
Legislative Compliance Policy

1 Purpose

The purpose of the policy is to assist Victoria University of Wellington (“the University”) to comply with its legal obligations, thus maximising the likelihood of the University, University staff and agents of the University complying with the law.

2 Organisational Scope

This is a University-wide policy, including all group entities that are wholly managed by the University. The policy applies to all activities, both educational and administrative, of the University at governance, management and operational levels.

The University is under a general obligation to comply with all New Zealand statute law and with common law obligations, and all employees have a responsibility to ensure that their activities on behalf of the University comply with applicable law.

There are many pieces of legislation which impact on the University, and represent differing levels of risk. Adherence to this policy will minimise the University’s risk exposure. The legislative compliance issues of particular relevance are those specific to the tertiary education sector, or to the University in its diverse roles.

3 Policy Content

3.1 Compliance

Legislative compliance supports the University’s Assurance Framework, and compliance has also been integrated into day to day management by delegating responsibilities into the appropriate operational areas.

To further facilitate legal compliance, and to allow employees to have confidence that they are acting within the law, the University’s [Policy Website](#) makes accessible a register of key legislation with which the University and all its employees must comply (this is in the process of being further developed into a Register of Obligations).

The University’s Director of Planning and Policy is ultimately responsible for:

- (a) Maintaining the Register of Key Legislation, with legislation grouped according to the major functions of the University and summaries provided where appropriate
- (b) Liaising with the University’s legal and risk advisers on any new requirements
- (c) Recommending changes to the University’s Register of Key Legislation, in accordance with changes to legislation, or to its interpretation by the Courts or enforcement authorities

- (d) Arranging audits to provide assurance on compliance
- (e) Incorporating RSS feeds showing relevant changes in legislation.

3.2

Non-compliance

Non-compliance could expose the University to:

- (a) A risk of a financial penalty
- (b) Loss of income
- (c) An inability to fulfil educational, administrative, or business goals
- (d) Negative publicity or reduced public regard
- (e) Legal action arising from non-compliance

3.3 **Reporting**

A legislative compliance programme is an on-going process. During the financial/academic year non-compliance occurrences will be reported, as part of the University's overall attempt to comply with legislative requirements. Non-compliance is identified 'by omission', and by building on existing practices, i.e. using internal audit, policy guidelines, careful monitoring, reviews, administrative and other risk assessment processes to identify areas of non-compliance.

3.4 **Responding to Non-Compliance**

The University assigns ownership and accountability for any non-compliance, thus ensuring action is taken. Should non-compliance be identified:

- (a) non-compliance is brought to 'owner's' attention (a manager or a policy sponsor)
- (b) root cause of non-compliance is analysed
- (c) rectification through system changes or training
- (d) annual reporting to SLT of steps taken to address any instances of non-compliance

These activities are intended to provide reasonable assurance to the Audit and Risk Committee of Council that the University is complying with with relevant legislation.

4 **References**

Register of Obligations (Key Legislation)

5 **Approval Agency**

Vice Chancellor

6 **Approval Dates**

This policy was originally approved on:	15 March 2011
This version was approved on:	15 March 2011
This version takes effect from:	15 March 2011
This policy will be reviewed by:	15 March 2014

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