



POLICY – 1.10 – Legislative Compliance

Relevant Delegation

N/A

Policy Objective

To ensure that the Shire upholds its commitment to meet a high level of compliance with legislative requirements applying to local government and takes any necessary action to rectify any breach as soon as reasonably possible.

Many principles of good governance make reference to ensuring appropriate policies, procedures and processes are in place for local governments to comply with both the letter and the spirit of the law.

The community elected members and employees of the Shire have an expectation that the local government will comply with applicable legislation and the Council should take all appropriate measures to ensure this expectation is met.

Policy Statement

The Shire will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the local government.

These processes and structures will aim to:

- a) Develop and maintain a system for identifying legislation applicable to the Shire's activities;
- b) Assign responsibilities for ensuring that regulatory obligations are fully considered and implemented;
- c) Provide relevant and appropriate training for staff, elected members, volunteers and other applicable people in the legislative and regulatory requirements affecting them;
- d) Provide necessary resources to identify and remain up-to-date with new legislation;
- e) Establish a mechanism for recording and reporting non-compliance;
- f) Review instances where there may have been non-compliance and report through risk management processes to mitigate against future occurrences;
- g) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved;
- h) Ensure audits are performed to assess compliance;
- i) Requires necessary action to rectify any identified breach as soon as reasonably possible; and
- j) Establish an internal audit function to provide an independent and objective evaluation of the Shire's internal procedures and controls.

Roles and Responsibilities

Elected Members and Committee Members

Councillors and Committee members have a responsibility to be aware of and to abide by legislation applicable to their role.

Senior/Executive Management

Senior staff should ensure that directions relating to compliance are clear, unambiguous and applicable legal requirements for each activity they are responsible for administering are identified. All staff are to be given the opportunity to be regularly informed, briefed, updated and/or trained about key legal requirements relative to their position description, utilising available resources to accomplish this.

Employees

Employees have a duty to seek information and guidance on legislative requirements applicable to their area of work and to comply with the legislation. Employees shall report through their supervisors to Senior Management any areas of non-compliance they become aware of.

Implementation of Legislation

The Shire will have procedures in place to ensure that when legislation changes, steps are taken to ensure future actions comply with the amended legislation and changes are appropriately communicated to all required personnel.

– *End of Policy*

COMMENT

Amendments to this Policy

Amendments to this policy require a simple majority decision of council.

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| Formerly | New Policy | |
| Last Reviewed | | |
| Next Review Date | February 2022 | |
| Amended | | |
| Adopted | 29 April 2021 | |
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