Legal Services Stream

Administration Training Package BSA97

Contents

Section 1: Introduction

1.1 The Legal Services stream of the Administration Training Package

All Training Packages have three endorsed components: a set of competency standards, assessment guidelines and packaging advice for national qualifications.

The Administration Training Package is the framework for vocational education and training for the administrative and legal services workforce. It supports a wide range of learning pathways. These include institution-based courses, workplace and school-based training, as well as other flexible combinations of workplace and off-the-job training and assessment.

Vocational Education and Training in the administration field is one of the largest areas of delivery for both public and private providers of training.

The legal services workforce is a discrete segment of the administration workforce. At entry-level, legal support staff carry out a mixture of legal-specific and general administrative duties. With further training the legal-specific nature of the duties predominate.

The Legal Services stream of the Administration Training Package formalises the legal profession's on-going interest in the development of structured training for legal support staff. The standards now enable legal firms to train staff in programs which allow them to access nationally recognized legal specific qualifications.

Qualifications within the Administration Training Package can be achieved through a variety of pathways including New Apprenticeships (traineeships).

1.1.1 Characteristics of the legal services workforce[1]

The Legal Services stream of the Administration Training Package takes account of the needs of all clients, whether rural and remote, in small or large businesses, in the workplace or off the job.

The legal services workforce has the following characteristics:
- Total legal services workforce: **39,523**
- Legal services workforce as a percentage of the total Australian workforce: **0.45%**
- Women as a percentage of the total legal services workforce: **84.3%**
- Percentage of women in the legal services workforce working full time: **74%**
- Percentage of the workforce employed part time: **26%**

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[1] All statistics from ABS: *The Labour Force Australia,* Cat. No. 6203.0, November 1998 (unless otherwise stated)

- Percentage of women in the legal services workforce working part time: **28.8%** (only 15.4% of men in the legal services workforce are employed part time)[2]

The existing workforce is an important client for the Administration Training Package. The Administration Competency Standards in the Administration Training Package are already seen by many companies as a tool for ensuring productive and equitable human resources structures. The Legal Services stream provides further tools for a productive legal administrative workforce.

1.1.2 Developed by the legal profession

The Law Council of Australia through the auspices of the General Practice Section, and the Australian Legal Practice Management Group in particular, has been instrumental in facilitating nationwide contribution to the development and validation of this Legal Services Stream of the Administration Training Package. See Section 5.1.1 for details of those involved in the process.

1.1.3 New Apprenticeships (traineeships)

Delivery and evaluation of skills in the workplace is not new to the administrative workforce. Traineeships have been in place since the mid eighties, combining workplace learning with formal off-the-job learning at a college or institute.

The Business Administration Traineeships (available through the Administration Training Package and previously known as Office Admin Traineeships) pioneered a flexible approach to the delivery of traineeships. Employers are encouraged to regard their own participation in the training role as one which makes business sense, providing an investment in productive long term employees.

The uptake of traineeships has increased since flexible traineeships, offering a combination of workplace and off-the-job training delivery, were first launched. Since its initial implementation in January 1998, the package has had wide industry application demonstrated by over 20,700 people undertaking Level 2, 3 and 4 New Apprenticeships (traineeships).

Legal support workers are found in a variety of occupational and professional environments. The tasks performed by such individuals and their ascribed occupational titles reflect this diversity. Legal support workers are employed in small, medium or large private law firms, in State Legal Aid Commissions or in Community Legal Service centres. There is also a second category of legal support workers, those employed in non-traditional legal milieus such as accounting firms, banks and other private and public institutions.

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[2]ABS: *1996 Census of Population and Housing*

The Legal Services stream of the Administration Training Package BSA97 facilitates the training and skills recognition of legal support workers, leading to nationally recognised qualifications for the first time. It is anticipated that industry's application of the Administration Training Package will increase. A 15% uptake in the 9,676 law firms in Australia, for example, would result in almost 1,500 New Apprenticeships (Traineeships).

1.1.4 Flexibility

The hallmark of the Legal Services stream is flexibility. The size and nature of the workforce demands a stream which can underpin high quality training in a wide range of environments. This flexibility is achieved through:
- a common administration base through Certificate I in Business (Office Skills) and Certificate II in Business (Office Administration)
- electives at levels 3, 4 and 5 which provide for choices of career path within legal services as well as opportunities for specialisation within other industries
- specialist, functional area electives at levels 4 and 5
- customisation for industry-specific and enterprise-specific requirements.

Section 2: Assessment Guidelines

The Assessment Guidelines for Legal Services have been developed to provide a quality assurance process for all assessments conducted against the Administration Training Package BSA97. The Assessment Guidelines are consistent with the Australian Recognition Framework (ARF).

> *The ARF is a comprehensive approach to national recognition of vocational education and training (VET). It is based on a quality assured approach to the registration of training organisations seeking to deliver training, assess competency outcomes and issue qualifications.[3]*

Assessment is the process of collecting evidence and making judgements on whether competency has been achieved. The purpose of assessment is to confirm that an individual can perform to those standards expected in the workplace, as expressed in the Legal Services, Administration and other Competency Standards contained in the Administration Training Package BSA97.

A Training Package incorporates an assessment system, based on principles agreed by Ministers and consistent with the ARF, which is designed to ensure the validity, reliability and fairness of assessments conducted in workplace and institutional contexts.

The purpose of developing assessment guidelines is to set out the mechanisms and processes for ensuring valid and reliable assessment of achievements, against industry competency standards that are applicable both in the workplace and for Registered Training Organisations (RTOs).

The Assessment Guidelines comprise five sections:
- Assessment System Overview—description of the assessment system which operates in the specific industry or industry sector
- Assessor Qualifications and Training—an outline of the qualifications required for assessors, the ways in which these requirements can be met and the training that is available for assessors
- Guidelines for Designing Assessment Resources—a description of the processes involved in designing assessment resources which enable assessors to gather sufficient, valid and reliable information for making assessment decisions
- Guidelines for Conducting Assessments—an overview of the industry endorsed processes for conducting assessments
- Sources in Information on Assessment—details of sources of information on the industry assessment system.

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[3] from ANTA website, *ARF Arrangements*, www.anta.gov.au

2.1 Assessment system overview

2.1.1 Benchmarks for assessment

Competency standards, which form part of the endorsed component of training packages, are the benchmarks for assessment. Assessment in the legal services area is against the relevant competency standards in the Administration Training Package BSA97.

Competency standards incorporate comprehensive Evidence Guides designed to support the assessment of the competency. The Evidence Guides provide sufficient detail to ensure that the assessment of competency incorporates assessment of underpinning knowledge, skills and their application.

2.1.2 Role of Registered Training Organisations (RTOs)

All assessment for national recognition purposes is undertaken by, or auspiced through, an RTO.

The RTO records and maintains records of assessment against competency standards, as well as appeals and outcomes. On completion of the assessment process, the RTO issues the Certificates, Diplomas, Advanced Diplomas, and Statements of Attainment under the Australian Qualifications Framework.

It is the responsibility of the RTO to ensure that relevant state and federal legislation and regulations are complied with, when delivering and assessing the standards within the Administration Training Package.

Training organisations can apply for registration through a State and Territory Recognition Authority to develop and deliver training products and services. The range of products and services for which training organisations can be registered are:
- the provision of training delivery, assessment and the issuance of nationally recognised qualifications and Statements of Attainment
- the provision of skill recognition services (assessment only) and the issuance of nationally recognised qualifications and Statements of Attainment
- RTOs can also receive defined delegations from a State Training/Recognition Authority to self manage the scope of their registration and/or self-manage accreditation functions. Such organisations are entitled Quality Endorsed Training Organisations.

2.1.3   Assessment pathways

The Administration Training Package Assessment Guidelines allow for many different assessment pathways. All pathways lead to national recognition. Employers and members of the workforce are able to choose the assessment options which best meet their requirements.

Assessment can occur in a range of environments:
- in the workplace (at the work station or away from the work station)
- off the job
- in a combination of both.

The underpinning quality assurance mechanism for all pathways is the verification of the assessment by a qualified assessor. Assessor Qualifications are discussed below (see Section 2.2, 'Assessor qualifications').

Each assessment option must provide the opportunity for the candidate to demonstrate workplace competence. While the preferred mode of assessment is through demonstration of skills in a workplace setting, this requirement can be met in a number of ways (see Section 2.4.2, 'Conducting assessment in the Legal Services area').

Assessment can occur as part of a New Apprenticeship (traineeship), other structured learning/training program, or as part of a Recognition of Current Competency (RCC) or Recognition of Prior Learning (RPL) process.

Recognition of skills through assessment is integral to individual career development and the overall productivity of any industry's workforce. The Assessment Guidelines recognise the importance of an individual's current knowledge and skills being formally recognised. Self-assessment is regarded as an appropriate first step in raising an individual's awareness of the relevant endorsed standards and establishing which skills and knowledge are already possessed.

The Evidence Guides within the Legal Services stream clearly identify how the assessment should be conducted.

