

# COMPLIANCE MANAGEMENT POLICY AND PROCEDURE



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## 1 PURPOSE

- 1.1 CQUniversity recognises that an important part of achieving its objective is to have an effective system of governance, which includes conducting its activities in accordance with the law and University policies to enhance community confidence in its administration.
- 1.2 To meet this commitment, the University will maintain the highest standards of diligence in all areas of public accountability through its Compliance Management System and in the promotion of a 'compliance culture'.
- 1.3 Clearly articulate responsibilities of all employees of the University in relation to compliance.

## 2 SCOPE

- 2.1 This policy and procedure applies to all areas and employees of the University and its wholly owned subsidiaries.

## 3 POLICY STATEMENT

- 3.1 CQUniversity is committed to complying with all relevant legislation and University policies. Though a compliance management policy is not a legislative requirement, the University wishes to promote a culture of good corporate governance and compliance practices, and gain assurance through its governance arrangements that the University is in conformance with its legal and policy obligations. To facilitate this, the University uses a Compliance Management System based on the Australian and International Standard (AS/ISO 19600:2015 Compliance Management Systems), to demonstrate its commitment to:
  - the highest standards of compliance with all applicable laws, regulations, rules and policies
  - embedding compliance in the culture of the organisation, and
  - integrating compliance with the University's financial, risk, quality, environmental and health and safety management processes, and its operational requirements and procedures.

3.2 The University's Compliance Management System is founded on the following principles:

- compliance obligations are identified and assessed for mitigation
- compliance and risk are managed at the operational level, with accountability through defined reporting structures
- employee training needs are identified and addressed
- behaviours that create and support compliance are encouraged, and behaviours that compromise compliance are not tolerated
- controls exist to manage compliance obligations and achieve desired behaviours
- the University is able to demonstrate its Compliance Management System through documentation and practice, and
- the Compliance Management System will be regularly reviewed and opportunities for improvement identified.

## 4 PROCEDURE

4.1 The Compliance Management System incorporates the following components:

- management of compliance obligations integrated into standard management, risk management and accountability processes
- provision of education, training and advice on compliance related matters
- monitoring and reporting mechanisms and the provision of a complaint reporting and resolution process, and
- promotion of continuous improvement in compliance processes.

4.2 The Compliance Management System comprises:

- a register of University policies, procedures, guidelines and other internal compliance obligations
- a register of University-wide authorities and delegations
- a register of all key external legislative compliance obligations
- a risk management framework that integrates and aligns compliance management with the University's risk management systems and business processes, and
- regular reporting to the University Council, through the Audit, Risk and Finance Committee, ensuring effective monitoring, oversight and Executive Management decision regarding compliance with legislative requirements and promoting a culture committed to lawful behaviour.

4.3 Senior Executives, Directors and Managers are responsible for advising the Director Governance of new or amended legislation or regulations, and any changes in interpretation of legislative obligations by the courts as relevant to their areas of responsibility, to update the register of key external legislative obligations. The University Solicitor will also monitor the legal environment and advise the Director Governance of any changes.

4.4 For each obligation identified within the register of key external legislative obligations, a Responsible Senior Executive will be appointed. The Responsible Senior Executive will be considered the owner for compliance with that particular obligation and is responsible for providing guidance and support to all employees in meeting the obligation, ensuring relevant contractual arrangements meet compliance requirements, liaising with external parties as appropriate, and ensuring that obligations are monitored and met throughout the University.

4.5 Responsible Senior Executives are required to monitor their compliance obligations, and to annually certify the University's compliance with each obligation for which they are accountable. This certification will include a report on any instances of compliance failure and the remedial action taken. Non-compliance issues of a confidential or sensitive nature can be reported directly to the Director Governance.

- 4.6 Non-compliance will be addressed through existing operational management processes, with reporting to senior management as appropriate. Remedial action will also be determined in the context of usual management processes. All serious cases of non-compliance should be raised immediately with senior management for attention, and subsequently reported to the Director Governance.
- 4.7 Complaints about non-compliance, impacts of remedial action, or other issues arising from the Compliance Management System will be dealt with at the operational management level, through existing grievance procedures, the Student Ombudsman's Office, or within the parameters of the Public Interest Disclosure legislation.
- 4.8 Governance will disseminate information to the University community on the Compliance Management System to increase awareness of compliance requirements and responsibilities.
- 4.9 The further development of employee awareness and commitment to compliance is the responsibility of operational managers, with the support of the People and Culture Directorate and the Governance , through avenues such as induction and training programs.

## **Roles and Responsibilities**

- 4.10 It is the responsibility of all employees of the University to comply with the law, the University's contractual commitments and its policies, and to work towards embedding the University's compliance management objectives within their areas of responsibility.
- 4.11 A diagram of compliance management roles and responsibilities is provided in [Appendix A](#).

### **University Council**

- 4.12 The University Council is responsible for:
- approving, and monitoring the implementation of policies governing the University's systems of internal compliance, risk management and control, and
  - monitoring the University's compliance with obligations governing its operations.
- 4.13 To assist in discharging its responsibilities the Council has established the Audit, Risk and Finance Committee.

