



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **BSBCOM403A Provide education and training on compliance requirements and systems**

Release: 1

## **Modification History**

Not Available

## INTRODUCTION

Unit Descriptor	<p>This unit covers the organisation and provision of corporate induction and ongoing training programs to enable operational and managerial personnel to effectively implement and maintain an organisation's established compliance program/management system.</p> <p>This may include the organisation of the development and provision of appropriate internal and external learning opportunities and resources. This unit has been designed to be consistent with Australian Standard AS 3806: Compliance Programs.</p>
Competency Field	Business management services
Domain	Compliance management
Application of the Competency	<p>Dependent on the size of the organisation, the unit could be applied to different groups of managers. For example, in small businesses the unit could be undertaken by owner-managers, chief executives and/or other managers. In larger organisations, the unit could be required by managers and compliance section managers who may have specific responsibility for the planning, development and operation of induction and training components of their organisation's compliance program.</p> <p>This unit is intended to ensure that compliance is an integral part of normal business operations.</p> <p>Application of this unit must be consistent with the pertinent sections of relevant Australian and international standards and legislative requirements including – AS 3806: Compliance Programs, AS 4269: Complaints Handling, A/NZS: 4360 Risk Management and AS ISO 15489: Records Management.</p>

### Element

Elements define the critical outcomes of a unit of competency.

### Performance Criteria

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Italicised terms are elaborated in the Range Statement.

1. Identify the requirements for induction and ongoing training programs in the area of compliance management
  - 1.1 Compliance requirements relevant to the organisation and the associated compliance program/management system established to enable the organisation to fulfil its obligations and responsibilities are confirmed and documented in preparation for induction and training activities
  - 1.2 Individual responsibilities of personnel within the organisation to implement the organisation's compliance program/management system are identified and confirmed in accordance with the organisation's compliance policies and relevant Australian and international standards
  - 1.3 Current competence and capacity of personnel to implement and maintain a compliance program/management system is assessed and documented
  - 1.4 Induction and training needs of personnel to achieve the required levels of competence are determined
  
2. Plan and organise internal and external education and training systems
  - 2.1 Compliance training objectives are developed based on the assessed training needs of personnel
  - 2.2 Quality and costs of external training options are assessed and compared
  - 2.3 Appropriate internal compliance training programs and/or external compliance training options are selected and organised to meet assessed compliance management training needs
  - 2.4 Customisation of external training options is negotiated if required
  - 2.5 Budget for internal and external compliance training is prepared and negotiated with appropriate organisational personnel
  - 2.6 Training personnel requirements are identified and appropriate staff are assigned or recruited and prepared
  - 2.7 Appropriate training and assessment materials and facilities are organised for development or acquisition (where required)
  - 2.8 Implementation plans for the internal and external compliance training are prepared and executed as approved
  - 2.9 Contract(s) for required external compliance training are negotiated and signed as per organisational policies and procedures
  - 2.10 Planned corporate induction and training programs are implemented.
  
3. Evaluate and monitor the compliance education and training systems
  - 3.1 Criteria for the monitoring and evaluation of internal and external compliance training systems are established
  - 3.2 Operational plan for the monitoring and evaluation of internal and external compliance training systems is prepared and approval sought from appropriate personnel

3.3 Staff and resources required for the monitoring and evaluation of internal and external compliance training systems are identified and organised

3.4 Approved plans for the monitoring and evaluation of internal and external compliance training systems are implemented

4. Document the operation of the compliance education and training systems
  - 4.1 Plans for the development and operation of both internal and external compliance induction and training systems are documented in accordance with organisational requirements
  - 4.2 Operational reports, certification and training and assessment records are prepared, processed and stored in accordance with relevant organisational statutory requirements
  - 4.3 Reports on the outcomes of monitoring and evaluation of compliance induction and training systems are prepared and processed as required

## RANGE STATEMENT

The Range Statement adds definition to the unit by elaborating critical or significant aspects of the performance requirements of the unit. The Range Statement establishes the range of indicative meanings or applications of these requirements in different operating contexts and conditions. The specific aspects which require elaboration are identified by the use of italics in the Performance Criteria.