The legal profession has identified appropriate packaging of units of competency for the issuing of recognised qualifications, including a New Apprenticeship (traineeship) at Level 3.
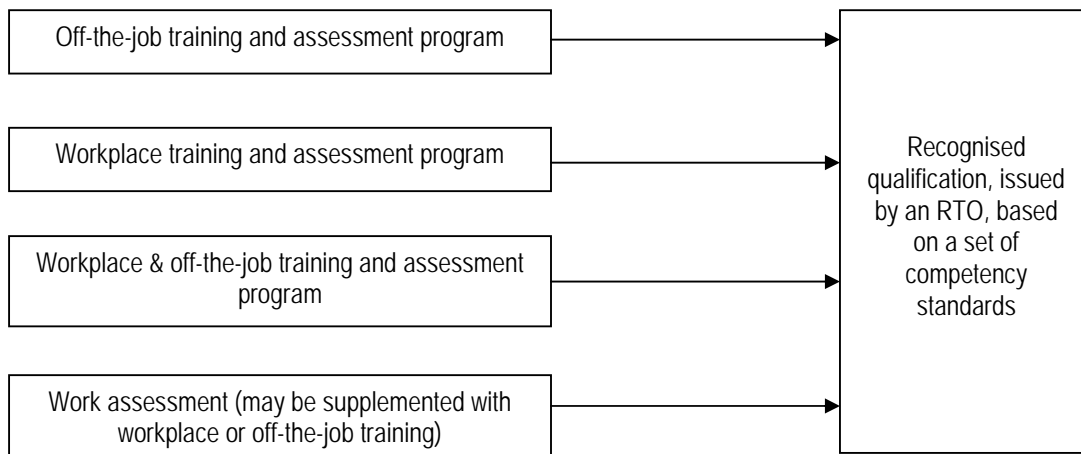
Qualifications can be obtained through:
- a New Apprenticeship (traineeship) arrangement where the trainee is engaged in training that is delivered in the workplace
- a combination of workplace and off-the-job training
- a formal course of training delivered by an RTO
- RCC and RPL based on either previous training and/or work experience. In this assessment pathway candidates are assessed by the RTO assessor and if necessary, an individual training program is developed to address any outstanding requirements prior to final assessment of competency.
- undertaking other employment and training arrangements where the employment may or may not be linked to off-the-job training or a formal course offered by an RTO. In some instances the candidate may seek to have prior learning or work experience recognised to gain credit towards completion of their formal course qualification.

In all pathways, candidates who have difficulty achieving competence in a particular unit may need to further develop the Key Competencies required to attain that unit of competency. The Key Competencies required for achievement of each unit are described at the end of each unit.

The following diagram indicates the four main assessment pathways used to reach a qualification. All of the assessment pathways offer RCC/RPL as an assessment option.

Assessment pathways in the Administration Training Package BSA97

Off-the-job training and assessment program →	
Workplace training and assessment program →	Recognised qualification, issued by an RTO, based on a set of competency standards
Workplace & off-the-job training and assessment program →	
Work assessment (may be supplemented with workplace or off-the-job training) →	

Assessment approaches should not adversely affect access by placing restrictions on the location or context of assessment. They should not exceed the requirements specified in the Administration Training Package BSA97. It is recommended however that wherever possible candidates be given the opportunity to demonstrate competence in the workplace.

It is essential that the candidate and the assessor meet to discuss and plan the assessment process, before assessment takes place. The assessor should provide the candidate with advice regarding the collection and preparation of evidence for assessment. If a partnership arrangement between a workplace supervisor and an assessor is the chosen pathway for the assessment then these two parties should meet to clarify roles and responsibilities before discussing the assessment process with the candidate.

Where institute-based programs access short-term work placements, it is recommended that the competencies to be assessed in the workplace be clarified with the candidate and the employer prior to undertaking the placement.

Workplace assessment can be undertaken in a number of ways, including:
- placement in an enterprise
- participation in a New Apprenticeship (traineeship) arrangement
- use of a Practice Firm
- use of a simulated work environment
- use of an RTO's office facilities
- RPL in skill areas where there has been no significant change to work practice in recent times.

2.2   Assessor qualifications

2.2.1 Assessor qualifications

The various participants in any learning program can all be involved in the assessment process:
- the candidate or learner can carry out self-assessment throughout the learning program, against the skills and knowledge outcomes, and collect evidence of his/her own competence
- the supervisor(s) can evaluate and assess the learner's evidence
- the *final* assessor can verify that the learner is competent in the relevant skills and knowledge, and arrange for the RTO to issue qualifications or statements of attainment.

The qualification requirements specified in this section relate to the *final* assessor.

In order to achieve a national qualification, assessment against the competencies in the Administration Training Package BSA97 is required to be carried out in accordance with these guidelines. The guidelines include the necessary qualifications for individuals conducting final assessments. They provide for those situations where more than one person may contribute to the assessment process or where the required technical and assessment competencies may not all be held by one person.

The required assessment competencies have three components:
1. competence against specific units from the Assessment and Workplace Training Competency Standards
2. competence in the relevant industry competency standards
3. current knowledge of workplace roles and practices.

Competence against specific units from the Assessment and Workplace Training Competency Standards

Assessors, including workplace and institutional assessors, should be competent against the following endorsed units of competency from the Assessment and Workplace Training Competency Standards:
- BSZ401A   Plan Assessment
- BSZ402A   Conduct Assessment
- BSZ403A   Review Assessment

Competence may be achieved through the completion of either a recognised Assessor Training Program or an approved RPL process conducted in accordance with the ARF. This latter option may be particularly relevant to those people, such as teachers and some workplace supervisors, who have not been formally trained in the endorsed standards but who, nevertheless, have demonstrated expertise in the preparation, conducting and evaluation of assessment in the workplace.[4]

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[4] The *Assessor's Resource: Workplace Trainer's and Assessor's Accreditation Program* is a set of workbooks designed for those wishing to gain a Statement of Attainment for the three assessor standards above, plus BSZ404A Train Small Groups. Contact

Competence in the relevant industry competency standards

In addition, all assessors of legal services competencies should:
- be competent in the Legal Services Competency Standards at, or above, the level of the competency being assessed.

Current knowledge of workplace roles and practices

The requirements for current knowledge of legal services roles and industry practice can be met through:
- knowledge of current industry practices for the job or the role against which the performance is being assessed
- recent work history (paid or unpaid)
- relevant release to industry
- attendance at professional development activities focussed on emerging/current best practice in industry
- provision of a statement of professional activities supported by a responsible industry referee.

Following are examples of who can assess against the Administration Training Package BSA97, particularly in situations where more than one person is needed to meet the above assessor qualifications.

2.2.2 Using qualified assessors

Assessment for national recognition purposes, that is, qualification outcomes, must be undertaken by, or auspiced through, an RTO. It is the RTO's responsibility to make arrangements and to ensure that a quality assessment process is in place.

The requirement to use qualified assessors may be met through the use of either:
- a workplace assessor who is competent against the Assessor Competency Standards and the relevant vocational competencies
- a workplace assessor who is competent against the Assessor Competency Standards and who has ready access to another person who is competent in, and can advise the assessor on, the relevant vocational competencies at least to the level being assessed
- an assessment panel, which includes at least one person who is competent against the Assessor Competency Standards, as well as at least one person who is competent in the relevant vocational competencies at least to the level being assessed

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As described above, the Assessment Guidelines provide for a workplace supervisor who is competent against the relevant vocational standards to work in partnership with a qualified assessor. A workplace supervisor may be referred to as a team leader or manager in some enterprises. The workplace supervisor is the person to whom a candidate reports and who has responsibility for the candidate's work.

Workplace supervisors assist in advising the assessment candidate on the appropriate evidence to collect and can verify the candidate's application of skills and knowledge in the workplace. Workplace supervisors do not require formal recognition of their vocational competencies.

2.3 Guidelines for designing assessment resources

The competency standards in the Legal Services stream of the Administration Training Package BSA97 are the benchmark for assessment resources.

Distinctive features of the Legal Services Competency Standards are:
- **the standards apply to a specific industry sector**. The Legal Services competency standards are relevant to a specific industry sector, the legal services sector.
- **the standards apply to people carrying out assessment and training regardless of the setting**. This means they apply equally to staff in vocational education and training institutions and to people training and assessing in the workplace.

2.3.1 Interpreting the competency standards

The Ranges of Variables and Evidence Guides of the respective units need to be considered in making assessment decisions against the competency standards. These Assessment Guidelines need to be read in conjunction with the competency standards in the Legal Services stream.

