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**Custodian:** Deputy University Secretary

**Contact:** Policy and Compliance

**Accessibility:** Public

**Status:** Published

In developing this policy the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

## 1. PURPOSE:

This policy is intended to ensure that the Policies, Procedures, Guidelines and Local Instructions of the University of Canberra (**University**) are Effective.

## 2. SCOPE:

2.1. This policy applies to:

2.1.1. all Policies, Procedures, Guidelines and Local Instructions of the University, and

2.1.2. all staff of the University involved in developing or reviewing these texts, implementing their requirements or monitoring their Effectiveness.

2.2. Policies and Procedures can set requirements that apply to:

2.2.1. staff and students of the University

2.2.2. visitors to the University's campuses and premises

2.2.3. contractors engaged by the University, and

2.2.4. staff of third parties that deliver a University course or unit.

2.3. Local Instructions can supplement a Rule, Policy or Procedure by setting further requirements that apply to staff and (where relevant) students of a faculty or other division of the University.

## 3. PRINCIPLE:

3.1. This policy is intended to ensure that:

3.1.1. The University's Policy Suite comprises the smallest number of Policies needed to govern the University's activities.

3.1.2. New requirements are as far as possible added to existing Policies and Procedures, or added in the form of a new Procedure, unless there is a compelling case for a new, separate

Policy.

3.1.3. Development and review of texts in the Policy Suite are informed by:

3.1.3.1. consultation with stakeholders

3.1.3.2. benchmarking research to identify leading practice in the sector, and

3.1.3.3. comments on drafts from other members of the University's community.

3.1.4. Managers responsible for the Policy Suite and for individual texts within it collaborate with Australian First Nations groups served by the University, to ensure that texts meet the needs of First Nations staff and students and support their cultural safety.

3.1.5. Policies, Procedures and Guidelines support inclusion of people with diverse abilities and from diverse backgrounds, and in particular do not create barriers to inclusion.

3.1.6. Implementation of changes arising from development or review of texts in the Policy Suite is:

3.1.6.1. planned in consultation with stakeholders, and

3.1.6.2. evaluated for Effectiveness.

3.1.7. Policies, Procedures and Guidelines are written concisely, in plain English and in inclusive language.

3.1.8. The Effectiveness of each Policy and its supporting Procedures is monitored on an ongoing basis.

3.1.9. Policies and Procedures are reviewed often enough to keep them current with practice in the University and with leading practice in the university sector.

3.1.10. There is flexibility to develop and approve changes to Policies and Procedures more quickly when there is exceptional urgency.

#### 4. RESPONSIBILITIES:

Who	Responsibilities
The Legislation Committee of Council	Approves changes to the Policy Framework Procedure, which supports this policy.
General Counsel and University Secretary	Policy sponsor of this policy. The Policy Framework Procedure states the responsibilities of the sponsor of a Policy.
Deputy University Secretary	Policy custodian of this policy. The Policy Framework Procedure states the responsibilities of the custodian of a Policy.

#### 5. LEGISLATION:

This policy is governed by the *University of Canberra Act 1989* (ACT).

#### 6. SUPPORTING INFORMATION:

6.1. The Policy Framework Procedure states requirements for developing and reviewing Policies, Procedures and Guidelines, implementing their requirements and monitoring their Effectiveness.

6.2. The Policy Writing Guideline provides guidance on drafting texts to meet the objectives of this policy and comply with the requirements of the Policy Framework Procedure.

6.3. The schedule of delegations under the Delegations of Authority Policy states delegations of authority to approve different types of Policy and Procedure, and changes to these.

## 7. DEFINITIONS:

### 7.1. Types of text at the University

7.1.1. The *University of Canberra Act 1989*(ACT) (Part 4) lists the matters in relation to which the Council may make Statutes.

7.1.2. A Statute may provide for the Council to make Rules for the matter in relation to which the Statute is made. A Rule is a legally precise statement of:

7.1.2.1. how the University Council delegates any of its powers as defined in the *University of Canberra Act 1989*, and/or

7.1.2.2. requirements for a process to make a major administrative decision that is likely to be subject to judicial review.

7.1.3. A Rule:

7.1.3.1. can set University-wide requirements

7.1.3.2. must support a Statute of the University, and will identify the Statute that it supports, and

7.1.3.3. only a Rule can provide for a penalty to be applied to students.