Legislation, codes and national standards relevant to the workplace may include:

- award and enterprise agreements and relevant industrial instruments
- relevant legislation from all levels of government that affects business operation, especially in regard to occupational health and safety (OHS) and environmental issues, equal opportunity, industrial relations and anti-discrimination
- relevant industry codes of practice

Compliance requirements may include but are not limited to:

- cross-industry, industry-specific and internal organisational compliance requirements in such areas as (examples only in alphabetical groupings):
  - anti-discrimination (including discrimination by race, sex, disability, religion, etc.), alcohol licensing (licensing regulations covering clubs, pubs, licensed premises, etc.), aviation
  - bankruptcy
  - chemical use, child protection, construction, conveyancing/real estate, copyright, corporate governance, customs, credit
  - education, electricity, environmental protection, equal opportunity
  - financial services (including banking), fire, food hygiene, freedom of information, freight forwarding
  - gambling, gene technology

- health, human rights
- insurance, immigration, intellectual property
- land management
- maritime, mining
- pharmaceuticals, patents, privacy
- quarantine
- racing, rail transport, road transport
- safety (includes cross-industry generic regulations as well as industry, equipment or product-specific sub-categories e.g. marine safety, rail safety, food safety, aviation safety, road safety, dangerous goods, construction safety, mine safety, road safety, etc.), security, sewage, superannuation
- taxation, telecommunications, tobacco, trade practices and consumer protection
- water supply, workers compensation, workers rehabilitation
- different types of external and internal compliance requirements including:
  - regulations of a state, national or international regulatory authority
  - accreditation requirements of an institute, professional organisation or registration body
  - requirements for certification under statutory licensing systems
  - statutory standards or codes of practice
  - internal policies, procedures, standards or codes of practice of an organisation

Compliance program/management system may include but is not limited to:

- documentation of compliance requirements relevant to the organisation
- specifications of compliance management responsibilities within the organisation
- compliance related management information systems
- record-keeping systems required for compliance management
- liaison procedures with relevant internal and external personnel on compliance related matters
- breach management policies and processes including the identification, classification, investigation, rectification and reporting of breaches in compliance requirements
- compliance reporting procedures
- corporate induction and training processes related to compliance management
- processes for the internal and external promulgation and promotion of information on compliance requirements and compliance program/management system
- compliance complaints handling systems
- continuous improvement processes for compliance including monitoring, evaluation and review
- strategies for development of a positive compliance culture within the organisation
- techniques and performance indicators for monitoring the operation of a compliance program/management system
- reporting processes on compliance management including reports on breaches and rectification action

Individual responsibilities of personnel within the organisation to implement the organisation's compliance program/management system may include but is not limited to:

- advising and consulting on compliance requirements and management systems
- applying basic skills and knowledge (achieved in induction or orientation program) to ensure that compliance is maintained with applicable regulations, rules, codes etc.
- costing and budgeting for compliance
- creating a culture of compliance within an organisation
- developing and implementing systems for compliance, including record keeping, complaints and reporting systems
- ensuring that the organisational infrastructure, policies and operating procedures for compliance are developed, implemented and maintained
- educating others on compliance requirements and related management systems
- ensuring compliance within others' work
- ensuring compliance within own work
- evaluating and reviewing compliance management system
- identifying and interpreting compliance requirements
- implementing the compliance records system
- implementing the compliance related complaints- handling



system

- managing rectification of breaches of compliance requirements
- monitoring and reporting on the implementation of compliance systems and requirements
- organising the implementation of compliance program/management system
- planning and developing a compliance management system
- promoting compliance within and outside of an organisation
- rectifying identified breaches of compliance requirements
- undertaking risk management on compliance

Relevant Australian and international standards may include but are not limited to:

- AS 3806: Compliance Programs
- AS 4269: Complaints Handling
- A/NZS 4360: Risk Management
- AS ISO 15489: Records Management

Internal compliance training programs may include but are not limited to:

- induction and on-job coaching and mentoring on compliance responsibilities and roles within compliance programs and related management systems
- internal off-job training on specific aspects of compliance management system such as MIS, complaints management, breach management, contributing to a compliance culture within the organisation, etc.; these may be substantial courses or short one-day workshops on specific issues
- internally developed and managed online training on specific aspects of the compliance management system including operational procedures and relevant roles and responsibilities

External compliance training options may include but are not limited to:

- training programs conducted by regulatory authorities on requirements and obligations within a specific area of compliance, e.g. OHS (National Occupational Health and Safety Commission) or Financial Advisor Regulations (ASIC)
- training programs on relevant aspects of compliance conducted by accredited training organisations
- externally developed and managed online training on specific aspects of compliance and compliance programs and related management systems

Training personnel may include but are not limited to:

- compliance education and training managers
- training coordinators
- trainers and assessors with expertise in relevant aspects of compliance requirements and compliance programs and related management systems
- coaches and mentors in the workplace with expertise in relevant aspects of compliance requirements and compliance programs and related management systems
- training support staff including administration staff, training resource managers and training material developers

Criteria for the monitoring and evaluation of internal and external compliance training systems may include but are not limited to:

- cost – value for money
- relevance
- accredited by relevant compliance authorities or other relevant industry organisations or professional institutes or bodies
- accredited under the Australian Quality Training Framework
- flexibility in meeting the requirements of the organisation

- Operational reports, certification and training and assessment records may include but are not limited to:
- e.g. times, locations
  - quality of resources including training materials, facilities and training and support staff
  - trainee and student records
  - assessment outcomes
  - reports on the evaluation of compliance training programs
  - educational awards and training certificates
  - accreditation submissions and related documentation
  - planning and operational documentation for both internal and external compliance training

## EVIDENCE GUIDE

The Evidence Guide provides advice to inform and support appropriate assessment of this unit. It contains an overview of the assessment requirements followed by identification of specific aspects of evidence that will need to be addressed in determining competence. The Evidence Guide is an integral part of the unit and should be read and interpreted in conjunction with the other components of competency.

Assessment must reflect the endorsed Assessment Guidelines of the parent Training Package.

### Overview of Assessment Requirements

A person who demonstrates competence in this standard must be able to provide evidence that they have successfully managed the provision of education and training to relevant personnel within an organisation to enable it to fulfil its obligations and responsibilities under applicable compliance requirements.

Evidence will include:

- demonstration of core skills and knowledge required to manage a compliance corporate training and assessment scheme within an organisation
- demonstration of the specific skills and knowledge that may be uniquely required to manage education and training activities in particular compliance areas such as OHS, environmental protection, corporate governance, insurance, transport, credit, food production, banking, etc
- Note: dependent on the scope and type of compliance requirements involved and the extent of internal and external training and assessment activities being managed, the depth, breadth and complexity of skills and knowledge to manage corporate induction and training on compliance requirements and programs may vary.

### Specific Evidence Requirements

Required knowledge and understanding include:

- internal and external training options available to match the needs of the organisation and its staff in compliance related areas
- Australian and international standards as they relate to training and skill requirements needed for the development, implementation and maintenance of compliance program/management systems including but not limited to:
  - AS 3806: Compliance Programs
  - AS 4269: Complaints Handling
  - A/NZS 4360: Risk Management
  - AS ISO 15489: Records Management
- sources of information on training options relevant to the development, implementation and maintenance of compliance program/management systems

- adult education and training principles
- elements of compliance programs and related management systems including:
  - documentation of compliance requirements relevant to the organisation
  - specification of compliance management functions, accountabilities and responsibilities within the organisation
  - compliance related management information systems
  - record-keeping systems required for compliance management
  - liaison procedures with relevant internal and external personnel on compliance related matters
  - breach management policies and processes including the identification, classification, investigation, rectification and reporting of breaches in compliance requirements
  - compliance reporting procedures
  - corporate induction and training processes related to compliance management
  - processes for the internal and external promulgation and promotion of information on compliance requirements and compliance management system
  - compliance complaints handling systems
  - continuous improvement processes for compliance including monitoring, evaluation and review
  - strategies for development of a positive compliance culture within the organisation
  - techniques and performance indicators for monitoring the operation of a compliance management system
  - reporting processes on compliance management including reports on breaches and rectification action
- relevant organisational policies and procedures including:
  - compliance plans and policies in various compliance areas
  - organisational standards for operations and ethics