Each unit of competency has the following components, which provide guidance on suitable assessment and training outcomes:

Unit of competency	Provides a clear statement of what is required of a person in a particular function. Each unit contains elements, performance criteria, a range of variables and an evidence guide.
Elements of competency	Describes the outcomes that contribute to a unit. The outcomes must be demonstrable and assessable. These are the tasks that must be performed to achieve the unit.
Performance criteria	Specifies the required level of performance expected in the workplace and guides the assessor in judging whether performance has been achieved to the standard required.
Range of variables	Identifies the range of contexts and conditions to which the performance criteria apply. It places the unit of competency in the context in which performance should be demonstrated (typical facilities and equipment).
Evidence guide	Outlines the evidence required to demonstrate competency in the unit, including critical aspects of evidence to be collected, context of assessment, resource implications, required or underpinning knowledge and skills, language, literacy and numeracy requirements and consistency of performance.
Key Competencies	Shows how the key competency levels are related to the elements and units of competency.

2.3.2 Qualifications required for designing assessment resources

In some States/Territories, persons responsible for designing and developing assessment tools and procedures must demonstrate that they hold the competencies contained in units BSZ506A Develop Assessment Procedures and BSZ507A Develop Assessment Tools. Check with your State Training Authority for clarification on this requirement.

The Competency Standards for Assessment and Workplace Training provide a reference for the development of assessment resources.[5]

2.3.3 Designing assessment resources

Integrated Assessment

To ensure that assessment is integrated the design of assessment resources needs to include all aspects of competency:
- task skills—performance of individual tasks
- task management skills—managing a number of different tasks within the job
- contingency management skills—responding to problems, breakdowns and changes in routine
- job/role environment skills—dealing with the responsibilities and expectations of the workplace
- transfer skills—transferring skills and knowledge to new situations and contexts.

The assessment procedure should be designed to assess an entire unit of competency, or a combination of units, to ensure that all the dimensions of competency are satisfied. Such an approach seeks to combine knowledge, understanding, problem solving, technical skills and applications into the assessment process.

Assessment resources must address the Performance Criteria in the Competency Standards for Assessment and Workplace Training.[6]

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[5] The Competency Standards for Assessment and Workplace Training can be obtained from Business Services Training. Refer to Section 4.1, 'Sources of information' for contact details.
[6] see note above

Rules of evidence

Evidence of competence must be:
- valid
- sufficient
- authentic
- current.

Each of the rules is defined below.

Valid evidence

Evidence of competence must cover the broad range of knowledge, skills and the application of such knowledge and skills as specified in the Legal Services Competency Standards. When assessing against the standards, assessors need to ensure that the evidence collected focuses on the appropriate knowledge and skills specified in the Performance Criteria and Evidence Guides.

Sufficient evidence

Assessors must collect enough evidence to demonstrate that the candidate is competent across all elements being assessed, according to the Performance Criteria and taking into account the Range of Variables. It may be necessary to use supplementary sources of evidence such as oral or written questioning, case studies or third party reports to ensure sufficient evidence is collected.

Authentic evidence

The assessor must check evidence for authenticity, that the evidence collected relates to the performance of the candidate, and not to another person. Third party reports may be necessary to verify authenticity.

Current evidence

The assessor needs to determine how recent the evidence is. To be competent, the candidate must demonstrate current competency against the standards. The issue of currency is of particular concern when assessing for the purposes of RCC.

RPL/RCC rely on the same processes as any other forms of assessment. However, there is a greater reliance on indirect or supplementary forms of evidence (eg. portfolio of evidence, evidence of qualifications, references). The assessor must be guided by the Competency Standards. In the case of RPL/RCC assessment, it is important that the assessor builds in the assessment verification procedures to ensure that the evidence collected and presented is authentic and current.

Evidence gathering methods

There are a variety of methods that can be utilised to assess candidates against the Administration Competency Standards. The use of one method is insufficient on its own.

It is important to use not only multiple sources of evidence such as candidate training sessions, peer review, and finished products, but also a variety of assessment methods.

When developing procedures and selecting methods the following factors should be considered:
- the purpose of the assessment
- the assessment process
- the resources available
- interpretation of the performance criteria
- communication with appropriate personnel.

The purpose of the assessment should be clearly defined and understood by all parties involved.

The assessment process should describe the individuals who will collect the evidence or administer the assessment tools, including the assessor, the candidate being assessed, managers, supervisors, peers, mentors, coaches or other providers, and clients. When formulating the assessment process it is important to also consider the appropriateness of the method/s to the context, the assessor and the candidate being assessed.

Language, Literacy and Numeracy (LLN) issues need to be taken into account when designing assessment methods and tools. The LLN requirements in the assessment process should mirror the LLN requirements of the competency being assessed, within the context of the candidate's job role or function.

Detailed language, literacy and numeracy requirements for each competency are described in the skills section of the Evidence Guide. These descriptions can be used as diagnostic data to develop assessment tools, assess existing skills and identify skills gaps.[7]

Resources available for assessment should be identified (eg. tools, people, time, equipment, locations, materials).

The assessment methods should relate clearly to the performance criteria to be covered by the unit, the range of variables and evidence guide associated with those criteria.

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[7] An LLN Kit to assist assessors of the Certificate III in Business (Office Administration) is available from Business Services Training, ph: 03 9824 0866, fax: 03 9824 0877.

Communication should be carried out with appropriate personnel, for example the individuals who will use the assessment information, including the candidates being assessed, managers, supervisors, team leaders, mentors, coaches and other providers and clients.

Further issues to consider include:
- technical—reliability, accuracy, relevance to job responsibilities or program goals, flexibility, fairness and objectivity, validity and comparability across contexts and assessors. Will the method gather valid, authentic, current and sufficient evidence to make a judgement of competency?
- legal and ethical—authenticity, appeals procedures, compliance with workplace agreements, confidentiality, protection against misuse of the assessment information or procedures associated with the assessment
- appropriateness of assessment methods and tools—according to characteristics of the candidate being assessed, taking into account the LLN skills of the assessor and candidates being assessed.

Evidence-gathering methods must be gender and culturally inclusive and take into account the LLN skills of both candidate and assessor.

Reducing the cost of assessment activities

All assessments against the competency standards should be cost effective. Costs can be minimised in a multitude of ways, for example:
- gathering evidence of workplace performance on the job as part of the job
- ensuring the practicality of assessment procedures
- ensuring the assessment process is only as complex as defined by the purpose and context of assessment
- developing assessment procedures that encourage the candidate to actively participate in gathering evidence of his/her own competence
- using an integrated, holistic approach designed to assess a number of competencies together
- using standardised assessment tools which do not have associated developmental costs
- avoiding exclusive reliance on direct observation of competency, rather use a combination of direct, indirect and supplementary forms of evidence as required by the Assessment Guidelines
- aligning the assessment process with workplace objectives.

Adapting Assessment Resources

Assessment resources can be adapted to retain relevance with the enterprise context. When adapting resources, the assessor/workplace supervisor must ensure that the adapted resource continues to address the particular performance criteria, range of variables and evidence guide.

Additional reference material

Assessment resources should list or guide the candidate and assessor to additional reference material which is current, relevant and appropriate for the assessment process.

Self assessment

The importance of self assessment has been highlighted above, as a first step for raising candidate awareness of the relevant endorsed standards and establishing which skills and knowledge one already possesses. Self assessment also encourages the candidate to take responsibility for his/her own learning and to take an active role in evidence gathering.

2.4 Guidelines for conducting assessments

2.4.1 Technical principles for assessment

Competency based assessment is the process of collecting evidence and making judgements on whether or not competency has been achieved.

All assessment systems and RTOs are required to demonstrate compliance with the four technical principles of assessment:
- reliability
- flexibility
- fairness
- validity.

To be *reliable*, the assessment methods and procedures must ensure that competency standards are applied consistently.

To be *flexible*, assessment should be able to take place in the workplace, off the job, or in a combination of both. It should allow for diversity regarding how, where and when competencies have been acquired.

To be *fair*, the assessment must not disadvantage particular candidates.

To be *valid*, the assessment has to assess what it claims to assess. Sufficient evidence must be collected that is relevant to the standard being assessed.

The candidate should be actively involved in the learning and assessment processes. This enhances the value of the learning and commitment to the assessment process.

These technical principles of assessment must be addressed in the conduct of an assessment, in the development of assessment tools, and in the design, establishment and management of the assessment system.

2.4.2 Conducting assessment in the Legal Services area

The following requirements must be met when conducting assessment in the legal services area:
- identification of the Legal Competency Standard/s being assessed
- where appropriate, identification of the customised standard/s being assessed
- adherence to the standards as set down in the Assessment and Workplace Training Competency Standards.

Self assessment should be integrated into the assessment process wherever possible.

Evidence gathering methods must be appropriate to the context, the assessor and the candidate. Means of evidence collection must meet the principles of validity, equity, authenticity and sufficiency (evidence gathering is discussed further below).

Following the assessment process, assessment outcomes need to be recorded, securely stored and feedback provided in terms of performance against the competency standards in the Legal Services stream of the Administration Training Package BSA97.[8]

Conducting assessment in the workplace

Where assessment is occurring in the workplace, the assessor should take into account:
- that the administrative worker may have had little experience of structured training and assessment. The process of making judgments against the standards should be carefully explained. The candidate should be made to feel as relaxed as possible.
- the assessment process should be negotiated with the parties involved
- the assessor should consider that other staff in the office are likely to be affected by the process. All staff directly or indirectly involved in the process should be briefed on the factors which will impact on them, eg. duration, changes in work routine.
- the assessor should ensure that assessment is as compatible as possible with the normal pattern of work and causes minimal disruption
- if the process involves candidates being away from their workstation for a period of time, then arrangements should be made with their immediate supervisor to cover their duties for that time.

