

Legislative Compliance Policy - Policy Number 408

Edited August 2023

1. Introduction

The operations of Pacific Community Housing are subject to a wide range of legal requirements, embodied in legislation, regulations, licences, codes, guidelines and similar binding instruments. These include (but are not limited to):

- Occupational Health & Safety legislation
- Anti-discrimination legislation, including that relating to equal opportunity, racial vilification and disability discrimination
- Taxation legislation
- Privacy legislation
- 'Affordable Housing Eligibility' – Policy 101
- State Environmental Planning Policy (Housing) 2021
- Community Housing Providers (Adoption of National Law) Act 2012
- NSW Affordable Housing Ministerial Guidelines 2023 - 2024

2. Purpose

This document sets out Pacific Community Housing's policy for compliance with the law and the governance structures, responsibilities and processes that have been established to give effect to that policy.

3. Policy

Pacific Community Housing is committed to the high standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements, and requires that all its Board members, officers (including its Chief Executive Officer), managers, employees, volunteers and contractors acting on its behalf meet those same standards of integrity, fairness and ethical behaviour, including compliance with any legal requirement.

There is no circumstance under which it is acceptable for Pacific Community Housing or any of its employees or contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing or advancing Pacific Community Housing's business.

4. Procedures

4.1 Responsibilities

The Board will:

- Review and monitor the leadership and commitment given to legislative compliance through active promotion of the organisation's Legislative Compliance Policy.
- Review compliance management objectives and plans for legislative compliance.
- Monitor compliance performance by way of periodic management reports and assurances.

The CEO will:

- Prepare legislative compliance objectives and plans for review and consideration by the Board.
- Monitor performance against legislative compliance objectives and plans, and report to the Board on progress toward accomplishment of objectives.
- Where appropriate, delegate responsibility for compliance to officers with responsibility for particular sections.
- Oversee the performance of subordinate officers in these matters, including

- conforming to and applying relevant requirements of the Law within the workplace;
 - ensuring that systems and procedures established to make the policy effective are operational;
 - ensuring that staff are trained and have the necessary knowledge and understanding to perform their duties in compliance with the policy and all relevant requirements of the law;
 - ensuring that significant compliance responsibilities and accountabilities are included in position descriptions and performance reviews;
 - reporting and investigating any incident or occurrence thought or known to constitute a breach of any legal requirement; and
 - designing and implementing system enhancements to correct weaknesses that could result in a breach of such a requirement.
- Review and report annually to the Board on the effectiveness of the management systems established to deliver legislative compliance.
 - Analyse material breaches and identified compliance system weaknesses for systematic trends and ensure that any adverse trends are addressed.
 - Promote a culture of effective legislative compliance across the organisation.
 - Provide formal assurance to the Board as to the state of compliance of the organisation.

All staff, volunteers and contractors, at all levels, will

- Ensure that they are aware of any legal requirements that apply to their work activities and that they comply with them.
- Report all incidents of breaches of legal requirements.
- Where appropriate, suggest ways in which practices, systems and procedures could be improved so as to reduce the likelihood of a breach occurring.

4.2 Processes

The Board will, at least once a year, feature as an agenda item the monitoring of compliance performance.

Legislative compliance objectives and plans will be prepared by the CEO, approved by the Board, and held on file.

Delegation by the CEO of responsibility for compliance in any area will be managed under the organisation's Delegations Policy.