Bendigo Kangan Institute

Compliance Framework

September 2021

Contents

1. About this framework

It is good practice to have a Compliance Framework that sets out what legislation and policy obligations that apply to the Institute as a public sector entity. This Framework explains how legislation and other obligations that set the governance standards across the Institute. It applies to all Bendigo Kangan Institute (the Institute) organisational units, departments, staff and functions.

For more information about the Framework or for support on legislative obligations, contact a member of the Institute's Governance Risk and Compliance (GRC) team. Details of who is in the GRC team are found on the Governance Risk and Compliance intranet site.

Intranet:
https://staffkanganedu.sharepoint.com/sites/BusinessPerformanceAssurance/SitePages/Risk.aspx

Email: riskandintegrity@kangan.edu.au

2. Commitment statement

Bendigo Kangan Institute (BKI) is committed to providing vocational education programs that lead to quality outcomes for students, employers and the community. As a public sector entity, the Institute achieves these outcomes pursuant to Government requirements outlined in this Framework.

This Framework assists the Institute to control its operations, realise and address any gaps and apply a managed approach to assuring the Institute's compliance within a complex regulatory setting. It seeks to develop and embed a culture of accountability, participation and responsiveness where all staff understand their individual and collective responsibility for compliance, quality processes and outcomes.

Compliance obligations change as laws and policies adjust to evolving community expectations which will require the Framework to be regularly monitored and reviewed. In addition, Government, regulators, industry and the public expect the Institute to act within the rules and with integrity.

3. The Framework

This Framework helps the Institute navigate the complex layers of legislation and regulation that governs how it operates. The Institute has created this Framework as a network of interconnecting obligations, including:

- its establishing Act
- whole-of-government laws and obligations
- universal laws and obligations like health and safety or privacy
- specific legislative obligations that relate to the Institute as a vocational education provider
- key internal documents like a strategic plan, delegations and policies.

This Framework integrates reporting across three sections:

- Section 1: Compliance Registers
- Section 2: Policy Development and Compliance
- Section 3: Audit Review and Systems.

4. Whole of Government

As **a public sector entity**, there is a range of overarching laws and obligations that apply to the Institute.

4.1 Public Administration Act

Public entities are subject to the *Public Administration Act 2004 (Vic)*. This Act sets the over-arching integrity and governance standards for the whole of the Victorian public sector.

Examples of key requirements in this Act are:

- **public sector values** – all Board members and employees to perform their role with line with these values
- **public sector employment principles** – these principles enshrine fair and merit-based recruitment and equal opportunity employment
- **integrity standards** – these are the individual and collective standards, duties and accountabilities of Board members

4.2 Financial Management Act

The Institute is also a **public body**. Public bodies are subject to the *Financial Management Act 1994* (Vic) (FMA).

The FMA sets financial standards and accountabilities for the Victorian public sector. The *Standing Directions of the Minister for Finance 2018* is an important tool in implementing these standards.

Part of these obligations include providing the Minister with an annual report. The annual report is then tabled or reported in Parliament.

Public bodies also have performance reporting obligations during the year. We also need to ensure compliance with the *Victorian Government Risk Management Framework*.

4.3 Victorian Public Sector Commission (VPSC)

The VPSC aims to strengthen the public sector's efficiency, effectiveness and capability. The VPSC maintains and advocates for public sector professionalism and integrity.

The VPSC issues binding obligations to public officials. These include the *Code of Conduct for Victorian Public Sector Employees* and the *Code of Conduct for Directors of Victorian Public Entities* which applies to board members.

It also issues generic guidance on whole-of-government obligations.

4.4 Watchdog agencies

There are a range of public watchdog agencies set up by the Victorian Parliament. They have the power to:

- set certain integrity and performance standards for the Victorian public sector
- investigate public entities to ensure they are working effectively, efficiently and in compliance with its obligations.

Some examples of watchdog agencies include the Victorian Ombudsman, the Victorian Auditor General's Office (VAGO), and the Independent Broad-based Anti-corruption Commission (IBAC).

4.5 Other whole of government laws and obligations

There are many other laws that apply to the Institute.

Other government departments can also issue directives across the whole-of-government.

A more complete list of whole-of-government laws and obligations is attached in the schedule in Section 13.

5. Establishing Act

The Institute was established as a TAFE under the *Education and Training Reform Act 2006* (Vic). This Act:

- sets out our purpose, role, functions, powers, and key governance obligations
- defines what we do, how we do it and why
- limits our activities by preventing activities inconsistent with our core functions
- can impose extra obligations on top of the usual whole-of-government obligations.

Under this Act, TAFE functions include:

- to oversee and govern the Institute efficiently and effectively and to prepare periodic strategic and management plans for the Institute
- provide efficient and effective technical and further education programs and services responsive to the needs of industry, students and general community
- provide efficient, effective adult, community and further education programs and services which are responsive to community needs and to consult local government about the provision of these services and programs
- offer and conduct a course of study leading to the conferral of a higher education award
- confer higher education
- make adequate arrangements for persons and groups which have not had or do not have adequate access to technical and further education programs and services
- conduct research, development, education, training delivery on a commercial basis for other businesses
- prepare, publish, distribute or license the use of literary or artistic work, audio / visual material or computer software.

6. Human Rights

Public entities have specific requirements under the Charter of Human Rights and Responsibilities 2006 (Vic). These include to:

- act compatibly with the rights set out under the Charter
- give proper consideration to the Charter rights when making decisions
- only limiting Charter rights in a way that is lawful and reflects the least restriction on the relevant right.

There are two external bodies that have distinct roles in regards to the Charter. These are:

- the Victorian Ombudsman, which can consider whether a public entity has acted compatibility with the Charter
- the Victorian Equal Opportunity and Human Rights Commission, which has an education function in relation to the Charter.

7. Information laws

There are three Acts that apply to how the Institute collects, handles, discloses information and responds to information breaches. These are the:

- *Privacy and Data Protection Act 2014* (Vic)
- *Privacy Act 1988* (Cth)
- *Freedom of Information Act 1982* (Vic).

8. Universal laws and obligations

There are many laws and obligations that apply to all businesses or people in Victoria, not just the government. These include the *Occupational Health & Safety Act 2004* (Vic) *and the Equal Opportunity Act 2010* (Vic)*. The regulators for these roles are the:

- Victorian WorkCover Authority, which oversees Occupational Health and Safety (OHS) legislation
- Victorian Equal Opportunity and Human Rights Commission, which conciliates complaints with regard to the Equal Opportunity Act.[1]

We need to follow these laws and obligations the same as any other organisation.

9. Internal documents

Some obligations that apply to the Institute are reflected in government policies, codes of practice or regulations.

A Minister may have issued ministerial directions, statements of expectations or obligations. The Secretary of the Department of Education and Training may have issued guidelines or notifications that we provide certain information.

The Board is required to endorse a strategic plan and operational plans to guide the Institute's operations. As well, the Board and/or Chief Executive Officer will from time to time develop and implement policies to define the compliance regime of the Institute consistent with Government laws and obligations. These internal documents are as important as formal legal frameworks. They represent how we work through our obligations and delivery on our commitments.