Conducting assessment in the classroom

Where assessment occurs in the classroom:
- the assessor should ensure that all aspects of competence are assessed
- the assessment should take place over time so that the candidate has the opportunity to demonstrate work responsibility and contingency management
- where it is not possible for assessment to occur in the workplace, assessment should take place in a situation as close as possible to workplace reality.

2.4.3 Collecting evidence of competency

Assessment of competency should involve demonstration of competence in all dimensions of competency (task skills, task management skills, contingency management skills, job role/environment skills and transferability). Evidence should involve a range of evidence types, which demonstrate that the assessment and training aligns with the relevant units of competency.

In assessing against the Legal Services Competency Standards, at least one form of direct evidence should be considered. This helps to make a judgement on the practical performance component of the competencies, for example, observation of actual workplace activities.

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[8] For more information see the Training Package for Assessment and Workplace Training, BSZ98, available from Business Services Training (see Section 4.1, 'Sources of information' for contact details).

The following is a guide to common evidence-gathering methods. This is by no means exhaustive. It is advisable that at least two methods be used to ensure reliability:

- demonstration
- questioning
- workplace performance
- role-play
- simulation
- products/services
- oral presentation
- graphic presentation
- projects/assignments
- audio visual display
- work-based research assignments
- written tests
- skills portfolio
- third party reports.

Supplementary and indirect forms of evidence should be used in addition to direct evidence in order to:

- assess competence in a range of situations
- ensure transferability of competencies to new situations and contexts
- assess underpinning or required knowledge and understanding
- provide information regarding possible performance in rarely occurring but critical situations
- third party reports should be used only to verify and support evidence obtained using other methods, unless the third party is a qualified assessor and is familiar with the Competency Standards
- self assessment against the standards can help the candidate become familiar with the standards being assessed, prepare them for assessment, and contribute towards final assessment as part of an RPL or RCC process.

2.4.4 Recording and reporting assessment outcomes

Assessment outcomes must be reported and recorded in terms of the competency standards within the Legal Services stream of the Administration Training Package BSA97.

Qualifications and Statements of Attainment issued by RTOs must comply with the requirements of the National Training Framework Committee and the specific qualification requirements of the Administration Training Package BSA97.

Results will be recorded as achievement of a qualification:

- Certificate III in Business (Legal Administration)   BSA30200
- Certificate IV in Business (Legal Services)   BSA40200
- Diploma of Business (Legal Services)   BSA50200

If a qualification is partly achieved, a Statement of Attainment is issued against the relevant competency standards achieved in the Administration Training Package BSA97.

Responsibility for recording, storing and accessing assessment outcomes rests with the RTO that issues the qualification under the Australian Qualifications Framework.

In cases where competency has been assessed/verified by a number of RTOs, it is the role of the final RTO to issue the qualification under the Australian Qualification Framework.

2.4.5 Appeal and reassessment process

An appeals and reassessment process is an integral part of all training and assessment pathways leading to a qualification or Statement of Attainment under the Australian Qualifications Framework.

As all assessment for national recognition purposes must either be undertaken by, or auspiced through an RTO or conducted under quality assurance arrangements approved by the State Training Authority, responsibility lies with these bodies for the implementation of fair and impartial appeals processes.

The appeals and reassessment process is outlined prior to assessment taking place, as part of the explanation of the overall assessment procedure. Parties involved in the assessment have the right, under the appeals and reassessment process, to request reassessment at a later time if reasonable grounds are demonstrated for questioning the original outcome.

2.4.6 External audit of assessment process

External auditing is a key feature of the National Training Framework. External audits are seen as important quality assurance activities to improve and further develop the assessment processes and outcomes.

Audit processes are initiated and managed by the State/Territory Training Authorities with the involvement of industry.

Section 3: Qualifications

3.1   Australian Qualifications Framework (AQF)

The Australian Qualifications Framework (AQF) provides a national framework for all education and training qualifications in Australia. There are twelve qualifications in the AQF; six of these are relevant to the vocational education and training (VET) sector. The twelve qualifications are:

Schools Sector	VET Sector	Higher Education Sector
		Doctoral Degree
		Masters Degree
		Graduate Diploma
		Graduate Certificate
		Bachelor Degree
	Advanced Diploma	Advanced Diploma
	Diploma	Diploma
	Certificate IV	
	Certificate III	
Certificate II	Certificate II	
Senior Secondary Certificate of Education	Certificate I	

Under the AQF, qualifications issued in the VET sector must lead to the achievement of a package of competencies. The adoption of the AQF for all vocational education and training ensures national consistency for all trainees, students, employers and providers in the VET sector. This means that all training and assessment in the VET sector is uniform, provided that it is based on the relevant nationally endorsed competency standards.

This consistency enables providers nationally to recognise training and assessment that has taken place in a variety of locations, as equivalent, whether in the workplace or off the job, provided it is based on the relevant endorsed competency standards.

Qualifications show that an individual has achieved a particular set of outcomes that relate to relevant workplace requirements expressed as competencies. This involves the acquisition of individual competencies that include skills, underpinning knowledge and their application.

3.1.1 Legal qualifications in the Administration Training Package BSA97

The Administration Training Package BSA97 lists three legal services qualifications. These three qualifications, AQF Level 3 to 5, are available to meet the specific requirements of the legal services sector.

In the Administration Training Package BSA97, the following legal services qualifications are available through the AQF:

National Code	Qualification Title
BSA30200	Certificate III in Business (Legal Administration)
BSA40200	Certificate IV in Business (Legal Services)
BSA50200	Diploma of Business (Legal Services)

The characteristics of each level within the AQF are differentiated according to the breadth and depth of knowledge and skills required and the complexity of the contexts in which the knowledge and skills are applied.

The *Australian Qualifications Framework—Implementation Handbook*[9] details the differentiation of all AQF levels.

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[9] *Australian Qualifications Framework—Implementation Handbook*, the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), August 1995.

The following table indicates what an individual with a particular qualification is able to do. Note that the italicised text emphasises distinguishing features of the learning outcomes between levels.[10]

Certificate I	Certificate II	Certificate III	Certificate IV	Diploma
demonstrate knowledge by recall in a narrow range of options	demonstrate *basic operational knowledge* in a *moderate range* of areas	demonstrate some *relevant theoretical knowledge*	demonstrate understanding of a *broad knowledge base incorporating some theoretical concepts*	demonstrate understanding of a broad knowledge base incorporating theoretical concepts, *with substantial depth in some areas*
demonstrate basic practical skills such as the use of relevant tools	apply a *defined range of skills*	apply a range of *well developed skills*		
	apply known solutions to a *limited range of predictable problems*	apply known solutions to a *variety of predictable problems*	apply solutions to a *defined range of unpredictable problems*	*analyse and plan* approaches to *technical problems or management requirements*
perform a sequence of routine tasks given clear direction	perform a range of tasks where *choice between a limited range of options* is required	perform processes that require a *range of well-developed skills where some discretion and judgement are required*	*identify and apply skills and knowledge areas to a wide variety of contexts with depth in some areas*	*transfer and apply theoretical concepts and/or technical or creative skills to a range of situations*
receive and pass on messages/ information	*assess and record* information from varied sources	interpret available information, using *discretion and judgement*	*identify, analyse and evaluate* information from a *variety of sources*	evaluate information using it to *forecast for planning or research* purposes
	take limited responsibility for own outputs in work and learning	take *responsibility for own outputs* in work and learning	take responsibility for own outputs in *relation to specified quality standards*	take responsibility for own outputs in relation to *broad quantity and quality parameters*
		take *limited responsibility for the output of others*	take *limited responsibility for the quantity and quality* of the output of others	take some responsibility for the *achievement of group outcomes*

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[10] Table taken from the *Australian Qualifications Framework—Implementation Handbook*, August 1995, pp. 29, 41.

Information on the legal services qualifications within the Administration Training Package BSA97 covers five aspects:

- packaging
- alignment to the AQF
- titling
- customisation of qualifications contained within the Training Package
- New Apprenticeships.

Packaging and alignment to the AQF are discussed in the following sections.

The recommended titles identified for each qualification have been stated on page 23 above.

Information regarding New Apprenticeships (traineeships) can be found in all sections, particularly Sections 1.1.2 and 5.3.2.

3.2   Packaging

3.2.1 Purpose

The process of packaging competencies is an integral element in the determination and configuration of qualifications established within the Administration Training Package BSA97. Packaging is critical in achieving flexibility, which enables enterprises and individuals to select combinations of units of competency relevant to their training needs.

It is important to emphasise that this packaging advice relates units of competency to AQF Certificate/Diploma outcomes. Training programs must be designed to meet the designated units for a national qualification/statement of attainment to be issued. When a training outcome is achieved, it must be reported in terms of the competency standard(s) achieved.

