

COMPLIANCE POLICY

Section	AVC Operations, International and University Registrar
Contact	Risk Management
Last Review	June 2016
Next Review	June 2019
Approval	A&R 16/30
Effective Date	1 September 2016

1. Purpose:

1.1 Massey University is committed to ensuring compliance with all legislative requirements relating to the operations and governance of the University, and to the University's own Policy Framework.

1.2 The purpose of this policy is to affirm that commitment, and to ensure a positive compliance culture through adopting the highest standards of probity and accountability in all areas of operation.

2. Policy:

2.1 An effective compliance system is fundamental to the achievement of Massey University's strategic goals. It is a prerequisite for financial sustainability, sound corporate governance and an essential element in the University's overall framework to manage risk.

2.2 The University will adopt a compliance regime, aligned with the principles described in AS/NZS3806:2006 Compliance Programmes, in order to foster a culture which supports effective compliance outcomes. The compliance regime will encompass the following principles:

- a) **Commitment:** the University community will act ethically and with integrity. Behaviours that create and support compliance will be encouraged and behaviours that compromise compliance will be unacceptable.
- b) **Transparency:** Compliance related concerns, and opportunities for improvement, will be communicated to the relevant persons. Council, SLT and managers will encourage proactive reporting of compliance concerns and take appropriate action to mitigate compliance risk and continually improve the compliance system.
- c) **Capability and competency:** The University will support staff to comply with all relevant compliance requirements associated to their role. Where a position has significant responsibility for compliance with legislation, or oversight thereof, this will be incorporated into the job description for that role, with performance and commitment to compliant outcomes monitored as part of the PDP process.
- d) **Positive action:** Ownership and accountability for compliance obligations and management of compliance risk is understood by the University community, along with consequences for disregarding these compliance

obligations.

- 2.3 University policies, associated procedures, guidelines and processes must reflect not only legislative compliance requirements, but also compliance requirements applicable in respect of mandatory or voluntary codes or sector standards.
- 2.4 Appropriate due diligence must be undertaken to ensure that the University's standards and commitment to compliance is not compromised when entering into contract agreements and outsourcing arrangements with third parties.
- 2.5 All University staff, students and associates have a responsibility to ensure that their activities, on behalf of the University, comply with applicable law and any related University policies and procedures. Failure to meet this responsibility may lead to disciplinary action.

3. Roles and responsibility

- 3.1 Council: The Council of Massey University has all powers, under provisions of the Education Act 1989, and Amendments, reasonably necessary to enable it to perform its function efficiently and effectively. The Council may elect to appoint committees and to delegate such powers. The Council of Massey University, through its Audit and Risk Committee, is responsible for approving the Compliance Policy, and overseeing the University's compliance with laws and regulations, reporting obligations and Council approved regulations and policies. The University Council will set the tone and lead the University in adopting a positive compliance culture by requiring the highest standards of probity and accountability from the operations of the University.
- 3.2 Vice-Chancellor: The Vice-Chancellor has responsibility for the management of academic and administrative affairs of the University, and is responsible to Council for the management of the University's compliance obligations. The Vice-Chancellor has responsibility for recommending for approval the University's Compliance Policy and, ensuring that this supports Massey's strategic and operational goals. As the most senior executive of the institution, the Vice-Chancellor will lead commitment to the compliance principles, ensuring the highest standards of probity and accountability from the operations of the University.
- 3.3 Senior Leadership Team: The Senior Leadership Team will actively demonstrate commitment to the compliance principles, and along with the VC, ensure the highest standards of probity and accountability from the operations of the University. SLT will uphold and monitor compliance within their respective areas and support staff, students and associates to report and/or escalate compliance concerns, issues, compliance failures and opportunities for improvement, supporting a positive compliance culture. SLT must ensure that sufficient resources are committed to support university staff in meeting all compliance obligations.
- 3.4 Managers: Managers have a duty to uphold and monitor compliance within their area of responsibility, and ensure that their workers receive adequate training and instruction to keep them up to date with their legislative obligations.
- 3.5 All University staff, students and associates have a responsibility to ensure that their activities, on behalf of the University, comply with applicable law and any related University policies and procedures. They shall report

and/or escalate compliance concerns, issues, compliance failures and opportunities for improvement.

3.6 The Director Risk and Assurance, in association with compliance specialists across the University, is responsible for reporting on non-compliance and remedial action to the Senior Leadership Team, and Council; for escalating compliance issues, and; supporting compliance with applicable legislation, policies, contractual commitments, and codes of practice. The Director Risk and Assurance will keep informed of legislative change and ensure this information is disseminated appropriately.

Definitions:

Compliance: Adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community and ethical standards.

Compliance Culture: The values, ethics and beliefs that exist throughout an organisation and interact with the organisation's structures and control systems to produce behavioural norms that is conducive to compliance outcomes.

Compliance Failure: An act or omission whereby an organisation has not met its compliance obligations, processes or behavioural obligations.

Compliance Programme: A series of activities that when combined are intended to achieve compliance.

Legislation: Statutes enacted by the New Zealand Parliament and Statutory Regulations made pursuant to those Statutes, and enforced by law.

Policy Framework: The Policies, Procedures, Guidelines, and Codes of Practice of Massey University.

Audience:

This policy applies to all members of the University community, including Council members, students, staff, controlled entities, and all persons engaged in University business or activities.

Relevant legislation:

As detailed at www.legislation.govt.nz

Legal compliance:

Massey University, , is obliged to comply with all New Zealand legislation.

Related procedures / documents:

All University Policies, procedures, guidelines and code of practice, as detailed at www.policyguide.massey.ac.nz

Policy on Staff Conduct
Employment Agreements
Health and Safety Policy
Contractor Policy

Document Management Control:



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