

RISK AND COMPLIANCE MANAGEMENT POLICY AND PROCEDURE

SCOPE

Applies to all staff, contractors and senior managers, executives and decision makers of the RTO.

POLICY STATEMENT

LIBERTY INSTITUTE OF HEALTH AND EDUCATION is a registered Australian private limited company. The company recognises its obligations under Victorian and Commonwealth legislation such as the Corporations Act 2001. In addition, the company through the Director recognises the responsibilities and undertakings required of a Registered Training Organisation to meet and maintain systems that comply with the VET Quality Framework and SRT0 2015.

Reference to applicable laws, regulations and standards are throughout our documentation and processes.

LIBERTY INSTITUTE OF HEALTH AND EDUCATION will provide a safe and healthy workplace for employees. LIBERTY INSTITUTE OF HEALTH AND EDUCATION will be proactive in developing and implementing a risk management framework to identify hazards and assess risks with the aim of eliminating or reducing their impact in the workplace and on the delivery of training and assessment services. As part of the approach towards risk mitigation LIBERTY INSTITUTE OF HEALTH AND EDUCATION holds public liability insurance that covers the scope of its operations throughout its registration period. LIBERTY INSTITUTE OF HEALTH AND EDUCATION maintains \$20M public liability insurance.

PURPOSE

The purpose of this policy is to:

- Ensure the organisation complies with a system of corporate governance
- Explain the RTO's Risk Management System
- Ensure the RTO complies with Standards for Registered Training Organisations, 2015: Standards 1.10, 7.1- 7.4, 8.5, 8.6

PRINCIPLES AND DEFINITIONS

Staff can access up to date legislation on the following website links:

- <https://www.comcare.gov.au/scheme-legislation/whs-act>
- <https://www.fairwork.gov.au/>
- <https://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/australias-anti-discrimination-law>
- <https://humanrights.gov.au/our-work/employers/quick-guide-australian-discrimination-laws>

LIBERTY INSTITUTE OF HEALTH AND EDUCATION will comply with all relevant legislation, including the following:

- Affirmative Action (Equal Opportunity for Women) Act 1986
- Age Discrimination Act 2004
- Copyright Act, 1879. 42 Vic No 20 (Reprinted March 1979)
- Data Provision Requirements 2012
- Disability Discrimination Act 1992 (Commonwealth)
- Disability Standards for Education 2005 (Commonwealth)
- Equal Employment Opportunity Act (1987)
- Fair Work Act (2009)
- Human Rights and Equal Opportunity Commissions Act 1986 (Commonwealth)
- Human Rights Legislation Amendment Act 1999
- Work Health and Safety Act (2010)
- Work Health and Safety Regulations
- Privacy (Private Sector) Regulations 2001 (Commonwealth)
- Privacy Act 1988 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Safe Work Australia Act (2008)
- Sex Discrimination Act 1984 (Commonwealth)

- Standards for Registered Training Organisations (RTOs) 2015
- Student Identifiers Act 2014
- Work Cover Legislation Amendment Act (1996 No. 120)
- Workers Compensation Act 1987
- Workplace Injury Management and Workers Compensation Act 1998
- Workplace Injury Management and Workers' Compensation Act (1988)
- Relevant state or territory legislation

Risk can be defined as the possibility that an action or event will adversely (or beneficially) affect the LIBERTY INSTITUTE OF HEALTH AND EDUCATION's ability to achieve a planned objective. LIBERTY INSTITUTE OF HEALTH AND EDUCATION will establish a risk management team that is representative of all facets of the organisation.

The following principles apply to the access of private information collected by LIBERTY INSTITUTE OF HEALTH AND EDUCATION:

- Only staff of LIBERTY INSTITUTE OF HEALTH AND EDUCATION has access to student records for the purpose of verifying attendance at courses, issuing or re-issuing certificates, contact of the student for re-certification or other relevant cause for contact within the boundaries of the business operations.
- Relevant accrediting bodies have access to private information for auditing or other lawful purposes.
- Representative agencies of the Government have access for lawful reasons.
- Employers who pay for students to attend a course have limited access to records.
- Individuals can request data not be passed on to a third party for the purposes of direct marketing. In this case that party will be required to take all necessary precautions to maintain the confidentiality of the data.
- Requests by other organisations for information relating to the student will only be provided as a verification of information provided by that organisation.
- Personal details will only be supplied to the student after appropriate identification has been made. The student must supply 100 points of identification

CONSEQUENCES OF NON-COMPLIANCE WITH POLICY

Any breach of this policy could impact on the LIBERTY INSTITUTE OF HEALTH AND EDUCATION's registration and will be managed in accordance with Human Resources Policy.