3.2.2 The process and grouping units of competency

Units are packaged into groups that represent whole jobs or key functions that are both flexible and meaningful in the workplace. Competency at a particular AQF level is achieved when the requisite units of competency for that level have been attained. A training program may include units beyond the minimum advocated. In some instances, for example New Apprenticeships, additional training may be added to fulfil industry, enterprise or regional requirements. Sometimes these additional units are lateral (at the same AQF level, being additional electives or units from other standards) or in other instances they may be at a higher or lower AQF level. In these cases a Statement of Attainment should be issued indicating the unit(s) of competency achieved and, if relevant, the credit transfer available.

Clearly, if the additional units meet the core and elective requirements at the next level of the AQF then the qualification would be awarded at that level. Similarly, if a trainee or student achieves a competency at a higher or lower level than their nominated or enrolled level, a Statement of Attainment must be issued to record this outcome.

The packaging of units of competency within the Administration Training Package BSA97 follows a core and elective model. In the packaging of the Legal Services Competency Standards, the electives have been further differentiated into functional streams. The core and elective model adopted for qualifications within the Administration Training Package BSA97 reflects the profession's need for a broad range of core skills and the availability of electives that address specific functional skill areas.

The core units of competency at each level define a set of essential units, which must be attained by any person to achieve the related AQF qualification. The core units for Business (Legal Administration, Legal Services) are drawn from the Legal Services Competency Standards and the Administration Competency Standards.

The elective units of competency provide a range of options to trainees/students. To achieve the AQF qualification a certain number of elective units must be attained. The electives for Business (Legal Administration, Legal Services) are drawn from the Administration Competency Standards, the Legal Services Competency Standards, the Frontline Management Competency Standards and competency standards from other endorsed training packages. This approach has ensured that where relevant endorsed competency standards already exist, for example in the Training Package for Assessment and Workplace Training, they have been incorporated into the Legal Services stream, rather than duplicating them by developing new competency standards.

Prerequisite competencies have also been identified. The prerequisite or mandatory units can be delivered concurrently with units at the same or higher levels.

This core and elective model maximises the potential for choice through electives and options, within the boundaries agreed by the profession as essential for competent performance in legal services. The availability of electives, including the opportunity to select electives from other training packages, ensures that a training program (including a New Apprenticeship) can be designed to meet the minimum industry requirements for achievement of a national qualification and that also meets the business needs of the individual employer and trainee.

In a limited number of instances, units from the Administration Competency Standards have been adapted for use in Business (Legal Administration, Legal Services) qualifications. Where this has occurred, specific advice has been included at the start of the relevant Legal Services Competency Standards detailing the level of equivalence between the respective units.

3.2.3 Equivalence between "A" and "B" versions of the Administration Competency Standards

The Legal Services stream contains some Administration Competency Standards with a version identifier "B". These standards are the second version of Administration Competency Standards, prepared for the updated Administration Training Package BSA97. They contain expanded ranges of variables and evidence guides.

The "B" version Administration Competency Standards are equivalent to the "A" version Administration Competency Standards.

Those who have achieved competency against particular "A" version standards are considered to have achieved competency against the "B" version standard with the corresponding numeric code and unit title.

"A" version competency standards in the Administration Training Package BSA97	equivalent "B" version competency standard in the Legal Services stream
BSATEC301A Use the advanced functions of a range of office equipment to complete daily tasks	**BSATEC301B** Use the advanced functions of a range of office equipment to complete daily tasks
BSATEM301A Negotiate with team members to allocate and complete tasks to achieve team goals	**BSATEM301B** Negotiate with team members to allocate and complete tasks to achieve team goals
BSATEC302A Design and develop documents, reports and worksheets	**BSATEC302B** Design and develop documents, reports and worksheets
BSACOM301A Collect and provide information to facilitate communication flow	**BSACOM301B** Collect and provide information to facilitate communication flow
BSACOM302A Take dictation to produce a text	**BSACOM302B** Take dictation to produce a text
BSAINF301A Maintain information records system to ensure its integrity	**BSAINF301B** Maintain information records system to ensure its integrity
BSAORG301A Coordinate own work schedule with that of others to achieve agreed team/section goals	**BSAORG301B** Coordinate own work schedule with that of others to achieve agreed team/section goals
BSAORG403A Coordinate administration of team projects to achieve project goals	**BSAORG403B** Coordinate administration of team projects to achieve project goals
BSAINF401A Supervise an established records system to ensure its integrity	**BSAINF401B** Supervise an established records system to ensure its integrity
BSATEC403A Identify and use new and existing technology to meet the needs of the enterprise	**BSATEC403B** Identify and use new and existing technology to meet the needs of the enterprise
BSATEC404A Customise and maintain software	**BSATEC404B** Customise and maintain software
BSAORG401A Plan business trip and associated itinerary to ensure efficient travel	**BSAORG401B** Plan business trip and associated itinerary to ensure efficient travel
BSACOM402A Take dictation to produce complex texts	**BSACOM402B** Take dictation to produce complex texts
BSATEM401A Supervise the team to ensure team goals are achieved	**BSATEM401B** Supervise the team to ensure team goals are achieved
BSAFIN401A Produce reports as required for cash flow forecasts and budgetary purposes	**BSAFIN401B** Produce reports as required for cash flow forecasts and budgetary purposes
BSAINF501A Establish and maintain a records system to ensure its integrity	**BSAINF501B** Establish and maintain a records system to ensure its integrity
BSAINF502A Establish and maintain library/resource collection	**BSAINF502B** Establish and maintain library/resource collection
BSAORG503A Plan and establish office administration systems and procedures	**BSAORG503B** Plan and establish office administration systems and procedures
BSAORG504A Review office administration systems and procedures to meet changing demands	**BSAORG504B** Review office administration systems and procedures to meet changing demands
BSATEM501A Manage the team to ensure team achievements reflect identified enterprise goals	**BSATEM501B** Manage the team to ensure team achievements reflect identified enterprise goals
BSATEM502A Participate in staff selection to ensure team goals are achieved	**BSATEM502B** Participate in staff selection to ensure team goals are achieved
BSAENT502A Apply and monitor enterprise OHS to ensure that all members of the workgroup are fully informed	**BSAENT502B** Apply and monitor enterprise OHS to ensure that all members of the workgroup are fully informed
BSAFIN502A Monitor and control disbursements within a given budget	**BSAFIN502B** Monitor and control disbursements within a given budget
BSATEC501A Manage document design and production within the enterprise	**BSATEC501B** Manage document design and production within the enterprise
BSATEC502A Manage the establishment and maintenance of a workgroup network	**BSATEC502B** Manage the establishment and maintenance of a workgroup network

3.3   Alignment to the AQF

Following is the current packaging advice for the Legal Services stream of the Administration Training Package BSA97 from AQF Levels 3 to 5.

3.3.1   AQF Level 3: Certificate III in Business (Legal Administration)

This qualification addresses the skills and knowledge required of entry-level legal administration workers in a legal environment.

The minimum number of units of competency required to attain a Level 3 outcome and to satisfy requirements for an AQF **Certificate III in Business (Legal Administration)** is twelve, comprising ten core units of competency and two elective units of competency. Electives may be chosen from the Legal Services Competency Standards or any other endorsed units of competency. Electives may be selected from units packaged at the same AQF Level, Level 2 and Level 4. However, only one elective unit may be selected from Level 2 and only one elective unit may be selected from Level 4.

Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements described above.

Consultation with the legal services industry in 1997, 1998 and 1999 determined that there were no employment positions in a legal office that would require a person to have a Certificate I or Certificate II in Business (Legal Administration). Any work undertaken at these levels would be administrative in nature and the Administration Competency Standards adequately describe the skills required in these positions.

Certificate III in Business (Legal Administration)

Compulsory minimum industry requirements:

10 CORE UNITS

Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements.

BSALPP301A Apply knowledge of the legal system to complete tasks

BSALPP302A Carry out search of the public record

BSACS301A Apply the principles of confidentiality and security within the legal environment

BSAENT203A Apply knowledge of employee's and employer's rights and responsibilities to workplace environment

BSALR301A Handle receipt and despatch of information

BSATEC301B Use the advanced functions of a range of office equipment to complete daily tasks

BSALC301A Use legal terminology in order to carry out tasks

BSALO301A Assist in prioritising and planning activities in a legal practice

BSALF301A Maintain records for time and disbursements in a legal practice

BSATEM301B Negotiate with team members to allocate and complete tasks to achieve team goals

plus

2 ELECTIVE UNITS

Choose 2 electives from the Legal Services Competency Standards, the Administration Competency Standards **or any other endorsed units of competency**. Electives may be selected from units packaged at the same AQF Level, Level 2 or Level 4. However, only one elective unit may be selected from Level 2 and only one elective unit may be selected from Level 4.

