



## 1. BACKGROUND

Legislative compliance is an important element in the corporate governance and due diligence of Council. The Legislative Compliance Policy ('Policy') sets out Weddin Shire Council's role as a local government authority and its commitment to compliance with all statutory and common law requirements relating to the governance and operations of Council.

Council has an obligation 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 of standards of probity, transparency and accountability in all its operations.

## 2. PURPOSE

The purpose of the Policy is to set in place Council's commitment to a culture of compliance to ensure that:

1. Council promotes a culture of good governance and compliance in line with Council's Integrated Planning and Reporting Framework.
2. Council prevents, and where necessary, identifies and responds to breaches of laws, regulations, codes, policies and organisational procedures and standards occurring within Council.
3. Council achieves the highest standards of governance.

The Policy is a local supplement to the provisions of the Act and Regulation.

## 3. POLICY OBJECTIVES

The objectives of this Policy are to:

- Provide a clear framework for all stakeholders to understand Weddin Shire Council's legislative compliance.
- Ensure that Council business and activities are carried out and conducted in a lawful and responsible way to protect the reputation and creditability of the Council.
- Develop, implement and monitor internal controls to manage and provide assurance on legislative compliance risk.



## 4. LEGISLATION

The Policy relates to the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*. The Weddin Shire Council's Delegation Register provides a list of legislation that is applicable to the functions of Council and should be read in conjunction with this Policy.

## 5. APPLICATION/SCOPE

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

## 6. POLICY

### 6.1. Roles and Responsibilities

The following table outlines the roles and responsibilities of personnel. Noting that the position titles may change, however, the responsibilities remain the same.

<b>Roles</b>	<b>Responsibility</b>
The Elected Council	Council has the responsibility to adopt local policies. The Policy sets out Weddin Shire Council's role as a local government authority and its commitment to compliance with all statutory and common law requirements relating to the governance and operations of Council.
General Manager	The General Manager is responsible for the overall control and implementation of the Policy.
Directors	The Directors are responsible for establishing effective systems to ensure all staff are informed, briefed, or trained on key legal aspects relevant to their roles within budget constraints.
Employees	Employees are required to report any instances of non-compliance they become aware of, using their supervisors as the reporting channel to senior management.
General Public	The general public must act in accordance with this policy and abide by any determination made as a result of this policy.



## 6.2. General Principles

The Council will:

- a) Achieve compliance in all operational areas.
- b) Uphold the Policy outlining its commitment to adhering to applicable laws, regulations, codes, and Council standards.
- c) Allocate adequate resources to implement, sustain, and enhance its Compliance Program.
- d) Ensure that all managers, supervisors, and staff understand, promote, and take responsibility for compliance with relevant laws, regulations, codes, and Council standards within their daily responsibilities.
- e) Use its established Enterprise Risk Management Framework to identify, assess, and address compliance risks accurately.
- f) Integrate compliance requirements into day-to-day operating procedures as needed.
- g) Maintain an effective complaints management system that covers compliance failures.
- h) Keep a Compliance Register in conjunction with its Risk Register.
- i) Investigate, rectify, and report all instances of compliance failures.
- j) Assign appropriate responsibility for managing compliance at different levels.
- k) Offer practical education and training to staff to enable them to fulfil their compliance obligations.
- l) Actively emphasize the importance of compliance to staff, contractors, and other relevant third parties.
- m) Monitor its Legislative Compliance Program through a three-year Audit Plan.
- n) Regularly review its Legislative Compliance Program to ensure its effectiveness.

## 6.3. Monitoring & Measuring

Collaborating closely with the Internal Auditor, the Audit and Risk Committee plays a crucial role in supporting the Council's commitment to exercising due care, diligence, and skill in overseeing and monitoring various responsibilities. This is particularly essential in areas such as financial reporting, risk management, and compliance with legislation and Council policies.

Maintaining an Internal Audit Plan, the Council ensures an ongoing program for internal reviews, including periodic assessments of its compliance program.

Thorough investigations into compliance failures and complaints aim to rectify breaches and proactively prevent systematic and recurring issues.



To ensure relevance and effectiveness, the Council routinely reviews its policies based on a predetermined timetable.

#### 6.4. Continual Improvement

The ongoing enhancement and review of the Compliance program and framework will be ensured through the following measures:

- a. Periodic reviews of Council policies, following a predetermined timetable.
- b. Staying informed about legislative changes and government policies by subscribing to Office of Local Government (OLG) Circulars, maintaining membership in LGNSW, and actively participating in conferences, seminars, and events hosted by OLG, LGNSW, Local Government Professionals Australia, and other local government industry bodies.

### 7. DEFINITIONS

Key Terms	Meaning
Codes	Industry codes that are both mandatory and voluntary which the Council is required and or chooses to comply with
Compliance	Ensuring adherence to the stipulations of laws, regulations, industry codes, and Council standards.
Compliance Failure	A violation of relevant laws, regulations, codes, and Council standards.
Council standards	Any ethical codes, conduct guidelines, policies, procedures, and charters considered by the Council as suitable standards for its daily operations.
Legislation	Exercising effective control over legal risks to guarantee compliance with the law.



<b>Title: Legislative Compliance Policy</b>		
<b>Department: General Manager</b>		
<b>Version</b>	<b>Date</b>	<b>Author</b>
0.1 - DRAFT	9 May 2024	General Manager
01.14.01	16 May 2024	ADOPTED Resolution 091/24
<p>This policy may be amended or revoked at any time and must be reviewed at least three (3) years since its adoption (or latest amendment). The General Manager will be responsible for the review of this policy. Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guideline.</p>		
<b>Review Date: 2027</b>		
<b>Amendments in the release</b>		
<b>Amendment History</b>	<b>Date</b>	<b>Detail</b>
<b>Annexure Attached:</b>		
<p>Noreen Vu General Manager</p>		