# Legislative Compliance Policy

## Purpose

This Policy establishes a structured framework for identifying, managing, monitoring and reporting the Shire's compliance obligations arising from legislation, regulations, statutory instruments, licences, permits, agreements and other binding requirements.

It supports the Shire's commitment to lawful, transparent and accountable governance and seeks to minimise the risk of statutory non-compliance, financial loss, reputational damage and harm to the community.

## Objective

This Policy aims to promote a strong culture of compliance across the organisation, ensure that legislative obligations are clearly identified and assigned to responsible officers, and establish accountability for compliance. It supports informed decision-making by Council and officers, provides a framework for monitoring and improving compliance performance, facilitates the early identification and management of risks, and encourages continuous improvement in governance and organisational performance.

## Scope

This Policy applies to all Council and Committee members, employees, and any other persons—including contractors and volunteers—working for or on behalf of the Shire. It applies to all activities undertaken by, or on behalf of, the Shire.

## Definitions

***Compliance obligation*** means any requirement the Shire must comply with under applicable legislation, regulations, statutory instruments, licences, permits, agreements, contracts or other legally binding arrangements, including any standards or codes adopted by the Shire.

***Significant breach*** means an instance of non-compliance that, having regard to its nature, scale or impact, may result in material legal, financial, operational or reputational consequences for the Shire, or cause harm to the community. This includes breaches that trigger statutory notification requirements, indicate systemic control failure, or are likely to attract regulatory or public scrutiny.

## Policy

The Shire is committed to complying with all applicable legislative and regulatory obligations and to maintaining systems that support effective compliance management.

To achieve this, the Shire will maintain a Legislative Compliance Register, allocate responsibility for compliance obligations to appropriate officers, and integrate these obligations into business planning, operational procedures and risk management processes. Compliance performance will be monitored and corrective action taken where necessary.

The Shire will also provide education and awareness to support understanding of obligations, investigate and address instances of non-compliance, and ensure that significant compliance matters are reported appropriately to the Chief Executive Officer, Executive Leadership Team, Council and the Audit, Risk and Improvement Committee.

## Policy Principles

The following principles apply to legislative compliance management:

**Accountability** - officers responsible for compliance obligations are accountable for ensuring legislative requirements within their area of responsibility are understood and managed.

**Risk-Based Approach** - compliance activities will be prioritised having regard to risk, including the likelihood and consequences of non-compliance.

**Transparency** - material compliance breaches and emerging compliance risks will be reported through appropriate governance channels.

**Continuous Improvement** - the Shire will regularly review and improve its compliance framework, systems and controls.

**Integration** - compliance management will be integrated with the Shire's governance, risk management, internal audit and business planning processes.

## Roles And Responsibilities

**Council** is responsible for establishing the governance framework that supports legislative compliance, considering reports on significant compliance risks and breaches, and promoting a culture of accountability and ethical conduct.

**The Chief Executive Officer** ensures that an appropriate compliance framework is in place and maintained, allocates sufficient resources to support compliance activities, ensures significant matters are reported appropriately, and fosters a culture of compliance across the organisation.

**The Executive Leadership Team** is responsible for ensuring that compliance obligations within their areas are identified and effectively managed, implementing appropriate controls, monitoring compliance, reporting significant issues and supporting continuous improvement.

**Managers and Supervisors** ensure that employees understand relevant obligations, maintain effective compliance controls within their business areas, monitor compliance performance and escalate concerns when identified.

**Employees** are responsible for complying with legislative requirements, completing required training, reporting suspected breaches or concerns, and cooperating with monitoring and investigations.

**The Audit, Risk and Improvement Committee** provides oversight and advice on the effectiveness of the Shire's compliance framework, including review of significant risks, breaches and improvement initiatives.

## Compliance Register

The Shire will maintain a Legislative Compliance Register that captures applicable legislation and regulations, key obligations, responsible officers or business units, relevant controls, monitoring and reporting requirements, evidence of compliance and review dates.

The Register will be reviewed periodically to ensure it remains current, accurate and effective.

## Non-Compliance And Breach Management

Where non-compliance is identified, the Shire will assess the nature and significance of the breach, implement corrective actions, identify underlying causes, and take steps to prevent recurrence. Any statutory notification obligations will be considered, and the matter will be reported through appropriate governance channels.

Serious or systemic breaches will be reported to the Chief Executive Officer and, where appropriate, to Council and the Audit, Risk and Improvement Committee.

## Monitoring And Reporting

The Shire will monitor compliance performance through a range of mechanisms, including management reporting, internal and external audits, regulatory inspections, compliance attestations, risk reviews and periodic review of the Legislative Compliance Register.

Significant compliance issues and emerging trends may be reported periodically to the Audit, Risk and Improvement Committee and Council.

## Related Documents

This Policy should be read in conjunction with the following:

- the Council Policy Framework;
- Internal Control Policy;
- Fraud and Corruption Control Policy;
- Integrity Framework;
- Code of Conduct Complaints Management Policy;
- Code of Conduct for Council Members,
- Committee Members and Candidates;
- Code of Conduct for Local Government Employees, Contractors and Volunteers; and

other relevant governance and risk management policies.

## Authorisation Details

| | | | |
|---|---|---|---|
| **References:** | *Local Government Act 1995 (WA)*<br>*Local Government (Audit) Regulations 1996;*<br>*Work Health and Safety Act 2020*<br>*Public Interest Disclosure Act 2003;*<br>*State Records Act 2000*<br>*Freedom of Information Act 1992* | | |
| **Authorised by:** | Council | | |
| **Date:** | 3 July 2026 | **Minute No.** | 2026/179 |
| **Review/Amendment Date** | | **Minute No.** | |
| **Next Review** | Every two years | | |
| **Responsible Directorate** | | | |
| **Responsible Officer** | | | |
| **File No.** | | | |