- Review and provide regular reporting updates on legislative compliance obligations;
- Notify the General Manager and their Director on any identified areas of non-compliance; and
- Action any identified areas for improvement in a timely manner.

### **Employees**

- Have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation;
- Use available compliance resources as a part of the compliance management system; and
- Shall report compliance concerns, issues and failures through their managers / team leaders to senior management.

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### 6. RELATED DOCUMENTS AND LEGISLATION

#### Legislation

- *Local Government Act 1993 (NSW)*
- *Local Government (General) Regulation 2021*
- *Public Interest Disclosure Act 2022 (NSW)*
- *Government Information (Public Access) Act 2009 (NSW)*
- *Privacy & Personal Information Protection Act 1998 (NSW)*
- *Health Records & Information Privacy Act 2002 (NSW)*
- *State Records Act 1998 (NSW)*

#### Council Policies

- GOV004 – Public Interest Disclosure Policy
- GOV007 – Privacy Management Policy
- GOV008 – Public Access to Information Held by Council Policy
- GOV009 – Delegations Policy
- GOV013 – Enterprise Risk Management Policy
- GOV020 – Code of Conduct Policy

#### Council Document

- Compliance Framework
- Governance Framework
- Risk Management Manual
- Risk Management Plan
- Delegations Manual
- Privacy Management Plan
- Records & Information Management Policy (Operational)

### 7. ATTACHMENTS

Nil

### 8. DOCUMENT APPROVAL

This Council Policy is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 23/06/2025. All previous versions of this policy are null and void. This policy may be amended or revoked by Council at any time.

Signed:



General Manager Wentworth Shire Council

Date *25 JUNE 2025*

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