



Ararat Rural City

Compliance Policy

DOCUMENT CONTROL

Category Type: Procedure

Type: Council

Responsible Officer: Governance and Risk Lead

Last Review Date: New

Date Approved (CEO):

Next Review Date: January 2026

Revision No: #

Stakeholder Engagement:

Audit and Risk Committee

Chief Executive Officer

INTENT:

This policy provides a rational and framework for an equitable, transparent and consistent approach to compliance activities undertaken by Ararat Rural City Council (Council) so the community can be assured that standards are met.

SCOPE:

This policy applies to all employees undertaking compliance activities on behalf of Ararat Rural City Council. The policy is part of the Compliance Framework and its principles in accordance with the ISO 37301:2023 Compliance Management Systems (the Standard)

POLICY:

Council is committed to developing and maintaining a culture of effectively managing its compliance obligations. It will do this by:

- Displaying its commitment to effective compliance management through the adoption of this policy
- Implementing a compliance management program that assists staff in meeting compliance obligations and achieving desired behaviours.

This policy has been prepared with reference to the Australia Standard for Compliance Management Systems – Guidelines AS/ISO 37301:2023, which outlines the principles for management compliance. In an ethical culture, employees and leaders understand why doing the right thing is important to the organisation’s long-term viability. An ethical culture supports independent thinking employees and leaders who make decisions consistent with the principles of good governance and Council’s values.

Section 9 of the Local Government Act 2020 (the Act) requires Council to, in the performance of its role, give effect to the overarching governance principles listed below. The principles require Council staff and Councillors to avoid conflicts of interest, act honestly, lawfully, impartially, with integrity and accountability; respect other peoples’ beliefs and opinions; exercise reasonable care and diligence; to use public resources and manage financial risks prudently; consider the effect of decisions on future generations and ensure accurate and timely disclosure of financial information.

Compliance Management Program

The objective of the compliance management program is to establish an ongoing set of activities within the principles for managing compliance obligations that supports the implementation of this policy. The scope of the Council’s compliance management program covers the elements in the ISO 37301:2023 and includes:

- Understanding the organization and its context
- Understanding the needs and expectations of interested parties
- Identifying compliance obligations
- Identifying, analysing and evaluating compliance risks
- Promoting roles, responsibilities and authorities

- Developing actions to address compliance risks
- Establishing controls and procedures
- Monitoring, measuring, analysing and evaluating the program
- Providing stakeholders with assurance that Council is meeting its compliance obligations
- Working with responsible officers to prevent nonconformity and noncompliance and put in place corrective action where required.
- Continually improving the compliance management program.

ROLES & RESPONSIBILITIES

Role	Responsibilities
Council	Council is responsible for approving this policy and will actively demonstrate a commitment to a compliance culture, with the aim of promoting good governance, accountability and transparency of decision making
Chief Executive Officer	The Chief Executive Officer is responsible to Council for the management of compliance and integrity obligations
Managers, Leaders, Supervisor, and Team Leaders	Managers, Leaders, Supervisors and Team Leaders are responsible to leading by example and demonstrating an active commitment to and support of the compliance management system.
Responsible Officers	Obligations are assigned to responsible officers who are required to: <ul style="list-style-type: none"> • Confirm that they are seeking, in the course of their operational activities, to ensure compliance with each obligation for which they are designated to responsible officer • Report on any incidents of non-compliance and many remedial actions taken to address them, including any ongoing non-compliance issues. • Maintaining a sound knowledge of their designated obligations; • Ensure new obligations arising from, for example, common law, legislative changes, policies, procedures, investigations or audits, are added to Council’s compliance management system and • Arrange for the removal / archiving of any obsolete obligations form Council’s compliance management system.
Employees	In accordance with the Code of Conduct and the principle of respect for the rule of law, all Council employees should be conscientious in seeking to comply with relevant obligations in the course of their duties.
Governance and Risk Lead	The Governance and Risk lead is responsible for maintaining this policy. Governance is responsible for establishing and demonstrating a good governance culture that ensures compliance across Council. Governance is responsible for giving advice, education and support across the organisation.

