



How to Stay Up-to-Date with Legislative Updates Impacting Your Business

Australia is home to an abundance of incredibly diverse businesses, each of which must operate in accordance with a different selection of legislation that's relevant to them. Identifying these requirements can be a burden for small businesses – even more so considering legislation is constantly being reviewed and updated, while many organisations fail to adjust their compliance systems as required.

Over the years changes in legislation have helped to keep employees safer, minimise the environmental impact businesses make, ensure staff are paid a suitable rate and more. Legislative updates continue to shape the business landscape.

For many businesses, introducing and seeing to the ongoing implementation of compliant, systematic, and responsive systems is an overwhelming task. While it may be tempting to focus solely on operational and financial imperatives and leave legislation in the “too hard basket”, in the longer term, ignoring [legislative compliance](#) can be very very harmful to your business' viability and result in costly fines.

Why is Legislative Compliance Important?

Satisfying legislation is mandatory for businesses and non-compliance can lead to a range of consequences that cost money, harm your reputation, and even result in imprisonment in serious cases.

When there is a serious breach, fines could enter the hundreds of thousands of dollars. On top of this, organisations would need to pay not only their own legal costs but also those of the prosecution.

Serious offences like breaches of director's duties, false or misleading disclosure and dishonest conduct can result in imprisonment. The penalties for breaches of corporate laws have recently been strengthened, with [maximum prison penalties for the most serious offences increasing to 15 years](#).

In addition to legal penalties, organisations will often suffer damage to their reputation. Community perception of the company could shift – for instance if the business isn't satisfying their requirements under environmental legislation – which may have financial implications if customers choose to boycott the organisation.

Breaches can also prompt existing employees to leave the company and even deter potential staff from applying. For example, if you are known for not meeting health and safety requirements many employees may not want to work with you.

Loss of time is another common consequence of non-compliance with legislation. The organisation sometimes needs to pause operations until the issue is resolved, which could significantly hinder profitability and in a worst-case scenario result in the company going out of business.

In instances like health and safety legislation breaches, community members or employees may also be subject to otherwise preventable injury or illness.

When it comes to legislation, the consequences of getting it wrong can be both significant and detrimental to your business' future prosperity. Given all the above, having systems in place for effectively managing legislation and meeting the requirements is a must.

Understanding Your Business' Legislative Requirements

The existing business landscape is ever-changing, so it's important that your systems are continually being reviewed and adjusted accordingly. This is the case regardless of your business' size, industry, and location in Australia.

Luckily, there are numerous ways to keep your business "in the loop" and to ensure that you're fully aware of your current legislative requirements. There's no harm in taking your own measures to stay informed, even if you're getting guidance from an external party.

Tactics we'd recommend include, but aren't limited to:

- Signing up to newsletters from relevant legislators (such as regulatory bodies);
- Attending seminars, conferences and/or online training sessions;
- Reviewing your legislation register often;
- Contacting consultants who specialise in the field and can provide you with reliable, up-to-date information.

It's important to note that, in Australia, legislation can differ between states and territories.

Thus, if your organisation has locations in or operates across more than one state, this will need to be taken into account during the development of your legislation register and compliance- related policies and procedures. Undeniably, the lack of standardisation across states can make understanding the legal landscape much more complex and confusing.

Because of this, many businesses choose to use a dedicated consultant who is an expert in legislation requirements for their industry. A specialist can assist you to quickly understand the relevant requirements as well as keeping track of any legislative updates, all the while focusing on implementing solutions that will preserve the longevity of your business without creating additional burden of unnecessary paperwork.

Implementing Legislative Compliance

While management play a crucial role in guiding change, implementing legislative compliance requires organisation-wide collaboration and commitment.

If you're looking to get long-term results, it's important to make legislative compliance a core component of your workplace culture. This will almost always be far more effective than focusing on just "ticking the boxes" as your legislative requirements change.

To do this, you'll likely need to reassess your current approach to legal compliance. While many businesses find this task daunting, it all comes back to thinking beyond your existing needs, so that your efforts are maintainable well into the future.

When your business is introducing legislative updates, we'd recommend doing the following:

- Prioritise which legislation you focus your efforts on based on how critical it is to your business and industry;
- Provide your employees with sufficient training, information and access to relevant resources;
- Establish a focus on continual improvement across all organisational levels;
- Keep comprehensive records of your legislative requirements (and document your business' progress in satisfying them);
- Appoint a compliance officer and/or seek external assistance from an experienced consultant.

