



Legislative and Administrative Compliance Program

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1 Purpose

The Legal Profession Admission Board (LPAB) has a Legislative and Administrative Compliance Program (LACP) which assists it to operate in accordance with all applicable legislative and administrative instruments to meet its compliance obligations.

2 Definitions

compliance Adhering to relevant laws, regulations, rules, policies, procedures, organisational objectives, standards, industry codes and best practice, governance, ethics, community expectations and service delivery obligations applicable to LPAB.

compliance controls Aided materials, controlled mechanism or systems designed to reduce or eliminate non-compliance and ensure obligations are met.

compliance reporting register The register that contains all the obligations with which LPAB must comply. The register is used to report compliance levels for the relevant financial year period.

employees LPAB staff and others who perform work in any capacity for LPAB including:

- employees (ongoing, temporary or casual)
- members of committees of LPAB
- contractors of LPAB

government direction Any directions issued by government with which LPAB must comply. These include, but not limited to:

- Better Regulation Documents (BRD)
- Department of Premier and Cabinet (C)
- Memoranda (M)
- Procurement Board Directions (PBD)
- Public Service Commission Circulars (PSCC)
- Treasury Circulars (TC)
- Treasury Policy Papers (TPP)
- Legislative instruments (e.g. Acts and Regulations) or administrative (Circulars, Directions, Treasury Policy Papers – TPPs, etc).

LPAB The Legal Profession Admission Board.

non-compliance / breach A violation of, or failure to comply with, the relevant laws, regulations, rules, policies, procedures, organisational objectives, standards, industry codes and best practice, governance, ethics, community expectations and service delivery obligations applicable to LPAB

obligation A requirement under legislation, government directions or regulatory directives with which LPAB must comply.

regulatory directives Any legislative requirement that requires LPAB to report or provide information to regulatory bodies such as:

- NSW Audit Office
- NSW Ombudsman
- Independent Commission Against Corruption (ICAC)

senior executive The Executive Officer and any manager reporting to the Executive Officer.

supervisor Line manager or manager to whom staff report.

3 Scope

This policy applies to LPAB, its committees, delegates and staff.

4 Policy statement

This is a tool to assist the Board of LPAB to ensure that its important obligations are being met, to mitigate the risk of non-compliance, and to strengthen reputation and community confidence in the work of LPAB.

It provides insights as to where to invest in more education, resources, systems or processes to improve internal controls.

This policy operates in tandem with the Department of Communities and Justice (DCJ) Legislative and Administrative Compliance Program. LPAB has a shared services agreement to provide certain services on behalf of LPAB. Shared services provided by DCJ are covered by the DCJ policy.

5 Core principles of the LACP

The Board has identified four interrelated principles which guide our practice in the context of compliance management:

- Commitment
- Communication
- Assurance
- Continuous Improvement

It will ensure that its decisions are considered in the context of that framework. It is committed to providing adequate resources to facilitate the work of senior executives in implementing the policy on behalf of LPAB.

6 Annual program

The LACP is rolled out annually for reporting on the previous financial year. It assists the Board to identify any instances of legislative non-compliance and ensures improved compliance through a structured program that includes:

- Developing and promoting a culture that is consistent with the NSW Public Sector values of Service, Trust, Integrity, Service and Accountability, and stakeholder expectations.

- Assessing and improving compliance performance by identifying, monitoring and reporting LPAB's compliance obligations with relevant legislative and administrative instruments.
- Developing, implementing and monitoring internal controls to mitigate risks.
- Establishing processes for identifying, tracking and recording compliance with LPAB's compliance obligations.
- Identifying management roles and responsibilities for compliance monitoring.
- Providing remediation if non-compliance or weaknesses in existing systems and controls are identified.
- Annual reporting to the Board, and the Audit and Risk Committee (ARC) on compliance levels.