10. Compliance and Self-Assurance

The Institute is deliberately shifting its focus from pure compliance to working toward quality and measuring outcomes.

Compliance means adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community standards (AS 3806-2006, Australian Standard: Compliance programs).

Self-Assurance is the way the Institute manages its operations to ensure a focus on quality, continuous improvement and ongoing compliance. Self-assurance focusses on how the Institute integrates systems, checks and balances to support compliance within its design and on an ongoing basis, learning from its practices and finding ways to continuously improve.

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[1] Commonwealth legislation also applies to discrimination and human rights. The Australian Human Rights Commission can also hear and conciliate complaints about discrimination and human rights.

Self-assurance is an important part of managing risk and demonstrate the Institute's commitment and capability to deliver quality training.

Managing compliance supports the Institute to:

- act in the public interest
- guard the welfare of its people and students
- manage public funds responsibly and ethically
- demonstrate integrity in all of its dealings
- maintain relevance as a leading vocational education provider
- ensure ongoing registration with regulatory authorities and receipt of government funding.

11. Compliance Pillars

The Institute manages its compliance obligations against five 'Compliance Pillars':

Financial Controls - As a public sector entity, corporate entity and TAFE, BKI is required to comply with specific financial management practices and to guard against the risk of fraud and corruption and enable our systems to ensure the prudent use of public resources. Our compliance with our financial obligations is supported by internal checks and balances and the Board's appointed Internal Auditor. This Pillar focuses on the Institute's compliance with obligations that are centred on financial control. An element of this is financial viability. This Pillar is not intended to measure financial performance beyond compliance.

Accountability and Integrity - Accountability and Integrity is about being responsible and answerable for our decisions, actions and conduct, how we learn from past mistakes and experiences and how we act in accordance with ethical standards.

People, Wellbeing and Safety - People, Wellbeing and Safety is about the people who we connect with and our duty of care to them, whether that be students, employees or contractors. It is also about the expectations of public sector entities in facilitating people to have equitable opportunity and access to employment and student opportunities and, how we work to provide a positive and safe learning and work environment.

Academic Quality - Academic Quality is about how we deliver our educational services. This Pillar covers the five key phases of the student journey, is mapped against the eight Standards for Registered Training Organisations (RTOs),[2] together with specific State and Federal legislative obligations that relate to the Institute's functions as a vocational education provider and trainer.

VETASSESS – VETASSESS as a distinct trading arm, forms part of the BKI Group and operates under the overarching BKI Compliance Framework. In recognition of revenue and operating models unique to VETASSESS, VETASSESS has several additional compliance obligations. The responsibility for meeting these additional compliance obligations rests with VETASSESS. VETASSESS informs BKI Governance, Risk and Compliance (GRC) team of updates or changes to the VETASESS compliance register and associated activities.

Consistent with BKI, VETASSESS undertakes a compliance assessment every three months and is included in FARMC reporting cycles.

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[2] Marketing and Recruitment, Enrolment, Support and Progression, Training and Assessment, Completion, Governance Arrangements.

1. Compliance activities

This Framework covers the following compliance activities:
- identifying obligations
- identifying potential breaches
- responding to potential breaches
- internal reporting
- attestation processes.

11.1 Identifying obligations

The Institute has a wide range of compliance obligations including legislation, directives, permits, licences, orders issued by regulators, judgements of courts or tribunals, protocols and relevant industry codes and standards. The Institute is also required to comply with its own policies and procedures, as well as with any agreements and contracts it has with external parties. It is important to monitor these.

Compliance obligations can be identified through:
- horizon scanning: receiving information and proactively looking for information about changes in the Institute's regulatory and compliance environment, such as regulatory updates and media releases
- communication with regulatory, government and industry bodies
- legislative updates
- professional associations and memberships
- internal communication
- research and benchmarking with other institutes (i.e. better practice).

The Institute's Risk & Integrity Leads have a role to identify and plan for the Institute's response to changing compliance obligations.

11.2 Identifying potential breaches

A breach or 'compliance failure' is an act or omission leading to the Institute failing to meet its compliance obligations. The Institute applies the following principles to the identification of potential breaches:
- The Institute recognises mistakes happen.
- Employees are not penalised for reporting breaches or for making genuine mistakes.
- The Institute's Employee Code of Conduct applies where employees intentionally do not report breaches.
- Staff can choose to anonymously report improper conduct through the Institute's Speak Up service or by contacting IBAC to make a public interest disclosure complaint. [3]

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[3] Details of BKI's Speak Up Service are outlined in the Institute's *Improper Conduct Policy and Procedure.* In accordance with the *Public Interest Disclosure Act 2012 (Vic),* BKI has established this policy and procedure to:

- Deliberate or negligent breaches of obligations are not tolerated and are dealt with under the Institute's Improper Conduct Policy and Procedure and Employee Code of Conduct as appropriate.

By reporting potential breaches, the Institute can identify systemic issues and ways to improve its processes. In addition to staff reporting, potential breaches can also be identified through other sources, including:

- self-assessments
- attestation processes
- audit reports
- fines, penalties, damages or legal costs
- adverse publicity or media attention
- inquiries from regulators, integrity or government bodies
- allegations, complaints and feedback from stakeholders
- OHS incidents
- systemic errors / problems.

11.3   Responding to potential breaches

The Executive is responsible for ensuring resources and practices and in place to consider and respond to potential breaches. This includes:

- collecting information about a potential breach – What happened? When did it happen? Why did it happen?
- confirming whether a breach has indeed happened and if so, the severity of the breach using the Institute's *Breach Assessment Scale* (refer below to 12.4).
- establishing treatment actions and ensuring a response is proportionate and necessary to the risks posed by a breach
- sharing information about significant breaches and proposed treatments with Governance Risk and Compliance (GRC)
- consulting with GRC if unsure how to proceed
- reporting all breaches (regardless of severity) to GRC on a quarterly basis, via the Institute's Governance, Risk and Compliance system[4]
- reporting breaches to regulators if required.

11.4   Breach Assessment Scale

Significant Breach	Moderate Breach
Examples include: • A material compliance deficiency that a reasonable person would consider has	A moderate breach can be modest or minor. Examples include:

a) explain public interest disclosure complaints about the Institute or any ofits employees or contractors must be made to IBAC
b) explain what supports and assistance are available to enable the reporting of suspected improper conduct
c) explain how BKI considers information about suspected improper conduct
d) summarise BKI's obligations under the Act.

[4] Risk and Integrity Leads have access to the Institute's Governance, Risk and Compliance System

- a material / substantial impact on the Institute's or State's reputation, financial position or financial management.
- Loss of Australian Skills Quality Authority (ASQA) / Victorian Registration and Qualifications Authority (VRQA) registration of other key license or accreditation.
- Significant legal penalties or regulator sanctions applied.
- Criminal convictions of employees, contractors or Directors in connection with their Institute duties.
- Institute prosecution of employees, contractors or Directors.
- Loss of course accreditation or license restriction / sanction which impacts on key operations, strategy or budget.

