



Application Submodule 2.4: Scheme compliance plan

A. TO BEGIN THE SUBMODULE

This submodule sets out the Scheme compliance plan that is expected as a matter of regulatory best practice by the Professional Standards Councils from applicant associations seeking approval for a Professional Standards Scheme.

The submodule is designed for initial applications for a Scheme to the Councils.

B. WHAT ARE COMPLIANCE PLAN REQUIREMENTS IN THE CONTEXT OF A PROFESSIONAL STANDARDS SCHEME?

As a matter of regulatory best practice, the Councils expect that your association has a Scheme compliance plan which is not inconsistent with Australian Standard *AS ISO 37301:2021 Compliance management systems* (the Standard). The Standard states:

“Compliance is an outcome of an organisation meeting its obligations and is made sustainable by embedding it in the culture of the organisation and in the behaviour and attitude of people working for it.”

An effective Scheme compliance plan demonstrates that the Scheme is administered in a compliant manner, that any Scheme risks are managed appropriately, and that any new and emerging risks are identified and treated in a manner consistent with the association’s risk approach. Areas covered in the Scheme compliance plan include your association’s professional risk management strategies, fee payment, compliance with association membership requirements, CPD requirements and insurance standards.

The Scheme compliance plan provides the basis for the mandatory annual reporting to the Councils, termed the Annual Professional Standards Report (APSR), which must be submitted by your association on or before 31 March of each year. The report will inform the Councils of the association’s implementation of its professional risk management strategies, noting the objects of consumer protection and improved occupational standards, and compliance with the Professional Standards Legislation, over the previous calendar year (or part of the previous calendar year where a Scheme commenced operation during the previous calendar year).

Detail of the APSR will be covered in a meeting which your association is to attend with the Professional Standards Authority once the application process has been completed and the Scheme approved by the Councils. The purpose of this meeting is to provide a workshop that deals with the ongoing compliance and reporting obligations associated with the Scheme. The workshop was referred to in Guidance 0.0.1 *Application organisation and process*; for details as to its content, see Module 6.0 *Annual Professional Standards Report capacity and capability* and the related Guidance 6.0.1.

Associations may have a stand-alone compliance plan for Scheme obligations, or may include them with their other legal, regulatory and/or industry obligations.

C. COMPLETING THE REQUIREMENTS

The information required from your association is to be entered in Template 2.4.1 *Scheme compliance plan*.