



Position Description

Senior Compliance and Investigations Officer

Position No: TBA
Reports to: Manager, Licensing and Compliance
Classification Code: AS06
Type of Appointment: Contract, full-time

Position Description Approval

Chief Executive Officer

Date

Position Description

Purpose of position

The Senior Compliance and Investigations Officer will provide expertise in the compliance functions across the industries regulated by the Essential Services Commission (**Commission**). This includes a range of activities to ensure the effectiveness and integrity of the Commission's compliance, investigation and assessment programs.

Specifically, this role is responsible for taking an active role in assessing and identifying issues of non-compliance, or potential non-compliance, and leading thorough investigations of these issues where required.

The role will also assist with the assessment of complex licensing applications and licensing enquiries against legislative and regulatory requirements.

Reporting relationships

This position:

- ▶ Reports to the Manager, Licensing and Compliance.
- ▶ Works closely with other staff members of the Commission.
- ▶ Maintains professional working relationships with a range of external stakeholders including regulated entities, Ombudsman schemes, customer advocacy groups, South Australian Government and regulatory staff from other jurisdictions.

Organisation background

The Commission is a statutory authority established as an independent economic regulator and advisory body under the Essential Services Commission Act 2002.

The Commission's primary objective is the protection of the long-term interests of South Australian consumers with respect to the price, quality and reliability of essential services.

The Commission regulates the provision of essential services in the water and sewerage, electricity, gas, ports and rail industries, conducts formal public inquiries and provides advice to South Australian Government on economic and regulatory matters.

The Licensing, Monitoring and Reporting group keeps regulated businesses accountable by monitoring and reporting on service standards, licence requirements and the Retailer Energy Efficiency Scheme.

The Commission is committed to providing thought leadership in economic regulation and regulatory policy and undertakes extensive stakeholder engagement to inform its work.

Special conditions

- ▶ Some out of hours work may be required.
- ▶ Some interstate or intrastate travel may be required.

Key accountabilities

Compliance and investigations

- ▶ Undertake periodic reviews of the Commission's compliance and enforcement program to ensure it is responsive to current and emerging issues, and fit-for-purpose in the context of the industries and regulated entities it covers.
- ▶ Assess, investigate, evaluate and document the activities of regulated entities to encourage compliance with legislation, regulatory frameworks and contractual requirements. Actively monitor market intelligence (for example, reporting data, customer complaints, entity self-reporting and audit findings) and take a risk-based approach to determining matters requiring investigation and follow-up action.
- ▶ Undertake end-to-end investigations in respect of identified or potential non-compliances, including:
 - developing investigation briefs clearly outlining desired outcomes and the stages of the investigation
 - actively communicating with those stakeholders impacted by an investigation (for example, regulated entities, customers, Ombudsman schemes) in a timely manner
 - preparing and presenting high quality and evidence-based written reports on investigation findings and recommended actions (including enforcement actions) to the Leadership Team and Commissioners
 - implementing and monitoring achievement of approved recommended actions, and
 - maintaining detailed and accurate investigation records, including electronic and physical records.
- ▶ Educate and collaborate with regulated businesses (and other stakeholders) on the compliance frameworks utilised by the Commission, or on compliance issues of significance. This may include the delivery of presentations, facilitating stakeholder workshops or preparing targeted written materials.
- ▶ Coordinate and conduct compliance audits of regulated entities in accordance with the Commission's compliance audit program.
- ▶ Manage the annual compliance reporting process in accordance with relevant regulatory guidelines and instruments. This includes conducting periodic reviews and assessments of regulated businesses compliance outcomes, and producing relevant reports.
- ▶ Participate in, and contribute to, the ongoing review of codes, licence conditions, rules, guidelines and other regulatory instruments issued by the Commission.
- ▶ Monitor and report on national and international developments associated with compliance and enforcement functions and their relevance to the Commission.
- ▶ Develop and maintain relevant resources on the Commission's website and intranet pages as required.