- A requirement that the Institute is not fully compliant with.
- Legal proceedings resulting in minor or no legal penalties.
- Financial penalty imposed due to a compliance breach.
- Institute receives warning or notice from regulator to rectify breaches and/or undertake specific improvements without penalty
- Minor compliance breach or non-material series of small breaches, identified and rectified internally.
- Correspondence from regulators acknowledging actions taken without further action needed.

11.5   Internal Reporting

Governance Risk and Compliance facilitates reporting of aggregated data to the Executive and Finance Audit Risk Management Committee (FARMC) on a quarterly basis. To enable this, portfolio business units are responsible for completing the *Breach Reporting Template.*

11.6   Attestation Processes

The Institute operates an attestation process to inform the Board's end of year financial reporting responsibilities and where necessary to declare any compliance deficiencies to Government, such as part of the Standing Directions to the Minister for Finance under the *Financial Management Act 2004* (Vic).

11.7   Policy Development

The Board and Chief Executive Officer are accountable for the Institute's policy development program. Relevant Executives are assigned functional responsibility for ensuring policies and procedures are relevant, accurate and updated in accordance with the Institute's *Resources Review Cycle* accessible here.

11.8   Audit and Systems

The Chief Executive Officer is accountable for the rectification of actions arising out of audits, reviews or investigations and for ensuring the Institute has the required systems to support compliance. This includes actions arising from all audits, reviews and investigations, whether commissioned by the Institute through its *Strategic Internal Audit Plan (SIAP),*[5] by the Board, by the Chief Executive Officer, or externally by the Institute's regulators or an oversight body. Relevant Executives are assigned responsibility for the implementation of rectification action in accordance with their functional responsibility.

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[5] The Institute's Strategic Internal Audit Plan is published on the Governance Risk and Compliance intranet page, here.

The Board is responsible for overseeing the SIAP.

11.9   Responsibility

Board/FARMC

- Overarching responsibility for monitoring legislative compliance pursuant to this Framework.
- Responsible for engaging the Institute's Internal Audit and implementing a *SIAP.*
- Provides an end of year declaration to the Victorian government on compliance.
- Attests to the Institute's compliance to a range of obligations, including the Standing Directions.
- Satisfies itself the Compliance Framework accurately reflects the Institute's compliance obligations.

Chief Executive Officer

- Provides leadership and tone for compliance across the Institute and a Speak Up culture.
- Reports to the Board on policy development on an end of year basis.
- Reports to the Board on audit rectification on an annual basis.
- Annually reports to the Board on the development, review, application and compliance of Institute policies.

Chief Governance and Quality Officer

- Executive Sponsor for Legislative Compliance, Risk Management and Audit.
- Provides quarterly reporting to Board on legislative compliance.

Executive

- Although individual Executives may be responsible for ensuring the development of compliance mechanisms, the Executive Team has collective responsibility for legislative compliance oversight and action.

Head of Governance Risk and Compliance

- Leads the Institute's Legislative Compliance, Risk Management and Audit programs.
- Coordinates ongoing development of compliance management processes.

Senior Leadership Teams / Managers

- Implements rectification actions.
- Reports compliance breaches to Governance Risk and Compliance on a quarterly basis and significant breaches as they occur.
- Ensures staff are aware of compliance obligations.
- Identifies new and changing compliance obligations.

Individual Employees

- Adheres to Institute policies and procedures.
- Identifies compliance risks and issues.
- Delivers controls and rectification plans.

11.10   Related Documents

- Employee Code of Conduct

- Feedback Framework, Policy and Procedure
- Improper Conduct Policy and Procedure
- Policy and Procedure Committee Terms of Reference
- Risk Management Framework
- Self-Assurance Plan
- Strategic Internal Audit Plan

Compliance Framework

Context - public sector environment

Laws that apply to Bendigo Kangan Institute as a public sector entity

Agency-specific: establishing Act or terms of reference (sets the agency's purpose, role, functions, powers, and key governance obligations) and related regulations.

Whole of Government: Public Administration Act (PAA) and related codes and other integrity obligations. Financial Management Act and related Standing Directions, Instructions and Guidance, and associated obligations (e.g. compliance with the Victorian Government Risk Management Framework). Other whole of government laws.

Other obligations that apply

Government policy (agency-specific and whole of government). Ministerial directions, guidelines and statements of expectation. Guidelines and notification of information required by the Secretary under s 13A of the Public Administration Act. Premier's Circulars and other whole of government obligations (e.g. Appointment Guidelines). The agency's strategic and business plans, etc.

Public watchdogs

Victorian Ombudsman, VAGO, IBAC and other public watchdogs appointed by Parliament have the power to investigate and report on whether a portfolio agency is meeting required governance and performance standards.

Victorian Public Sector Commission

Promotes public sector integrity and good governance – e.g. issues whole of government integrity codes and requirements under the Public Administration Act, whole of government generic guidance, advice on executive remuneration levels.

On Board

The Victorian Government and the Victorian Public Sector Commission websites.

(Support – e.g. the Institute's *Governance Handbook,* which includes key policies and

Also acts as a **knowledge base and advisory** for the Institute's departments and teams.

Components of the *legislative governance framework*

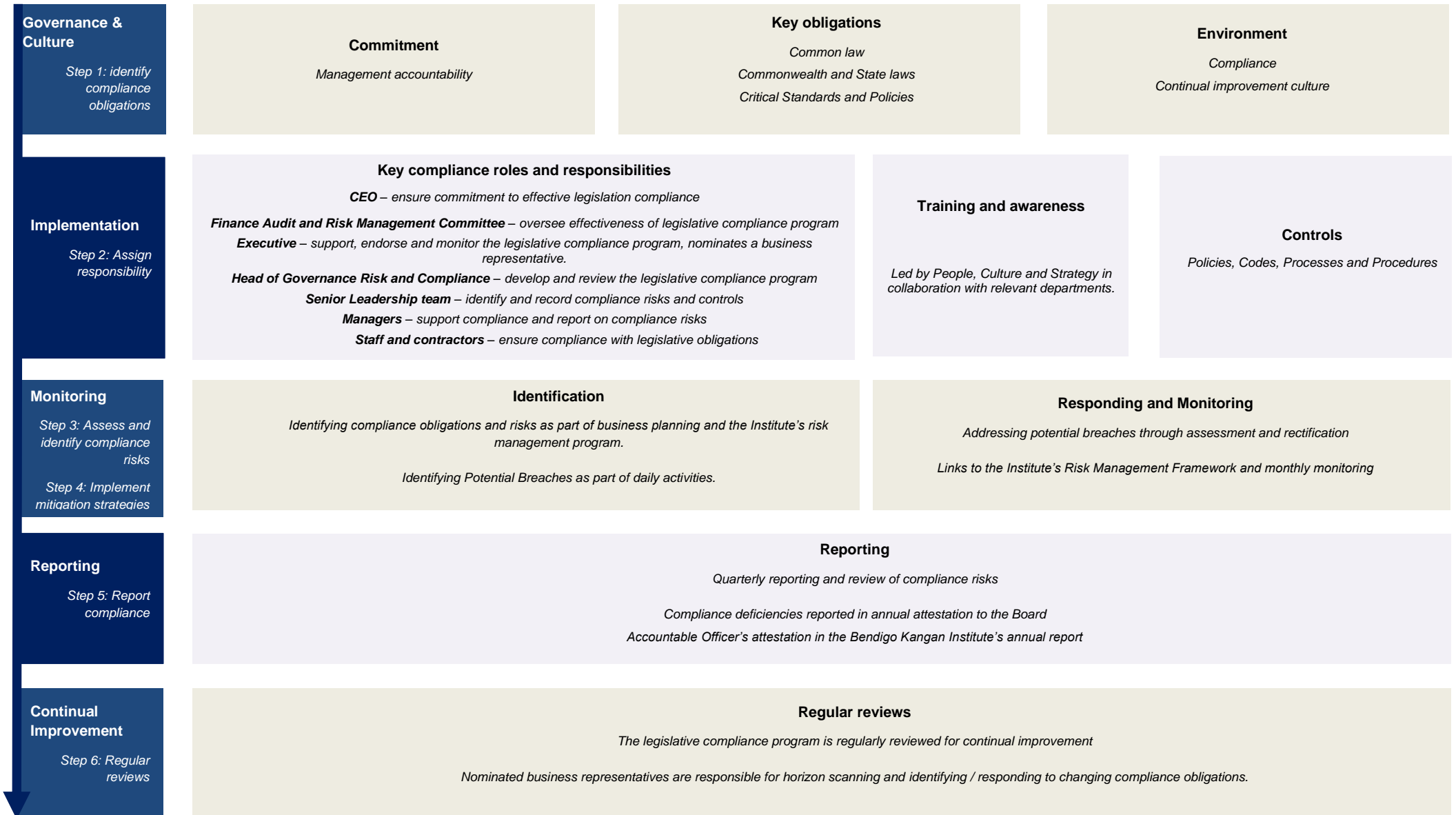### Oversight and support by Governance Risk and Compliance