<p>Audit and Risk Committee</p>	<p>The Audit and Risk Committee is responsible for endorsing this policy and recommending approval to the Council. It is also responsible for monitoring, reviewing and advising the Council on the standard of its compliance management system.</p>
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NON-COMPLIANCE

Violations of this policy may lead to disciplinary action and / or action by the relevant regulatory authorities.

RELATED LEGISLATION AND COUNCIL DOCUMENTATION

Local Government Act (Victoria) 2020

Local Government Act (Victoria) 1989

Councillor Code of Conduct

Staff Code of Conduct

Fraud and Corruption Control Policy

Fraud and Corruption Control Framework

Risk Management Policy

Risk Management Framework

Public Interest Disclosure Procedure

Public Transparency Policy

Instrument of Delegation and Authorisation

DEFINITIONS

<p>Council</p>	<p>Ararat Rural City Council</p>
<p>Councillors</p>	<p>The individuals holding the office of a member of Ararat Rural City Council</p>
<p>Councillor Officer</p>	<p>The Chief Executive Officer and staff of Council appointed by the Chief Executive Officer</p>
<p>Compliance</p>	<p>Adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community and ethical standards.</p>
<p>Compliance Framework</p>	<p>Structure set of guidelines that detail an organisation's processes for maintaining accordance with established regulations, specifications or legislation.</p>
<p>Integrity</p>	<p>the quality of being honest and having strong moral principles and operating within the rule of law.</p>



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Compliance Framework

DOCUMENT CONTROL

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Responsible Officer: Governance and Risk Lead

Last Review Date: New

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Stakeholder Engagement:

Audit and Risk Committee

Councillors

CEO



Compliance Framework

INTENT:

The intent of this Compliance Framework is to provide a coordinated, organisation-wide compliance approach to ensure that Council's activities are conducted in accordance with legislative requirements and obligations, in keeping with the objectives of Council's Compliance Policy.

SCOPE:

This framework must be observed by all Ararat Rural City Council staff. All Managers and Leaders have a duty to maintain and monitor compliance within their area of responsibility, and to ensure that their staff have the necessary training to be aware of relevant legislative requirements.

Ararat Rural City Council has a responsibility to identify and comply with a range of legislative and regulatory requirements.

BACKGROUND:

The standard ISO 37301:2023 (Compliance Management Systems) states that:

“An effective, organisation-wide compliance management system enables an organisation to demonstrate its commitment to compliance with relevant laws, including legislative requirements, industry codes and organisational standards, as well as standards of good corporate governance, best practices, ethics and community expectations.”

Council is committed to conducting its business and activities lawfully and in a manner that will enhance

the core values defined by its ICARE (Integrity, Customer-first, Accountability, Respect and Excellence) principles.

Council's ICARE principles outline how staff interact with the community. These principles embody

Council's commitment to be seen as an organisation of integrity, fairness and excellence. All members of staff are expected to adhere to high ethical standards when acting on behalf of Council and to comply with all relevant legislation. Compliance is underpinned by the legislative and governance processes implemented by Council, demonstrating to the community ongoing commitment to the ICARE principles.

Council's legislative compliance framework consists of:

- this Framework.
- Compliance Policy which outlines the legislative requirements and objectives of:
 - compliance management
 - accountabilities
 - responsibilities and
 - the management process of reviewing and updating Council's Instruments of Delegation and Authorisation.



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- supporting procedures, forms and registers that are a legislative requirement for Council and complement management and administrative governance functions.
- responsibilities for ongoing compliance with internal audit recommendations to ensure best practice and continuous improvement.

DEFINITIONS

Unless otherwise specified within this framework, the following words and phrases are defined to mean the following in terms of this framework.

Term	Definition
Authorisation	A member of staff is appointed to a particular statutory position which holds has virtue powers by virtue of that position. They are an “authorised” officer for the purpose of carrying out certain powers under a particular instrument of legislation.
Council	Elected councillors representing Ararat Rural City Council
Delegation	A member of Council staff is empowered to take action on Council’s behalf. The decision of the delegate is “deemed” to be a decision of Council.
Compliance Register	Used to monitor Council’s compliance with relevant instrument of legislation monitor compliance with internal audit obligations, track updated require delegations and authorisation
Obligation	AN action within the Compliance Register that is allocated to a Responsible Officer for action and sign off attestation about how it has been completed (if an actual obligation) or understood (if an awareness obligation).
Responsible Officer	A member of Council staff who has been allocated an obligation from the Compliance Register.
Staff	All individuals employed by Ararat Rural City Council, including volunteers, contractors, service providers and agents engaged to conduct authorised Council business.