Licensing

- ▶ Assist with a broad range of licensing enquiries in a timely manner, and work with licence applicants to understand legislative and regulatory requirements throughout the application process.
- ▶ Assist with the assessment of complex licence applications against legislative requirements and preparation of evidence-based recommendation reports for submission to the Leadership Team and Commissioners.

General

Contribute towards the achievement of the Commission's strategic direction by:

- ▶ adhering to standards of behaviour consistent with the Commission's corporate values and demonstrating these behaviours
- ▶ actively contributing to an environment which focuses on achieving the best outcomes for consumers of essential services, encourages collaborative and productive teamwork, and facilitates learning and professional development
- ▶ contributing to the ongoing development of the Commission's corporate objectives and actively participating in the development, implementation and monitoring of the Commission's Performance Plan and deliverables
- ▶ developing strong positive relationships and demonstrating effective communication within the Commission and with a broad range of external stakeholders, including regulated businesses, consumers and their representative organisations, other regulators and government, and
- ▶ enhancing the Commission's performance by contributing to and implementing process improvement through technology and change in practices.

Contribute to the work health and safety (**WH&S**) of the Commission and a strong culture of safety by demonstrating safe working practices and adhering to WH&S legislation, regulation, policies and practices.

Contribute to the effective operation of the Commission's Corporate Governance Framework by complying with all corporate policies and procedures which includes keeping accurate and complete corporate records.

Undertake other tasks as directed.

Acknowledged by Occupant

Signature

Date

Essential minimum requirements

(those characteristics considered absolutely necessary)

Educational/vocational qualifications

- ▶ Qualifications and/or equivalent experience in managing and implementing regulatory compliance frameworks and compliance investigations.

Personal abilities/aptitudes/skills

- ▶ Ability to think analytically, creatively and laterally and exercise independent judgement.
- ▶ Ability to plan, prioritise and organise work to achieve goals and meet deadlines, including dealing with competing demands and managing multiple projects and tasks in a complex environment.
- ▶ High level written and verbal communication skills, including business writing (ability to develop critical and evidence based reports and documentation of a high standard), presentation and interpersonal skills.
- ▶ Ability to be proactive, work independently, and to take responsibility for achieving results.
- ▶ Ability to work collaboratively in a team environment, to be supportive and contribute to the development of other team members.
- ▶ Ability to liaise effectively, including consultation and negotiation, with a range of stakeholders, to facilitate their cooperation and support to achieve desired outcomes and to establish and maintain effective relationships.
- ▶ Demonstrated professional performance, competence and ethical approach that indicates a high degree of personal integrity and credibility.

Experience

- ▶ Significant experience in interpreting and applying legislation and regulatory instruments.
- ▶ Significant experience conducting complex end-to-end investigations of identified or potential non-compliances including, gathering and analysing relevant evidence, making substantiated and evidence based findings, proposing recommended actions (if required), and ensuring implementation of requisite actions.
- ▶ Proven experience in contributing to the establishment, review and continuous improvement of compliance frameworks, policies, practices and processes.
- ▶ Proven experience in conducting effective stakeholder engagement programs. Including experience in presenting confidently to external audiences.
- ▶ Significant experience in the preparation of high quality documentation, including reports and briefings for executive teams and Boards, letters to stakeholders, regulatory decision documents, public fact-sheets for consumers and website updates.
- ▶ Experience in the use of Microsoft Office, inclusive of email, word processing, spreadsheet construction, graphing and tabulations, text and graphics presentations.

Knowledge

- ▶ A thorough understanding of regulatory compliance related frameworks and the principles of responsive regulation.
- ▶ A thorough understanding of undertaking compliance investigations.

- ▶ An understanding of the principles of ethical business practice.

Desirable characteristics

(to distinguish between applicants who have met all essential requirements)

Educational/vocational Qualifications

- ▶ Tertiary qualifications in a relevant discipline such as law, business or commerce.
- ▶ Certificate IV in Government Investigations.
- ▶ An understanding of the legislative and regulatory frameworks relevant to the Commission.