Maintaining Your Legislative Compliance

Why do so many organisations opt for cutting corners, instead of effectively maintaining their compliance with legislative updates?

The short answer – it's not a straightforward process.

Understanding which regulations apply to your business can be a bit of a minefield.

At a minimum you will need an up-to-date register which references where in your systems you are complying with the relevant requirements.

You will need to keep up to date with changes in legislation at least annually (preferably more frequently) and update your register and associated procedures and systems accordingly.

If you're not experienced in managing legislative updates and systematically implementing any necessary changes, the way legislation is written can be confusing and so the task can become daunting.

The way to view it though, is in terms of long-term results, rather than "quick wins".

Legislative compliance doesn't happen overnight. Thus, it's important to make a start and allocate some time each month to review and update so that at any point in time, you are in a good position if audited by WorkSafe or the EPA for example.

Having good systems which accurately reflect the legislative requirements is essential also.

Cloud-based systems can be helpful in allowing businesses to communicate changes in legislative requirements more quickly and easily to their people.

For those unable or unwilling to DIY, or just wanting some guidance, a consultant with expertise in your industry can help you quickly identify the legislation you should be considering.

At Integrated Compliance Solutions, our consultants know what it takes to get and stay compliant with Australian legislative updates. We're experts in developing lean, low-burden systems, removing the pain and administrative burden from achieving your legislative compliance objectives.

How to Stay on Top of Legislative Changes

Legislation makes it mandatory for employers to uphold certain standards in their workplace.

For small businesses who are time poor, strategies for staying compliant need to be modern and effective, so you can easily and quickly hone in on which changes will impact your business and respond to those without having to wade through reams of legal mumbo jumbo.

With a clear process you are also able to avoid overwhelm – and save time in the process.

While some businesses find they have the resources to hire someone internally to manage changes in legislation or do it themselves, others find it's easier and more realistic to outsource assistance from an external expert.

If you decide to DIY, here are a few considerations and tips for keeping up with regulatory changes.

1. Stay Informed

Regulatory changes happen often and if there is a big update on the way, your business will benefit from knowing as soon as possible.

Subscribing to blogs and newsletters ensures you stay in the loop and can also be helpful reminders to regularly review your legislative compliance. For instance, you can subscribe to the newsletters of specialist law firms that are involved in legislative changes impacting your business. If you're looking for news and analysis regarding workplace safety, [OHS Alert](#) is one helpful resource to check out, as are the WorkSafe newsletters which come out regularly, such as [this one for Victoria](#).

While some businesses turn to news and media outlets for legislative updates, it can also be a good idea to go straight to the source. Monitoring websites of the governing agencies and regulatory bodies can provide you with the specifics of different changes, such as deadlines, and helps avoid nuances being lost along the way.

These suggestions are relatively low effort and only take a few minutes – but they can make a big difference.

2. Attend Conferences

Attending conferences and webinars has become more convenient than ever, with many now being offered online. If you are unable to attend, there is also often the option to watch a recording of the event at a time that suits you.

At conferences and webinars attendees can get information straight from industry experts who will filter the legal changes and provide advice only on those that apply to your industry.

In addition to hearing about which changes are on the way, you may also be provided with helpful tips for implementing regulatory changes.

Hearing outside perspectives from experts in the area can also prompt you to reassess how your current approach to managing legislative updates is working and where improvements could be made.

In some cases you will have the chance to ask questions about changes and the impact they will have on your business in real time. Other attendees might ask questions as well – some that you might not have considered before – helping you expand on your understanding even more.

[The Victorian Government Solicitor's Office \(VGSO\)](#) is one example of an institution that runs free monthly seminars featuring experienced speakers who often cover topics surrounding OHS.

3. Review Current Processes

Once you're made aware of legislative updates, the next step is to determine how your current systems need to be adjusted to accommodate these changes. This is done through the completion of a legislative compliance audit.

Legislative compliance audits identify any gaps between existing processes and the requirements of legislation. From this, organisations can develop a targeted plan for addressing downfalls and improving compliance.

Completing a legislative compliance audit identifies any potential risks of a breach. Doing so as soon as possible after legislation is introduced, will give you plenty of time to focus on gaps and devise a strong plan for making any necessary changes. This can include information like who will be responsible for managing changes, specific goals and deadlines – so issues can be proactively resolved before they become a serious problem.