COMPLIANCE FRAMEWORK

In an organisation with a strong ethical culture, employees and managers / leaders understand why doing the right thing is important for the organisation’s long-term viability, and they have the determination, courage and freedom to see that the right thing gets done. An ethical culture supports independent thinking employees and managers / leaders who make decisions consistent with the principles of Good Governance and the organisation’s values.

Benefits of a positive ethical culture include:

- Employees feel a sense of responsibility and accountability for their actions and for the actions of others.
- Employees freely raise issues and concerns without fear of retaliation.
- Managers / Leaders model the behaviours they demand of others.
- Managers / Leaders communicate the importance of integrity when making difficult decisions.
- Leadership understands the pressure points that drive unethical behaviour.
- Leadership develops processes to identify and reduce identified pressure points.

Approach

The Australian Standard AS ISO 37301:2023 Compliance Management Systems Guidelines, has adopted a “high-level structure” to assist in the implementation of specific compliance and integrity related requirements in any management system. Elements of the Compliance Management System are made up of the following building blocks.

Context of the organisation	•including understanding the organisation, expectation of stakeholders, strategy, system and risk assessment
Leadership	•Including governing body, compliance policy, compliance functions, roles and responsibilities.
Planning	•Including actions to address risks and opportunities, compliance activities and planning of activities
Support	•Including resources, competences, awareness and training, communication and documentation.
Operation	•Including due diligence, controls, gifts, hospitality, donations, reporting and investigations.
Performance Evaluation	•Monitoring, measurements, internal audit and management review etc.
Improvement	•Non-conformity, corrective actions and program improvements

Encompassing these elements, Ararat Rural City uses the “Plan-Do-Check-Act” continuous improvement principle consistent with other management systems.



Identification of compliance and integrity obligations

Council is committed to meeting its compliance and integrity obligations. Compliance and integrity risks are reviewed and analysed annually to ensure appropriate controls are in place. These are reviewed by Internal Audit.

Management of compliance obligations

In accordance with the Code of Conduct for Employees, all Council employees should be conscientious in seeking to comply with relevant obligations in the course of their duties.

Obligations are designated to responsible officers. There may be multiple responsible officers designated obligations. Responsible officers are required to:

- Confirm they are seeking, during their operational activities, to ensure compliance with each obligation for which they are a designated responsible officer.
- Report incidents of non-compliance and remedial action to address such incidents, including any ongoing or repeated non-compliance.
- Maintain a sound knowledge of their designated obligations and should advise of new obligations or changes to existing ones to the Governance team.

Principal systems, policies and documents in place to manage compliance

Council has a number of systems, policies and documents in place to manage compliance, including, but not limited to:

- Code of Conduct for Employees
- Code of Conduct for Councillors
- Performance Management Employee Discipline Policy
- Governance Rules
- Fraud and Corruption Control Policy
- Procurement Policy
- Risk Management Framework
- All relevant compliance and integrity policies

Section 9 of the Local Government Act 2020 (the Act) requires Council to, in the performance of its role, give effect to the overarching governance principles listed below. The principles require Council staff and Councillors to avoid conflicts of interest, act honestly, lawfully, impartially, with integrity and accountability; respect other peoples' beliefs and opinions; exercise reasonable care and diligence; to use public resources and manage financial risks prudently; consider the effect of decisions on future generations and ensure accurate and timely disclosure of financial information.

Specifically, it includes:

Local Government Act Section 9 Overarching governance principles and supporting principles

- (1) A Council must in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles—
 - (a) Council decisions are to be made, and actions taken in accordance with the relevant law
 - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations
 - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
 - (d) the municipal community is to be engaged in strategic planning and strategic decision making
 - (e) innovation and continuous improvement are to be pursued
 - (f) collaboration with other Councils and Governments and statutory bodies is to be sought
 - (g) the ongoing financial viability of the Council is to be ensured
 - (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making



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(i) the transparency of Council decisions, actions and information is to be ensured