Required skills and attributes include:

- ability to relate to people from a range of social, cultural and ethnic backgrounds, and physical and mental abilities
- ability to source and select appropriate training options
- ability to contribute to a positive culture of compliance within an organisation
- ability to coordinate training and assessment activities within an organisation
- ability to plan and develop appropriate internal and external training in compliance related areas, including:
  - identifying and organising internal and external training to meet compliance needs of the organisation
  - developing internal and external training schedules
  - managing other personnel involved in the education and training activities
  - coordinating availability and use of training facilities, equipment and materials
  - time management
  - financial management
- ability to monitor and evaluate internal and external training programs in an organisation
- communication and interpersonal skills:
  - written and verbal communication skills
  - ability to relate to internal and external personnel involved in compliance training

Key competencies or generic skills relevant to this unit

The seven key competencies represent generic skills considered essential for effective work participation. Innovation skills represent a further area of generic competence. The bracketed numbering indicates the performance level required in this unit:  
Level (1) represents the competence to undertake tasks effectively  
Level (2) represents the competence to manage tasks  
Level (3) represents the competence to use concepts for evaluating and reshaping tasks  
The bulleted points provide examples of how the key competencies can be applied for this unit.

Communicating ideas and information (3)

- consulting with staff and others on training needs in area of compliance requirements and related compliance program/management systems
- communicating with internal and/or external trainers and training organisations on compliance training issues

Collecting, analysing and organising information (3)

- gathering and analysing information on staff training needs in compliance related areas

- obtaining information on training options and selecting those appropriate for the organisation

- Planning and organising activities (3)
- preparing the plan for the internal and external activities (as applicable)
- Working in a team (3)
- managing the work of others conducting internal or external training on compliance requirements and compliance programs/management systems
- Using mathematical ideas and techniques (3)
- determining costs and budgets for internal or external training on compliance requirements and compliance program/management system
- Solving problems (3)
- solving problems arising in the management of internal or external training on compliance
- Using technology (3)
- using computers and software packages for the management of the organisations compliance training scheme
- Innovation skills (3)
- recognising and creating opportunities for innovative training and learning opportunities that may improve the value, relevance, efficiency and accessibility of learning activities within an organisation's compliance training scheme
- Products that could be used as evidence include:
- compliance training plans including internal and external programs (as applicable)
  - outcomes of training needs analysis in compliance areas
  - training records and reports
  - training materials and resources developed as part of the organisation's compliance training scheme
  - reports on the monitoring and evaluation of the organisation's compliance training scheme
  - documentation related to accreditation of the compliance training scheme
- Processes that could be used as evidence include:
- how the information on internal and external training options was sourced and interpreted
  - how compliance training s was planned and organised
  - how training personnel were selected and trained
  - how feedback was sought on various components of the organisation's compliance training scheme
  - how training personnel have been managed
  - how training records were maintained
  - how reports on the monitoring and evaluation of the organisation's compliance training scheme were prepared



and disseminated

Resource implications for assessment include:

- access to relevant information on internal and external training options in compliance related areas relevant to the organisation's needs
- relevant training and assessment materials, facilities and resources
- suitable internal training support staff and administrators
- access to training records related to the compliance training scheme
- access to appropriate computer resources for managing the organisation's compliance training scheme

Validity and sufficiency of evidence requires:

- that where assessment is part of a learning experience, evidence will need to be collected over a period of time, involving both formative and summative assessment
- full documentation of the successful management of a compliance training scheme for an organisation. This may be a suitably simulated project or the management of an actual compliance training scheme for an organisation

Integrated competency assessment means:

- that this unit can be assessed alone or as part of an integrated assessment activity involving other relevant units including training and assessment units