

Org1.2 Regulatory Compliance

Purpose

1. To outline the governance framework and controls in place to maintain regulatory compliance.

Alignment with Practice Standards

1. Module 2: Provider Governance and Operational Management

Legislative Alignment

1. Corporations Act 2001

Key Responsible Executive

Chief Executive Officer

For More Support

Chief Executive Officer

Policy Statement

1. Regulatory Compliance is identified in the risk register and considers the risks that arise from both changes to regulation and SAVVY's breach of the laws and regulations that govern SAVVY's operational activity.
2. SAVVY seeks to reduce the risk of breaches through implementing effective internal controls, including, but not limited to
 - a. A range of advisory boards that will support SAVVY to maintain compliance and continuous improvement
 - b. Policies and procedures
 - c. A comprehensive risk plan with mitigating strategies outlined for each risk
 - d. Education and training for staff and the development of a risk culture that empowers everyone to be responsible for managing risk.

Definitions

1. **Policy** - a set of ideas or plans that is used as a basis for making decisions. It signals the organisation's attitude and actions regarding a particular issue.

Delegations

Roles	Responsibilities
Board of Directors	<ul style="list-style-type: none"> ● Endorse the Regulatory Compliance Policy. ● Take ownership, with support from the CEO of the Regulatory Compliance Policy and its implementation ● Endorse SAVVY's schedule of policies and procedures as the foundation of the organisation's decision making ● Review and analyse the findings of audits related to compliance with internal policies and external regulations ● Review and analyse the risk registry, incidents reported and feedback shared to determine action required by the organisation to maintain regulatory compliance ● Be aware of the laws and legislation that affects SAVVY's operations ● Provide advice and support to the CEO on matters of regulatory compliance ● Ultimate responsibility for ensuring SAVVY complies with the regulatory requirements as outlined in this policy
CEO	<ul style="list-style-type: none"> ● Support the Board through leading a culture of service excellence that respects the rights and freedoms of the participant and their wellbeing ● Support management and employee awareness, understanding and capability to work in a way that complies with regulatory requirements. ● Manage the daily implementation of SAVVY's Governance operating framework and internal controls.
Management	<ul style="list-style-type: none"> ● Support the CEO to embed a culture of service excellence that respects the rights and freedoms of the participant and their wellbeing ● Develop employee awareness, understanding and capability to work in a way that complies with regulatory requirements. ● Comply with SAVVY's Policies and Procedures in order to comply with relevant legislation
Staff, volunteers, contractors and students	<ul style="list-style-type: none"> ● Actively engage in understanding how their role is impacted by legislation and the policies SAVVY has in place to guide their behaviour and decision making ● Comply with the suite of SAVVY Policies and procedures.

Procedures

1. Advisory Boards
 - a. The SAVVY Board is supported by five external Advisory groups. These include
 - i. Advisory Board
 - ii. participant Advisory Committee
 - iii. Work Health and Safety Committee
 - iv. Quality Improvement Committee
 - v. Clinical Governance Committee
 - b. Each advisory group participates in the following activities relevant to their purpose as outlined in their Terms of Reference;
 - i. Advising the Board, Management and employees where appropriate
 - ii. Investigating complaints, feedback, incidents and new risks relevant to their area
 - iii. Reviewing current practices and policies that fall into their scope
 - iv. Developing and implementing strategies to improve outcomes for participants, employees and the organisation.
 - c. Advisory groups are governed by their Terms of Reference and include at a minimum, a participant, employee and Board or Management representative. Some Groups will also require relevant subject matter experts, such as the Clinical Governance Committee
2. Policy development, review and implementation
 - a. Refer to the SAVVY Policy Development policy which outlines the process for identification, review, authorisation and implementation of SAVVY policies.
3. Risk Management
 - a. SAVVY has a comprehensive Risk Plan and Risk Register that outlines;
 - i. SAVVY's framework and approach to governance and risk management
 - ii. Governance controls in place at SAVVY
 - iii. Risk Register structure and overview
 - b. SAVVY also maintains a comprehensive Risk register which outlines the following for risks identified at SAVVY:
 - i. Likelihood of risk occurring
 - ii. Impact if risk occurs
 - iii. SAVVY's response to the risk
 - iv. Controls in place to mitigate or reduce the risk
4. Education and training
 - a. SAVVY maintains a Professional Development, Training and Competence register for all employees, volunteers and directors.
 - b. The Register also includes a training plan and integrated training needs assessment that allows SAVVY to effectively plan for organisational training.
 - c. Specific training around regulatory compliance for employees is focused on key elements of the NDIS Quality and Safeguarding Commission requirements. This includes:
 - i. Ensuring all employees, volunteers and directors have read and acknowledged the NDIS Code of Conduct
 - ii. Ensuring all employees, volunteers and directors understand their obligations to report incidents and the SAVVY policies and procedures that support this
 - iii. Ensuring all employees, volunteers and directors have completed the Worker Orientation Module

- iv. Ensuring all employees, volunteers and directors understand their obligations and the process for managing, responding to and resolving feedback and complaints
 - v. Ensuring all managers and directors understand the need for and how to complete worker screening
 - vi. Ensuring all employees, volunteers and directors understand the NDIS and SAVVY policy and procedures relating to the reduction and elimination of Restrictive Practices and their obligations related to the implementation, coordination, authorisation, response to and reporting around positive behaviour support plans and restrictive practices.
- d. In addition, training for employees is focused around components of SAVVY's Human Rights Charter, that relate to regulatory compliance such as:
- i. Privacy - respecting each participant and employees right to privacy
 - ii. Zero Harm - the reduction and elimination of abuse, neglect, harm and discrimination
 - iii. Diversity - reduction in discrimination
5. Compliance Register
- a. SAVVY will develop and maintain a compliance register which is accessible for all employees and the Board.
 - b. The Compliance register will assign accountability and responsibility for compliance with each piece of legislation on the register.
 - c. It is the CEO's responsibility to ensure the register is maintained and updated accordingly, with changes advised to the Board
 - d. When legislation affecting SAVVY changes, the CEO will brief the Board on implications for SAVVY and recommend actions to maintain compliance with the regulations.
 - e. The Board is responsible for endorsing or amending these recommendations and supporting the CEO to implement the agreed upon actions
6. Additional specific NDIS Obligations
- a. The NDIS Registration and Renewal process, in conjunction with the NDIS Practice Standards are SAVVY's final regulatory Compliance control.
 - i. The annual audit will allow SAVVY to reflect on and improve areas where compliance with the NDIS Practice Standards are not acceptable or are just acceptable.

References to other SAVVY policies and external sources

- 1. Org 1.1 Governance
- 2. Org 1.8 Internal Policy Development
- 3. Org 2.1 Risk Management

Summary of attachments

- 1. Nil

Version Control

- 1. 1 April 2023 - New Policy Creation