Policy Development and Review Policy

Section 1 - Purpose

(1) The academic and corporate governance of the Australian Catholic University (ACU) is based on Government Acts and Regulations, other legislative instruments, relevant binding legal decisions, the Constitution of Australian Catholic University Limited, University legislation, University Statutes and Regulations, University policies, University procedures, University guidelines and University local protocols.

(2) This Policy establishes a framework for defining, developing, maintaining and reviewing the University's policies and associated documents to ensure consistency and quality.

(3) The Policy includes an overview of the Policy Hierarchy and the associated roles and responsibilities.

Section 2 - Scope

(4) This Policy applies to all University staff involved in the policy development and review process at the University level. This Policy should be read in conjunction with the Policy Development and Review Procedure which sets out in detail the Development and Review Cycle for policies and procedures.

(5) A reference to a defined term in this Policy should be read in conjunction with Section 4 – Definitions.

Section 3 - Policy Statement and Principles

(6) ACU has adopted a devolved policy development model whereby responsibility for the development, amendment and review of policies and procedures are undertaken by subject matter experts (referred to as Responsible Officers) within the Directorates, Faculties and Institutes of the University.

(7) ACU is committed to:

a. establishing a central framework;
b. providing the necessary document-based tools and resources to support the policy drafting undertaken by the Responsible Officer (or delegate); and
c. maintaining the policy library; and
d. monitoring the alignment between policy and delegations.

Section 4 - Definitions

(8) In this Policy, the following terms are used as defined:

Term	Definition
Benchmarking exercise	A process of evaluating similar policies or procedures at other Universities to compare sector standards and identify good practice. Benchmarking should act as a reference point and not be used to replicate material without attribution.
Development and Review Cycle	A six-step process consisting of development or amendment, consultation, review and finalisation, endorsement and approval, communication and implementation, and continual improvement and review. For more detail refer to the Policy Development and Review Procedure.
Editorial amendments	Changes that do not alter the application or the meaning of the policy or procedure and may include title changes, typographical errors, erroneous references or hyperlinks.
Major amendments	Substantive changes which affect the principles or intent of the policy or procedure.
Minor amendments	Changes which are not likely to affect the principles or intent of the policy or procedure but are of a more significant nature than editorial amendments. These may reflect changes to responsibilities or operational aspects of a process or may involve a consequential change to a single provision as a result of legislative amendment or amendments to a related policy.
Policy Library	Located on the ACU website at http://www.acu.edu.au/policy/homepage.
Revision	A revised version of the policy or procedure as a consequence of editorial, minor or major amendments approved in accordance with Section 6 of this Policy.

Section 5 - The Policy Hierarchy

(9) The Policy Hierarchy is an overview of the documents that define and govern the University's activities. The Policy Hierarchy is described in order of precedence:

a. Federal, State and Local Laws - Government Legislation (Acts, Regulations and other legislative instruments), administrative decisions, the Common Law and the ACU Staff Enterprise Agreement;
b. Corporation Constitution;
c. University Statutes, Regulations and Delegations of Authority Policy and Register;
d. University Policies;
e. Procedures;
f. Guidelines and Local Protocols.

(10) Each level of the Policy Hierarchy should be aligned with and reference the levels above. This principle applies to all levels of the Hierarchy. For example, a policy should not contravene the relevant legislation. If there is an inconsistency between levels of the Policy Hierarchy, then the higher level provision prevails.

Federal, State and Local Laws

(11) Federal, State and Local Laws include Government Legislation (Acts, Regulations and other legislative instruments), administrative decisions, the Common Law and the ACU Staff Enterprise Agreement. ACU is a body corporate (specifically, a company limited by guarantee) originally established under the Companies (Victoria) Code and now regulated by the Corporations Act 2001 (Cth). It is given statutory recognition in three State jurisdictions (please refer to the Australian Catholic University Act 1990 (NSW), the Australian Catholic University (Victoria) Act 1991 and the Australian Catholic University (Queensland) Act 2007). The Acts provide Senate with sole responsibility for and authority over the provision of education. Furthermore, the Victorian Act empowers Senate to make subsidiary or delegated legislation (Statutes and Regulations) which are enforceable by law. ACU is also directly governed by other legislation and regulations in multiple jurisdictions, such as the Work Health and Safety Act 2011 (Cth), the Fair Work Act 2009 (Cth) and associated decisions enforceable at law.

University Statutes, Regulations and Delegations of Authority Policy and Register

(12) As specified in the Constitution and the Australian Catholic University (Victoria) Act 1991, Senate can create statutes and regulations which relate to the governance, management and organisation of the University (refer to Clause 24 Statutes and Regulations of the Constitution). The remaining two State Acts (New South Wales and Queensland) provide non-specific recognition that Senate has the sole responsibility for and authority over education at ACU and the responsibility and authority is exercised through the making of statutes and regulations.

