



Unilink

Legal & Risk Newsletter



We have squeezed in one more issue of Unilink before the end of the year to launch our new-look newsletter, let you know what's in store for 2011 and to thank those of you we have worked with over the past 12 months. It's been another busy year for us - as we are sure it has been for all of you - and 2011 looks like being no different. In this edition of Unilink we reflect on 2010 and give you a heads-up as to some the Legal & Risk projects, workshops and training sessions you could be involved in the future.

On behalf of the Legal & Risk team, I would like to wish you all a safe and happy Christmas.

Celine McInerney (General Counsel)



Legal

It would be fair to say that the legal side of Legal & Risk falls into two types; "business as usual"—the contracts, review and advice—and "the other" (when bad things happen). The vast majority of what we do we is confidential and we can't tell you about it. But suffice to say our business as usual activity is no less interesting or challenging, and we can assure you that it will continue in 2011.

Next year we will continue to offer general legal advice, advice on copyright compliance obligations and exemptions, advice in relation to Freedom of Information applications (including Ombudsman's reviews) and policy review. Next year we will continue to review contracts and agreements, (we may top this years' record of 500+ and counting), assist with claims and dispute resolution and management and "fight fires" when necessary.

Next year we encourage you to attend one of our training and education sessions. Sessions will include Trade Practices compliance, copyright, notifiable event reporting, fraud awareness, legal compliance, contract management and many more. Keep an eye out in future editions of Unilink and Inside Adelaide for details and check out our website www.adelaide.edu.au/legalandrisk/education.

Celine McInerney (General Counsel), Kim Evans (Legal Counsel, International), Geraldine Yam (Legal Counsel & Copyright Officer) and Richard Duddy (Legal Counsel & Senior Project Officer, Policy)

Risk Management

Risk Management activity throughout the University was ramped up in 2010. Over the last 18 months our focus has been directed towards:

- the establishment of a University Risk Management Committee;
- acquisition and redevelopment of the University Risk Register (URR);
- migration of the Enterprise-level risks to the URR and a review of the existing 11 risks;
- an update of the Risk Management online content and revision of the Risk Management Handbook in line with the new International Risk Management Standard (AS/NZS ISO 31000:2009);
- review and update of the University Risk Matrix;
- revision of the Risk Management Policy; and
- a change of focus and direction towards Business Continuity Planning.

We have been actively engaged with the Faculty of Health Sciences, Technology Services and the International Office, and opportunistic identification and analysis of operational risks continues across the other Faculties and Divisions.

To date, 69 risks have been added to the URR, 7 formal risk workshops and more than 20 informal risk assessment sessions have been conducted.

It is clear that awareness of risk is increasing across the University – evidenced by the number of workshops conducted, the level of engagement in specific projects (e.g. externally hosting staff email/calendar, Learning Hub, Kaplan proposal, ICT Governance) and the number of referrals from the insurance program (notifiable events) and legal compliance roll-out. The increased awareness means that business and risk owners have centrally managed information that is relevant and meaningful to them. For the University, it means that risks are identified, managed and then expressed within the University Risk Register using common language and descriptors that best reflect risk management practices.

We will continue the risk management program in 2011 by offering risk workshops, undertaking risk assessments and formalising risk management activity. Every major project should incorporate a risk assessment and even small projects benefit from having one. If you are interested in engaging in risk management work in early 2011, please contact the Manager Risk Services (8303 4603) or General Counsel (8303 5033). We'd love to hear from you.

Thank you to all University staff who have assisted us this year and we look forward to working with more of you next year.