Partners with the business to facilitate compliance, understanding of obligations and treatment of breaches. Facilitates reporting and works to guard the Institute's integrity and protect its reputation as a vocational education provider and public sector entity. Coordinates policy development across the Institute.

Institute departments

Work to understand their legislative obligations, consults with and reports significant breaches to Governance Risk and Compliances. Responds and addresses breaches as they arise and shares information with Governance Risk and Compliance about breaches on a quarterly basis.

Nominated departmental representatives

Have access to the Institute's horizon scanning tool and identifies emerging changes to laws, regulations and standards. These representatives use these insights to brief responsible Executives and their respective areas on emerging and changing obligations. The work to facilitate compliance in accordance with annual plans and the rectification of breaches.

Version 2.5 at 28 September 2021

Governance & Culture

Step 1: identify compliance obligations

Commitment

Management accountability

Key obligations

Common law

Commonwealth and State laws

Critical Standards and Policies

Environment

Compliance

Continual improvement culture

Implementation

Step 2: Assign responsibility

Key compliance roles and responsibilities

CEO *– ensure commitment to effective legislation compliance*

Finance Audit and Risk Management Committee *– oversee effectiveness of legislative compliance program*

Executive *– support, endorse and monitor the legislative compliance program, nominates a business representative.*

Head of Governance Risk and Compliance *– develop and review the legislative compliance program*

Senior Leadership team *– identify and record compliance risks and controls*

Managers *– support compliance and report on compliance risks*

Staff and contractors *– ensure compliance with legislative obligations*

Training and awareness

Led by People, Culture and Strategy in collaboration with relevant departments.

Controls

Policies, Codes, Processes and Procedures

Monitoring

Step 3: Assess and identify compliance risks

Step 4: Implement mitigation strategies

Identification

Identifying compliance obligations and risks as part of business planning and the Institute's risk management program.

Identifying Potential Breaches as part of daily activities.

Responding and Monitoring

Addressing potential breaches through assessment and rectification

Links to the Institute's Risk Management Framework and monthly monitoring

Reporting

Step 5: Report compliance

Reporting

Quarterly reporting and review of compliance risks

Compliance deficiencies reported in annual attestation to the Board

Accountable Officer's attestation in the Bendigo Kangan Institute's annual report

Continual Improvement

Step 6: Regular reviews

Regular reviews

The legislative compliance program is regularly reviewed for continual improvement

Nominated business representatives are responsible for horizon scanning and identifying / responding to changing compliance obligations.

12.   FRAMEWORK REPORTING

Section 1: Compliance Registers

The Institute reviews its compliance on a quarterly basis against the five compliance pillars. This review is informed by the Institute's Breach Reporting process described under the *Responding to Potential Breaches and Internal Reporting* sections of the *Compliance Framework* and is shared with the Senior Leadership Team for activation. Upon activation the review assessment is reported to the Executive, Finance Audit Risk Management Committee and Board. The Institute's Board is ultimately responsible for overseeing and ensuring the institute's compliance with its legislative obligations.

The Institute's compliance reporting is assessed against the following Grades, outlined below in the Compliance Reporting – Risk Assessment Guide.

COMPLIANCE REPORTING - RISK ASSESSMENT GUIDE

Grade	Description	Compliance definition
NC	**Non-Compliant**	Controls are not in place, or the requirements of the objective have not been met, or adequate, relevant and suitable information to form an objective determination on effectiveness was not available to demonstrate compliance. Findings noted are considered material in nature and require urgent remedial action. OR Systematic non-compliance identified.
PC	**Partially Compliant**	Key requirements of the objective have been met but only minor achievements in compliance have been demonstrated. Findings noted are considered significant and require correction. OR Instances of non-systemic non-compliance were identified.
C	**Compliant**	Controls are in place and requirements of the control objective have been met with some minor failures or breaches. Breaches are considered minor and require routine efforts to correct in the normal course of business. OR Compliance issues were not identified.
⚠	**High Risk Obligation**	Obligations determined to carry a 'high risk' classification, in view of: • their impact on people, or • related risks within the Institute's Risk Register that carry a residual risk level, or • declared risk areas by the Australian Skills and Qualifications Authority (ASQA) per its *Regulatory Strategy 2020-22*. and ASQA's *Regulatory Risk Priorities 2022-23*. Obligations with a 'high risk' classification inform the Institute's effort and prioritisation of enhanced compliance.

