




GETTING COMPLIANCE RIGHT

PRESENTED BY:
TODD HOPWOOD
MANAGER GOVERNANCE & CUSTOMER SERVICE
WOLLONGONG CITY COUNCIL



WOLLONGONG CITY COUNCIL OPERATING ENVIRONMENT

• POPULATION	-	220,000
• AREA	-	670 SQ KM
• EMPLOYEES	-	1300+
• DIVISIONS	-	15
• BUSINESS UNITS	-	48
• LEGISLATION	-	OVER 150



WHAT WE WILL COVER



Understanding and managing legislative compliance



Defining responsibility for better accountability across the organisation



Ensuring appropriate 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 ARE THE RISKS?



Statutory and regulatory requirements are not met;



Council could be exposed to penalties, litigation, or any other adverse outcomes for non-compliance;



Potential for significant reputational damage if widespread media attention of non-compliances;



Failure to identify changes to regulatory and legislative requirements



**Access to In
house Lawyers
and Legal Panel**



**Annual
Statutory
Requirements
checklist for
Executive and
Senior Managers**



**Internal audit
program**



**Legislative
Compliance
Framework**



**COVID-19
Compliance**

WHAT ARE OUR CONTROLS?



IN HOUSE LAWYERS AND LEGAL PANEL

- Since 2010, Council has employed a team of in-house lawyers.
- The team has expertise across planning and environmental law, building and construction law, commercial and property law, as well as insurance and litigation.
- Straightforward access to co-located lawyers has led to more responsive and confident decision making.
- The team are required to hold practising certificates issued by the NSW Law Society, and undertake mandatory continuous professional training.
- Council has also in place a panel of four (4) law firms, with expertise across a range of legal areas.
- Requests for legal services are reviewed by the General Counsel, and then undertaken in-house or referred to a panel firm, depending on the nature of the request and current allocation of internal legal resources.

STATUTORY REQUIREMENTS CHECKLIST



- Annual sign-off program for all Executive and Senior Managers
- Checklist of Statutory Reporting Requirements in their area of responsibility
- 73 items covering 21 pieces of legislation
- Checklist to be reviewed following each legislation risk assessment



Rolling 3-year Internal
Audit Program



Focus in each audit on
policy and legislative
requirements as well as
compliance by the area of
operations



Oversight by the ARIC to
identify trends in non-
compliances



Internal Self Assessment of
Best Practice

INTERNAL AUDIT PROGRAM



LEGISLATIVE COMPLIANCE FRAMEWORK

- Establishment of a legislative Compliance Framework
- Framework designed with following components:
 - Establishment of a Legislation Register
 - Establish Legislative Compliance Improvement Register
 - Undertaking of a risk assessment to identify high risk legislation
 - Identify owners of each piece of legislation
 - Updating of the Statutory Reporting Requirements Register
 - Process for monitoring and responding to legislation changes based on risk
 - Process to identify changes required to delegations and policies arising from legislative changes

LEGISLATION REGISTER

Legislation Name	Legislation Owner	Requirements / Obligations	Policies that cover obligation	Controls in place to support compliance	Risk Of Non Compliance (Low, Medium, High)	Is WCC compliant (yes/no/partial)
Privacy & Personal Information Protection Act 1998	Manager Governance & Customer Service	12 x Information Protection Principles	Privacy Management Plan	Numerous – See PMP	Medium	Partial

LEGISLATIVE COMPLIANCE IMPROVEMENT REGISTER

Legislation Name	Legislation Owner	Oversight Agency Aware of Non-Compliance	Further Action Needed to ensure compliance	Completed yes/No	Corrective action plan in place	Due date for completion of Corrective Action Plan
Privacy & Personal Information Protection Act 1998	Manager Governance & Customer Service	No	<ul style="list-style-type: none">• Update PMP to reflect<ul style="list-style-type: none">• web/cookie usage• Data sharing with service providers• Conduct Privacy Impact Assessments prior to each SaaS module rollout• Privacy Training for new users of mobile systems	No	Yes	30 June 2021

COVID-19 COMPLIANCE



**Pandemic Response
Team**



**Monitoring of Public
Health Order
Requirements**



**Central Review of all
COVID Safe Plans
and Risk Assessments**



**Staff briefing and
information
awareness process**

EFFECTIVE REGULATORY COMPLIANCE AUDIT PLAN

- Preparation of the Legislation Register helps inform Auditors of legislative requirements (outsourced Internal Audit Service)
- Legislative requirements, policy requirements and strategic objectives should be incorporated into audit scope and objectives
- The Governance and Risk team regularly brief the Audit Risk & Improvement Committee on internal activities undertaken to improve control activities. The outsourced Internal Audit team attend all meetings and briefings
- Significant external industry information available on compliance risks, e.g. NSW Audit Office annual report on Local Government Sector, and Performance Audits on LG Sector
- Compliance is a Strategic Risk of the organisation and reported regularly to Executive and ARIC

An abstract graphic on the left side of the slide, consisting of a network of light blue lines and small circles, resembling a circuit board or a neural network diagram. The lines are vertical and horizontal, with some diagonal connections, and the circles are placed at various points along these lines.

QUESTIONS?