(3) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—

- (a) the community engagement principles
- (b) the public transparency principles
- (c) the strategic planning principles
- (d) the financial management principles
- (e) the service performance principles

This Framework ensures Council;

- comply with the relevant law (section 9(a) of the Act);
- gives priority to achieving the best outcomes for the municipality, including future generations (section 9b of the Act). This policy ensures that in relation to the Local Government Act 1989 and Local Government Act 2020 and other instruments of legislation, Councillors and Council officers are continually made aware of their legislative obligations and Council's internal audit program ensures an organisation-wide mechanism for the continued improvement of Council's programs and services;
- pursue innovation and continuous improvement (section 9(e) of the Act). This policy incorporates monitoring and tracking of Council's internal audit program which specifically looks to review and improve Council services, processes and programs.
- collaboration with other Councils and Governments and statutory bodies has been sought (section 9(f) of the Act); and
- transparency of Council decisions, actions and information is ensured by the enactment of this policy (section 9(i) of the Act). The policy is available to the public on Council's website.

ROLES AND RESPONSIBILITIES

Outlined below are the processes and structures to support the management of compliance.

Role	Responsibilities
Councillors	As elected representatives, Councillors are required to act in accordance with the Councillor Code of Conduct and the Local Government Acts 1989 and 2020. The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community and must, in the performance of its role, give effect to the overarching governance principles outlined in the Local Government Act 2020. This framework provides Council with the expectation to meet its legislative requirements.
CEO	The Chief Executive Officer (CEO) has the ultimate delegated responsibility for legislative compliance across and within the organisation. The CEO is responsible for leading a compliance culture

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	<p>across the organisation through promoting and supporting the Legislative Compliance Policy.</p>
CEO, Managers, Leaders	<p>To efficiently discharge responsibilities, the CEO delegates some of the powers, duties and functions required for the effective operation of Council to other staff within the organisation. The CEO, Managers and Leaders will annually review compliance activities for the coming year and identify any key risk management issues.</p>
Manager / Leaders	<p>Managers / Leaders are responsible for ensuring that appropriate resources, systems and processes are in place to implement this policy across the organisation, comply with legislative and regulatory requirements within their specific areas of operational responsibility and ensure that any potential or actual legislative non-compliance has been identified and is being managed appropriately.</p> <p>Specifically, they are responsible for:</p> <ul style="list-style-type: none"> • promoting an ethical and positive compliance culture in relation to the organisation’s legislative responsibilities and encouraging behaviours that create and support Council’s Legislative Compliance Policy. • ensuring those in their department and/or unit are made aware that they are expected to comply with this policy, are aware of its existence and understand what is required of them. • remaining aware of the compliance obligations (including monitoring for changes in legislation and regulation) within their areas of control. • ensuring that compliance continues to be maintained, including providing advice to other staff within their units as required; • ensuring appropriate education and training for those required to implement, oversee, and comply with legislation. • reporting non-compliance or potential non-compliance to the Governance and Risk Lead. • developing specific controls, strategies and corrective actions to manage significant risks of non-compliance or breaches in their unit in a timely manner. • certifying compliance for their area of control if and when required. • identifying and reviewing legislative obligations and nomination of Responsible Officers when requested to do so by the CEO or Governance and Risk Lead • monitoring legislative compliance responsibilities in position descriptions and in relevant discussions at performance reviews; and • monitoring compliance with the relevant legislation and related Council policies.