Full quarterly compliance reports against the five compliance pillars are located in the GRC compliance system and copies are also retained here. Below is an abridged version which does not contain the quarterly assessments

1.1   Accountability and Integrity

Accountability and Integrity is about being responsible and answerable for our decisions, actions and conduct, how we learn from past mistakes and experiences and how we act in accordance with ethical standards.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
Education and Training Reform Act 2006 (Vic), *Bendigo Kangan Institute Constitution*	Chief Executive Officer	• Strategic plan (reviewed annually by Board) • Operational plan • Determine policies relating to employment of staff (Employment Framework, policies and procedures) • Annual statement of corporate intent: consistent with strategic plan developed; details services to be provided, funds to be provided to Institute, objectives, priorities and KPIs, reporting to Minister. Drafted September, submitted October. Quarterly reporting. • Prepare Annual Report. • VET Funding Contract • Strategic Planning Guidelines, including preparing Annual Return (Director membership, compliance, compliance plan).	Strategic plan, operational plan, annual return, quarterly reporting submitted in accordance with Strategic Planning Guidelines. DET oversight of VET Funding Contract.
Privacy and Data Protection Act 2014 (Vic), Privacy Act 1988 (Cth), Victorian Protective Data Security Standards, Health Records Act 2001 (Vic)	Chief Governance and Quality Officer (Privacy) Chief Operating Officer / Chief Information Officer (Victorian Protective Data Security Framework (VPDSF))	• Policies, procedures and training to support all workplace participants to comply • Privacy and FOI Policy • Privacy Impact Assessment prompted through Business Case • Privacy Impact Assessment 'fact sheet' • Privacy Collection Statement • Protective Data Security Standards Attestation • Education provided to staff • Annual Privacy Awareness campaign (May) • **NEW:** dedicated resource (Manager Records, Information and Capability)	• Assessments by external bodies, including the Office of the Victorian Information Commissioner (OVIC) • Monitoring the number and type of privacy complaints by individuals • DET oversight of VET Funding Contract, clause 4.6 (applicable laws).
Public Records Act 1973 (Vic), s254 Crimes Act 1958 (Vic)	Chief Governance and Quality Officer	• Records Management Policies, Procedures and Framework • Records Management Systems (in development) • Essential Learning Framework – Records Management responsibilities	• Assessment against Public Records Office policies • Relevant convictions.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
(records management, retention and document destruction)			
Copyright Act 1968 (Cth)	Chief Experience and Growth Officer	• Copyright Portal. • Statutory Text and Artistic Works Licence – Copyright Agency Limited. • Section 113P Notice to be included on print and electronic resources. • Copyright Process – third party content • Copyright Permissions Database. • BKI Copyright Compliance Guidelines. • Good practice guides, Fact sheets and *Frequently Asked Questions* for teachers. • Images for education use – including Shutterstock licence.	Copyright Agency Limited audits
Freedom of Information Act 1982 (Vic), Freedom of Information Regulations 2019 (Vic), Freedom of Information Regulations (Charges) 2019 (Vic)	Chief Governance and Quality Officer	• Information and Privacy Policy • Designated functional responsibility	• Assessments by external bodies, including the Office of the Victorian Information Commissioner (OVIC)
Public Interest Disclosure Act 2012 (Vic), Independent Broad-based Anti-corruption Commissioner Act 2011 (Vic)	Chief Governance and Quality Officer	• Appointed Public Interest Disclosure Coordinators • Improper Conduct Policy and Procedure • Investigation Procedure • Welfare support to staff involved in investigations • Integrity and Corruption Officer facilities reporting of suspected corrupt conduct to IBAC Complementary / Best Practice: • Fraud and Corruption Risk assessment • SpeakUp portal • Integrity and Corruption Officer / Head of Governance Risk and Compliance investigates Speak Up cases that do not involve corrupt conduct or on referral by IBAC	• Investigations by IBAC and Victorian Ombudsman (public interest disclosures and improper conduct) • Confidentiality maintained.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
		• Conflict of interest policy and declaration process • Gifts, benefits and hospitality policy, declaration process	
Ombudsman Act 1973 (Vic)	Chief Governance and Quality Officer	• Feedback Framework, Policy and Procedure (Complaints and Compliments) and accompanying templates and evaluation form. • Designated Liaison Officer	• Enquiries and investigations (complaints and own motion) by Victorian Ombudsman.
Prevention of Cruelty to Animals Act 1986 (Vic)	Chief Industry Engagement and Education Delivery Officer	• Animal Ethics Committee - Standard Operational Procedures, application for use template. • Application of Wildlife and Small Institutions Animal Ethics Committee Procedures for: Unexpected adverse event, complaint, non-compliance • Agriculture Victoria licence to support Animal Studies – Certificate II and III in Animal Studies, Certificate IV in Companion Animal Services, Certificate IV in Veterinary Nursing and Diploma of Veterinary Nursing. • Feedback (Complaints and Compliments Policy and Procedure).	• Royal Society for the Prevention of Cruelty to Animals (RSPCA) investigations and outcomes • Agriculture Victoria license maintained. • Animal Ethics self-assessment and annual returns to Agriculture Victoria. • Reviews conducted by Wildlife and Small Institutions Animal Ethics Committee, Department of Jobs, Precincts and Regions.
Complaint Handling - Australian Skills Qualifications Authority Standards for Registered Training Organisations 2015, Fair Work Act 2009 (Cth), Ombudsman Act 1973 (Vic)	Chief Governance and Quality Officer	• Complaint Management Process on external website • Feedback Framework, Policy and Procedure (Complaints and Compliments) and accompanying templates and evaluation form.	• ASQA / VRQA Re-registration. • Enquiries and investigations by oversight bodies, including in relation to VET Funding contract.
Victorian Public Sector Code of Conduct	Chief People Culture and Strategy Officer, Chief Governance and Quality Officer	• Speak Up • Employment contracts • Feedback Framework (Complaints and Compliments) • Key policies and procedures: Conflicts of Interest, Gifts Benefits and Hospitality, Improper Conduct	• Ombudsman investigations and enquiries • IBAC investigations and enquiries
Australian Consumer Law and Fair Trading Act 2012 (Cth), Competition and Consumer Regulations 2010 (Cth)	Chief Experience and Growth Officer	• Annual pricing review • Student contact hours x claimable fee • Product catalogue (JR Plus) • Registration Scope • Training and Assessment Strategies link to course information. • Customer Reference Number (CRN) informs course information. • Internal review and quality assurance processes. • Department of Premier and Cabinet review.	• Reviews by DPC, ACCC, Consumer Affairs Victoria. • DET oversight of VET Funding Contract, clause 4.6 (applicable laws).

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
Administrative Law – Procedural Fairness	Chief Governance and Quality Officer, Chief People Culture and Strategy Officer	• Delegations of Authority Framework • Policy and Procedure Suite.	• Reviews of appropriate use of delegations to exercise of powers under legislation, policy and procedure. • Ombudsman reviews. • Legal challenges to administrative decisions (VCAT, courts).
Local Jobs First Policy	Chief Operating Officer	• Procurement Guide.	• Strategic Internal Audit Plan – Local Jobs First Policy Compliance Review • Oversight from Industry Capability Network (ICN) and Local Jobs First Commissioner.

