WESTERN SYDNEY UNIVERSITY

Strategic Priorities

Compliance Program Unit

2019-2022

Strategic Priority Drivers

Measurement against Compliance Institute’s Compliance Maturity Model (12 components).

Operationalising a proactive, agile, accountable culture that secures success.

Embedding a continuous improvement mindset with authentic behaviours within participatory decision-making.

Priority Focus Areas

Education Services for Overseas Students Act 2000 (Cth)

Modern Slavery Act 2018 (Cth)

Fair Work Act 2009 (Cth)

Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth)

Maturing from Level 2 (Reactive) to Level 3 (Foundation)

MATURE the compliance management framework

- Implement a formal electronic non-compliance breach register
- Implement a formal electronic attestation cycle

INTEGRATE & IMPROVE policies and procedures

- Consolidate Enterprise-wide processes on conflicts of interest management
- Implement modern slavery prevention policy, and reporting procedures.

INCREASE training and awareness

- Further embed risk and compliance topics in the Enterprise Mandatory training suite.

Strategic Priorities: 2019-2022
Focusses on *Implementation* and *Maintaining*

Maturity Measurement

Current Level 2 - Absent (at 2019)	***Future Level 3 - Foundation (by 2022)***
There is commitment to address compliance management issues when major issues arise. There is no formal compliance management program but procedures and monitoring activities are put in place to prevent the reoccurrence of major issues.	*There is a commitment to have a basic compliance management program in place with some dedicated resources and a set of policies for 'high risk' areas. The program encompasses high-level on-going monitoring and measurement.*

MATURITY →

MEASUREMENT

Period of Measurement
September 2019 - September 2022

Driver	Established Maturity Level at 2019	Steps to take to achieve next level of maturity	Maturity Level to Achieve by 2022
Component 1 Commitment by governing body and top management to effective compliance that permeates the whole organisation.	**Level 2 – Reactive** Accountability for compliance is delineated at operational level. Compliance reaches the agendas of the governing body and top management when major breaches arise. The structure for oversight exists but is not independent.	Assign compliance obligations on a two-tier model: leadership head of portfolio, and subject matter expert at the senior employee level. Ensure the Compliance Program Unit (CPU) Annual Report is a set agenda item on each Audit and Risk Committee (ARC) meeting. Ensure the CPU continues as a separate unit to operational units and other control functions.	**Level 3 - Foundation** Accountability for compliance is delineated at strategic and operational levels. Compliance is talked about from time to time at the governing body and top management particularly when new regulations or obligations are put in place. The structure for oversight exists and includes an independent perspective.
Component 2 The compliance policy is aligned to the organisation's strategy and business objectives and is endorsed by the governing body.	**Level 2 – Reactive** The organisation's compliance policy is primarily focused on legislative requirements. The organisation's governing body is aware this policy exists. The compliance policy is not referred to unless a breach or regulatory investigation occurs.	Inherently risk rate all applicable legislation into Tiers.	**Level 3 - Foundation** The organisation's compliance policy covers the main areas of the organisation's operations with a strong focus on 'high-risk' areas and legislative requirements. The organisation's governing body is aware this policy exists and has been provided documentation related to it. The governing body has 'endorsed' the compliance policy by not rejecting or questioning it.
Component 3 Appropriate resources are allocated to develop, implement, maintain and improve the compliance program.	**Level 2 – Reactive** Resources have been allocated to address areas where breaches have occurred. The record of effective implementation of suggested improvements to the compliance program is poor and/or not sustained. Staff or consultants may be engaged during time of crisis but are generally removed once the crisis is over.	Operationalise the Enterprise Risk and Compliance System, which should continue to be funded by the Enterprise with a large license agreement. Based all procedures on the Continual Improvement principle.	**Level 3 - Foundation** Resources have been allocated to develop and implement a basic compliance program that ensures all high-risk areas are addressed and that parts of major legislative requirements are met. Reviews to improve the compliance program are carried out intermittently. Records indicate that suggested improvements to the compliance program are not all implemented.
Component 4 The objectives and strategy of the compliance program are endorsed by the governing body.	**Level 2 – Reactive** Parts of the organisation's governing body have endorsed the compliance program.	Report on the machinations of the Program's workflow as part of its Annual Report, rather than the theoretical structure of the Program.	**Level 3 - Foundation** The organisation's governing body have endorsed the compliance program, have been provided documentation related to it and have a basic understanding of the program.
Component 5 Compliance obligations are identified and assessed.	**Level 2 – Reactive** The compliance obligations are documented and reviewed when compliance breaches become obvious and start to occur more frequently. The decision as to what the organisation's key compliance obligations are is made by those involved in that area. The decisions made are based mainly on the judgement of those managers impacted by the changes.	Require and enable all accountable units review all legislative amendments.	**Level 3 - Foundation** The compliance obligations are reviewed when there are changes to regulations or compliance obligations. The decision as to what the organisation's key compliance obligations are is made by taking only the advice of the people involved in the areas being impacted. The decisions made are based mainly on the judgement of managers and compliance experts. Some compliance risks are identified and resources may be allocated intermittently to mitigate compliance failure.
Component 6 Responsibility for compliant outcomes is clearly articulated and assigned.	**Level 2 – Reactive** Responsibility for compliance is assigned when breaches occur.	Assign compliance obligations as soon as the CPU is made aware of its applicability due to an Act commencing, an internal restructure, or an amendment occurring. The CPU flags to the ARC when there no resource in place in the accountable area for operational compliance.	**Level 3 - Foundation** Some attempt has been made to articulate and assign responsibility for compliant outcomes. Responsibility for compliance obligations sits solely with the compliance department or designated responsible officer. The organization's governing body has outwardly acknowledged the compliance program e.g. in annual reports, websites etc. The organisation has employed / contracted a resource to be responsible for compliance.

