

Name of Policy	Legal Requirement Training Policy
Description of Policy	This policy outlines the University's requirements towards the compulsory E-Essentials Staff Training
Policy applies to	<input checked="" type="checkbox"/> University-wide <input type="checkbox"/> Specific (<i>outline location, campus, organisational unit etc.</i>) <hr/> <input checked="" type="checkbox"/> Staff Only <input type="checkbox"/> Students Only <input type="checkbox"/> Staff and Students
Policy Status	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Revision of Existing Policy
Description of Revision	

Approval Authority	Vice-Chancellor
Governing Authority	Chief
Responsible Officer	Director, Human Resources

Approval Date	17 December 2012
Effective Date	6 March 2008
Date of Last Revision	
Date of Policy Review*	

* Unless otherwise indicated, this policy will still apply beyond the review date.

Related Policies, Procedures, Guidelines and Local Protocols	
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1. Background

In its role as a University offering quality education and pursuing quality research, Australian Catholic University (ACU) recognises that it has a range of obligations under the Commonwealth, State and Territory legislation and statute. Such compliance is important in assisting the University adopt the highest standards of probity and accountability in all its operations.

Legal Requirement Training is what individuals and the University are required to do to ensure that both the University and its staff meet the requirements of the law as it applies to the activities and operations of the University.

ACU abides by all relevant laws for the benefit of individuals and the University and the broader community and to reduce liability.

Under some legislation, the University as the employer or an employee could be legally liable for the inappropriate, unlawful behaviour or actions. The University, therefore, wishes to be able to demonstrate that it has taken all reasonable steps, to prevent such unlawful behaviour from occurring that could result in the University being vicariously liable.

Vicarious Liability describes the legal liability of an employer for the behaviour of its employees or agents where the actions are:

- carried out in connection with their employment or duties;

AND

- the actions would be unlawful under an Act such as (but not limited to) the Equal Opportunity Act as if carried out by the employer;

AND

- where it cannot be established that the employer has taken all reasonable steps to prevent such acts occurring.

2. Policy Statement

The University takes a proactive stance in meeting its legal obligations on a day to day basis by the ongoing training of staff in the requirements of relevant legislation and in their responsibilities and accountabilities in relation to its implementation and ongoing management at the University.

Relevant legislation which might apply to ACU in its operations include areas such as privacy, copyright, equal opportunity, workplace health and safety, workplace discrimination and harassment, bullying and the Competition and Consumer Act. From time to time, legislation covering other areas may be included.

3. Policy Purpose

This policy sets out how the University manages Legal Requirement Training so as to best meet its obligations.

4. Application of Policy

To fulfil its obligations, ACU will, from time to time, require staff to undertake specific training in the requirements and implementation of relevant legislation as it applies to staff and University responsibilities.

The training will be arranged by the University and provided to staff in such a way that the University can report on the level of completion. Staff will be required to undertake the required relevant training in order to protect its staff, students, the community and the University. They will be advised of the requirements of the training including how and when to register for the training, the timeframe for completion of the nominated training and any expectations in relation to completion of any assessment activities.

5. Procedures

- Based on legislative requirements, all new staff are required to complete training in the following areas (known as E-Essentials – Legal Requirement Training):
 - Occupational Health and Safety or equivalent
 - Bullying
 - Discrimination and Harassment
 - Competition and Consumer Act (identified roles only)
- E-Essentials – Legal Requirement Training must be completed as a requirement of the staff members employment contract and as part of the ACU Induction Program, within the first six months of employment with ACU or within the specified period where this is less than six months.
- When employed on a fixed-term appointment of less than six months, all relevant E-Essentials – Legal Requirement Training must be completed within the contract duration.
- From time to time, legislative requirements may change and require all staff or staff in identified roles to complete further Legal Requirement Training. In this case, affected staff members will be informed of such programs for completion within a stipulated time frame.
- Such training will be provided to staff using a range of delivery techniques, including on-line programs, ensuring that all staff have equal access to the training.
- Records will be maintained with completion of Legal Requirement Training and reports will be prepared on a regular basis including staff members who have and have not complied with this Policy.

5.1 Roles and Responsibilities

- It is the responsibility of the University to identify and endorse the training to be covered by this Policy, based on the legislative obligations of the University.
- It is the responsibility of the Nominated Supervisor to ensure that time is made available for staff members to undertake the training when required; to require completion of the training; and to encourage staff to behave and act in accordance with the relevant policies and legislation and associated University policies.
- It is the responsibility of the individual staff member to undertake and complete the required training, within the set time frame and to the level of attainment for an assessment as competent.
- It is the responsibility of Human Resources to organise and schedule appropriate training and to maintain records of training undertaken and successfully completed and to report on completion and non-completion.
- Legal Requirement Training forms part of the ACU Induction Program (known as E-Essentials – Legal Requirement Training) and failure to complete this training is a breach of the staff member's employment contract and the Staff Induction Policy. Normally, your record will be checked for completion of this training when being considered for confirmation of appointment (probation) and promotion, where relevant to the role.

6. Policy Review

The University will develop a process for reviewing the effectiveness of this Policy. Where applicable, the review will take account of necessary changes to other relevant University policies and procedures. Any staff member wishing to suggest improvements to the Legal Requirement Training Policy is invited to forward her/his suggestions to the Human Resources Advisory Service.

7. Further Assistance

Any staff member who requires assistance in understanding the Legal Requirement Training Policy should first consult her/his nominated supervisor. Should further advice be required staff should contact the Human Resources Advisory Service, HR@acu.edu.au or extension 4222.