BSALPP303A Deliver court documentation

BSATEC302B Design and develop documents, reports and worksheets

BSACOM301B Collect and provide information to facilitate communication flow

BSACOM302B Take dictation to produce a text

BSAINF301B Maintain information records system to ensure its integrity

BSAORG301B Coordinate own work schedule with that of others to achieve agreed team/section goals

THTSMA01A Coordinate the production of brochures and marketing materials

FNARFS14A Deliver a service to customers

3.3.2 AQF Level 4: Certificate IV in Business (Legal Services)

This qualification addresses the skills and knowledge required of workers undertaking paralegal-type duties and/or legal administration duties in a legal environment.

The minimum number of units of competency required to attain a Level 4 outcome and to satisfy requirements for an AQF **Certificate IV in Business (Legal Services)** is nine, comprising five core units of competency and four elective units of competency. At least two of the elective units must be chosen from the following functional streams:

- Paralegal
- Conveyancing
- Community Services and Health

- Litigation
- Administration
- Finance.

The remaining number of electives (to make a total of four) may be chosen from the Legal Services Competency Standards or any other endorsed units of competency. Electives may be selected from units packaged at the same AQF Level, Level 3 or Level 5. However, only one elective unit may be selected from Level 3 and only one elective unit may be selected from Level 5.

If prerequisite or mandatory units have not been completed, they can be delivered concurrently.

Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements described above.

Entry to any qualification in the Administration Training Package may be achieved through a variety of pathways. For example entry may be achieved by completing the requirements of the preceding qualification. However, this is not mandatory. Entry may occur directly into any qualification where evidence of existing skills and knowledge/competence is provided.

In determining whether a person is about to undertake an appropriate qualification the following must be considered:
- a careful analysis of the full requirements of the competency standards for this qualification, including the underpinning skills and knowledge, the language, literacy and numeracy requirements and the levels of attainment of the key competencies specified.
- units of competency in this qualification may have pre-requisite units. In these cases competence in the prerequisite unit should be demonstrated and if required, further training may need to be undertaken.

Certificate IV in Business (Legal Services)

General prerequisites

The following units from the Certificate III in Business (Legal Administration) are general pre-requisite units. If they have not been achieved in earlier training or work experience, they must be undertaken in addition to the core and elective requirements of the Certificate IV in Business (Legal Services).

General prerequisite units
BSALPP301A Apply knowledge of the legal system to complete tasks
BSALPP302A Carry out search of the public record
BSACS301A Apply the principles of confidentiality and security within the legal environment
BSAENT203A Apply knowledge of employee's and employer's rights and responsibilities to workplace environment
BSALC301A Use legal terminology in order to carry out tasks
BSALF301A Maintain records for time and disbursements in a legal practice

Packaging

Compulsory minimum industry requirements:
5 CORE UNITS
Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements.
BSALPP401A Prepare and produce complex legal documents
BSACS401A Provide non-legal advice
BSALC401A Interact with other parties
BSALC402A Research, locate and provide legal and other information in response to requests
BSALF401A Maintain trust accounts
These units of competency underpin all units of competency in the Legal Services stream of the Administration Training Package. If they have not been achieved in earlier training or work experience, they must be undertaken as part of this certificate, in addition to the prescribed core and elective units.
BSALPP301A   BSALPP302A   BSACS301A   BSAENT203A   BSALC301A   BSALF301A

plus

at least 2 ELECTIVE UNITS (up to a total of 4) from the functional streams:

Paralegal   Litigation   Conveyancing   Administration   Community Services and Health   Financial Services

Paralegal:

BSALPL401A Provide support in Property Law matters

BSALPL402A Provide support in Family Law matters

BSALPL403A Provide support in Criminal Law matters

BSALPL404A Provide support in Commercial Law matters

Financial Services:

FNAMERCO3B Serve legal process

Litigation:

BSALLG401A Arrange documents and list exhibits for litigation support

Conveyancing:

206/01 Take instructions in relation to a transaction

206/05 Prepare and execute documents

Administration:

BSAORG403B Coordinate administration of team projects to achieve project goals

Community Services and Health:

CHCAD2A Support the interests, rights and needs of clients within duty of care requirements

CHCCD7A Support community resources

CHCCD3A Meet information needs of the community

CHCCD1A Support community participation

Plus

the remaining number of ELECTIVE UNITS to make a total of 4 elective units

Choose electives from the Administration Competency Standards or **any other endorsed units of competency**. Electives may be selected from units packaged at the same AQF Level, Level 3 or Level 5. However, only one elective unit may be selected from Level 3 and only one elective unit may be selected from Level 5.

BSAINF401B Supervise an established records system to ensure its integrity

BSATEC403B Identify and use new and existing technology to meet the needs of the enterprise

BSATEC404B Customise and maintain software

BSAORG401B Plan business trip and associated itinerary to ensure efficient travel

BSACOM402B Take dictation to produce complex texts

BSATEM401B Supervise the team to ensure team goals are achieved

BSAFIN401B Produce reports as required for cash flow forecasts and budgetary purposes

BSZ401A Plan assessment

BSZ402A Conduct assessment

BSZ403A Review assessment

BSZ404A Train small groups

BSZ405A Plan and promote a training program

BSZ406A Plan a series of training sessions

BSZ407A Deliver training sessions

BSZ408A Review training

3.3.3 AQF Level 5: Diploma of Business (Legal Services)

This qualification addresses the skills and knowledge required in legal administrative/ paralegal-type roles requiring substantive knowledge of the legal environment and how it functions.

The minimum number of units of competency required to attain a Level 5 outcome and to satisfy requirements for an AQF **Diploma of Business (Legal Services)** is eight, comprising four core units of competency and four elective units of competency. At least two of the elective units must be chosen from the following functional streams:

- Paralegal
- Conveyancing
- Litigation
- Community Services and Health.

The remaining number of electives (to make a total of four) may be chosen from the Legal Services Competency Standards or any other endorsed units of competency. Electives may be selected from units packaged at the same AQF Level, Level 4 or Level 6. However, only one elective unit may be selected from Level 4 and only one elective unit may be selected from Level 6. Units at Level 6 are not available in the Administration Training Package.

If prerequisite units have not been completed, they can be delivered concurrently.

Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements described above.

Entry to any qualification in the Administration Training Package may be achieved through a variety of pathways. For example entry may be achieved by completing the requirements of the preceding qualification. However, this is not mandatory. Entry may occur directly into any qualification where evidence of existing skills and knowledge/competence is provided.

In determining whether a person is about to undertake an appropriate qualification the following must be considered:

- a careful analysis of the full requirements of the competency standards for this qualification, including the underpinning skills and knowledge, the language, literacy and numeracy requirements and the levels of attainment of the key competencies specified.
- units of competency in this qualification may have pre-requisite units. In these cases competence in the prerequisite unit should be demonstrated and if required, further training may need to be undertaken.

Diploma of Business (Legal Services)

General prerequisites

The following units from the Certificate III in Business (Legal Administration) are general pre-requisite units. If they have not been achieved in earlier training or work experience, they must be undertaken in addition to the core and elective requirements of the Diploma of Business (Legal Services).

General prerequisite units
BSALPP301A Apply knowledge of the legal system to complete tasks
BSALPP302A Carry out search of the public record
BSACS301A Apply the principles of confidentiality and security within the legal environment
BSAENT203A Apply knowledge of employee's and employer's rights and responsibilities to workplace environment
BSALC301A Use legal terminology in order to carry out tasks
BSALF301A Maintain records for time and disbursements in a legal practice

Packaging

Compulsory minimum industry requirements:
4 CORE UNITS
Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements.
BSALPP501A Obtain information from a client
BSALPP502A Draft legally binding documents
BSALC501A Run a file
BSALO501A Perform legal research and prepare reports to meet identified needs
The following entry-level units of competency are mandatory. If they have not been achieved in earlier training or work experience, they must be undertaken as part of this qualification, in addition to the prescribed core and elective units.

BSALPP301A	BSALPP302A	BSACS301A	BSAENT203A	BSALC301A	BSALF301A

plus at least 2 ELECTIVE UNITS (up to a total of 4) from the functional streams:

Paralegal	Litigation	Conveyancing	Community Services and Health

Litigation:
BSALLG501A Assist with the discovery process
BSALLG502A Appear in court
BSALLG503A Attend pre-trial negotiations

Paralegal:
BSALPL501A Cost complex files
BSALPL502A Administer in-house mortgage practice

Conveyancing:
206/04 Negotiate with others to achieve tasks and goals
206/09 Finalise transaction

Community Services and Health:
CHCCD8A Support community action
CHCCD13A Work within specific communities
CHCCD11A Provide advocacy and representation

plus

the remaining number of ELECTIVE UNITS to make a total of 4 elective units

Choose electives from the Administration Competency Standards **or any other endorsed units of competency**. Electives may be selected from units packaged at the same AQF Level, Level 4 or Level 6. However, only one elective unit may be selected from Level 4 and only one elective unit may be selected from Level 6. Units at Level 6 are not available in the Administration Training Package.