7 Failure to comply

Reporting compliance breaches is critical to managing risk within LPAB. It allows senior management to have oversight of where there are gaps in controls, or where resources or training is required. The aim of this policy is not to name and shame but to provide an avenue for constructive improvements in LPAB's processes and procedures.

Intentional failure to disclose a breach of an obligation or being complicit in supporting others to avoid disclosing a breach may constitute misconduct and may result in disciplinary action.

In some cases, failure to comply with this policy and procedure may constitute corrupt conduct. Some examples may include, but are not limited to the following:

- Intentionally concealing or failing to disclose a breach of an obligation
- Making a false or understated declaration
- Knowingly supporting others to avoid disclosure

8 Procedure

Identify compliance instruments and evaluate compliance risks

The Board will maintain a Compliance Reporting Register. This will contain a list of instruments that LPAB must comply with.

Addressing compliance risks

The Board will self-assess and report on compliance levels against each relevant instrument using the Compliance Reporting Register. This includes any breaches identified even if these have already been remediated.

Operational controls for compliance risks

The primary purpose of the Compliance Reporting Register is to enable identification and risk management of all compliance obligations. It constitutes the basis for compliance planning and clarifies each obligation.

Working to achieve compliance with obligations is a priority for LPAB, and where necessary, written into business plans, policies, procedures or senior

executive performance agreements.

The compliance lead or policy owner is the Executive Officer with lead responsibility within LPAB for managing overall compliance risk, developing effective compliance controls, responding to compliance breaches, and escalating compliance issues to the ARC and/or the Board.

The Executive Officer must ensure there are compliance controls in place to reduce compliance risks. This may include systems, codes, policies, standards, procedures, guidelines, fact sheets and/or training designed to support the business area to perform its functions and ensure compliance.

Monitor, report, measure, analyse and evaluate compliance levels

LPAB strongly promotes transparency when reporting non-compliance or breaches as this provides LPAB with the avenue to strengthen and improve any identified weaknesses.

Each employee should inform their immediate supervisor if they become aware of any instances of a compliance breach with an obligation (actual, suspected or potential). It is important to report breaches even where a breach involves that employee or the actions of someone else.

Intentional breaches of compliance will be managed under Codes of Conduct, and for public servants, in accordance with the *Government Sector Employment Act 2013* (NSW) provisions in relation to managing misconduct.

Compliance assurance and monitoring

Any overdue or non-compliant responses are escalated, investigated and reported to appropriate stakeholders (e.g. senior executive and the ARC) depending on severity.

Targeted compliance reviews may be performed based on compliance risk assessments and emerging trends of non-compliance.

Analysis and evaluation

An annual compliance report is prepared by the Executive Officer and provided to the Board. Periodic reports to the Audit and Risk Committee to support any necessary attestation statement will also be made.

9 Responsibilities

The Board

Exercise leadership, promote a culture of probity and model LPAB values in relation to the reporting of and compliance with LPAB's obligations under legislation, government directions and regulatory directives.

Senior management

Exercise leadership, promote a culture of probity and model LPAB values in relation to the reporting of and compliance with LPAB's obligations under legislation, government directions and regulatory directives.

Ensure compliance assurance by means of certification that the information reported is true and accurate. It is the responsibility of the divisional head to

have oversight of their division's compliance.

Ensure oversight for implementation of remediation strategies for instances of non-compliance.

Employees

Be aware of legislative and administrative compliance obligations within their respective business areas.

Report compliance breaches and/or identified weaknesses in compliance controls.

10 Review of policy and processes

The Board is committed to periodically conduct reviews and internal audits on LPAB's level of compliance and will respond to gaps in the program and areas that may require refinement.

11 Document information

Document name	LPAB Legislative and Administrative Compliance Program Policy
Document reference	CTSD25/1033
Replaces	None
Applies to	All LPAB
Policy administrator	Executive Officer
Approval	The Board of LPAB

12 Version and review details

Version	Effective date	Reason for amendment	Due for review
1.0	10 June 2025	Initial policy	1/7/2026