### **Audit, Risk and Finance Committee**

- 4.14 The Audit, Risk and Finance Committee has been established to, among other things:
- review, and recommend to Council approval of, the Policy and Procedure for managing compliance at the University
  - monitor the effectiveness of the University's compliance policies and procedures, and
  - monitor and discuss with management, progress in responding to inquiries from regulatory authorities.

### **Vice-Chancellor and President**

- 4.15 The Vice-Chancellor and President is responsible for managing the University in accordance with the strategy, business plans and policies approved by the Council, including this Policy and Procedure, by ensuring that there are systems in place to maintain adherence to this Policy and Procedure.

### **Deputy Vice-President (Students)**

- 4.16 The Deputy Vice-President (Students) has carriage of the University-wide compliance function. This includes responsibility for managing the implementation of the University's Compliance Management System and promoting a positive compliance culture, including:
- facilitating the identification, monitoring and reporting of compliance obligations
  - promoting and facilitating a standardised approach to effective compliance management, including ongoing review and improvement of the Compliance Management System, and

- reporting to the Audit, Risk and Finance Committee.

### **University Compliance Officer**

- 4.17 The Director Governance, as the University Compliance Officer, is responsible for the coordination of compliance across the University, the Register of Legislative Compliance Obligations, and ongoing reporting.
- 4.18 Independent of the compliance functions, the University Compliance Officer assesses and:
- reports the status of the University's compliance with its legislative compliance obligations, including any instances of compliance failure and the remedial actions taken
  - reports the status of the Compliance Management System and the level of compliance across the University, and
  - promotes a continuous improvement perspective in regard to systems development.

### **Responsible Senior Executive**

- 4.19 Responsible Senior Executives are accountable for overseeing and managing compliance with their assigned compliance obligations. This includes the identification of new or changed compliance obligations.
- 4.20 Responsible Senior Executives must report to the Audit, Risk and Finance Committee through the Deputy Vice-President (Students), but may delegate to another employee within their leadership team to coordinate and report on compliance activities (including non-compliances and near misses) relevant to their compliance functions.

### **Employees**

- 4.21 Employees of the University are required to:
- familiarise themselves with this Policy and Procedure and other policies concerning compliance with obligations that are relevant to their workplace activities
  - adhere to relevant legislation and their compliance obligations
  - incorporate compliance management practices into their workplace activities
  - report and escalate all compliance concerns, issues and breaches as required by this Policy and Procedure, and
  - undertake relevant compliance training.

## **5 RESPONSIBILITIES**

### **Compliance, monitoring and review**

- 5.1 Responsible Senior Executives will ensure that their compliance activities are subject to continuous improvement processes.
- 5.2 Periodic reviews of compliance will be conducted, by either Internal Audit or Governance. The results of these reviews will be reported through the Deputy Vice-President (Students) to the Audit, Risk and Finance Committee. This will provide Executive Management with assurance that the Compliance Management System is effective, and will highlight areas that can be improved.
- 5.3 The Deputy Vice-President (Students) has portfolio responsibility for compliance. The Director Governance has day to day responsibility for compliance coordination within the University.
- 5.4 Executives and managers are responsible for ensuring the external legislative compliance obligations relevant to their areas of responsibility are met. They are also responsible for making necessary updates to the applicable policies and/or procedures to maintain the University's compliance commitment.
- 5.5 A periodic survey of compliance practices and awareness may be conducted. Operation of the Compliance Management System itself will be reviewed every three years.

## Reporting

- 5.6 An annual certification of legislative compliance obligations will be provided to the University Council for acceptance, through the Audit, Risk and Finance Committee and will include:
- the status of the University's compliance with the external legislative compliance obligations
  - any instances of compliance failure and the remedial action taken, and
  - a continuous improvement perspective in regard to systems development.

## Records management

- 5.7 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.
- 5.8 University records must be retained for the minimum periods specified in the University Sector Retention and Disposal Schedule on the [Queensland State Archives website](#). Before disposing of any records, approval must be sought through the Records Management Office (email [records@cqu.edu.au](mailto:records@cqu.edu.au)).

## 6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

### Terms and definitions

**Code:** a statement of recommended practice developed internally by the University or externally by another body (may be mandatory or voluntary).

**Compliance:** meeting the requirements of laws, organisational standards and codes, principles of good governance, and accepted community and ethical standards.

**Compliance culture:** the values, ethics and beliefs that exist throughout the University and interact with the University's structures and control systems to produce behavioural norms that are conducive to compliance outcomes.

**Compliance failure:** an act or an omission whereby the University does not meet its compliance obligations, processes or behavioural obligations.

**Compliance management system:** a series of activities that when combined are intended to achieve compliance.

**Obligation:** a requirement specified by laws, regulations, codes or University policies and standards.

**Organisational standards:** documented codes of ethics, codes of conduct, good practices and charters that the University has adopted for its operations.

**Responsible Senior Executive:** the head of an organisational area allocated responsibility for ensuring compliance with a specific obligation.

## 7 RELATED LEGISLATION AND DOCUMENTS

Australian and International Standard AS/ISO 19600: 2015 Compliance Management Systems – Guidelines  
[Enterprise Risk Management Framework](#)  
[Risk Management Policy](#)

## 8 FEEDBACK

- 8.1 Feedback about this document may be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 9 APPROVAL AND REVIEW DETAILS

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Notes	

10 APPENDIX A

Compliance Management Roles and Responsibilities

