

COMPLIANCE POLICY

Approving authority	Governing Board
Purpose	This policy sets out how the Ozford Institute of Higher Education meets its compliance obligations.
Responsible Officer	President and CEO and the Compliance team
Next scheduled review	February 2031
Document Location	R:\Managers\OIHE\Policies
Associated documents	<p>Academic Staff Professional Development Policy and Procedure</p> <p>Changes to Registered Provider Ownership or Management Policy</p> <p>Delegations Policy and Delegations Schedule</p> <p>Governance Framework</p> <p>Human Resources Policy and Procedure (Manual)</p> <p>Policy Development and Review Policy</p> <p>PRISMS Quality Assurance Framework</p> <p>Privacy Policy and Procedure</p> <p>Procedure Development and Review Policy</p> <p>Professional Staff Professional Development Policy and Procedure</p> <p>Quality Management Framework</p> <p>Registering Courses on CRICOS Policy and Procedure</p> <p>Risk Management Framework</p> <p>Staff Code of Conduct Policy and Procedure</p> <p>Strategic Plan</p> <p>Strategic Internal Audit Plan</p> <p>Compliance Procedure</p>

1. PRINCIPLES

Ozford Institute of Higher Education (hereafter referred to as ‘the Institute’) is committed to the highest level of compliance with relevant legislation, regulations, standards and codes. The Institute fulfils its compliance obligations through strong governance and leadership, a culture of compliance and a robust set of policies and values.

The Institute is acutely aware that it will not be able to meet, provide or pursue any form of financial, cultural or environmentally sustainable future unless it is well managed and pursues a sustainable regulatory future. To this end the Institute has developed a strong ***Governance Framework*** and a responsible approach to its operations to ensure compliance with necessary and relevant legislation and regulation.

The Institute has established an Audit and Risk Committee (ARC) with appropriate delegations from the Governing Board to provide advice on financial reporting, risk management, risk mitigation and regulatory and legislative compliance, including improving management performance and internal controls, to oversee compliance and risk functions, and to oversee the integrity of the Institute's operations.

The Institute has developed this policy to promote its culture of good corporate governance and compliance practices and gain assurance through its governance arrangements that the Institute has systems, processes and practices that enable it to comply with its compliance obligations.

2. SCOPE

This policy applies to all staff and contractors involved in the Institute's operations.

3. DEFINITIONS

Compliance

Meeting the requirements of laws, regulations, national standards and codes, principles of good governance, and accepted community and ethical standards.

Compliance culture

The values, ethics, beliefs and behaviours that exist across the Institute that lead to and ensure positive compliance outcomes.

Compliance approach

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

Compliance Obligation

A requirement specified by laws, regulations, codes or organisational standards.

Material Non-compliance

A material non-compliance will depend upon the individual circumstances of the breach. A number of factors may contribute to a material non-compliance - the number or frequency of similar non-compliance, the impact of the non-compliance or likely non-compliance and an application of a lesson is learnt leading to quality improvement and training.

Non-Compliance

An act or an omission whereby the Institute does not meet its compliance obligations. It could be an occurrence of non-compliance with applicable legislation, regulations, standards and codes. An unintentional or deliberate act or omission, which leads to the Institute and/or staff member(s) failing to meet their compliance obligations.

Responsible officer

The Position assigned responsibility for developing, reviewing and maintaining Institute policies or procedures to ensure consistency and quality within a common standard that is relevant and easily understood.

Risk mitigation

A positive action or actions take to divert or address an identified risk.

