



TITLE

Legislative Compliance Policy

INTRODUCTION

The operations of the ACT Mental Health Consumer Network (the Network) are subject to a wide range of legal requirements, embodied in legislation, regulations, licences, codes, guidelines and similar binding instruments.

A list of relevant legislative instruments accompanies this policy. This list will be reviewed for consistency each time this policy is reviewed; however, legislation may change between reviews. Therefore, the ACT and Commonwealth legislation registers should be consulted at times appropriate to the work or issue being considered.

POLICY

The Network will operate with integrity and will conduct its business ethically and fairly, including full compliance with all relevant legal requirements. This applies to all workers and contractors acting on its behalf.

There is no circumstance under which it is acceptable for the Network or any of its workers or contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing or advancing the Network's business.

Role of the Board

The Board will:

- Review and monitor legislative compliance through active promotion of the organisation's Legislative Compliance Policy;
- Review compliance management objectives and plans for legislative compliance;
- Monitor compliance performance by way of periodic management reports and assurances;
- Monitor financial matters and audits; and
- Monitor adherence to relevant accreditation standards.

Role of the Chief Executive Officer (CEO)

The CEO or delegate will:

- Prepare legislative compliance objectives and plans for review and consideration by the Board;
- Monitor performance against legislative compliance objectives and plans, and report to the Board on progress toward accomplishment of objectives;
- Where appropriate, delegate responsibility for compliance to officers with responsibility for particular sections;
- Oversee the performance of employees and contractors in these matters, including:
 - conforming to and applying relevant requirements of the law within the workplace;
 - ensuring that systems and procedures established to make the policy effective are operational;
 - ensuring that staff are trained and have the necessary knowledge and understanding to perform their duties in compliance with the policy and all relevant requirements of the law;
 - ensuring that significant compliance responsibilities and accountabilities are included in position descriptions and performance reviews;
 - reporting and investigating any incident or occurrence thought or known to constitute a breach of any legal requirement; and
 - designing and implementing system enhancements to correct weaknesses that could result in a breach of such a requirement.
- Review and report annually to the Board on the effectiveness of the management systems established to deliver legislative compliance;
- Analyse material breaches and identified compliance system weaknesses for systematic trends and ensure that any adverse trends are addressed;
- Promote a culture of effective legislative compliance across the organisation; and
- Provide formal assurance to the Board as to the state of compliance of the organisation.

Role of Workers and Contractors

Workers and contractors will:

- Ensure that they are aware of any legal requirements that apply to their work activities and that they comply with them;
- Report all incidents of breaches of legal requirements; and
- Where appropriate, suggest ways in which practices, systems and procedures could be improved to reduce the likelihood of a breach occurring.

PROTOCOLS

At least once each year, the Board will feature monitoring of compliance performance as an agenda item.

When needed, the CEO will prepare legislative compliance objectives and plans for Board endorsement and filing.

Delegation of responsibility for compliance in any area will be managed under the organisation's Delegations Policy.