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	<p>Commitment must be demonstrated by all senior officers by making themselves fully aware of the organisation's legislative obligations within their area of accountability or span of control.</p>
Governance and Risk Lead	<p>The Risk and Governance Lead, on behalf of the CEO, has overall responsibility for the control and coordination of the Compliance Register and coordinating the broad and general legislative compliance framework across the organisation.</p> <p>Specifically, the Governance and Risk Lead is responsible for:</p> <ul style="list-style-type: none"> • managing and maintaining Council's Compliance Register and Instruments of Delegation and Authorisation. • managing and maintaining Council's statutory registers • developing and implementing Council's Compliance Framework. • identifying, in conjunction with Responsible Officers, compliance requirements and training needs and promoting awareness of compliance obligations. • providing advice to relevant staff and Responsible Officers about new or changed legislation, its content and application to Council where appropriate. • identifying and reviewing legislative obligations and the nomination of Responsible Officers. • reporting compliance breaches to the Chief Executive Officer and ensuring that appropriate and timely corrective actions are undertaken. • reviewing the currency and effectiveness of this framework and the associated policy. • reviewing the current status of compliance actions, potential or actual breaches of legislation or of this framework, the associated policy and other relevant issues of high risk. • ensure staff are aware of Council's Legislative Compliance Policy and their obligations under this policy. • conducting regular compliance audits as required by the CEO; and • reporting to the Chief Executive Officer and Audit & Risk Committee in the manner outlined within this framework, associated policy or in any manner requested.
Human Resource Business Partner	<p>The Human Resource Business Partner has responsibility for ensuring that Council's position descriptions refer to a role's legislative requirements, compliance obligations and any delegated powers, duties or functions relevant to a particular role.</p>
Responsible Officers	<p>In addition to the above responsibilities, Responsible Officers will work closely with the Governance and Risk Lead and have direct</p>

	<p>responsibility for responding to legislative obligations within the Compliance Register. Specifically, they will:</p> <ul style="list-style-type: none"> • monitor identified legislation and regulations for change and ensure that compliance continues to be maintained, including providing advice to other staff within their units as required. • signing-off on all obligations (both legislative and internal audit) allocated to them in a timely manner and seeking assistance and guidance from their direct manager when needed to ensure they understand the requirements and legislation they must comply with to undertake their duties. • remaining aware of the compliance obligations (including monitoring for changes in legislation and regulation) within their areas of control. • assisting the Governance and Risk Lead to allocate any obligations and advise on appropriate timeline and frequency of those obligations; and • assisting to promote an ethical and positive compliance culture in relation to the organisation’s legislative responsibilities and encourage behaviours that support Council’s Legislative Compliance Policy.
Employees	<p>All staff are responsible for ensuring that their activities on behalf of Council comply with all applicable laws. All staff are responsible for:</p> <ul style="list-style-type: none"> • compliance with all relevant legislation. • adherence to the compliance obligations relevant to their position. • performing their duties in a lawful and safe manner. • undertaking training as required on compliance activities and initiatives. • undertaking corrective actions to compliance breaches in a timely manner. • reporting and escalating compliance concerns, issues, complaints, and failures. • referring to relevant Council policies or having a discussion with their manager before acting if they are uncertain as to what is legally compliant behaviour; and • familiarising themselves with Council policies concerning compliance within specific areas of legislation that affect their workplace and activities.
Audit and Risk Committee	<p>Under the Local Government Act 2020, the Audit and Risk Committee must monitor the compliance of Council policies, monitor Council financial and performance reporting, monitor and provide advice on risk management and fraud prevention systems and controls, oversee</p>

	internal and external audit functions and prepare a formal report to Council on a biannual basis.
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LEGISLATIVE OBLIGATION MANAGEMENT

As a large and complex statutory authority, Council has a significant number of compliance obligations. Council must comply with over 100 statutory acts and their associated regulations. The Local Government Act 1989 and the Local Government Act 2020 and associated regulations are the principal governing instruments of legislation relevant to Council.

To ensure that Council can comply with its obligations, it is important to identify all the legislative instruments which impose a legislative obligation. Compliance obligations may require, but are not limited to, reporting, accreditation, registration, licensing, compliance with deadlines, provision of services, restrictions, limitations and financial obligations. Council's obligations are maintained in an online Compliance Register with each obligation allocated to the responsible officer. The Compliance Register maps Council's obligations to Responsible Officers, maps changes or amendments in the legislation, provides a sign-off attestation process for Responsible Officers and also provides a complete audit trail for each obligation.

The register is reviewed quarterly to:

- monitor substantive changes in legislative requirements;
- assess time frames for signing off obligations;
- allocate new obligations; and
- follow-up overdue obligations, particularly those in areas of potential risk.

Internal Audit Obligation Management

Council has a structured internal audit program undertaken by an independent auditor which regularly reviews and audits Council's services, programs and processes in line with a strategic continuous improvement plan set by the Chief Executive Officer in conjunction with the Audit and Risk Committee.

