



pathways  
southwest

Towards better mental health

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# Compliance Management Policy & Procedure

APPROVED BY: Pathways SouthWest Board of Management

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THIS POLICY & PROCEDURE APPLIES TO: Pathways SouthWest Board of Management, Staff, Students, Volunteers, Consumers, Carers, other Stakeholders and the General Public

## Compliance Management Framework

### Policy and Procedure

#### Policy

This policy governs the compliance framework that is based upon the following elements of the Australian Standard AS3806.

This compliance framework is based upon the following elements of Australian Standard AS3806.

- structural - Pathways SouthWest's commitment to, and establishment of, a Compliance Framework;
- operational - identification, implementation and reporting requirements; and
- maintenance - education, monitoring and review of existing processes.

The policy may not be applied to, and does not override, matters covered by regulations and legislation applicable to Pathways SouthWest and the not-for-profit sector generally. This policy is to be read in conjunction with the strategic plan, which is the tool used by the organisation to ensure compliance.

#### Procedures

##### Appointment of Officers

##### Compliance Officer (Business Manager)

The Compliance Officer must be a member of Pathways SouthWest Management team, and will be responsible for overseeing Pathways SouthWest's statutory obligations and the establishment and co-ordination of Pathways SouthWest's Compliance Framework. This includes:

- identification of the legislation that impacts on all areas of Pathways SouthWest;
- reviewing processes and procedures to integrate the day-to-day operations of Pathways SouthWest with statutory obligations;
- conducting regular risk assessments on the impact and exposure of the legislation to each area;
- identification of the manager responsible for each legislation;
- ensuring appropriate rankings of identified risk areas;
- maintaining a legislative database;
- ensuring that a Compliance Action Plan is completed and issues addressed in a satisfactory and timely manner and that regular reviews of Pathways SouthWest's Compliance Program, as well as internal audits are conducted;
- providing assistance and support in all areas of compliance;

## COMPLIANCE MANAGEMENT FRAMEWORK POLICY & PROCEDURE

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- delivering education and training in the area of compliance management, covering individual responsibilities, reporting and communication methods;
- establishing a process of continuous improvement with reporting of non-compliance matters, and recognition for high compliance standards;
- investigating and monitoring identified non-compliance matters confidentially, with ensuring that all issues are reported to appropriate parties in a timely manner;
- where appropriate, incorporate compliance effectiveness into performance management;
- acting as the main point of contact for any Pathways SouthWest employees wishing to confidentially report any non-compliance matters for investigation, in line with the Whistleblowers legislation.

### **Responsible Officer (Service Delivery Manager)**

The Responsible Officer will work closely with the Compliance Officer and will have responsibility for:

- providing guidance and support to all employees;
- monitoring legislation, regulations and codes for any changes or new statutory requirements;
- reporting non-compliance issues, whether systemic, recurring or one-off to the Compliance Officer;
- liaising with external parties; and
- ensuring that legislative requirements are met throughout Pathways SouthWest.
- communicating with relevant employees and management on compliance requirements;
- monitoring changes in internal processes to ensure that compliance is not negatively impacted;
- advising the Management Team with regard to training and development needs;
- providing information when required for the establishment of a compliance legislative database;
- facilitating changes to policy that may impact on Pathways SouthWest's compliance requirements;
- reporting non-compliance issues, whether systemic, recurring or one-off to the Management team; and
- working the Compliance Officer to ensure all areas within the organisation are compliant.

### **Pathways SouthWest Staff**

All staff are responsible for compliance within their own job roles or areas of management.

## **Elements of the Compliance Framework**

The compliance framework is comprised of four key components:

### **Implementation and Identification**

The Compliance Officer will develop and maintain a central database of all identified legislation, statutes, procedures, regulations and codes of conduct with which Pathways SouthWest must be compliant, including but not limited to:

- areas within Pathways SouthWest that are affected by each compliance area;
- penalties for non-compliance;
- processes and procedures currently in place to ensure compliance;
- identifiable gaps in the current processes;
- risk ranking of statutory obligations and any identified gaps;
- last review date; and
- Responsible Officer details.

The Management team will risk assess identified statutory obligations based on Pathways SouthWest's Risk Management Policy, so that resources may be targeted to those areas where the greatest potential exposure lies.

Areas identified as non-compliant will be recorded in the Compliance Action Plan utilising the Genral Risk Aseessment form as requiring attention to help determine the course of action required.

### **Monitoring and Reporting**

Compliance changes occur constantly to reflect changes in both internal processes and statutory guidelines. Responsibility for compliance lies with all employees and as such the reporting of these changes will occur through existing management reporting structures.

Ongoing consultation will be required between the Compliance Officer, Responsible Officers and all other employees to ensure Pathways SouthWest is adhering to statutory requirements at all times.

Ongoing communication and consultation processes may include:

- with support from Management team will monitor legislation, regulations and codes for any changes or new statutory requirements;
- the Management team will monitor changes in internal processes to ensure that compliance is not negatively impacted;
- significant non-compliance issues, whether systemic and recurring or one-off, must be reported to the Management team, upon which a risk assessment will be conducted;

- Regular reporting of non-compliance issues will be made to the Board of Management.

### **Continuous improvement**

In accordance with Pathways SouthWest's Risk Management Policy, Pathways SouthWest will conduct ongoing reviews in all areas of operation. These will be conducted by the Management team.

The reviews will be carried out in addition to internal audits, the results of which will be reported to the Chief Executive Officer and the Compliance Officer.

### **Education and training**

The Management team will provide education and training to all employees during the compliance implementation process, including presentations covering general compliance issues and more detailed training for other employees, as required.

Training will be ongoing, and aligned with the changing nature of the compliance area and Pathways SouthWest's operations.