POLICY NUMBER: NDIS GOV 16

INTENT

The intent of this policy is to set out Real Living Options Association Inc. responsibilities for compliance with the law and the governance structures and processes that have been established to give effect to these responsibilities.

DEFINITIONS

Compliance - *means ensuring that the requirements of laws, regulations, industry codes and Service standards are met.*

Legal Compliance – *ensures adherence to laws, statutes and regulations applicable to all Services.*

Regulatory Compliance – *focuses on industry-specific rules and regulations set by regulatory bodies.*

POLICY STATEMENTS

- The operations of Real Living Options Association Inc. are subject to a wide range of legal requirements embodied in legislation, regulations, standards, codes, guidelines and similar binding instruments. These include (but are not limited to):
    - National Disability Insurance Scheme (NDIS) Act and Regulations
    - Workplace health and Safety Legislation
    - Industrial Relations Legislation
    - Anti-discrimination legislation, including that relating to equal opportunity, racial vilification and disability discrimination
    - Taxation Legislation
    - Privacy Legislation
- Real Living Options Association Inc. is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements, and requires that Management Committee, Staff, Volunteers and Contractors acting on behalf of the Service meet the same standards.
- There is no circumstance under which it is acceptable for Real Living Options Association Inc. or any of its Management Committee, Staff, Volunteers or Contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing their duties.
- A culture of legislative compliance will be fostered throughout the Service.

PROCEDURES

Real Living Options Association Inc. will achieve compliance in the following ways:

- A register of all legislation, awards and standards affecting the Association will be maintained.
- Hard or electronic copies of relevant legislation, awards and standards are available to all Management Committee, Staff and Volunteers.
- Supervising Staff must read and have a working knowledge of the legislation, awards and standards which are relevant to their roles, and the roles of Staff they supervise.
- Staff working directly with Participants will receive training in the necessary knowledge and understanding of legislative requirements relevant to the work they are carrying out as part of their induction, training and where it is identified that training is needed or requested via Performance Achievement Plans and feedback forms.
- The legislative compliance requirements will be implemented and monitored by:
    - ensuring that significant compliance responsibilities and accountability requirements are included in the particular Role and Responsibilities, Terms of Employment, and adherence is assessed through Performance Achievement Plans
    - ensuring that Induction processes, workplace practices, systems and procedures include documentation and information on compliance matters
    - reporting and investigating any incident, occurrence or complaint suspected to constitute a breach or non-compliance with any legal requirement, to establish if corrective action is required
    - designing and implementing system improvements to correct weaknesses that could result in a breach of a legislative requirement
- The General Manager will report to the Management Committee on any improvements taken and/or required to maintain compliance.
- Improvements required to achieve legislative compliance will be recorded in the Continuous Improvement Register.
- Any breach of legislative or regulatory obligations will be taken seriously and may result in performance management or disciplinary action, notification to the NDIS Quality and Safeguards Commission or relevant authority, mandatory incident reporting and/or corrective action and monitoring.

DELEGATIONS

Management Committee

- Ensure as far as practicable that the Service meets legislative requirements in all its activities.
- Monitor General Manager and Staff compliance performance by way of ensuring the General Manager periodically delivers management reports and assurances.

General Manager

- Ensure as far as practicable that all responsibilities as outlined in this policy are implemented, managed and maintained.

- Ensure as far as practicable the register of legislation is maintained.
- Ensure as far as practicable all incidents, complaints and breaches of any form of legislation are included in the General Manager's report to the Management Committee.

Support Manager

- Ensure as far as practicable that all responsibilities delegated to the role of Support Manager are carried out and reported against.
- Ensure as far as practicable that Lifestyle Assistants comply with all relevant legislation, regulations and codes of conduct.
- Report any suspected breaches of compliance to the General Manager.

All Staff at all levels

- Participate in their induction, training and performance appraisals including listening to and reading information supplied by supervisors regarding any legal requirements that apply to their work activities.
- Comply with any legal or regulatory requirements that apply to their work activities.
- Report all incidents of breaches of legal or regulatory requirements to the General Manager or Support Manager.
- Where appropriate, suggest ways in which practices, systems and procedures could be improved to the Support Manager and/or the General Manager to reduce the likelihood of a breach occurring.

RELATED DOCUMENTATION

Position Descriptions for all positions
Terms of Employment for all positions
Staff Performance Achievement Plans for all positions
Code of Conduct for Staff and Volunteers
Code of Conduct for Management Committee
Confidentiality Agreement
Staff Online Induction
Policy and Procedures Manual

REFERENCES

Associations Incorporation Act 1981(Qld)
Associations Incorporation Regulation 1999 (Qld)
National Disability Insurance Act 2013
National Disability Insurance Rules
Institute of Community Directors Australia website
NDIS Practice Standards and Quality Indicators

AMENDMENTS/REVIEWS

Amended 1.10.12, Amended 26.04.18, Amended 23.06.22, Amended 04.09.25