For each audit, Council's internal auditor makes a number of recommendations that are added to the Compliance Register as internal audit recommendations. The Compliance Register maps these internal audit actions to each Responsible Officer, provides a quarterly sign off attestation for Responsible Officers and provides a complete audit trail for each obligation until it is completed (complies).

Management of the Compliance Register

The Compliance Register is managed, administered and maintained by the Governance and Risk Lead on behalf of the Chief Executive Officer.

Management of Other Registers

In compliance with the Local Government Act 2020, the Governance and Risk Lead managers, administers and maintains statutory registers or summaries, including, but not limited to, the

following:

- Authorisations Register
- Conflicts of Interest Register
- Councillor Gift Register
- Delegations Register
- Inspection of Documents Register
- Staff Gift Register
- Summary of Personal Interest Returns and Related Party Disclosures
- Travel Register

Public access to these documents is prescribed under the Local Government Act 2020 and Council's Public Transparency Policy.

Delegations and Authorisations

Council is responsible for carrying out various duties, functions and powers under a range of State legislation and Council's Local Laws. The practice of delegation originates in the necessity for decisions and actions under the responsibility of the Council to be delegated to professionally qualified officers to undertake as the administrative burden for all decisions to be directly made by Council would be too onerous for the efficient and effective function of the organisation.

Instrument	Description
S5 – Instrument of Delegation from Council to the CEO	This delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO
S6 – Instrument of Delegation from Council to Members of Council Staff	This delegates Council powers, duties and functions within various acts and regulations (or specific parts of those acts or regulations), which contain a specific power of delegation. This delegates certain powers directly from Council-to-Council staff due to the legislation referred to containing specific powers of delegation.
S7 – Instrument of Sub-Delegation from CEO to Council Staff	This sub-delegates Council powers, duties or functions contained in acts or regulations which do not include a specific power of delegation.
S11 – Instrument of Appointment and Authorisation	This appoints officers to be authorised officers for the administration and enforcement of specific acts which are included within the document.



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S13 – Instrument of Delegation from CEO to Staff	This instrument allows the CEO to delegate their powers, duties and functions existing under all Victorian legislation. This differs to the S7 Instrument in that it does not relate to Council powers, duties and functions, but those vested in the CEO personally.
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Council engages an external subscription service to provide updated advice on legislation affecting Council’s various Instruments of Delegation and Authorisation. The advice ensures that all acts that are relevant to Council’s operations are covered regularly. Council maintains and updates its instruments through the RelianSys delegation management software platform, which provides a management tool and templates for the Instruments to be generated in different formats and as required.

Council keeps updated Instruments of Delegation (Delegations Register) and makes them available to all staff on its council webpage. The Governance and Risk Lead, through the subscription and management software, monitors legislation for any changes to ensure all areas of Council are not exposed to any risk.

IDENTIFICATION OF NEW AND AMENDED LEGISLATION

Ararat Rural City Council uses a variety of mechanisms to be aware of new and amended legislation. The following is a high-level summary of the most regularly used mechanisms.

Legislations across Council

All Managers / Leaders are responsible for identifying and understanding the legislative/statutory obligations required to facilitate their role acting on behalf of Council. This includes identifying those obligations which require a delegation/authorisation to be exercised (refer to Delegations and Authorisations).

RelianSys

RelianSys Compliance Registers and Compliance Management software subscription.

Council subscribes to the RelianSys Compliance Registers and Compliance Management Software modules. The software provides a register of legislation for which Council must comply, provides updates on legislation changes impacting on local government in Victoria, allows allocation to responsible officers, and informs and reports non-compliance with legislation. The external subscription service for legislation changes automatically feeds into RelianSys.

RelianSys is the single source of truth for Council’s Compliance Registers and the recording of ongoing compliance.

State and Federal Government

Local Government Victoria, and State and Federal Government departments will sometimes initiate new or changes to legislation. Where Local Government Victoria and the other levels of government conduct workshops relating to significant new and amended legislation, Council staff will be recommended to attend the workshops and report back to their respective Manager / Leaders who



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will assess whether amendment of processes is required and inform the Governance and Risk Lead if necessary.

Sector Representatives

Local government sector representatives such as the Municipal Association of Victoria and the Victorian Local Governance Association issue bulletins/circulars and conduct workshops when there are important developments of, and amendments to, relevant legislation. Council staff are recommended to attend the workshops and report back to their respective Manager who will assess whether amendment of processes is required and inform the Governance and Risk Lead if necessary.