After implementing audit actions to remedy gaps found, organisations need to regularly monitor progress to ensure they continue to meet the requirements of legislation and avoid becoming complacent over time- especially in areas which have been determined to be high risk.

4. Use Compliance Software

Compliance software supports seamless legislative compliance.

Automated workflows eliminate inefficiencies and clunky procedures, processes become faster and more accurate, there is no duplication across documentation, and employees spend less time on repetitive administrative tasks and more time on meaningful work that moves the company forward. The streamlined approach makes it easier to adjust systems as required to comply with the latest legislation.

When information is stored in the cloud, your organisation can also enjoy greater flexibility and agility than with rigid paper-based systems. System-wide updates can be implemented and communicated quickly and effectively as legislation changes, so you and your employees can avoid getting bogged down in paperwork.

If employees need to check any information relating to legislation, whether they're in the office, working from home or at a worksite, they can easily access the data or documentation needed when it's stored in the cloud.

Common Types of Legislation which change frequently

While there are, of course, an abundance of legislative requirements your business will need to comply with, our team commonly establish the following as a foundation because they are required for ISO certification.

Managing health and safety legislation updates, as well as environmental law updates is compulsory for businesses across Australia. Misconduct in either area can result in significant penalties for the business and be detrimental for not only your staff members but also the community as a whole.

Environmental Legislation Changes

As our awareness of environmental matters has evolved, environmental legislation has increasingly been introduced to address emerging challenges. In fact, environmental legislation gets updated far more frequently than health and safety at the moment as it reflects the outcomes of research into various environmental risks and suitable restrictions are enforced to prevent public harm and minimise and/or eliminate a business' impact on the environment.

Key areas currently being targeted across Australia include the amount of pollution or waste that organisations produce, such as the CO2 emissions a company emits or the potential impact of stored hazardous chemicals on our rivers and waterways. To reduce risks, as to prevent detrimental events that would inevitably cause harm to society and/or the environment – legislation mandates businesses taking a proactive, practical action to protect the environment by meeting the legislated requirements.

For more information specific to your state, contact an environmental legislation professional.

Health and Safety Legislation Changes

Health and safety legislation serves the ultimate purpose of ensuring that employers are taking reasonable measures to provide their staff members with a safe working environment.

By lowering their employee's exposure to illness or potentially harmful risks, business owners and managers can:

- Improve staff retention;
- Attract experienced, talented employees;
- Improve productivity in the workplace;
- Reduce the number of employees who experience injury or illness in the workplace;
- Maintain a strong positive reputation;
- Lower employee compensation costs for illness or injury suffered in the workplace.

In a bid to achieve greater legislative harmonisation across Australia, Workplace Health and Safety (WHS) laws were introduced during 2012. However, Victoria and Western Australia forfeited this adoption, instead opting to continue enforcing the requirements of Occupational Health and Safety legislation.

Because of this diversity and differences in obligations, it's important to do your research, especially if you work across states in order to be aware of which regulations apply to your business and how to meet all the state's minimum obligations.

This is a general overview of two categories of legislation that may be relevant to your business. For information tailored to your organisation's unique circumstances, get in touch with our team of experienced consultants today.

Staying Up-to-Date with the Latest Legislation: How We Can Help

How can our consultants help you stay up-to-date on the legislation that applies to you?

1. Developing a Legislation Register

A legislation register details an organisation's legislative needs or, in other words, the legal requirements with which they must comply.

At ICS, our consultants regularly assist businesses in developing a thorough, customised legislation register to assess and document their existing level of compliance.

2. Legislative Update Services

Our industry-expert consultants know the ins-and-outs of legislative compliance, and because of this, they can also provide you with reliable expert interpretations of any updates that are relevant to you.

This service ensures you're aware of any legislation changes that will impact your business on a regular basis and most importantly, what are the implications of these changes for your business, all the while removing the frustration and administrative burden out of staying informed on compliance.

3. Legislative Compliance Audits

A legislative compliance audit assesses how closely your business' existing systems align with your legislative requirements. This, in turn, assists organisations in determining where there are gaps in their current processes so that they can develop a clear action plan for addressing these discrepancies.

For more information, see our dedicated webpage on legislative compliance.

Get Compliant with the Latest Legislative Updates

Our team are available Australia-wide and have extensive experience in helping businesses get and stay compliant with legislation.

Contact us today and find out how our team can help you achieve your business' compliance goals.



Get in touch with our team

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