

Compliance Rule

Section 1 - Overview

(1) The purpose of this rule is to:

- a. demonstrate UNE's commitment to effective compliance that permeates the whole of the University;
- b. provide a uniform approach to ensure compliance with all laws, regulations, industry requirements and internal policies and procedures, that impact on the day-to-day activities of the University;
- c. to promote a culture of compliance; and
- d. address the consequences of key strategic risks and their impact on strategic objectives.

Section 2 - Scope

(2) This rule will apply to all UNE Representatives (as defined in this policy).

Section 3 - Rule

Principles

(3) Australian Standard AS 3806-2006 provides principles for the development, implementation and maintenance of effective compliance programs. These principles are adopted by the University. They underpin the design of the Compliance Management Framework and Procedures and are stated below:

- a. commitment by the governing body and top management to effective compliance that permeates the whole organisation;
- b. the compliance policy is aligned to the organisation's strategy and business objectives, and is endorsed by the governing body;
- c. appropriate resources are allocated to develop, implement, maintain and improve the compliance program;
- d. the objectives and strategy of the compliance program are endorsed by the governing body and top management;
- e. compliance obligations are identified and assessed;
- f. responsibility for compliant outcomes is clearly articulated and assigned;
- g. competence and training needs are identified and addressed to enable employees to fulfil their compliance obligations;
- h. behaviours that create and support compliance are encouraged and behaviours that compromise compliance are not tolerated;
- i. controls are in place to manage the identified compliance obligations and achieve desired behaviours;
- j. performance of the compliance program is monitored, measured and reported;
- k. the organisation is able to demonstrate its compliance program through both documentation and practice; and
- l. the compliance program is regularly reviewed and continually improved.

What UNE Representatives must do under this rule

(4) Under this rule:

- a. the UNE Council is committed to an effective compliance system, maintaining an effective management capability, and ensuring all compliance risks associated with the University objectives are effectively managed;
- b. all UNE Representatives are responsible for behaving in a manner that creates and supports compliance, and ensuring their activities on behalf of the University comply with all applicable laws, regulations and University policies;
- c. all UNE Representatives have a responsibility to undertake their duties in accordance with the Compliance Management Framework and Procedures;
- d. the Vice-Chancellor is responsible for developing and implementing an effective compliance management framework and operating procedures; and is accountable for the regular review of the adequacy and performance of the framework in managing compliance, and reporting of any significant compliance breaches;
- e. the Vice-Chancellor, as chief executive officer, is responsible for ensuring appropriate resources are allocated to develop, implement, maintain and improve the compliance program;
- f. Senior Executive is responsible for the effective management of, and compliance with, all applicable regulatory and business compliance requirements of the University, including ensuring all breaches are managed and reported appropriately;
- g. managers have a duty to uphold and monitor compliance within their areas of responsibility, and to ensure that employees who report to them receive necessary training and instructions to enable them to fulfil their compliance obligations;
- h. where necessary, the University will issue its own policies and procedures to raise awareness of, and give effect to, legal requirements that are binding on the University; and
- i. the controls and compliance processes the University puts in place will be proportionate to the level of risk that the University faces in relation to a particular piece of legislation.

Policy Compliance

(5) Under this rule:

- a. any breach of the University's legislative obligations may result in legal action against the University. A breach by an employee may also result in disciplinary action in accordance with the provisions set out in the relevant enterprise agreement or employment contract; and
- b. all UNE Representatives must comply with this rule. A failure to comply with this rule may amount to misconduct/serious misconduct and/or unsatisfactory performance.

Authorisation

(6) Under this rule:

- a. this is a Council rule and vested authority is granted for decisions made under this rule to the nominated parties. The Council retains discretion over decisions made under this rule; and
- b. the Vice-Chancellor is authorised to administer this rule and to make policy and procedures to apply under this rule. The policy and procedures must be consistent with this rule.

Section 4 - Definitions

(7) Managers — A person responsible for controlling or administering a group of employees.

(8) Senior Executive — means the direct reports to the Vice-Chancellor, excluding persons of Director level and below.

(9) UNE Representative — means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

Status and Details

Status	Historic
Effective Date	27th July 2015
Review Date	19th September 2016
Approval Authority	Council
Approval Date	19th September 2014
Expiry Date	12th November 2015
Unit Head	Kate McNarn Director Governance and University Secretary
Enquiries Contact	Alicia Zikan Head Records Policy and Governance +61267735190