Special Interest Groups and Networking

Council staff who attend networking groups, including planning, building, health, governance, risk management, etc., will report back to the organisation after attending workshops relating to significant legislative changes

Accounting Standards

Australian Accounting Standards are the equivalent of the International Financial Reporting Standards (IFRS) and updates to the standards are provided through Pronouncements from the Australian Government: Australian Accounting Standards Board (AASB). The aim of the AASB is to ensure consistency, comparability, and transparency through entity conformance with the financial reporting standards.

Auditing and Assurance Standards

Australian Auditing Standards establish requirements and provide application and other explanatory material on:

- the responsibilities of an auditor when engaged to undertake an audit of a financial report, or complete set of financial statements, or other historical financial information; and
- the form and content of the auditor's report

IMPLEMENTATION OF LEGISLATION

Legislation is required to be reviewed by each Directorate to ensure they understand their obligations which need to be discharged and meet the requirements of the legislation applicable to their area. Managers / Leaders must identify those obligations which require delegations to be put in place within Council to ensure ongoing compliance.

MONITORING AND AUDITING OF COMPLIANCE

Regular reporting to both the Chief Executive Officer and Audit and Risk Committee will provide regular indicators of the effectiveness of this policy in raising awareness levels and developing a functional compliance culture across the organisation. The framework will be reviewed every two years to ensure it remains current with any legislative requirements and a survey will be undertaken of key staff prior to review so that any improvements or adaptations can be incorporated.

REPORTING AND MANAGING NON-COMPLIANCE

The Compliance Register monitors all major legislative obligations as outlined in this framework and a compliance report will be submitted to the Audit and Risk Committee quarterly.

REFERENCES AND RELATED DOCUMENTS

Related Council and other Policies, Procedures, Strategies, Protocols, Guidelines

- ISO 37301:2023 Compliance Management Systems Guidelines
- Local Government Act (Victoria) 2020
- Local Government Act (Victoria) 1989
- Staff Code of Conduct
- Instruments of Delegation and Authorisations
- Public Transparency Policy
- Enterprise Bargaining Agreement
- Fraud and Corruption Control Policy
- Fraud and Corruption Control Framework
- Public Interest Disclosures Procedure
- Risk management Policy
- Risk Management Framework

Appendix 1 – Major Instruments of Federal, State Legislation Relevant to Council

The major instruments of Federal and State legislation that Council operates under are listed, but are not limited to, the below. Instruments of legislation are updated sometimes, names may change, and requirements may be altered. New legislation may also be developed that becomes relevant to Council.

- Australian Citizenship Act (Cth) 2007
- Aboriginal Heritage Act 2006
- Aboriginal Heritage Regulations 2016
- Aboriginal Heritage Amendment Act 2016
- Accident Compensation Act 1985
- Accident Compensation (OHS) Act 1996
- Associations Incorporation Reform Act 2012
- Audit Act 1994
- Australian Consumer Law
- Building Regulations 2018
- Building Act 1993
- Catchment and Land Protection Act 1994
- Charter of Human Rights and Responsibilities Act 2006 (AR)
- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Children's Services Act 1996
- Children's Services Regulations 2009
- Climate Change Act 2017
- Climate Change Regulations 2017
- Commission for Children and Young People Act 2021
- Conservation, Forests and Land Act 1987
- Constitution Act 1975
- Country Fire Authority Act 1958
- Country Fire Authority Regulations 2014
- Crown Land (Reserves) Act 1978
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Dangerous Goods (Explosives) Regulations 2021
- Dangerous Goods (HCDG) Regulations 2016
- Dangerous Goods (Storage and Handling) Regulations 2012
- Development Victoria Act 2003
- Drugs, Poisons and Controlled Substances Regulations 2017
- Domestic Animals Act 1994
- Domestic Building Contracts Act 1985
- Disability Act 2006
- Disability Discrimination Act 1992
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Education and Training Reform Act 2006