(13) A University statute is the primary regulatory instrument made by Senate to govern the University. Senate can repeal, revoke, alter and amend statutes by resolution. Statutes may be used to establish significant University policies, however, more detailed matters that are related to implementation or areas subject to frequent change are usually dealt with at a lower level of the hierarchy.

(14) The Delegations of Authority Policy and Register list authorisations conferred by Senate on officers and bodies of the University and committees of Senate for the purpose of carrying out their functions. Although the Delegations of Authority Policy and Register applies to the University and its controlled entities (if any), it is not the source of all delegated authority. Register actions may be taken by University staff under implied authority arising from position descriptions, policies, procedures, schedules, guidelines and practices.

Policies

(15) Policies are an official position statement of the University and establish the key principles and provisions that govern decision-making processes. Policies are required and include details of the University's expectations and how it will act. While some policies can stand alone, most will be accompanied by associated procedures and / or guidelines to explain how the policy is to be implemented across the University.

(16) All ACU Policies must be:

a. approved by the Vice-Chancellor and President or the delegated Approval Authority (see clauses (24) and (25) below);
b. endorsed for approval by the Governing Authority (see clauses (26) and (27) below);
c. developed using the Policy template or Procedure template as appropriate;
d. stored and accessed via the Policy Library, and list all relevant metadata;
e. applied consistently across all Campuses and Organisational Units, where applicable;
f. have an associated procedure if required; and
g. reviewed and updated at least every five years from the approval date, or more frequently if approproate. Amendments to a policy may be necessary for a specific purpose and may need to be approved within a specific timeframe. Amendments to a policy for a specific reason would not negate the need for a formal policy review and should not adjust the date of the policy review.
h. For the avoidance of doubt, policies and procedures will continue in force until such time as they are replaced or rescinded. It is not necessary to formally rescind a policy in circumstances where it has been replaced.

(17) This approach will assist the University to:

a. comply with relevant legislation, national standards or international standards (in the case of ACU's overseas operations);
b. comply with Senate-mandated statutes and regulations;
c. establish the University's position across a range of matters;
d. support the ACU Mission, Identity and Values;
e. achieve the University's strategic goals;

f. promote operational efficiencies and reduce risks; and
g. meet community expectations.

(18) All members of the University community must understand their responsibilities and comply with University policies and procedures.

Procedures

(19) A procedure provides details of the operational steps that should be undertaken when implementing a particular policy.

(20) Procedures should:

a. be approved by the Vice-Chancellor and President or the delegated Approval Authority (see Section 7, below);
b. be endorsed for approval by the Governing Authority (see clauses (26) and (27) below);
c. be applicable University-wide but may be subject to necessary or relevant campus variations;
d. be directly linked to the policy but a separate document to the policy;
e. explain how to implement the particular policy; and
f. expand on roles and responsibilities.

Guidelines

(21) Guidelines provide advice on best practice and include additional detail or further context related to the policy and procedure. The development of a guideline document is not compulsory. Where guidelines exist, the advice must be appropriate to the specific context and aligned with the policy and procedure.

(22) The Delegations of Authority Policy and Register sets out the relevant delegate to approve guidelines.

Local Protocols

(23) A Campus or Organisational Unit (such as a Faculty or Directorate) may develop documents relating to local protocol which record decisions, processes or workflows that apply only to that Campus or Organisational Unit. The development of a local protocol is not compulsory. If developed, local protocols must be appropriate to the specific context and aligned with the policy and procedure.

Section 6 - Roles and Responsibilities in Policy Development

Approval Authority

(24) The Approval Authority is the Vice-Chancellor and President. The Vice-Chancellor and President may delegate the associated responsibilities to the relevant member of the Senior Executive or decision-making Committee. For more details on delegations, please refer to the Delegations of Authority Policy and Register.

(25) The Approval Authority is responsible for approving all new and amended policies and procedures. In the case of approving amendments, only major amendments (as defined) need to be approved by the Approval Authority.

Governing Authority

(26) The Governing Authority should be distinct from the Approval Authority, and must be one of the following:

a. Senate and / or Academic Board;
b. Senior Executive members:
    i. Vice-Chancellor and President;
    ii. Provost and Deputy Vice-Chancellor (Academic);
    iii. Deputy Vice-Chancellor (Corporate);
    iv. Deputy Vice-Chancellor;
    v. Deputy Vice-Chancellor (Catholic Mission);
    vi. Deputy Vice-Chancellor (Education);
    vii. Deputy Vice-Chancellor (Research and Enterprise)
    viii. Pro Vice-Chancellor Assisting the Vice-Chancellor and President.
c. a decision-making University Committee with the appropriate remit as set out in its Terms of Reference (for example Audit and Risk Committee of Senate, or a standing committee of Academic Board such as the University Learning and Teaching Committee). The Committee Chair will be responsible on behalf of the members.