4. POLICY

- 4.1 The Institute is committed to complying with all compliance obligations including relevant legislation, regulation and standards.
- 4.2 The Executive Management team are responsible for providing leadership and demonstrating commitment to the Institute's compliance management processes.
- 4.3 The Compliance team, in consultation with key stakeholders, has responsibility for
- developing policies and procedures to meet compliance obligations as set out in the *Policy Development and Review Policy* and the *Procedure Development and Review Policy*.
 - reviewing and amending the policy or procedure to ensure that it is efficient, effective and continues to meet all compliance obligations. This includes seeking approval from the Approving Authority for any new or changed policy or procedure.
 - supporting the Responsible Officers with external stakeholder applications, reporting or responding to requests or queries. The Institute's external stakeholders include but are not limited to TEQSA, the Commonwealth Department of Education and professional bodies; and
 - reporting on, providing or obtaining compliance advice for the Institute's Boards, Committees and staff.
- 4.4 All policies and procedures are developed as set out in the *Policy Development and Review Policy* and the *Procedure Development and Review Policy* to ensure that they meet compliance obligations.
- 4.5 The Institute will ensure that:
- compliance obligations are identified and assessed for mitigation;
 - compliance risks are identified and mitigated as set out in the *Risk Management Framework* noting that the Institute has no appetite for non-compliance with legislative and statutory requirements;
 - controls are established to manage key compliance obligations and achieve desired behaviours including the development and maintenance of the *Delegations Policy and Delegations Schedule*;
 - compliance is managed as far as possible at the operational level, with accountability through defined reporting structures; and
 - behaviours that create and support compliance are encouraged and behaviours that compromise compliance are not tolerated as set out in the *Staff Code of Conduct Policy and Procedure* and the *Student Code of Conduct and Procedure*.
- 4.6 The Institute will support staff and contractors to understand their role in managing compliance obligations by providing education, training and information.
- 4.7 The Institute will ensure that the compliance approach and outcomes is regularly reviewed and opportunities for continuous improvement are identified through internal and external review processes.
- 4.8 All staff and contractors are responsible for reporting actual or potential breaches of a compliance obligation.
- 4.9 The Audit and Risk Committee is responsible for:
- the effective oversight of the Institute's compliance management processes
 - ensuring that an appropriate program of compliance management is maintained through the development and implementation of the *Strategic Internal Audit Plan* and its schedule of internal audits.
 - monitoring how actual or potential non-compliances are addressed and rectified, and reporting to:

the Academic Board on internal audits involving academic risks and compliance; and

the Governing Board on the ***Strategic Internal Audit Plan*** and outcomes from internal audits.

- 4.10 Where non-compliance is identified, the Institute will respond promptly developing and implementing an action plan to address the non-compliance and ensure the Institute meets all compliance obligations.
- 4.11 Staff who are involved in or aware of a material non-compliance, do not comply with the ***Staff Code of Conduct Policy and Procedure*** and/or fail to report and rectify the non-compliance may be subject to disciplinary action in accordance with the ***Human Resources Policy and Procedure (Manual)***.
- 4.12 The Institute will report the outcome of the review and the rectification plan to the Executive Management team, Audit and Risk Committee, Education Committee, Academic Board or the Governing Board as appropriate. The Institute will also keep adequate records to demonstrate the actions taken to ensure compliance through documentation and practice.
- 4.13 Staff training and development needs will be identified and managed as set out in the ***Academic Staff Professional Development Policy and the Procedure*** and ***Professional Staff Professional Development Policy and Procedure***.
- 4.14 Staff non-compliance will be addressed through operational management processes as set out in the ***Human Resources Policy and Procedure (Manual)***.

5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meet the requirements of the TEQSA Compliance Frameworks), and other relevant legislation and guidelines, the policy will be:

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board;
- 5.2 externally reviewed as part of any independent review of the TEQSA Compliance Frameworks approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every five years from the date of approval (if not earlier): and,
- 5.4 referenced to the applicable TEQSA Compliance Frameworks requirement(s) and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officer of the Institute.

7. ACKNOWLEDGEMENT

This policy was developed with reference to the following

- CQU Compliance Management Policy and Procedure (2021) (<https://delivery-cqucontenthub.stylelabs.cloud/api/public/content/compliance-management-policy-and-procedure.pdf>)
- Deakin University, Compliance management Policy (2022) ([Compliance Management policy / Document / Deakin Policy Library](#))

- James Cook University, Compliance Framework and Compliance Policy (2021)
(<https://www.jcu.edu.au/policy/corporate-governance/compliance-policy>)

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	March 2015	Initial	GB
2.0	September 2018	Internal review to better meet HESF standards	GB
2.1	November 2021	Internal Review, minor amendments	GB
3.0	September 2023	Internal Review	GB
4.0	February 2026	Internal Review – inclusion of current legislation and Queensland legislation	GB
4.1	February 2026	Internal Review to remove under 18 student obligations after change in policy	EMT
Related legislation/ regulation/standard	<p>Commonwealth</p> <p>Tertiary Education Quality and Standards Act 2011 (Cth)</p> <p>Higher Education Standards Framework (Threshold Standards) 2021 (Cth)</p> <p>Education Services for Overseas Students Act (ESOS) 2000 (Cth)</p> <p>Education Services for Overseas Students Regulations 2019 (Cth)</p> <p>The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</p> <p>Higher Education Support Act 2003 (Cth)</p> <p>FEE-HELP Guidelines 2017 (Cth)</p> <p>Higher Education Provider Guidelines 2012 (Cth)</p> <p>Higher Education Support (HELP Tuition Protection Levy) Act 2020 (Cth)</p> <p>Higher Education (Up-front Payments Tuition Protection Levy) Act 2020 (Cth)</p> <p>Student Identifiers Act 2014 (Cth)</p> <p>Age Discrimination Act 2004 (Cth)</p> <p>Australian Consumer Law (Cth)</p> <p>Australian Human Rights Commission Act 1986 (Cth)</p> <p>Copyright Act 1968 (Cth)</p>		