- Electrical Safety Act 1998
- Electrical Safety (Bushfire Mitigation) Regulations 2020
- Electrical Safety (Electrical Line Clearance) Regulations 2020
- Emergency Management Act 2013
- Environment Protection Act 2017
- Environment Protection Regulations 2021
- Equal Opportunity Act 2010
- Equity and Inclusion Duties Act 2000
- Equipment (Public Safety) Act 1994
- Equipment (Public Safety) Regulations 2017
- Estate Agents Act 1980
- Fair Work 2009 (Cth)
- Fences Act 1968
- Family Violence Protection Act 2008
- Family Violence Protection (Information Sharing and Risk Management) Regulations 2018
- Filming Approval Act 2014
- Financial Management Act 1994 (VIC)
- Financial Management Regulations 2014 (VIC)
- Fines Reform Act 2014
- Fire Rescue Victoria Act 1958
- Fire Services Property Levy Act 2012
- Flora and Fauna Guarantee Act 1988
- Flora and Fauna Guarantee Regulations 2020
- Food Act 1984
- Freedom of Information Act 1982
- Gambling Regulation Act 2003
- Gender Equality Act 2020
- Geographic Place Names Act
- Graffiti Prevention Act 2007
- Health (Immunisation) Regulations 1999
- Health (Prescribed Accommodation) Regulations 2020
- Health Act 1958
- Health Records Act 2001
- Health Services Act 1988
- Heritage Act 2017
- Heavy Vehicle National Law 2012
- Heavy Vehicle National Law Application Act 2013
- Housing Act 1983
- Impounding of Livestock Act 1994
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Infringements Act 2006
- Infringements (General) Regulations 2016
- Land Acquisition and Compensation Act 1986
- Land Acquisition and Compensation Regulations 2021
- Land Act 1958
- Liquor Control Reform Act 1998
- Local Government (Electoral) Regulations 2020
- Local Government (Planning and Reporting) Regulations 2020
- Local Government (General) Regulations 2015

- Local Government (Long Service Leave) Regulations 2021
- Local Government Act 2020
- Local Government Act 1989
- Mineral Resources (Sustainable Development) Act 1990
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- Payroll Tax Act 2007 (VIC)
- Penalty Interest Rates Act 1983 (VIC)
- Pipelines Act 2005
- Planning and Environment (Fees) Regulations 2016
- Planning and Environment Act 1987
- Planning and Environment (Planning Schemes) Act 1996
- Planning and Environment Regulations 2015
- Prevention of Cruelty to Animals Act 1986
- Property Law Act 1958
- Privacy and Data Protection Act 2014
- Protected Disclosure Act 2012
- Public Administration Act 2004 (VIC)
- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing Regulations 2019
- Public Records Act 1973
- Racial and Religious Tolerance Act 2001
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Residential Tenancies Act 1997
- Road Management (General) Regulations 2016
- Road Management Act 2004
- Road Safety Road Rules 2017
- Road Management (Works and Infrastructure) Regulations 2015
- Road Safety (Vehicles) Regulations 2021
- Road Safety (Traffic Management) Regulations 2019
- Road Safety Act 1986
- Sale of Land Act 1962
- Second Hand Dealers and Pawnbrokers Act 1989
- Sex Work Act 1994
- Sex Work Decriminalisation Act 2022
- Sherriff Act 2009
- Shop Trading Reform Act 1996
- Sport and Recreation Act 1972
- Subdivision (Fees) Regulations 2016
- Subdivision (Procedures) Regulations 2021
- Subdivisions Act 1988
- Summary Offences Act 1966
- Taxation Administration Act 1997
- Tobacco Act 1987
- Transfer of Land Act 1958
- Transport Integration Act 2010

Compliance Framework



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- Transport (Safety Schemes Compliance and Enforcement) Act 2014
- Valuation of Land Act 1960
- Valuation of Land Regulations 2014 (VIC)
- Victorian Civil and Administrative Tribunal Act 1998
- Victorian Local Government Grants Commission Act 1976
- Victorian Environmental Assessment Commission Act 1976
- Victorian Data Sharing Act 2017
- Victorian Inspectorate Act 2011
- Victorian Planning Authority Act 2017
- Victorian State Emergency Act 2005
- Water Act 1989
- Working with Children Act 2005
- Workers Compensation Act 1958
- Workplace Injury Rehabilitation and Compensation (WIRC) Act 2013
- Workplace Injury Rehabilitation and Compensation Regulations 2014