Compliance Management Policy

Version 3.0
March 2024

1 Purpose

The purpose of the Compliance Management Policy (herein the Policy) is to enable NSW SES and its members to achieve its compliance objectives in its operations and activities by promoting a positive compliance culture and implementing a uniform and responsive risk-based compliance management program.

The Policy aims to prevent, and where necessary, identify and respond to, non-compliance with NSW SES obligations under laws, regulations, codes and organisational policies.

2 Scope and Application

This Policy applies to all NSW SES members and the legislation under which NSW SES operates. The Policy is supported by procedures and other compliance management resources including the:

- Compliance Management Procedure
- Compliance Register
- Compliance Breach Register

This Policy is based on best practice public sector compliance which adheres to AS ISO 37301:2023 Compliance Management Systems Guidelines and the NSW Audit Office Lighthouse Strategic Warning System.

3 Policy Principles

- NSW SES is committed to encouraging and recognising good governance and compliance practices to ensure such practices are embedded into the culture of the organisation.
- Controls exist to manage key compliance obligations, ensuring all obligations are identified and assessed for mitigation.
- Compliance and risk are managed within each business unit, with accountability through defined reporting structures.
- NSW SES maintains a single ‘source of truth’ for legislative and external policy obligation/compliance responsibilities to identify, record and assign key compliance requirements to the appropriate business units as part of the NSW SES Compliance Framework.

- NSW SES upholds a robust risk-based assessment process which determines the effectiveness of internal controls that provide compliance with legislated requirements.
- NSW SES certifies compliance with core requirements under various Government policies through annual attestation statements.
- Compliance performance is monitored annually as part of the annual compliance attestation process, and throughout the year as part of ongoing oversight to ensure changes in legislation are proactively captured and incorporated into NSW SES' operations.
- NSW SES encourages proactive reporting of potential compliance breaches, issues, incidents and complaints to inform and provide insight into compliance matters, including the compliance status and breach issues.
- Internal audits are scheduled and coordinated by the Governance Team on a regular basis to provide a level of independent assurance of NSW SES' compliance.
- Instances of legislative non-compliance are analysed to identify and address trends and control weaknesses.
- All compliance breaches will be recorded in the Compliance Breach Register; any actions to be taken will be discussed and reported to the Senior Leadership Team (SLT) and the Audit and Risk Committee (ARC) on compliance progress, breaches, risks, issues, opportunities and trends.
- Remedial action of identified non-compliance of legislation must be reported.

4 Roles and Responsibilities

4.1 Audit and Risk Committee

- Oversees and provides independent advice in relation to NSW SES' compliance with legislation, regulatory requirements, and Government obligations.

4.2 The Senior Leadership Team

- The Commissioner is accountable for the implementation of the Compliance Management Policy and its associated documents across the NSW SES.
- The Deputy Commissioners and Directors are responsible for the communication of and adherence to the Compliance Management Policy and its associated documents within their Directorate(s) and functional areas.

4.3 Senior Management Team

- Ensures compliance with applicable legislation.
- Reviews and monitors controls to ensure these effectively meet the requirements of the Act or obligations.
- Ensures employees and/or members are aware of their obligations in adhering to internal control systems.
- Formally report instances of non-compliance on the Compliance Breach Register.

4.4 The Governance Team

- Reviews and maintains the Compliance Management Policy and its associated documents.
- Coordinates and facilitates compliance reviews of Directorate compliance obligations and provides guidance and support to assist them adhere to such obligations.
- Reports on all compliance matters to the relevant groups.
- Oversees the compliance management process.
- Monitors and coordinates the progress of compliance breaches.
- Provides compliance reports to the SLT and the ARC.

4.5 All Members

- Adhere to this Policy in establishing and maintaining a robust compliance management culture. This includes compliance with relevant laws, industry codes and organisational standards.
- Report instances of non-compliance.
- Staff who knowingly or recklessly breach the NSW SES's compliance obligations may be subject to applicable legislative penalties and/or disciplinary action.

5 Support and advice

You can get advice and support about anything in this policy from:

- Your Manager or Zone Commander
- The NSW SES Governance Team (risk.audit@ses.nsw.gov.au)
- The Policy Owner – Director Organisational Strategy, Planning & Performance
- The Policy Sponsor – Deputy Commissioner Corporate Services

6 Related Documents

- NSW Department of Justice Legislative Compliance Framework
- Australian Standard AS ISO 37310:2023
- NSW SES Compliance Procedures
- NSW SES Compliance Register
- NSW SES Compliance Breach Register
- NSW SES Governance Framework
- NSW Treasury Policy 20-08 – Internal Audit and Risk Management Policy for the General Government Sector
- NSW Treasury Policy 17-06 – Certifying the Effectiveness of Internal Controls over Financial Information.

7 Definitions

Term	Definition
Compliance	For the purposes of this document, 'compliance' is defined as adhering to the requirements of laws, regulations, central agency directions, industry and organisational standards and codes, principles of good governance, requirements for certain certifications, accepted community and ethical standards and Audit Office policies and frameworks.
NSW SES Obligations Register	Obligations relate that specifically to NSW Treasury Circulars and Directions and the NSW Department of Premier and Cabinet Memoranda and Circulars.
NSW SES Legislative Compliance Register	The list of compliance requirements that have been identified by the NSW SES which relate directly to the legislative obligations of the NSW SES and the associated policies and procedures for demonstrating compliance.
Compliance Program	The series of activities designed to monitor, manage and inform the strategic leadership team, its committees and senior managers of compliance risk across the service.
Compliance Framework	A series of internal processes and systems that form NSW SES strategic approach in managing compliance obligations, Including; NSW SES compliance policy and procedures, NSW SES legislative compliance register, obligations register and breach register.

Document Control Sheet

Title	Compliance Management Policy
Current Version	3.0
Directorate	Organisational Strategy, Planning & Performance
Policy Owner	Director Organisational Strategy, Planning & Performance
Policy Sponsor	Deputy Commissioner Corporate Services
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Topic	Compliance, Breach
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Version History

Version #	Creation Date	Author	Summary of changes
1.0	Dec 2016	Manager Audit & Risk	Initial Release of Compliance Program
2.0	Sep 2019	Governance Team	Release of new (revised) Compliance Management Policy.
3.0	Jan 2024	Governance Team	Administrative updates only (updating document references)

Approval

Role	Title	Date	Version signed off
Director Organisational Strategy, Planning & Performance	Policy Owner	08/03/2024	v3.0
Deputy Commissioner Corporate Services	Policy Sponsor/ Deputy Commissioner	08/03/2024	v3.0