

Purpose

The Shire of Northampton (Shire) is committed to upholding its legal and regulatory obligations in alignment with its values, objectives, and community expectations. Through proactive measures, continual improvement, and collaboration, we ensure compliance with legislative requirements while fostering a culture of integrity and accountability.

Background

A fundamental principle of good public administration is that public officials comply with both the letter and the spirit of the law.

The Shire has an obligation to ensure that legislative requirements are complied with. The community and those working at the Shire have an expectation that the Shire will comply with applicable legislation and that the Shire will take all appropriate measures to ensure that expectation is met.

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The Compliance Audit is structured by the Department of Local Government, Sport and Cultural Industries (DLGSC) and relates to key provisions of the *Local Government Act 1995*.

Regulation 17 of the *Local Government (Audit) Regulations 1996* also requires a review of the appropriateness and effectiveness of systems and procedures in relation to legislative compliance at least once every two calendar years and a report to the Audit Committee on the results of that review.

Objectives

The objectives of this policy are:

- a) to ensure a commitment to compliance is communicated widely to all Workers and relevant interested parties in clear and convincing statements supported by action.
- b) to meet the requirements of regulatory and legislative requirements including a commitment to continual improvement of the Shire's compliance management system.
- c) to align with the Shire's compliance obligations, governance and risk management framework, integrating legislative requirements into the Shire's operations while considering compliance management practicalities and risk management practices.
- d) to align with the Shire's values, objectives and strategy contained in the Strategic Community Plan.

Area of Application

This policy applies to all Members and Workers of the Shire of Northampton.

Policy Measures

The Shire of Northampton recognises the importance of compliance with legislative requirements to maintain trust and meet community expectations. We aim to cultivate a compliance culture that empowers all Members and Workers to fulfill their obligations while aligning with our strategic objectives and capabilities.

1. Responsibilities

- a) Members and workers have a responsibility to be aware of and abide by legislation applicable to their role.
- b) The Shire shall have systems in place to ensure that Members and Workers are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their role, within its financial capacity to do so.

2. Management Strategies and Allocation of Responsibilities and Resources

- a) The Shire will maintain a compliance calendar to set objectives, identify obligations, and assess compliance risks. Regular reviews will ensure the currency of the calendar, incorporating relevant legislation and updates from authoritative sources.
- b) The Office of the CEO will oversee the implementation of legislative obligations, ensuring clear lines of responsibility.
- c) Executive Managers will support the CEO in executing compliance strategies within their respective domains.
- d) Members and Workers will receive ongoing training and resources to stay updated on relevant legislation.
- e) The Executive Management Group will review accidents, incidents, complaints, and audit reports to identify compliance gaps and facilitate improvements.

3. Compliance Obligations

The most obvious compliance obligations affecting the Shire arise from legal and regulatory contexts that the Shire operates in however, obligations or risks can also arise from other factors such as the Strategic Community Plan that outlines the objectives of the community. The Shire shall maintain awareness of regulatory and legislative requirements through various channels including:

- a) utilisation of government websites for up-to-date legislation;
- b) membership in professional groups and attendance at industry forums;
- c) meeting with the DLGSC and other regulators;
- d) arrangements with legal advisors; and
- e) subscription to relevant information services and consultation with external and internal stakeholders.

4. Other Compliance Matters

In addition to regulatory and legislative obligations, the Shire will adhere to:

- a) agreements with community groups or non-governmental organisations;
- b) agreements with public authorities and ratepayers;
- c) organisational requirements through local laws, policies, procedures, and directives;
- d) principles or codes of practice;
- e) obligations arising from contractual arrangements with the Shire; and
- f) relevant organisational and industry standards.

A risk-based approach through the Shire's risk management framework will ensure the effective management of compliance obligations.

5. Non-Compliance

In the event of nonconformity or noncompliance, the Shire will take immediate action to control and correct the issue to:

- a) ensure that Workers report all instances of non-compliance to the relevant Manager. The Manager shall then evaluate the root causes and determine what corrective actions are to be implemented to prevent recurrence the appropriate response and report the matter to the CEO.
- b) ensure that in cases where a Member becomes aware of non-compliance, they report the matter to the Shire President, who will then determine the appropriate response and liaise with the CEO regarding the matter.
- c) investigate any reports of significant non-compliance through the Office of the CEO, and if necessary, report the non-compliance to the Council and/or the relevant government authority if required.
- d) take corrective action through the documentation of all non-conformities and the corrective actions for review and process improvement to be implemented through operational procedures and processes, including training.

6. Compliance And Review

This policy will undergo regular review to ensure alignment with legislative requirements, industry standards, and best practices. Members and Workers will be informed of any updates through standard communication channels.

7. Implementation

This policy will be disseminated to all employees, elected officials, contractors, volunteers, and stakeholders of the Shire to ensure widespread understanding and adherence.

Reference Information

- Local Government Regulatory Compliance Framework (DLGSC)

Legislation

- *Local Government Act 1995*
- *Local Government (Audit) Regulations 1996*
- *Work Health and Safety Act 2020*
- *Work (Health and Safety) General Regulations 2022*

Associated Documents

- Register of Delegations
- Governance Framework
- Risk Management Framework
- Risk Management Policy

DEFINITIONS

Terms	Definition
Compliance culture	Values, ethics, beliefs and conduct that exist through the Codes of Conduct of the Shire and interact with the Shire's structures and control systems to produce behavioural norms that are conducive to compliance.
Compliance risks	Likelihood of occurrence and the consequences of noncompliance with the Shire's compliance obligations.
Conduct	Behaviours and practices that impact outcomes for customers, workers, suppliers, markets and communities.
Interested parties	Person or organisation that can affect, be affected by, or perceive itself to be affected by a decision or activity.
Non-compliance	Non-fulfilment of compliance responsibilities.

Administration

This policy will be administered by the Office of CEO.

Adoption and Date Due for Revision

ADOPTED 17 JUNE 2022
REVIEWED 20 JUNE 2024
UPDATED 20 FEBRUARY 2025

NEXT DUE FOR REVIEW – Annually with review of Delegation Register

The Administration of this Policy is by the Office of CEO.