

Session 3A

Getting Compliance Right

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Getting Compliance Right



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- **Ensuring your organisation understands and manages its legal obligations and licenses to operate**
- **Understanding the importance of defining who is responsible for what, to drive better accountability across the organisation**
- **Ensuring appropriateness of processes, documentation and reporting of compliance management**
- **Taking a risk-based approach in managing and mapping compliance risk**
- **Essentials in preparing an effective regulatory compliance audit plan**

What is compliance?

Common definition

“the act of obeying an order, rule, or request”

Why is corporate compliance important?

- **To manage risks**
- **Protects your organisation, your staff, your stakeholders and the community**
- **Provide more efficient and effective operations**

Risk of non-compliance

Non-compliance can lead to:

- death and injury
- fines and imprisonment
- loss of market share
- loss of market and consumer confidence
- loss of your reputation..

Example

Work Health and Safety

- In 2020, a young employee was killed at work while he was installing roof sheets on a large industrial style shed in Esperance
- Owner and director of the shed building company that employed the worker was subsequently charged with several offences under the *Occupational Safety and Health Act*

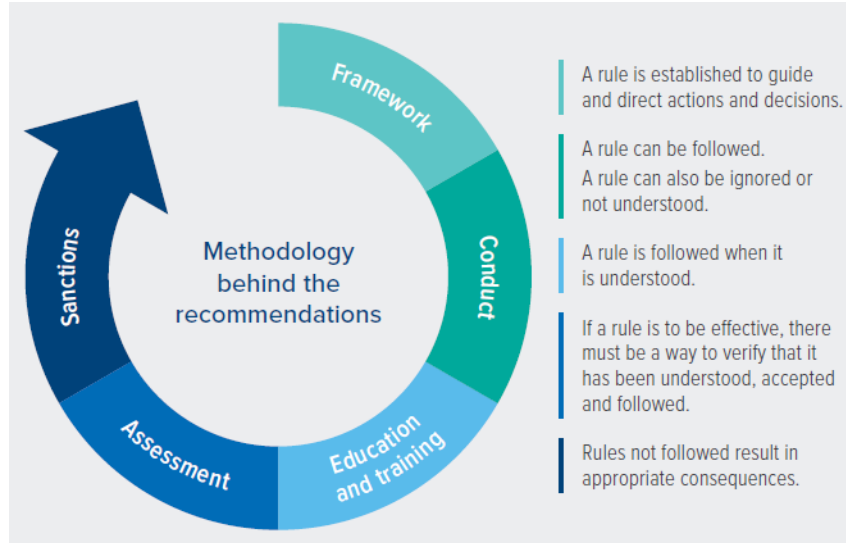
Example - City of Perth Inquiry



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341 recommendations

31 included the word 'compliance'



- Framework
- Conduct
- Education and training
- Assessment
- Sanctions

Compliance management systems



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International Standard ISO 37301:2021

An effective, organisation-wide compliance management system enables an organisation to demonstrate its commitment to comply with relevant laws, regulatory requirements, industry codes and organisational standards, as well as standards of good governance, generally accepted best practices, ethics and community expectations.

Objectives



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- Integrity
- Culture
- Conformity
- Reputation
- Value
- Ethics



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Principles



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- Integrity
- Good Governance
- Proportionality
- Transparency
- Accountability
- Sustainability



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Plan



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- Commitment at all levels
- Determining the scope
- Compliance Policy
- Roles and responsibilities
- Obligations and risks



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Do



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- Support
- Competence and awareness
- Communication and training
- Operation
- Controls and procedures
- Documentation



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Check



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- Internal audit
- Management review
- Monitoring and management
- Raising concerns
- Investigation process



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Act



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- **Managing non-compliance**
- **Continual improvement**



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Auditing Compliance

- **Consider maturity**
- **IIA Australian White Paper: Auditing your entity's Compliance Framework**
- **Maturity Level**
 - Foundation
 - Mature

Questions?



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