Anne Hill (Manager, Risk Services) and
Celine McInerney (General Counsel)





- More Legal & Risk resources
- Additional modules of the Contract Management Handbook, which you can access via the Legal & Risk website—www.adelaide.edu.au/legalandrisk/contracts/
- Details of Education and Training sessions

Compliance

It seems like only yesterday that we were conducting the pilot of the legal compliance project, but by the end of this year, we will have rolled out the legal compliance framework to 16 Schools, Faculty Offices and Controlled Entities:

- School of Medical Sciences
- School of History & Politics
- Health Sciences Faculty Office
- School of Medicine
- Elder Conservatorium of Music
- HUMSS Faculty Office
- School of Agriculture, Food & Wine
- School of Humanities
- School of Social Sciences
- School of Dentistry
- Adelaide Unicare
- National Wine Centre
- ECMS Faculty Office
- Australian School of Petroleum
- Development & Alumni
- Sciences Faculty Office

Rolling out the framework area by area has allowed us to work closely with staff from all around the University. We appreciate the time and commitment these areas have provided us and have found the experience invaluable in better understanding what each area does, and just how unique they are. The areas involved so far have been very positive about the process and benefits, and improved awareness of legal compliance is already evident.

Each area has been provided with user friendly tools to assist with compliance, such as their own web-page, regular Legal Alerts explaining changes to the law, a suite of learning aids covering the University's most important Acts (we call them our [e101s](#)) and a system to provide assistance should something go wrong. These tools are available on Legal & Risk's website www.adelaide.edu.au/legalandrisk/resources/.

Aside from the roll-out to schools and other areas, we have continued to work with the University's Compliance Owners, senior branch and divisional managers who are responsible for compliance with most of the legislation across the University. We are pleased to have had Professor Roger Thomas (Dean, Wilto Yerlo) come on board as Compliance Owner for indigenous legislation, clearly an expert in the advancement and preservation of indigenous culture and heritage.

A number of legal compliance matters were identified during the year and have been recorded on the University's Register of Compliance Activity. This will form the basis of our first certification of compliance that will be provided to the Vice-Chancellor and to Council early in the new year.

The plan for 2011

Next year we will be engaging with schools from Health Sciences, Sciences, ECMS and the Professions followed by the remaining branches in 2012. For those of you in areas that we have not rolled out to as yet, we would encourage you to speak to staff who have already completed the framework training, about their experience. You are also very welcome to speak to us.

Finally, we would like to thank staff in both the schools and branches who have helped develop the tools that are now available to all staff across the University, and whose input has added considerable depth to the material: Judi Baron, Nik Cornish, Lee Atkinson-Barrett, Wes Fisk, Monique Roberts, Matthew Jeffrey, Roger Thomas, Harald Baulis, Sue Coppin, Kylie Percival, Mirna Heruc and Helen James. We look forward to working with more staff as we continue to roll-out the framework next year.

Richard Boyer (Manager, Compliance) and
Phillipa Schliebs (Project Officer, Compliance)



Insurance

As part of the University's annual Insurance renewal process, Legal & Risk provides our brokers with comprehensive, up-to-date information about what has happened over the past 12 months, and what we know *could* be happening across the University in the coming years. Updates on our major building projects, new schools and key research activities have all been included in this year's report, along with any claims or notifiable events that have been reported. This information is currently being assessed by our insurers as part of their process in determining the University's "risk profile" and how much they will charge us for our insurance cover in 2011.

In order to provide our insurers with the most up-to-date information possible, we must disclose all known facts, circumstances and events ("notifiable events") that have occurred in the past 12 months that could impact on our insurance cover. Failure to properly disclose or update *all* notifiable events places the University at risk of not being adequately insured.

If there are any matters you would like to disclose or update before the end of the year, please advise either Tom Pontt (by phone 8303 3878 or email thomas.pontt@adelaide.edu.au) or myself (by phone 8303 4635 or email joseph.dipinto@adelaide.edu.au) by 23 December.

Keep an eye out early next year for the 2011 Insurance Policy Guides, which will contain details of the cover for each category of insurance and new Certificates of Currency which can be used throughout the year as proof of insurance.

Thank you to all University staff who have assisted us and been forthcoming with insurance information this year. Special thanks also, to our Insurance brokers, in particular David Clarke and Graham Vasileff.

Joe Di Pinto (Manager Insurance) and
Tom Pontt (Finance & Insurance Officer)