1.2   Financial Controls

As a public sector entity, corporate entity and TAFE, BKI is required to comply with specific financial management practices and to guard against the risk of fraud and corruption and enable our systems to ensure the prudent use of public resources. Our compliance with our financial obligations is supported by the internal audit functions. Although financial viability is an element of this pillar, this pillar encompasses our broader obligations with respect to Financial Controls.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
Audit Act 1994 (Vic)	Chief Operating Officer	• Internal audit program • Performance audits by VAGO	• Financial and performance reviews by the Auditor-General

Financial Management Act 1994 (Vic)
Standing Directions
 	
⚠️
 	
(Standing Directions to the Minister for Finance, Asset Management)
	Chief Finance Officer (Standing Directions, Asset Management, Public Construction, Victorian Government Purchasing Board)
	
	Chief Governance and Quality Officer (Victorian Government Risk Management Framework, Gifts Benefits and Hospitalities Accountability)
		Standing Directions to the Minister for Finance:
		• Financial management policies and procedures
		• Financial sustainability planning and performance management
		• Financial Code of Conduct
		• Fraud and Corruption Policy, Guidelines and Plan
		• Improper Conduct Policy and Procedure
		• Systems, controls and training for:
		  – Financial transactions
		  – Financial delegations
		  – Procurement and contracting
		  – Corporate credit cards
		  – Fraud and corruption (integrity e-learn)
		  – Business continuity / preparedness
		Asset Management:
			• Annual Financial Management Compliance Report
			• Victorian Government Risk Management Framework
			• Financial compliance reporting to Department of Education and Training
			• Reports to Finance Audit Risk Management Committee
			• Theft. Corruption and other losses Ministerial reporting
			• Annual report

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
	Chief Experience and Growth Officer (Sponsorship)	• Strategic Asset Management Plan **Victorian Government Purchasing Board / Public Construction:** • Systems, controls and training for: – Procurement and contracting **Victorian Government Risk Management Framework:** • Risk management Framework (mandated annual review) • Risk management policy and procedure • Gifts benefits and Hospitalities Accountability • Policy • Register published annually on website • Annual review of declarations • Annual communications to staff.	
Financial Viability (ASQA Standards for RTOs 2015 (Cth))	Chief Operating Officer	• DET Scenario modelling. • FARMC / Board Endorsed Budget Approach. • Quarterly Financial Forecasts (Board approved). • Cure Plan; financial viability risk assessment complete. • Independent financial assessments and audit opinions (VAGO).	• ASQA Re-registration. • DET Scenario modelling. • VAGO Audit; no adverse letter of comfort.

1.3 People, Wellbeing and Safety

People, Wellbeing and Safety is about the people who we connect with and our duty of care to them, whether that be students, employees or contractors. It is also about the expectations of public sector entities in facilitating people to have equitable opportunity and access to employment and student opportunities and, how we work to provide a positive and safe learning and work environment.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
Occupational Health and Safety Act 2004 (Vic), Workplace Safety Legislation Amendment (Industrial Manslaughter and Other Matters) Act 2019 (Vic)	Chief People Culture and Strategy Officer	- Essential Learning – OHandS, Workplace Manslaughter - Visible Capable Health, Safety and Wellbeing Leader Program - Return to Work program - Critical Incident Management Framework - Positive Workplace Behaviours Policy - Incident reporting system - Internal investigations - Employee Assistance Program - TalkCampus - Health, Safety and Wellbeing Framework - Workplace inspections - OHS Committee	- Incident reports - Internal investigations / audits - WorkSafe investigations - Analysis of leave trends and other workforce data - Strategic Internal Audit Plan 2022 - ASQA / VRQA; Safety Management System oversight. - DET oversight of VET Funding Contract, clause 4.6 (applicable laws).
Equal Opportunity and Human Rights Act 2010 (Vic), Racial and Religious Tolerance Act 2011 (Vic)	Chief People Culture and Strategy Officer	- Recruitment Policy. - Positive Workplace Behaviours Policy. - Induction Process. - Annual Compliance Training. - Student Accessibility and Wellbeing Policy.	- Fair Work Commission actions - Grievance reports - Victorian Equal Opportunity and Human Rights Commission / Australian Human Rights Commission outcomes - DET oversight of VET Funding Contract, clause 4.6 (applicable laws).
Fair Work Act 2009 (Cth), Public Administration Act 2004 (Vic), Bendigo Kangan Institute PACCT Staff Enterprise Agreement 2018, Victorian TAFE Teaching Staff Agreement 2018, common-law, Public entity Executive Remuneration Policy. *Code of Conduct for VPS employees* *Premier's Circulars* *Public Administration (Public Sector Communication) Regulations 2018*	Chief People Culture and Strategy Officer, Chief Governance and Quality Officer	- Enterprise Bargaining Agreement - Human Resources policies, procedures and training for - Employee performance planning and management - Leave management - Recruitment - Payroll - Organisational Change - Organisational Culture initiatives Complementary / Best Practice: - Speak Up - Feedback Framework	- Fair Work Commission actions - Reviews or investigations by oversight bodies - Complaints reports - Strategic Internal Audit Plan 2021: Implementation of EBA and HR Processes

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
Crimes Amendment (Bullying) Act 2011 (Vic)	Chief People Culture and Strategy Officer	• Positive Workplace Behaviours Policy	• Bullying convictions
Gender Equality Act 2020 (Vic)	Chief People Culture and Strategy Officer	• Gender Impact Assessments • Workplace Gender Audit complete and lodged by Dec 2021 • Gender Equality Action Plan submitted to Commissioner by 31 Mar 2022. • Bi-annual submission of progress report to Commissioner. • Training of all leaders in Mar 2022.	• Reviews by and enforcement by Gender Equality Commissioner. • Annual Report
Emergency Management Act 2013 (Vic)	Chief People Culture and Strategy Officer	• Emergency Management Plan and Procedures. • Scenario based drills. • See Compliance Mechanisms under Occupational Health and Safety (above).	See Assessment Mechanisms under Occupational Health and Safety (above).
Equipment (Public Safety) Regulations 2017 ⚠️	Chief People Culture and Strategy Officer, Chief Operating Officer	• See Compliance Mechanisms under Occupational Health and Safety (above). • Fault management and response.	See Assessment Mechanisms under Occupational Health and Safety (above).
Charter of Human Rights and Responsibilities Act 2006 (Vic), Disability Act 2006 and Regulations 2018 (Vic)	Chief Governance and Quality Officer	• Student Welfare and Accessibility • Flexible Workplace Policy • Student Code of Conduct	• Ombudsman human rights enquiries and investigations • Fair Work Ombudsman / Commission determination • DET oversight of VET Funding Contract, clause 4.6 (applicable laws).
Wage Theft Act 2020 (Vic)	Chief People Culture and Strategy Officer	• Payroll reviews. • Speak Up.	• Strategic Internal Audit Plan (2021) – Implementation of EBA and Payroll Processes • Feedback (Complaints and Compliments)
Modern Slavery Act 2018 (Cth) ⚠️	Chief Governance and Quality Officer, Chief Operating Officer	• Modern Slavery Statement • Supplier Code of Conduct • Integrity and Feedback Frameworks • Procurement Strategy • Recruitment Policy • Child Safety Policy • Mandatory processes – international student acquisition services • Strategic Internal Audit Plan. Other key actions: • Prequalification checks for all suppliers (Victorian Government Purchasing Board requirements) • Working with suppliers to check how they progress their own anti-modern slavery initiatives.	• Reviews by Australian Border Force. • Audit outcomes. • Annual statement submitted 30 June each year.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
		• Conducting an annual modern slavery risk assessment to identify progress and revise key activities. • Explore integration of key performance measures into existing contracts to enable review of anti-modern slavery practices. • Retire existing contracts that do not enable sufficient mechanisms to examine anti-modern slavery practices and ensure new contract reflect modern slavery prevention standards and audit arrangements, where possible. • Conduct desktop audits to key risk suppliers, partners and vendors across procurement, recruitment and international student agents to identify and address the prospect of exploitation occurring within supply chains. • Implement a Human Rights Policy.	
Children Youth and Families Act 2005 (Vic), Child Wellbeing and Safety Act 2005 (Vic), Working with Children Act 2005 and Regulations 2016 (Vic)	Chief Experience and Growth Officer	• Child Safety Officer • Recruitment Policy – Working with Children Clearances • Child Safety Policy • Child Safety Toolkit	• Commission for Children and Young People • Strategic Internal Audit Plan (2021). • DET oversight of VET Funding Contract, clause 4.6 (applicable laws).
Public Health and Wellbeing Act 2008 (Vic), Liquor Control Reform Act 1998 (Vic), Food Act 1984 (Vic)	Chief People Culture and Strategy Officer	• Liquor licenses obtained for Broadmeadows, Bendigo and Echuca. • Health registrations obtained to support Creative Industries – Beauty Therapy, Certificate III Beauty Services and Certificate III Make-up at Bendigo (Bendigo City Council) and Cremorne (Yarra City Council). • Food Act registration obtained to support Hospitality Commercial Cookery and Retain Baking (Campaspe Shire Council and Hume City Council)	• Investigations by Victorian Commission for Liquor and Gambling Regulation / local government. • Maintained registrations and licences.
Victoria Police Act 2013 (Vic)	Chief Industry Engagement and Education Delivery Officer, Chief Executive Officer	• Security Training license • All training conducted face to face and location permission granted by Chief Commissioner. • Provision of list of successful completion (student) provided to Victoria Police. • Maximum class numbers 20 persons. • Security training not subcontracted.	• License maintained.

