Purpose:

This Compliance Framework supports the implementation of the Compliance Policy and must be read in conjunction with this policy document. Massey University is committed to meeting legal and business compliance obligations which ensure it conducts its business lawfully and responsibly.

This programme is based upon the principles described in AS/NZS3806:2006 Compliance Programmes.

Compliance @ Massey University:

Massey University is committed to meeting its strategic intent as stated in the Road to 2020, and in order to do so must ensure it meets its legal and regulatory requirements and compliance obligations to staff, students and wider community stakeholders. Compliance directly relates to the goal area of ‘responsibility’.

Massey University is committed to the maintenance and continuous improvement of the Compliance Framework, and the development of a compliance programme within the University that integrates with the University’s operating environment, with its financial, risk, quality, environment and health and safety management systems.

Effective compliance will be demonstrated by a commitment to the principles of best practice compliance as describes in the Compliance Framework, and enhancement of the compliance culture at Massey University.

Scope

The Compliance Framework will provide advice and support for University Managers, to enable them to fully comply with the relevant legislation, policies, procedures, codes and industry standards, as well as generally accepted principles of good governance and ethical standards.

The Compliance Framework extends to wholly owned subsidiaries and controlled entities of Massey University

Definitions

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

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1 Definitions are sourced from NZS/AS3806:2006
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.

Register of Compliance Obligations: A schedule of compliance obligations that have been identified by Massey University and are maintained by the Risk Management Office.

Legal Compliance Programme: The process of annual attestation of compliance with relevant New Zealand legislation.

Roles and Responsibilities

Chancellor and Council: Responsible for overseeing the University’s compliance with legal, statutory, regulatory requirements, reporting obligations and Council approved regulations and policies. The Council, through its Audit and Risk Committee will approve the Compliance Policy and endorse the Compliance Framework on the recommendation of the Vice Chancellor.

Vice-Chancellor and members of the Senior Leadership Team (SLT): Will endorse the Compliance Policy, and Compliance Framework for approval by Council. In addition they will ensure they received adequate reporting on compliance; foster a compliance culture within Massey University: remain aware of compliance obligations within their respective areas of responsibility; and appropriately manage compliance failures and issues as they arise.

Heads of Departments (or equivalent): will foster and encourage a compliance culture within Massey University: remain aware of compliance obligations within their respective areas of responsibility; Compliance Officers: will assist with implementation of compliance management processes and report on compliance concerns, complaints and failures within their areas of control and influence.

Risk Management Office: will develop, implement and continuously improving the Compliance Framework; identify compliance obligations and risks in conjunction with managers; advise on integration of compliance obligations to policies and procedures, and business processes; support training for managers in regard to compliance; and develop mechanisms for reporting of compliance management.

All Staff: observe compliance obligations relevant to their position, undertake compliance training as required, and report and/or escalate compliance concerns, issue, complaint and failures.

Compliance Principle

Principle 1: Commitment

Governance

Council of Massey University, through its Audit and Risk Committee, to ensure effective compliance throughout the University, will demonstrate commitment to compliance by approval of a Compliance Policy and Compliance Framework which is aligned to the University's strategic goals and objectives. The Compliance Policy and Compliance framework will be endorsed for Council approval by the Vice-Chancellor and SLT.

Compliance Obligations will be identified and assessed through the enterprise risk management system operated by the Risk Management Office, and will be reviewed and approved by the Vice-Chancellor and SLT each year.

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Compliance Obligations will be communicated, and regular updates provided, to the Audit and Risk Committee of Council, the Vice-Chancellor and Senior Leadership Team (SLT).

Compliance Obligations will be communicated to all staff and other stakeholders through a variety of channels, including, but not limited to, training, compliance bulletins, and website information. Resources will be provided, as appropriate, to develop, implement, maintain and improve the compliance programme.

**Principle 2: Implementation**

**Identification and implementation**

Sources of compliance may include, but not be limited to: Legislation and regulations, policies and procedures, contracts and agreements with external parties, mandatory industry codes and standards, voluntary codes and standards.

Compliance obligations at Massey University will be identified in consultation with managers and promulgated through an on-line Register of Compliance Obligations which will be maintained within the Massey University, Risk Management Office.

The University will have a dedicated Legal Compliance Programme based upon a risk based assessment of legal risks. Each College/Section/Division must strive to ensure that they comply with relevant legal obligations so that no wilful non-compliance occurs.

**Training, Advice and Support**

Training will be available for staff to encourage behaviour which creates and support compliance, so as to encourage behaviours that positively support a compliance culture in accordance with the Policy of Staff Conduct. It will be the responsibility of managers who carry primary responsibility for ensuring compliance in any specific area to ensure appropriate training is available to staff. The Risk Management Office will maintain oversight of training activities.

**Principle 3: Monitoring and Measurement**

Systems, procedures and controls will be implemented to support the monitoring of compliance obligations and the requirements of the Compliance Framework and the Register of Compliance Obligations.

The Risk Management Office is responsible for reviewing and maintaining the Register of Compliance Obligations and the frameworks, systems and policies that support compliance within Massey University. In doing so a system for the notification by staff of compliance failures, issues and complaints will be implemented, and a procedures for the investigation and reporting of such matters by management will be established.

The Risk Manager will report on the University’s compliance programme to Council via the Audit and Risk Committee, and to the Vice-Chancellor and Senior Leadership Team (SLT) on at least an annual basis.

Compliance reporting will include:
- Ad-hoc notifications to the Risk Management Office
- Annual compliance reviews
- Regular reporting to the Vice-Chancellor and SLT on major compliance development, issues and compliance incidents, including recommendations for action and/or follow-up.

**Principle 4: Continuous Improvement**

The Compliance Policy and Compliance Framework will be reviewed at no more than 2 year intervals. The Register of Compliance Activities will be reviewed and updated annually. An annual risk based review of compliance activities, and assessment of the effectiveness of the Compliance Framework, including recommendations for improvement, will be provided to the Vice Chancellor and SLT for endorsement before approval by Council.
Audience:
All Staff

Relevant legislation:
As defined in the Law Guide (available on-line at http://staffroom.massey.ac.nz/)

Legal compliance:
As defined in the Law Guide (available on-line at http://staffroom.massey.ac.nz/)

Related procedures / documents:
AS3806: 1998 – Compliance Programmes
Massey University Policy Guide
Compliance Policy
Register of Compliance Obligations
Legal Compliance Procedures

Document control:
Prepared by: Risk Manager
Authorised by AVC and University Registrar
Approved by: C14/09 – 7 March 2014
Date issued: 2 March 2012
Last review: January 2014
Next review: January 2016