(27) The Governing Authority is responsible for:

a. ensuring the policy or procedure is developed or amended in accordance with this Policy and the Policy Development and Review Procedure;
b. endorsing the final version of new policies and procedures for approval by the Approval Authority;
c. endorsing major amendments (as defined) to existing policies and procedures for recommendation to the Approval Authority;
d. approving minor amendments (as defined) in circumstances where the Governing Authority is satisfied that the amendment is not significant or substantial enough to warrant approval by the Approving Authority;
e. ensuring the new or amended policies and procedures can be applied consistently across all Campuses and Organisational Units where appropriate; and
f. approving the rescission of policies and procedures which have not been replaced but are no longer required.

Responsible Officer

(28) The Responsible Officer should be a Member of the Executive.

(29) The Responsible Officer is responsible for:

a. overseeing the development of new or amended policies and procedures, and ensuring that the process complies with this Policy and the Policy Development and Review Procedure. Note: The Responsible Officer may delegate the drafting to a member of staff within their area of responsibility;
b. seeking endorsement and approval on new or amended policies and procedures from the Governing Authority and Approval Authority respectively;
c. seeking endorsement and approval from the Governing Authority and Approval Authority respectively for major amendments (as defined);
d. seeking approval from the Governing Authority for minor amendments (as defined);
e. approving editorial amendments (as defined);
f. seeking approval from the Governing Authority for the rescission of policies or procedures which have been deemed invalid or no longer in effect;
g. managing implementation, communications and interpretation of the approved new or amended policies and procedures in the University community through appropriate staff channels. This includes ensuring that any relevant stakeholders are kept up to date on necessary changes;

h. ensuring that previous versions of the amended policy and procedure, or rescinded policies and procedures, are archived appropriately. Please refer to the Records and Archive Management Policy and the Records Retention and Disposal Schedule for more details. In addition, where necessary, the Responsible Officer should ensure that the most updated copy of the policy or procedure is accessible to relevant stakeholders via the Policy Library. Note: The Responsible Officer may delegate the publishing or editing of any new or amended policy or procedure on the website to a member of staff within their area of responsibility;
i. approving any necessary associated documents which are developed or amended (e.g. Guidelines, Local Protocols) in line with the approved new or amended policies and procedures; and
j. ensuring that the relevant policy and procedure are monitored and reviewed in accordance with the appropriate timeframes.

(30) The Responsible Officer can be a decision-making committee with approval of relevant policies included within their Terms of Reference.

(31) The Responsible Officer was previously referred to as the 'Policy Owner' within ACU's Policy Content Management System.

Section 7 - Roles and Responsibilities (associated with this policy)

Approval Authority

(32) The Approval Authority for this policy is the Vice-Chancellor and President.

Governing Authority

(33) The Governing Authority for this policy is the Deputy Vice-Chancellor (Corporate).

Responsible Officer

(34) The Responsible Officer for this policy is the Chief Legal Assurance and Governance Officer.

Management of the University Policy Framework

(35) The Legal, Assurance and Governance Directorate will be responsible for overseeing the policy development framework, including reviewing and amending this Policy and the related Policy Development and Review Procedure.

(36) The Legal, Assurance and Governance Directorate will develop and maintain a register of policies and procedures at various stages throughout the Development and Review Cycle.

(37) The Legal, Assurance and Governance Directorate will monitor the scheduled review date for policies and liaise with the relevant Responsible Officer as necessary.

Management of the University Policy Library

(38) The Legal, Assurance and Governance Directorate, in collaboration with the Responsible Officers, are responsible for maintaining the currency of the Policy Library by publishing policies and procedures and associated metadata on the website or submitting a request to the Digital Operations team.

(39) The system development and maintenance of the website remains the responsibility of Information Technology.

(40) Digital Operations will, as requested, update the Policy Library by publishing policies and procedures and

associated metadata on the website. From time to time, as required, Digital Operations will be responsible for training the Responsible Officer (or their nominee) to upload or web-edit polices or procedures on the Policy Library.

Staff involved in the Policy Development Process

(41) Staff who are involved in any aspect of the policy development process should follow this Policy and the Policy Development and Review Procedure throughout all stages of the policy development process and contact the Legal, Assurance and Governance Directorate, if in doubt, as to how to proceed.

Section 8 - Revisions made to this Policy

(42) Refer to Section 4 for definitions of editorial, minor and major amendments.

(43) This Policy is scheduled for review every five years or more frequently if appropriate. Unless otherwise indicated, this Policy will still apply beyond the review date.

Section 9 - Further Assistance

(44) Questions related to ACU's Policy Development and Review Framework can be directed to the Legal, Assurance and Governance Directorate.

(45) Requests for publishing policies to the Policy Library on the website are to be submitted via Service Central.

Section 10 - Associated Information

(46) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

Status and Details

Status	Current
Effective Date	14th March 2024
Review Date	30th April 2024
Approval Authority	Vice-Chancellor and President
Approval Date	14th March 2024
Expiry Date	Not Applicable
Responsible Executive	Diane Barker Chief Legal Assurance and Governance Officer
Responsible Manager	Matthew Charet National Manager, Governance
Enquiries Contact	Legal, Assurance and Governance Directorate