BSAINF501B Establish and maintain a records system to ensure its integrity

BSAINF502B Establish and maintain library/resource collection

BSAORG503B Plan and establish office administration systems and procedures

BSAORG504B Review office administration systems and procedures to meet changing demands

BSATEM501B Manage the team to ensure team achievements reflect identified enterprise goals

BSATEM502B Participate in staff selection to ensure team goals are achieved

BSAFIN502B Monitor and control disbursements within a given budget

BSATEC501B Manage document design and production within the enterprise

BSATEC502B Manage the establishment and maintenance of a workgroup network

BSAENT502B Apply and monitor enterprise OHS to ensure that all members of the workgroup are fully informed

BSZ501A Analyse competency requirements

BSZ502A Design and establish the training system

BSZ503A Design and establish the assessment system

BSZ504A Manage the training and assessment system

BSZ505A Evaluate the training and assessment system

BSZ506A Develop assessment procedures

BSZ507A Develop assessment tools

BSZ508A Design training courses

BSXFMI410A Facilitate and capitalise on change and innovation

BSXFMI502A Provide leadership in the workplace

BSXFMI503A Establish and manage effective workplace relationships

BSXFMI507A Manage quality customer service

Section 4: Sources of information

4.1   Sources of information

The following table identifies a range of resources which can be used in the administration and legal areas. Assessors should ensure that any resources assess against the Administration Competency Standards, Version BSA97.

Organisation	Resources

Business Services Training Australia Ltd.
Address: Suite 11C, Level 3, Como Centre
                    299 Toorak Road
                    SOUTH YARRA VIC 3141
Ph: (03) 9824-0866
fax: (03) 9824-0877
web: www.bsitab.org
email: admin@bsitab.org
	• Legal Services Competency Standards
	• Administration Training Package BSA97
	• LLN Kit for Certificate III in Business (Office Administration)
	• Training Package for Assessment and Workplace Training BSZ98
	• Facilitator's Packs and Learner's Packs for the Assessment and Workplace Training Package
	• Legal Services Wall Chart
	• CD Rom Toolboxes for
	  • Certificate III in Business (Legal Administration)
	  • Certificate IV in Business (Legal Services)

Admin Training Company Address: Level 11, 10 Queens Road MELBOURNE VIC 3004 Ph: (03) 9820 1300 fax: (03) 9821 4392 web: www.adtc.com.au email: national@adtc.com.au	• Legal Administration Training Briefcase (Certificate III) • Assessor's Resource.

4.2   Glossary of terms

Term	Definition
Alignment	The process of relating groups of competencies with a definable work outcome to an AQF level.
Appeal process	The process whereby the assessee or other interested party, such as the employer, may dispute the outcome of an assessment and seek reassessment.
Assessment	Assessment is the process of collecting evidence and making judgements on whether competency has been achieved.
Assessment system	An assessment system is a controlled and ordered process designed to ensure that assessment decisions made in relation to many individuals, by many assessors, in many situations are consistent, fair, valid and reliable.
Australian Qualifications Framework (AQF)	A comprehensive, nationally consistent Framework incorporating all qualifications recognised in post compulsory education throughout Australia. The Framework identifies six levels with corresponding titles and guidelines in the VET sector.
Competency	Comprises the specification of knowledge and skill and the application of that knowledge and skill to the standard of performance required in the workplace.
Customisation	In Training Packages, customisation is the tailoring of units of competence by the inclusion, modification or substitution of competency units within their alignment with AQF qualifications.
Endorsement	The formal recognition of endorsable Training Package components by the NTFC.
Evidence	The set of information which, when matched against the relevant criteria, provides proof of the assessee's competency. Evidence can take many forms and be gathered from a number of sources.
Evidence Guide	This is part of a unit of competence. Its purpose is to guide assessment of the unit of competence in the workplace or institution. Each unit of competence has an Evidence Guide which relates directly to the Performance Criteria and Range of Variables.
Integrated assessment	An approach to assessment that covers multiple elements and/or units from relevant competency standards. The integrated approach combines knowledge, understanding, problem solving, technical skills, attitudes and ethics into assessment tasks.
Key Competencies	Employment related general competencies that are essential for effective participation in the workplace.
Packaging	The process of grouping competencies into combinations which have meaning and purpose related to work functions and needs in an industry or enterprise.
Qualification	Formal certification, issued by a relevant approved body, in recognition that a person has achieved learning outcomes (defined as competencies in the VET sector) relevant to identified individual, professional, industry or community needs.

Term	Definition
Training program	A structured approach to the development and attainment of competencies for a particular AQF qualification to meet the requirements of the endorsed components of Training Packages. It includes the choice of units or options within the Training Package and the method, training and location for achieving the competencies. In respect of apprenticeships and traineeships, training programs are negotiated between providers on the one hand and employers and individuals on the other, reflecting choice made by the clients.
Reassessment	An assessment activity initiated as a result of an appeal against the outcome of a previous assessment.
Records of assessment	The information of assessment outcomes that is retained by the organisation that is responsible for issuing nationally recognised Statement of Attainment or Qualification.
Reporting of assessment outcomes	The different ways in which the outcomes of assessment processes are reported to assessees, employers and other relevant groups. Assessment outcomes may be reported in a variety of ways, including graded, non graded and descriptive reporting systems.
Review of assessment process	Planned and systematic analysis of the assessment system.
Task	A discrete, identifiable and meaningful component of work that is carried out for a specific purpose leading to a particular outcome.

Section 5: Competency Standards

5.1 Introduction to the Legal Services Competency Standards

The Legal Services Competency Standards describe the skills used by the legal services workforce.

The standards are a specialist stream of the Administration Training Package. Sections 2 and 3 of this document outline:
- the conditions under which the Legal Services Competency Standards are assessed and
- the ways in which the units of competency are packaged in order to attain a nationally recognised qualification.

It is important to read the Competency Standards in conjunction with Sections 2 and 3 of this document.

5.1.1 Development

The Legal Services Competency Standards are based upon extensive work undertaken during 1997, 1998 and 1999, which involved nationwide consultation with a range of small, medium and large law firms, employees, and training providers. Over 1,000 law firms, representing over 10% of law firms nationally, were involved in the consultation process.

Key representative bodies such as the Law Council of Australia, General Practice Section, and Australian Legal Practice Management Group, the Institute of Legal Executives and the Law Societies/Institutes in each State and Territory played a significant role in the development of the Legal Services Competency Standards and qualifications.

The Legal Services Competency Standards are designed to:
- reflect current workplace practice
- meet the needs of the legal profession
- provide a feasible training and assessment framework.

As legal support work encompasses many administrative duties, the approach to the development of the Legal Services Competency Standards was to:
- use the existing Administration Competency Standards where possible
- supplement Administration Competency Standards with legal specific components where possible
- create new legal units of competency where required.

5.2 Understanding the Legal Services Competency Standards

5.2.1 Purpose

Most jobs have a number of main duties or functions and within each of these a number of tasks and standards are expected. National competency standards:
- describe the ability to perform distinct activities to the standards expected in the workplace within an occupation or industry
- detail what is required of people to do their job successfully and satisfactorily.

National competency standards describe core skills generally required by employees. They do not cover the details of all skills used in every workplace in Australia.

Competency encompasses:
- the performance of individual tasks
- the management of a number of tasks
- responding to contingencies and
- dealing with the expectations of the workplace.

Within the National Training Framework the standards provide:
- a nationally recognised benchmark for the skills and understanding required of the legal services workforce from Levels 3 to 5
- a means of identifying career and assessment pathways for legal services employees
- the basis upon which flexible delivery of training and assessment can occur.

Enterprises can use the standards for Human Resource purposes such as:
- developing skills-based position descriptions
- recruiting and promoting staff
- recognising and assessing skills of employees and
- identifying current and future training needs.

5.2.2 Format

The Legal Services Competency Standards have been written in the format required by the Standards Best Practice Guidelines developed by the Australian National Training Authority (ANTA). They comprise:

Units of Competency

which provide clear statements of what is required of a person in a particular function. They roughly correspond to 'duties' or 'responsibilities' in a job description.

Elements of Competency

which are the building blocks of the unit of competency and describe what a worker does in terms of an action or an outcome which is demonstrable and assessable. These are the tasks that must be performed to achieve the unit.

Performance Criteria

which specify the required level of performance expected in the workplace. They help an assessor to check whether a performance has been achieved to the standard required.

Evidence Guides

which assist in the interpretation and assessment of units in the standards, and indicate the contexts within which an individual would need to be assessed. These cover:
- the required evidence of competency
- critical aspects of the unit
- resource implications
- contexts for assessment
- underpinning knowledge and skills.

Range of Variables

which suggest a range of contexts in which it will be applied. They include reference to industry- and enterprise-specific factors which apply to the standards and may include details of particular technology or equipment used, or a description of the work environment in which it may be carried out.

Unit codes

The Australian National Training Authority has developed a coding system to be adopted for identifying the components of training packages. The codes identify a particular training package and the units of competency and qualifications within a training package.

In the case of the Administration Training Package, the identifying code is BSA. The first two letters identify the Business Services sector, the third letter identifies the Administration Training Package.

