

## **POLICY DEVELOPMENT AND REVIEW**

### **PREFACE**

We aim to be an effective organisation. Policies are one of the tools we use to achieve this goal. The proper management of the development, maintenance and review of those policies is essential to maximise their effectiveness.

### **PURPOSE**

The purposes of this policy are:

- to provide a framework for effective policy development, maintenance and review, and
- to ensure availability of policies to all staff (except where this would pose a security risk or otherwise breach our security policy).

### **RESPONSIBILITY**

The Manager Corporate is responsible for:

- periodically reviewing policies
- assessing requests for changes to policies
- coordinating and developing proposals for changes to be considered by the Ombudsman
- maintaining and updating original policy documents, and
- ensuring that policies are accessible.

### **LEGISLATIVE FRAMEWORK**

Not applicable.

### **DEFINITIONS**

Not applicable.

### **WHAT IS A POLICY?**

A policy is a statement or instruction from the Ombudsman that sets out the way particular issues are to be addressed or particular decisions are to be made. Policies set out the Ombudsman's views on how the office should fulfil its vision, mission and goals. Policies also help to ensure consistency of work practices throughout the office.

Policies relating to conditions of work for staff outline the Ombudsman's commitment to maintaining certain conditions of work as a best practice public sector employer. Where required by the conditions of service award or by principles of ethical practice, these policies will be developed in consultation with staff.

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NSW Ombudsman policy number:	3
Policy originally created:	25 February 2005
Last reviewed / updated:	21 April 2008
Version number:	4
Related policies:	Corporate plan, consultative arrangements policy, records management policy, access and awareness, ethnic affairs priority statement

This policy supersedes the Policy Development and Review policy dated 25 February 2005...

## **POLICY STATEMENT**

### ***1. Policies must be approved by the Ombudsman***

All policies must be approved by the Ombudsman.

### ***2. Policies are to be maintained centrally and securely***

Original policies are corporate records and must be maintained in accordance with the records management policy.

The Manager Corporate is responsible for maintaining the most up-to-date version of every policy in electronic format and a paper original kept in a centralised policy file. The Manager Corporate is to ensure sufficient security over the original records to prevent unauthorised changes to them. Only the Ombudsman, the Manager Corporate or any other person authorised by the Ombudsman to make changes, can make changes to original policies or create new policies.

The Manager Corporate is responsible for storing and maintaining the metadata in relation to policies. Metadata is descriptive information about a document. Metadata should be used to help staff manage and retrieve the information contained in policies, and to verify how current a policy is. The specific metadata to be kept in relation to every policy is outlined in the procedures supporting this policy.

### ***3. Policies should be accessible***

The Manager Corporate is responsible for ensuring that the most up-to-date version of every policy, in hard copy and electronically, is accessible to all staff.

The Manager Corporate is to notify all staff of any new, changed or rescinded policies. Staff should be advised that if they are interested in the reasons why a new policy was developed or an existing policy was changed or rescinded, they may contact the Manager Corporate.

The electronic version of each policy is to be published in a format that allows staff to search for a policy by policy name, creation date, date on which it was updated and keywords.

Note: A full list of policies is published every six months in the NSW Government Gazette in accordance with the *Freedom of Information Act 1989*. This list will be published on our web site in a format that ensures that it is accessible to all people.

### ***4. Policies should be accurate***

Policies should accurately reflect the office's vision, mission and goals.

Policies should clearly state whether or not they supersede any previous policies. Each policy should state from which date it is effective. Policy documents that have been superseded or updated are no longer official office policy and should be clearly marked as having been superseded.

Policies should contain accurate and up-to-date information, including current laws and applicable government policies. If you identify out-of-date information in an existing policy, you should follow the procedures supporting this policy to have the policy updated.

### ***5. Policies should be clear, understandable and identifiable as policies***

Policies are to be written in plain English and in accordance with the office's style guide and the template supporting this policy. Each policy should be identifiable as a policy document. Policies should contain at least the following elements:

- NSW Ombudsman logo
- name of the policy
- date created and updated
- statement about whether or not the policy supersedes or updates any previous versions

- statement of purpose
- policy statement.

## ***6. Policies should be comprehensive***

A policy should cover the issue it is intended to deal with comprehensively. If you identify an omission in an existing policy, you should follow the procedures supporting this policy to have the omission rectified or explained. The Ombudsman may decide that the policy needs to be changed, or a new policy needs to be developed. On the other hand, if a matter was deliberately omitted from a policy, for example, where certain matters are already covered by legislation or government policy, the Ombudsman may decide that no change is necessary.

If a situation arises which is not covered by an existing policy, and you believe that a policy may be necessary for you to determine how to handle the situation, you should follow the procedures supporting this policy. The Ombudsman may decide that an existing policy needs to be changed or a new policy needs to be developed.

## ***7. Policies should be consistent***

Policies should be internally consistent and consistent with other policies. If you identify an inconsistency in an existing policy, you should follow the procedures supporting this policy to have the inconsistency rectified or explained.

Policies should be in a consistent format as contained in the template supporting this policy.

Each policy should clearly state any policy to which it is related.

## ***8. Policies to be supported by procedures***

Each policy should be supported by any procedures, templates or guidelines necessary to implement the policy. Such procedures, templates or guidelines may be contained in the centralised policy file, a team manual or another publication.