PROCEDURES

PROVISION OF INFORMATION TO STAFF

**Chief
Executive
Officer/
Senior
Management
Team**

- Ensure all staff participate in an induction process and are provided with a copy of this Policy Manual.
- Induction includes a checklist that refers to compliance and the rights and responsibilities of staff.
- Monitor the need for professional development concerning legislation and the VET Quality Framework and provide staff with appropriate training, as needed.
- Provide updated information to staff during staff meetings.

PROVISION OF INFORMATION TO STUDENTS

**Chief
Executive
Officer/
Senior
Management
Team**

- Advise all students of legislation, VET standards and feedback opportunities at the course induction
- Provide all students with the Participant/student Handbook.
- Issue all students with a unique student identification number and/or ensure all students must have a USI.
- Retain this information and archive in RTOs student management system.
- If a student requests access to their student file, check if it is lawful to provide access.
- Provide information as requested.
- There may be an administration fee charged for locating and providing information within a defined number of days.

LEGISLATIVE COMPLIANCE

**Chief
Executive
Officer/
Senior
Management
Team**

- Manage the RTO's compliance with legislation as prescribed by the Continuous Improvement Schedule.
- Delegate responsibility for compliance monitoring as required.

COLLECTING PERSONAL INFORMATION

All staff

- Collect relevant data from all students enrolling in a course. This includes proof of identity for some courses.
- The collection of this data is necessary to establish the identity of the student so that certificates issued to that person clearly identifies that person as the recipient.
- Collect full names from official document such as a passport or a driving license etc., (no nick names). Certificates will be issued in this name.
- 1. If a student chooses not to provide full details that student may not be eligible to attend a course conducted by RTO.
- Provide information to regulatory bodies as required during audits.

RISK MANAGEMENT

**Risk
Management
Team**

Communication and Consultation

1. May develop a risk and compliance communications plan for LIBERTY INSTITUTE OF HEALTH AND EDUCATION that includes a list of all external and internal stakeholders, the type & frequency of communication, responsibilities and milestones.

**Risk
Management
Team**

Establish the context (external and internal)

2. Analyse current business situation and outline the context for the next risk assessment.
3. Gather feedback from the Directors and seek external endorsement if appropriate i.e. through consultation with some of the key stakeholders

**Risk
Management
Team**

Risk Assessment

4. Identify the organisations key risks. e.g. Finance, legal & compliance, workplace safety, client relationships
5. Answer the following questions as part of the analysis of the risks associated with the organisation.
 - *What is the source of the risk?*

- *What might happen?*
 - *When and where are these likely to occur?*
 - *What could the consequences be?*
 - *Why might this occur?*
 - *What current controls exist?*
 - *What could cause the controls to fail?*
6. Determine the impact each risk might have on the organisation's ability to achieve its goals using the Risk Assessment Tool below.

RISK ASSESSMENT TOOL

Likelihood Scale/ Severity	In extremely conditions only (A)	Possible under abnormal conditions (B)	Possible under normal conditions (C)	Likely (D)	Certain (E)
No serious implications for the RTO operations, service delivery, reputation, finances (1)	Low	Low	Low	Low	Medium
Minor implications for the RTO operations, service delivery, finances (1 month) (2)	Low	Low	Medium	Medium	Medium
Operational and financial impact. Short term impact on legal situation, and service delivery. (3 months) (3)	Medium	Medium	Medium	Medium	Medium

Operational, financial, legal and reputational impact. Long term impact on stakeholders (6 months or more)(4)	Medium	Medium	High	High	High
Long term operational, financial, legal and strategic impact/ community concern/ safety risk to community (5)	High	High	High	High	High

Risk Management Team

Treatment

7. Enter all of the identified risks into a Risk Register in order of priority (high – medium – low) and identify possible treatments or controls process to reduce the risk.
8. Develop a risk management plan to ensure that each treatment is implemented. Ensure that the plan includes details such as responsibilities, timelines, resources and budgets.

Risk Management Team

Monitor and Review

9. Ensure that the management plan to treat risks is adhered to and reviewed.
10. Conduct monthly meetings to address risk related issues that arise through the Continuous Improvement Schedule
11. Report to CEO/ Senior Management.

**CEO/ Senior
Management
Team**

12. Ensure that the management plan to treat risks is adhered to and reviewed.
13. Conduct monthly meetings to address risk related issues that arise through the Continuous Improvement Schedule
14. Conduct an internal audit at least annually.

**CEO/ Senior
Management
Team**

Recording

15. Maintain risk management plans and reports in the RTO's Compliance Folder
16. Endorse minutes of any meetings, internal audit reports and third party audit (if any) reports and keep copies in the Compliance folder.
17. Update policies, forms and all related documents as required following audits and in accordance with the Continuous Improvement Schedule.

RELATED POLICIES & DOCUMENTS

- Continuous Improvement policy
- Human Resources Policy
- Continuous Improvement Schedule
- Risk Register
- Reports from Trainers
- Learner Feedback
- Employer Feedback