	<p>Crimes Act 1914 (Cth)</p> <p>Disability Discrimination Act 1992 (Cth)</p> <p>Disability Standards for Education 2005 (Cth)</p> <p>Fair Work Act 2009 (Cth)</p> <p>Fair Work Regulations 2009 (Cth)</p> <p>Privacy Act 1988 (Cth)</p> <p>Racial Discrimination Act 1975 (Cth)</p> <p>Sex Discrimination Act 1984 (Cth)</p> <p>Sexual Offence Crimes Act 1958 (Cth)</p> <p>SPAM Act 2003 (Cth)</p> <p>Workplace Gender Equality Act 2012 (Cth)</p> <p>Victoria</p> <p>Accident Compensation (Occupational Health and Safety) Act 1996 (Vic)</p> <p>Australian Consumer Law and Fair Trading Act 2012 (Vic)</p> <p>Charter of Human Rights and Responsibilities Act 2006</p> <p>Charter of Human Rights and Responsibilities (General) Regulations 2017</p> <p>Competition and Consumer Act 2010 (Vic)</p> <p>Compliance Code Psychological Health (Vic)</p> <p>Corporations (Victoria) Act 1990 (Vic)</p> <p>Crimes Act 1958 (Vic)</p> <p>Dangerous Goods Act 1985 (Vic)</p> <p>Disability Act 2006 (Vic)</p> <p>Equal Opportunity Act 2010 (Vic)</p> <p>Gender Equality Act 2020</p> <p>Health Records Act 2001 (Vic),</p> <p>Long Service Leave Act 2018 (Vic)</p> <p>Mental Health and Wellbeing Act 2022 (Vic)Occupational Health and Safety Act 2004 (Vic)</p> <p>Occupational Health and Safety Regulations 2017 (Vic)</p> <p>Occupational Health and Safety (Psychological Health) Regulations 2025 (Vic)</p> <p>Payroll Tax Act 2007 (Vic)</p> <p>Privacy and Data Protection Act 2014 (Vic),</p> <p>Public Holidays Act 1993 (Vic)</p>
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	<p>Public Records Act 1973 (Vic)</p> <p>Racial and Religious Tolerance Act 2001 (Vic)</p> <p>Spent Convictions Act 2021 (Vic)</p> <p>Workplace Injury Rehabilitation and Compensation Regulations 2024 (Vic)</p> <p>Workplace Injury Rehabilitation and Compensation Act 2013 (Vic)</p> <p>Queensland</p> <p>Anti-Discrimination Act 1991 (Qld)</p> <p>Corporations (Administrative Actions) Act 2001 (Qld)</p> <p>Crime and Corruption Act 2001 (Qld)</p> <p>Disability Services Act 2006 (Qld)</p> <p>Domestic and Family Violence Protection Regulation 2023 (Qld)</p> <p>Domestic and Family Violence Protection Rules 2014 (Qld)</p> <p>Education (Work Experience) Act 1996 (Qld)</p> <p>Electrical Safety Code of Practice 2021 Managing electrical risks in the workplace (Qld)</p> <p>Environmental Protection Act 199 (Qld)⁴</p> <p>Fair Trading Act 1989 (Qld)</p> <p>Fair Work (Commonwealth Powers) and Other Provisions Act 2009 (Qld)</p> <p>Health and Wellbeing Queensland Act 2019 (Qld)</p> <p>Holidays Act 1983 (Qld)</p> <p>Human Rights Act 2019 (Qld)</p> <p>Human Rights Regulation 2020 (Qld)</p> <p>Information Privacy Act 2009 (Qld)</p> <p>Information Privacy Regulation 2025 (Qld)</p> <p>Payroll Tax Act 1971 (Qld)</p> <p>Payroll Tax Regulation 2019 (Qld)</p> <p><u>Queensland Dangerous Goods Act 1985 (DG Act) (Qld)</u></p> <p>Work Health and Safety Act 2011 (Qld)</p> <p>Work Health and Safety Regulation 2011 (Qld)</p> <p>Work Health and Safety and Other Legislation Amendment Act 2024 (Qld)</p> <p>Workers' Compensation and Rehabilitation Act 2003 (Qld)</p> <p>Workers' Compensation and Rehabilitation Regulation 2025 (Qld)</p>
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GB = Governing Board