## ***9. Development of new policies and amendment of existing policies***

New policies must be developed, and existing policies must be amended, in accordance with the procedures supporting this policy.

Particular staff members and any identifiable external parties should be consulted in the development of any new policy or the amendment of an existing policy, which, in the opinion of the Ombudsman, substantially affects their rights and obligations.

The consultative arrangements set out in policy no. 8 *Consultative arrangements* will be followed in the development of any new policy or the amendment of an existing policy.

The Manager Corporate is responsible for coordinating the drafting of any new policy and undertaking the necessary consultation.

## ***10. Periodic review of policies***

Policies and procedures (including those established to support policies, statutory obligations, government or Ombudsman directives) are to be reviewed periodically to ensure that:

- each policy remains accurate and consistent with current law and applicable government policies
- each policy remains relevant and necessary
- each policy is understandable
- each policy is comprehensive
- all policies necessary for the office to be effective are in place
- all policies are internally consistent and consistent with each other

- appropriate and necessary procedures are in place to support each policy.

The Manager Corporate is responsible for conducting this review, except in relation to policies that they cannot access for security reasons, according to a program agreed to by the Ombudsman. Following the review, or at any other time, the Manager Corporate may put a proposal to the Ombudsman outlining any changes thought necessary. It may be proposed that separate policies be amalgamated into a new policy. Any changes approved by the Ombudsman must be implemented by the Manager Corporate and made accessible to staff in accordance with this policy.

At any time, an Assistant or Deputy Ombudsman may put a proposal to the Ombudsman outlining any changes that they think may be necessary to a policy. Any changes approved by the Ombudsman must be implemented by the Manager Corporate and made accessible to staff in accordance with this policy.

Any document that outlines policy principles that has not been developed in accordance with the procedures supporting this policy should be reviewed from time-to-time by the Manager Corporate. The Ombudsman may approve the document as a policy. Such a document should then be treated as a policy and made accessible to staff in accordance with this policy.

### ***11. Translations of policies***

If a member of the public makes a request to view a policy and indicates that he or she is unable to understand the policy in the English language, a proposal should be put before the Ombudsman to consider whether or not the policy should be translated into a language other than English. (Also see the Ethnic Affairs Priority Statement).

If the Ombudsman decides to translate a policy into a language other than English, one document of each translated policy will be maintained centrally and securely in the same way as the original policy published in English.

The provisions of this policy and the procedures and templates supporting this policy apply to any document that is a translated policy.

### **OMBUDSMAN APPROVAL**



Bruce Barbour  
OMBUDSMAN

## **PROCEDURE**

### ***1. Records management—metadata***

In addition to standard metadata required to be kept in relation to each policy under the records management policy, the following metadata is to be recorded:

- unique policy number
- date created
- date updated
- version number
- related policies

### ***2. Records management – general***

Each policy will have its own ADM folder, which will contain working documents such as drafts and records of consultations with relevant parties. Previous versions on the policy will also be kept on this file.

The current approved policy will be filed in ADM/320, the centralised policy file.

### ***3. Changing existing policies and developing new policies***

If a staff member discovers information in a policy that is out-of-date, inaccurate, incomplete or inconsistent, or they have a suggestion as to how a policy might be improved, or if faced with a situation that is not covered by an existing policy, and believe a new policy or an amendment may be needed, the steps should be followed:

- Speak to your team manager or a statutory officer about the policy issue. They may be able to explain why a policy is not appropriate (for example, if the matter is covered by legislation) or suggest a way of dealing with the situation at hand without needing to create a new policy.
- If the team manager or statutory officer agrees that an existing policy needs to be changed or corrected, or a new policy may need to be developed, they should propose this by email or otherwise in writing to the Manager Corporate. This submission should include reasons for the proposal.
- The Manager Corporate will determine if any existing policy needs to be amended or if a new policy needs to be developed, and put forward a proposal to the Ombudsman.
- If the Ombudsman approves the proposal in principle, the drafting of the amendment or new policy is to be coordinated by the Manager Corporate.
- If a staff member is requested to develop a new policy they should advise the Manager Corporate to ensure they obtain a policy number and use the correct policy template format.
- When a policy needs to be amended, the Manager Corporate should be advised.
- Once an amendment or new policy is completed the Manager Corporate will circulate the document to relevant staff for comment (which staff will be consulted will depend on the nature of the amendment or new policy) and consider all comments received within the timeframe provided.
- If the amendment or new policy affects the employment rights of staff, the Manager Corporate is to refer the matter to the Joint Consultative Committee.
- Once all comments have been received, including any recommendations of the Joint Consultative Committee, the Manager Corporate will put the amendment or new policy before the Ombudsman, with all relevant comments or recommendations, for consideration and approval.
- When the Ombudsman approves the amendment or new policy, the electronic document will have the Ombudsman's signature included and it will then be checked into TRIM. The Manager

Corporate will advise all staff of the changes. The approved policy will be filed in ADM/320 for staff to access.

- The current signed policy document will be filed in ADM/320.
- Superseded policies are filed in the relevant policy's ADM file.

#### ***4. Format of a policy***

Each policy should be in a format consistent with the template located in ADM/65.



*Click on the icon to access the policy template.*

99. policy template.tr5