MATURITY MEASUREMENT

Period of Measurement
September 2019 - September 2022

Driver	Current Maturity Level at 2019	Steps to take to achieve next level of maturity	Maturity Level to Achieve by 2022
Component 7 Competence and training needs are identified and addressed to enable employees to fulfil their compliance obligations.	**Level 2 – Reactive** Employees impacted by a breach are given training to fulfil their future compliance obligations. Training needs are usually identified as a result of a compliance breach or identification of new high risk areas. Some compliance obligations are circulated to staff i.e. via email, internal memos with no requirement for staff assessment on their understanding.	Collaborate on the mandatory training package for all University staff on risk and compliance topics (i.e. Work Health Safety, Fraud and Corruption, Whistle-blower, Privacy etc) with HR's Training and Learning Department, and conducted various training needs assessments every 3 years. Utilise other training avenues other than MyCareer Online, such as iMedia for infographics, workshops, factsheets, to deliver training content and ensure compliant behaviour. Communicate and organise training with external bodies (i.e. ICAC) on legislative obligations and upcoming amendments to accountable areas and stakeholders.	**Level 3 - Foundation** Employees likely to be impacted by legislation are given training to fulfil their future compliance obligations. Training needs are updated no less than every 2-3 years. Knowledge and skill gaps are addressed based on the training needs analysis.
Component 8 Behaviours that create and support compliance are encouraged and behaviours that compromise compliance are not tolerated.	**Level 2 – Reactive** Isolated efforts are made to encourage compliant behavior's when those areas are impacted by a breach. Policies may be created to fix a compliance problem when they occur but these policies are not enforced.	Create a Quarterly Compliance newsletter "Connections" to feature "Compliance Champions" who showcase positive compliance behaviours. Embed expectations and standards of compliant behaviours in policies where non-compliance with legislation is considered as serious misconduct in various policies including the Compliance Policy and Code of Conduct.	**Level 3 - Foundation** Compliance professionals and other key staff encourage the behaviours that create and support compliance. Behaviours that compromise compliance is discouraged by management. Some occurrences of punishment and rewards occur for non-compliant and compliant behaviour but are inconsistent. Policies exist to promote desired compliance behaviours (and deter those not desired) but are only intermittently applied.
Component 9 Controls are in place to manage the identified compliance obligations and achieve the desired behaviours.	**Level 2 – Reactive** Effective controls are intermittently put in place in areas where compliance breaches have occurred.	Consult with and guide accountable operational units to create and document the general controls in the Program. Create and implement Enterprise-wide controls such as universal registers for transparent collection of data to manage and analyse. Implement the annual attestation process to ascertain the material risk of non-compliance of legislation is piloted to a select group of accountable operational units.	**Level 3 - Foundation** Effective controls are in place to manage some of the identified compliance obligations. Intermittent data is collated and analysed on compliance breaches for future improvements.
Component 10 Performance of the compliance program is monitored, measured and reported.	**Level 2 – Reactive** Performance of the compliance program is only monitored where breaches have occurred. Breaches that occur in business units are not usually disclosed to senior management or reported to the governing body. Action may be taken to formally monitor, measure and report compliance performance if required by a regulator.	Evolve the CPU significant breaches report to include all compliance issues and incidents it is monitoring. Internally audit the Program against this maturity model to ascertain performance.	**Level 3 - Foundation** There is some basic monitoring and performance reporting of the compliance program. Major breaches that occur in business units are usually disclosed to senior management or reported to the governing body.
Component 11 The organisation is able to demonstrate its compliance program through both documentation and practice.	**Level 2 – Reactive** Organisation has insufficient record keeping regarding the program. Some policies, procedures and controls may be in place but there is no formal documentation or process for it to be properly demonstrated.	Create a procedural manual for each of the Program's components, and ensure it is available to all staff. Launch a publicly accessible website for the CPU that outlines the Program. Comply with the requirements of the *State Records Act 1998* (NSW) for all data emanating from the Program.	**Level 3 - Foundation** Record keeping and procedures exist which enable the organisation to demonstrate some areas of the compliance program. Basic documentation that describes and details the program is available though is not fully comprehensive.
Component 12 The compliance program is regularly reviewed and continually improved.	**Level 2 – Reactive** The compliance program is seldom reviewed except for when there is threat from regulatory intervention.	Review the Program each year before the CPU's annual report to the ARC.	**Level 3 - Foundation** The compliance program is reviewed at least every 2-3 years. Reviews may be scheduled when a breach occurs or new legislation arises. Facets of the program may then be improved / amended.