7.1.4. A Policy

7.1.4.1. states the University's objectives for an area of its activities, which may include expected standards of behaviour, quality standards and service standards, and

7.1.4.2. will identify any Procedure or Guideline that supports the Policy.

7.1.5. A Procedure is a statement of University-wide requirements for an activity, which:

7.1.5.1. may also provide information and guidance on a requirement, and

7.1.5.2. will identify any Rule or Policy that it supports.

7.1.6. A Guideline provides guidance for decision-makers in making a decision under a Rule, Policy or Procedure, where extensive guidance such as a set of principles or detailed criteria for decision-making is needed.

7.1.7. A Local Instruction:

7.1.7.1. states requirements that apply to staff and (where relevant) students of a faculty or division of the University, on matters in which a Rule, Policy or Procedure allows discretion, and

7.1.7.2. will identify the Rule, Policy or Procedure that it supplements.

### 7.2. Hierarchy of University texts

7.2.1. The hierarchy of types of policy framework text that can state requirements is as follows:

7.2.1.1. Statute (highest)

7.2.1.2. Rule

7.2.1.3. Policy

7.2.1.4. Procedure

#### 7.2.1.5. Local Instruction (lowest).

7.2.2. Guidelines cannot state requirements, and so are not in this hierarchy, although they are part of the policy framework.

7.2.3. Texts in the policy framework must be consistent with texts higher in the textual hierarchy in clause 7.2.1. Where a text is inconsistent with a higher text, the higher text overrules the lower text. In such cases, the Custodian of the lower text will, as soon as possible, either:

7.2.3.1. submit a change to the lower text to achieve consistency, for approval as a minor change, or

7.2.3.2. ask the Custodian of the higher text to begin consultation on changing the higher text, to achieve consistency.

7.2.4. All texts in the policy framework must be consistent with the *University of Canberra Act 1989* (ACT) and any other relevant federal or Australian Capital Territory legislation.

Terms	Definitions
Custodian	The staff member responsible for leading development and review of a Policy, Procedure or Local Instruction.
Effective, Effectiveness (of a Policy)	Where the objectives of a Policy are being met and there is a high level of compliance with the requirements stated in that Policy's supporting Procedures.
Guideline	As defined in clause 7.1.6
Local Instruction	As defined in clause 7.1.7
Policy	As defined in clauses 7.1.4
Policy Suite	The set of all Policies of the University, including their supporting Procedures and Guidelines.
Procedure	As defined in clause 7.1.5
Rule	As defined in the <i>University of Canberra Act 1989</i> (ACT).
Statute	As defined in the <i>University of Canberra Act 1989</i> (ACT).
University	University of Canberra (ABN 81 633 873 422)

## 8. NOTES:

Publication details	
<b>Authority</b>	Council
<b>Source:</b>	

<b>Approval Date:</b>	The date on which the Policy was approved by the Authority source.
<b>Publication Date:</b>	The date when the Policy was published in the Policy Library.
<b>Review Date:</b>	The review date for new policy is usually 3 years after the approval date unless the approver requires an earlier date.
<b>Effective Date:</b>	The first date on which the Policy comes into force and effect.
<b>Custodian (Owner):</b>	Deputy University Secretary
<b>Contact:</b>	Insert position descriptions for the Policy Custodian and/or Policy Contact. Their email addresses are preferable to a general enquiry inbox.
<b>Accessibility:</b>	All of the University's policies and procedures are publicly accessible. Any exception to this rule needs to be discussed with <a href="mailto:Legal@canberra.edu.au">Legal@canberra.edu.au</a> before endorsement or approval is sought.
<b>Notes to Admin:</b>	An optional field that can be used for key communication about the Policy's status. As example: If the Policy is at <u>drafting to finalisation</u> stage, please advise what is the reason for the Policy? What consultation has occurred? Has a risk assessment been conducted? Will the Policy need Procedures? Then add, extra notes during <u>approvals stage</u> to advise who endorsed the Policy (ie body, date and decision number)? When and from whom approval will be sought? Who approved the Policy (ie body, date and decision number) and any implications (eg recission or need for review of other existing policies). As pre-publication stage, advise when the Policy should be published?