



LEGISLATIVE COMPLIANCE POLICY

Document Version Control

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1. POLICY STATEMENT

Council is committed to ensuring that it complies with all applicable laws and regulations, and that it strives to meeting the requirements of those standards and codes of practice that apply to its day to day activities and responsibilities.

2. PURPOSE

The policy provides a strategic and consistent approach to establishing and promoting a good governance culture, ensuring that Council meets its compliance obligations in a proactive, timely and transparent manner.

3. DEFINITIONS

Council	Narromine Shire Council
Compliance	Adhering to the requirements of the laws, industry and organisational standards and codes, Council policies and plans, principles of good governance and accepted community and ethical standards
Compliance Obligation	A requirement specified by laws, regulations, codes and organisation standards
Executive Leadership Team	General Manager, Directors, Executive Manager Human Resources
Legislative Compliance Register	A record maintained by the Director Governance used to identify Council's compliance obligations and to assess the risk, impact and likelihood of non-compliance with these obligations
Legislative Compliance Checklist	A record maintained by the Director Governance to monitor compliance with legislative obligations
Non-Compliance	Refers to an act or an omission, which causes Council to fail to meet its compliance obligations
Responsible Officer	An employee who has been assigned responsibility for specified compliance obligations

4. SCOPE

This policy applies to all Councillors, staff, contractors and volunteers.

5. PRINCIPLES

- Council identifies relevant requirements of Commonwealth and State legislation, regulations, codes and Australian Standards that govern its operations.
- Council identifies a responsible officer/s for legislative compliance obligations. The information is compiled in a Legislative Compliance Register. The register is risk rated according to Council's Risk Management Policy, and legislative compliance obligations receive a rating.

- Council utilises NSW Legislative notifications, Office of Local Government Circulars, and various industry subscription notifications to flag changes to legislative obligations to the responsible officer/s.
- The responsible officer/s ensure any changes are implemented and communicated.
- Employees are responsible for identifying and reporting suspected or potential legislative compliance failures.
- Council monitors compliance with legislative obligations using the Legislative Compliance Checklist.
- Identified non-compliance with legislative obligations is reported to the Audit Risk and Improvement Committee.
- Council regularly reviews the Legislative Compliance Policy and related documents.

6. ROLES AND RESPONSIBILITIES

Legislative compliance is an ongoing responsibility of all Council officers including contractors and volunteers. To ensure organisational compliance: -

Councillors

- Adhere to and comply with all relevant legislation and policies that are endorsed by Council.
- Review and endorse the Legislative Compliance Policy periodically.

Audit Risk and Improvement Committee

- Adheres to and complies with all relevant legislation, including Council policies and administrative procedures.
- Reviews the Legislative Compliance Policy periodically.
- Evaluates the adequacy and effectiveness of Council's compliance framework
- Acts as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (e.g. NSW government agencies, Commonwealth government agencies, insurance bodies).

Executive Leadership Team

- Adheres to and comply with all relevant legislation, including Council policies and administrative procedures
- Encourages behaviours that create a positive compliance culture
- Supports implementation to better identify, monitor and report on compliance obligations
- Reports on any areas of identified non-compliance and ensures corrective action is taken

General Manager

- Is responsible for organisational compliance, ensuring a framework is in place and providing Councillors and staff with the necessary information and training to fulfil their compliance obligations and reduce the organisation's risk of non-compliance
- Investigates and reports any breaches of identified non-compliance to the Director Governance

Director Governance

- Is responsible for managing the implementation and ongoing coordination of the Legislative Compliance Register and Checklist, ensuring all responsible officers fulfil their compliance obligations
- Is responsible for applying risk ratings to individual compliance obligations
- Monitors changes to laws and other obligations through NSW Legislation notifications, Office of Local Government circulars, and subscription notifications and advises responsible officers of such
- Reports any areas of identified non-compliance to the Audit Risk and Improvement Committee

Managers and Co-ordinators

- Adhere to and comply with all relevant legislation and policies and administrative procedures
- Review and provide regular reporting updates on legislative compliance obligations
- Notify the General Manager and Director Governance on any identified areas of non-compliance
- Undertake corrective action to comply in a timely manner

Employees

- Adhere to and comply with all relevant legislation and policies and administrative procedures
- Report any identified risks of non-compliance or breaches, when they become aware, to their supervisor.

7. POLICY NON-COMPLIANCE

Failure to comply with legislative compliance obligations may result in penalties, fines, adverse findings or breaches resulting in the risk of costly legal action.

8. RELATED DOCUMENTS

- Code of Conduct and Procedures
- Risk Management Policy
- Legislative Compliance Register
- Legislative Compliance Checklist
- Delegations Register
- Procurement Policy