1.4 Academic Quality

Academic Quality is about how we deliver our educational services. This Pillar covers the five key phases of the student journey, is mapped against the eight Standards for Registered Training Organisations (RTOs),[6] together with specific State and Federal legislative obligations that relate to the Institute's functions as a vocational education provider and trainer.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
ASQA Standards for RTOs 2015 – Governance Arrangements, Fit and Proper Persons	Chief Governance and Quality Officer, Chief Executive Officer	- Governance Handbook. - Fit and proper person requirements declaration. - Checklist for on-boarding	ASQA Registration Self-Assurance Plan Self-Assurance Practice Guide
ASQA Standards for RTOs 2015 – Marketing and Recruitment	Chief Governance and Quality Officer, Chief Experience and Growth Officer	- Product catalogue (JR Plus) - Website course information (fees, course requirements) - VET Student Loans disclosure - RTO details (logo, code etc) correct and provided	ASQA Registration Self-Assurance Plan Self-Assurance Practice Guide
ASQA Standards for RTOs 2015 – Enrolment	Chief Governance and Quality Officer, Chief Experience and Growth Officer	- Learner needs – Pre-training review - Recognition of Prior Learning / Credit Transfer - Course information correct – national register - Disclosure – learner obligations - Disclosure – materials and consumables - Disclosure – government entitlements and subsidy - Disclosure – fees, charges and refunds (Census date)	ASQA Registration Self-Assurance Plan Self-Assurance Practice Guide
ASQA Standards for RTOs 2015 – Training and Assessment ⚠️ ASQA Regulatory priorities: - Aged care and disability support training ASQA Strategic Initiative focuses: - Online learning in VET sector. - VET in schools. Products of concern: - TAE40116 – Cert IV in Training and Assessment - CHC33015 – Cert III in Individual Support	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	- Training and Assessment strategies reflect Training Package - Learning and assessment resources developed and relevant - Industry engagement - Validation – 5-year review - Employed Skilled Trainers and Assessors - Staff qualification matrix.	ASQA Registration and oversight of Australian Qualifications Framework Self-Assurance Plan Self-Assurance Practice Guide Documented evidence

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[6] Marketing and Recruitment, Enrolment, Support and Progression, Training and Assessment, Completion, Governance Arrangements.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
• SIT30816 Cert III in Commercial Cookery • CPCCQHS1001 Prepare to work safely in the construction industry ASQA Regulatory priorities (other): • CHC50121 Diploma of Early Childhood Education and Care • Cert III Early Childhood Education and Care • BSB60420 Advanced Diploma Leadership and Management • VET in Schools • Online delivery • Academic cheating ASQA standards of concern: • 1.8 implement effective assessment systems • 1.1 have appropriate training and assessment strategies in practices • 3.1 have the resources to provide quality training and assessment, including sufficient trainers and assessors, learning resources, support services, equipment and facilities • 1.2 appropriate amount of training is provided, taking account of the skills, knowledge and experience of the learner and mode of delivery.			
ASQA Standards for RTOs 2015 – Completion ASQA Standard of concern: 3.1 AQF certification is issued only where the learner has been assessed as meeting training product requirements.	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Issuance of certificates; eQuals • Use of unique student identifier	ASQA Registration and oversight of Australian Qualifications Framework Self-Assurance Plan Self-Assurance Practice Guide
ASQA Directions: Third party arrangements for training and/or assessment of VET courses	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Third party template agreement. • Notification to ASQA	ASQA Registration Self-Assurance Plan Self-Assurance Practice Guide
ASQA Directions: Retention requirements for completed student assessment items	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Records Management Policy and Procedure.	ASQA Registration Self-Assurance Plan Self-Assurance Practice Guide
ASQA Directions: Learner transition	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Registers of all transitioning courses • Dedicated resources to support transition • Scope of Registration Policy / Procedure	ASQA Registration Self-Assurance Plan Self-Assurance Practice Guide
ASQA Directions: Quality Indicators	Chief Governance and Quality Officer, Chief Industry	• Self-Assurance Plan • Self-Assurance Practice Guide	ASQA Registration Self-Assurance Plan

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
	Engagement and Education Delivery Officer		Self-Assurance Practice Guide
Tertiary Education Quality and Standards Agency (TEQSA) National Standards for Foundation Programs	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• BKI Constitution enables it to offer degrees but we do not. Inactive obligation.	Inactive obligation.
ELICOS Standards 2018 (Cth) Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• ESOS Framework and CRICOS Registration Policy. • CRICOS Registered and CRICOS Scope of Registration; applications in prescribed form. • Links to National Code for Education Services for Overseas Students (ESOS) (see further below)	CRICOS Registration via ASQA
VRQA Guidelines for non-school senior secondary providers Standards	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Child Safety Policy and Procedure	VRQA Registration
Guidelines about Apprenticeship / Traineeship Training Delivery (Higher Education Skills Group)	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Apprenticeship procedure	Department of Education and Training Review Regulated through VRQA.
VET Funding Contract – Skills First Program	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Contract notifications • Monthly Quality Assurance education sessions.	DET Internal Audit Checklist DET audits (BPA / TCA) Internal audits
VET Student Loans Act 2016 (Cth), VET Student Loans Rules 2016 (Cth)	Chief Governance and Quality Officer	• VET Student Loans reporting • Data quality assurance	• Strategic Internal Audit Plan (2021) • Oversight by Department of Education, Employment and Skills • Reviews and investigations conducted by Commonwealth Ombudsman (VET Student Loans Ombudsman)
Student Identifiers Act 2014 (Vic)	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• Student assigned unique student identifier • Privacy and FOI Policy	Office of the Victorian Information Commissioner (OVIC) reviews
Education Services for Overseas Students 2018 (Cth) ⚠️ ASQA Regulatory priorities: International student delivery for: • CHC33015 Cert III Individual Support • CHC50121 Diploma of Early Childhood Education and Care • CHC20121 Cert III Early Childhood Education and Care	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• All courses offered to international students registered on CRICOS • Maintain student and agent details on PRISMS (6 monthly review) • CRICOS applications in response to Training Package and Scope of Registration updates. • Require BKI dedicated resource to allocate responsibility to oversee international compliance	• ASQA compliance oversight • ASQA Registration • CRICOS Registration • Provider Registration and International Students Management System (PRISMS) • National Code 2018 • Department of Home Affairs (DHA) investigations and reviews.

