

Compliance Framework Policy

Version number	2
Approved by	Corporate Governance Board
Date of approval	06/01/2021

Purpose

In order to fulfil its legal obligations to continue to deliver quality higher education, Sydney Institute of Higher Education (SI) must ensure that it complies and continues to comply with all external regulatory requirements. Compliance must be maintained through ongoing efforts by SI staff. This essential component of SI's higher education operation is outlined in this *Compliance Framework Policy*.

This policy outlines the framework of activities undertaken by SI senior staff in order to ensure ongoing compliance with all legal and regulatory requirements.

Scope

This policy applies to all staff at SI, in particular the identified supervisory staff positions and bodies.

Principles

SI has a responsibility to comply and continue to comply with all federal and state legislation and regulatory requirements. In particular, SI must ensure that it complies with the *Higher Education Standards Framework (HESF) 2015* and the *Education Services for Overseas Students Act 2000 (ESOS Act)*.

Any potential non-compliance with these frameworks represents a major risk for SI and must be considered within a risk management framework.

As per the *Third Party Arrangements Policy*, any party contracted by SI is also expected to comply with the relevant requirements.

In addition, SI must ensure that its operations are carried out in accordance with its own constitution and policy framework.

Any detected lapses in compliance must be addressed and corrected as soon as possible.

SI staff members should be aware of compliance measures and must report any lapses in compliance.

Procedures

Responsibilities

The *Corporate Governance Board* is accountable for SI compliance with legislative and regulatory requirements. The Quality and Compliance Coordinator, under delegated authority from the *Corporate Governance Board*, is responsible for overseeing the suite of compliance activities at SI, as outlined below. The Quality and Compliance Coordinator must provide reports to the *Corporate Governance Board*, in accordance with the *Compliance Calendar*, summarising the outcomes of their activities in the preceding year.

The *Academic Board* must provide advice to the *Corporate Governance Board* regarding academic risks and matters of academic compliance.

Maintaining awareness

The Quality and Compliance Coordinator and the *Audit and Risk Committee* must maintain up-to-date knowledge of the relevant standards and requirements and how they relate to SI operations. In order to ensure this, SI will ensure that the Committee through the Quality and Compliance Coordinator:

- Is able to offer SI staff regular appropriate training and support
- Remains up to date and with access to reports from all relevant regulatory bodies
- Maintains a schedule of governance reporting and monitoring activities including the *Compliance Calendar*
- Is familiar with SI constitution and policy framework
- Conducts an annual compliance review of all relevant requirements and the corresponding processes that are in place at SI.

Communication of compliance information

The *Audit and Risk Committee* through the Quality and Compliance Coordinator must communicate compliance processes to staff and students, and ensure that they understand the obligations associated with their role at SI. Additionally, the consequences of non-compliance should be made clear.

The *Audit and Risk Committee* must carry out the following measures:

- Provide reports and recommendations based on compliance requirements to the relevant Boards and Committees
- Develop training modules to deliver during staff induction and ongoing professional development activities
- Compile information for students where necessary

In particular, the Quality and Compliance Coordinator must ensure that any changes to requirements and corresponding changes in SI policies and procedures are clearly communicated.

Reviewing policies and procedures

The periodic review of policies and procedures at SI is essential to ensuring compliance with all applicable requirements. Each policy must align with the SI constitution as well as legislative and

regulatory requirements.

The *Corporate Governance Board* and *Academic Board* are responsible for reviewing policies according to their review schedules, and may ask for advice and input from the Quality and Compliance Coordinator, *Audit and Risk Committee* and other senior staff as required.

The Quality and Compliance Coordinator should play a key role in monitoring the implementation of policies and procedures at SI as higher education at SI can only be delivered as per policies and procedures approved by the *Corporate Governance Board* and *Academic Board*.

The Quality and Compliance Coordinator and *Audit and Risk Committee* must ensure that the proper processes are being followed by reviewing the following:

- Reports and meeting minutes by the Boards and Committees
- Reports on work by individual (particularly senior) staff members, in particular, any identified risks of non-compliance with external regulatory requirements
- All reports of critical incidents or alleged misconduct by students and staff, and the ensuing responses
- Complaints and appeals submitted by students and staff, and the ensuing responses.

Responding to lapses in compliance

A lapse in compliance is a serious risk to SI operations. The most serious cases of lapses in compliance may result in SI losing accreditation.

Lapses in compliance must therefore be addressed promptly and effectively.

On detecting a lapse in compliance, the *Audit and Risk Committee* led by the Quality and Compliance Coordinator must:

- Record the details of the lapse in compliance with reference to specific legislation and standards.
- Identify the reason(s) for the lapse
- Provide recommendations to the *Corporate Governance Board* for immediately addressing the lapse and ensuring it is not repeated in future
- Oversee the implementation of approved measures.

In the event that a staff member knowingly breaches compliance measures, including failing to follow the appropriate policies and procedures, responses will be determined on a case-by-case basis.

Responses may include:

- Compulsory attendance to a training session on compliance measures
- A formal warning
- Demotion or withdrawal of privileges such as grants, or ineligibility to apply for promotion or privileges.
- Suspension or termination of the contract.

Policy Implementation and Monitoring

The *Corporate Governance Board* delegates responsibility for the day-to-day implementation of this policy to the Quality and Compliance Coordinator and *Audit and Risk Committee*

The *Corporate Governance Board*, in accordance with the *Compliance Calendar*, will review all periodic reports from relevant committees and staff members.

Additionally, the *Corporate Governance Board* will review all relevant student complaints, concerns raised by staff members, and instances of student or staff misconduct on an ongoing basis.

The *Corporate Governance Board* must ensure that findings from monitoring activities are taken into account in planning, quality assurance and improvement processes.

Definitions

Quality and Compliance Coordinator: A senior staff member delegated by the *Corporate Governance Board* responsible for ensuring SI complies with and continues to comply with all applicable legal and regulatory requirements, as well as the SI constitution.

Corporate governance: The framework of structures, rules, relationships, systems and processes through which authority is delegated, accountability is maintained, the directions and targets of the higher education provider are determined and implemented, performance is monitored, risks are identified and managed, and a corporate culture is developed.

Corporate Governance Board: the governing body responsible for oversight of all higher education operations, including the ongoing viability of the institution and the quality of its higher education delivery. The *Corporate Governance Board* guides Management and delegates responsibility for academic matters to the *Academic Board*.

Compliance Calendar: A chronological schedule detailing reporting and monitoring activities for SI in areas such as corporate governance, academic governance and operational timetabling.

Review schedule

This policy will be reviewed by the *Corporate Governance Board* every three years.

Version History				
Version number:	Approved by:	Approval date:	Revision notes:	Next review date:
1	Corporate Governance Board	13/11/2017		13/11/2020
2	Corporate Governance Board ⁶	06/01/2021	No change. Periodic Review.	06/01/2024

▲ Related Documents

☞ Compliance Framework Policy
☞ Corporate Governance Policy
☞ Third Party Arrangements Policy
☞ Quality and Compliance Coordinator
☞ Audit and Risk Committee - Terms of Reference
☞ Corporate Governance Board - Terms of Reference
☞ Academic Board - Terms of Reference

End of document: "Compliance Framework Policy"

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