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
• CHC43015 Cert IV Ageing Support • CHC52015 Diploma in Community Services • RII60520 Advanced Diploma of Civil Construction Design			• Commonwealth Department of Education and Training investigations and reviews. • Internal audit process for ASQA registration (Quality Assurance).
National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)	Chief Governance and Quality Officer, Chief Industry Engagement and Education Delivery Officer	• International Policy and Procedures • Authorised Education Agents have a current agent agreement stating roles, regulations and obligations under ESOS and the National Code • Agent details on PRISMS • Marketing Handbook and publication checklists. • Training on international students, roles and responsibilities. • Check student eligibility to study on Visa Entitlement Verification Online (VEVO) • Letter of Offer and Acceptance Agreement. • Forms and checklists against Department of Home Affairs Genuine Temporary Entrant requirements. • Official English language levels verified IELTS/PTE for authenticity. • Victorian Curriculum and Assessment Authority (VCAA) Year 12 equivalence verified • International annual course guide frequently updated. • Maintain accurate records on international website.	• Department of Home Affairs Checklist Tool for subclass 500 • VEVO • Website review • IELTS/PTE verification check • Internal Audit Checklist (ASQA)

1.5 VETASSESS

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
Australian Skills Qualifications Authority (ASQA) Standards for Registered Training Organisations 2015	Executive Director VETASSESS Head of VET	• Internal Audits carried out by VETASSESS to evaluate compliance • Policies and procedures to support all relevant staff members to comply	• Annual declaration of compliance • External audit by ASQA
Guidelines for Skilled Migration Assessing Authorities 2021	Executive Director VETASSESS Group Manager, SRGO	• Internal audits are carried out by staff to evaluate ongoing compliance • Internal case audits are also conducted to evaluate staff compliance to Skills Recognition - General Occupation policies and procedures • Skills Recognition - General Occupation Assessment Policy and related procedures	• External Audit by DoHA • Documentation for approval criteria - Application to become a migration assessing authority
Disability Discrimination Act 1992 (Cth)	Executive Director VETASSESS Head of VET	• Vocational Education Training (VET) Department Assessment Policy and related procedures	• External audit by TRA • Reviews and/or investigations by relevant bodies under legislation and/or standards
Indigenous Procurement Policy	Executive Director VETASSESS	• Indigenous Participation Plan • Internal audits to support compliance	• External audit by TRA • Reviews and/or investigations by relevant bodies under legislation and/or standards
Australian Signals Directorate - Information Management Security Manual (as applicable)	Head of ICT	• IT Security Audits are conducted and issues reported in line with IMSM requirements • IT security practices are enforced, as outlined in ICT policies including the IT Incident Management Policy and Procedure	• External audit • Reviews and/or investigations by relevant bodies under legislation and/or standards
Australian Signals Directorate – Strategies to Mitigate Cyber Security Incidents	Head of ICT	• IT Security Audits are conducted and security practices enforced • Systems are protected with centrally managed endpoint protection software and centralised delivery of security updates	• External audit • Reviews and/or investigations by relevant bodies under legislation and/or standards

Relevant Legislation and Standards	Responsible Executive/s	Compliance Mechanisms	Assessment Mechanisms
		• Security Awareness training modules delivered for staff	
ISO 9001:2015 Quality Management Systems	Executive Director VETASSESS	• Quality Manual • Quality Management System maintained • Internal quality audits carried out against the standards	• SAI Global External surveillance and certification audits
Occupational Health and Safety Act 2004	Executive Director VETASSESS	• Annual OHS Internal Audits undertaken • VETASSESS OHS Policy • OHS Committee reporting to SMT	• OHS External Audit
Relevant Legislation and Standards	**Responsible Executive/s**	**Compliance Mechanisms**	**Assessment Mechanisms**
		• Safety WALCS implementation	• Reviews and/or investigations by relevant bodies under legislation and/or standards
Privacy Act 1988 (Cth) *Privacy and Data Protection Act 2014 (Vic)*	Executive Director VETASSESS	• VETASSESS Privacy Policy and Privacy Statement • Appointment of VETASSESS Privacy Officer • Internal audit/compliance review	• Office of the Australian Information Commissioner reviews and investigations • Commissioner for Privacy and Data Protection reviews and investigations • Reviews and/or investigations by relevant bodies under legislation and/or standards
National Archives Act 1983 (Cth)	Executive Director VETASSESS	• VETASSESS Data, Information and Records Management Policy • Internal audit/compliance review	• External Audit • Reviews and/or investigations by relevant bodies under legislation and/or standards
Public Records Act 1973 (Vic) *Retention and Disposal Authority for Records of Common Administrative Functions (PROS 07/01)*	Executive Director VETASSESS	• VETASSESS Data, Information and Records Management Policy • Internal Audit	• Reviews and/or investigations by relevant bodies under legislation and/or standards • Commissioner for Privacy and Data Protection reviews and investigations

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Section 2: Policy Development and Compliance

The Board and Chief Executive Officer are accountable for the Institute's policy development program. Relevant Executives are assigned functional responsibility for ensuring policies and procedures are relevant, accurate and updated in accordance with the Institute's *Resources Cycle*. The CEO will report to the Board annually in July on the development, review, application and compliance of BKI policies.

Assessment of the Institute's policy development and compliance currency and performance is located here.

Section 3: Audit Review and Systems

The Chief Executive Officer is accountable for the rectification of actions arising out of audits, reviews or investigations and for ensuring the Institute has the required systems to support compliance. This includes actions arising from all audits, reviews and investigations, whether commissioned by the Institute through its *Strategic Internal Audit Plan,* by the Board, by the Chief Executive Officer, or externally by the Institute's regulators or an oversight body. Relevant Executives are assigned responsibility for the implementation of rectification action in accordance with their functional responsibility.

The CEO will annually report to the Board in August on the status of internal audit and review recommendations.

In addition, Governance, Risk and Compliance reports monthly to the Executive on audit rectification and works with Risk & Integrity Leads to support progress

The Board is responsible for overseeing the Institute's *Strategic Internal Audit Plan.*

A copy of the Plan and associated Internal Audit governance documentation is located here.