To identify a competency standard within a training package, the same three alpha codes have been assigned. The identifier for each specific unit of competency follows, with a final letter identifying the version of the competency standard, 'A' being the first version, 'B' the second version and so on, changing with each update.

For example:

Standards within the Administration Training Package	BSA
Administration unit of competency from the Administration Training Package	BSAENT201B
Legal Services unit of competency from the Administration Training Package	BSALPP301A

When reading the Administration and Legal Services Competency Standards it is evident that the requirements of the unit become increasingly detailed and specific. The Elements of Competency expand the requirements of the unit statement and the Performance Criteria provide even more details of the activities and outcomes required.

The Range of Variables provide suggestions for the range of contexts the unit applies to. The Evidence Guide indicates the assessment contexts and itemises the evidence that the assessed person would need to present to satisfactorily complete the unit.

5.2.3 Streams and skill areas

The Administration Competency Standards comprises two streams: Legal Services and Administration.

Legal Services stream

The Legal Services stream has eight skill areas that are common across all legal administration work areas. In addition, there are six functional streams containing a choice of elective units. The Legal Services stream also contains some units from the Administration stream. The eight skill areas are:

Legal Process and Procedure (LPP)
- applying knowledge of the legal system to complete tasks, producing complex legal documents and obtaining information from clients

Client Services (CS)
- working within accepted codes of conduct regarding confidentiality and security, providing non-legal advice to clients and demonstrating knowledge of OHS policies and procedures, employee and employer rights and responsibilities

Legal Records (LR)
- handling receipt and despatch of information

Technology (TEC)

- using the advanced functions of a range of office equipment to complete daily tasks

Legal Communication (LC)

- using legal terminology to carry out daily tasks, interacting with other parties, conducting research and running a file

Legal Organisation (LO)

- prioritising and planning activities in a legal practice

Team (TEM)

- allocating and completing tasks in a team

Legal Finance (LF)

- maintaining records for time and disbursements in a legal practice.

The six functional areas are:

Paralegal (LPL)

- providing support in specific, specialist areas of law, costing complex files and administering in-house mortgage practice

Litigation (LLG)

- arranging documents and listing exhibits for litigation support, assisting with the discovery process and appearing in court and pre-trial negotiations

Conveyancing (206)

- preparing and executing documents, taking instructions in relation to a transaction and finalising transactions

Administration (BSA)

- coordinating team projects

Community Services and Health (CHCCD)

- working within duty of care requirements, supporting community resources, , providing advocacy and representation and working within specific communities

Finance (FNA)

- maintaining trust accounts.

Administration stream

The Administration stream has seven skill areas that are common across all administrative work areas. These skill areas are:

Information Handling (INF)
- identifying, arranging, storing and distributing paper-based and/or electronic documents

Communication (COM)
- initiating, receiving, confirming and relaying written and verbal information

Enterprise/Customer Service (ENT)
- the enterprise-specific administrative skills needed by an organisation, including: understanding aims and objectives, knowing products and services, using specialist terminology, understanding the market in which the organisation operates and implementing appropriate client relations strategies

Technology (TEC)
- selecting, operating and maintaining a range of office equipment

Organisational (ORG)
- organising, planning and coordinating tasks and work schedules

Team (TEM)
- participating and contributing as a member of a work group

Business Financial (FIN)
- processing financial transactions and documents.

5.2.4 Key features

National competency standards, while providing consistent cross-industry benchmarks for training and assessment, also reflect the specific nature and needs of the workforce.

A key feature of the Legal Services Competency Standards is the integration of the Key Competencies into the core skill areas.

The integration of the Key Competencies into the core skill areas

Key Competencies are the generic abilities that people need for effective participation in work and life in general. They are transferable abilities that are relevant to all industries and occupations. The Key Competencies are designed to help people apply their knowledge and skills in work situations and give them a better idea of the full range of their capabilities.

The Key Competencies were developed following wide consultation with:
- education authorities in all States and Territories
- teachers
- industry
- parents and
- union representatives.

There is a direct relationship between the Key Competencies and the legal administrative skill areas. In order to make these competencies explicit in the standards, a matrix has been provided at the end of each unit showing the relationship between the unit of competency and the Key Competencies.

The correlation between the Key Competencies and the Legal Administrative skill areas is outlined in the table below.

Key Competency	Skill Area
Collecting, analysing and organising information	Legal Process and Procedure, Legal Records
Communicating ideas and information	Legal Communication
Using technology	Technology
Planning and organising activities	Legal Organisation
Working with others and in teams	Team
Using mathematical ideas and techniques	Legal Finance
Solving problems	Client Services

5.3 Using the Legal Services Competency Standards

5.3.1 Career paths

The issues involved in career planning are many and varied. Career advancement is increasingly through changing employment rather than moving up within a firm. It is not unusual for an individual to move into another industry altogether. Most career opportunities rely on the initiative and energy of the individual, combined with effective planning, networking and job seeking skills.

The endorsed national competency standards provide a map of what skills are required for particular career paths. They allow workers to identify and verbalise their skills and knowledge and to plan for ongoing training and assessment.

Because of the close correlation between the Key Competencies and the Administration and Legal Services Competency Standards, Levels 1 and 2 of the Administration Competency Standards are increasingly used as the basis for a wide range of careers.

The Legal Services Competency Standards and associated qualifications are targeted at persons able to work increasingly independently within a legal structure.

Some examples of occupations requiring legal administrative skills are:

▪ legal secretary	▪ personal assistant	▪ law clerk
▪ general clerk	▪ receptionist	▪ research officer
▪ practice manager	▪ receptionist	▪ project manager
▪ mail clerk	▪ desktop publisher	▪ human resources officer
▪ records manager	▪ archivist	▪ librarian

Legal support staff are found in a variety of occupational and professional environments. The tasks performed by such individuals and their ascribed occupational titles reflect this diversity. Work environments range from small, medium and large private law firms to State Legal Aid Commissions and community legal centres.

There is, however a second category of legal support workers: those employed in non-traditional legal settings such as accounting firms, banks and other private and public institutions.

Legal Services support staff work at various levels of complexity in numerous areas of law. The standards define what is fundamental to work in all areas but customisation may be needed to meet the requirements of specific areas of law or enterprises. The Customisation process is described in Section 5.5.

Research conducted during the development of the Legal Services Competency Standards demonstrated that for Legal Administrative workers at AQF Levels 1 and 2, specific legal knowledge and competence is less relevant. Staff/students wishing to access qualifications at these levels can undertake the Certificate I in Business (Office Skills) or the Certificate II in Business (Office Administration) and pick up a legal elective unit from Level 3.

While individuals are being encouraged to take responsibility for selecting and implementing their future careers, employers and training providers also have responsibilities.

Furthering careers—a shared responsibility

Individual responsibilities	Employer/training provider responsibilities
initial self-assessment	▪ performance appraisal ▪ recognition of existing skills
career planning	▪ career advice ▪ counselling on the range of training and assessment pathways available
choice of specialisation with a nationally recognised qualification	▪ individual training plan, identifying units of competency appropriate to the area of specialisation ▪ training and assessment partnership between employer and training provider
willingness to participate in both on-and off-the-job training and assessment	▪ provision of training and assessment ▪ monitoring of individual's progress
self-assessment of competencies	▪ validation of assessment ▪ issue of qualification/Statement of Attainment

5.3.2 New Apprenticeships

"New Apprenticeships" is the new national system for entry level vocational training. The Administration Training Package supports the implementation of New Apprenticeships in a wide range of industries and occupations through the qualifications available in the Training Package.

For the first time Legal Administration Traineeships will be available, based on the Legal Services Competency Standards. It is the responsibility of each State and Territory to declare traineeships.[11]

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[11] Contact Business Services Training in respect to more information on Legal Traineeships in the various States and Territories.

Traineeships have been in place in the administration area in various forms since the mid nineteen eighties. In 1995 the current Business Admin Traineeship was developed. It has since been undertaken by over 8,000 individuals across Australia.

The success of the Business Admin Traineeship reinforces one of the underlying principles of the National Training Framework: that employers and training providers working as partners create productive, skilled members of the workforce.

It is expected that schools and employers facilitating student traineeships will take on increasing responsibility for the delivery and assessment of Level 2 skills. Admin Traineeships at Certificate II level are now available to school students.

Levels 3, 4 and 5 have a variety of delivery and assessment modes for:
- entry level students/trainees
- existing workers and
- independent learners who wish to gain recognition for their skills.

5.3.3 Advice for Packaging Units within the Australian Qualifications Framework[12]

Qualifications

In the Administration Training Package the following legal qualifications, identified by their ANTA coding, are available through the AQF:
- Certificate III in Business (Legal Administration)   BSA30200
- Certificate IV in Business (Legal Services)   BSA40200
- Diploma of Business (Legal Services)   BSA50200

Statement of Attainment

If a qualification is only partially achieved, a Statement of Attainment must be issued for the competencies that have been successfully completed. Training can be continued at a later date and additional competencies added to the Statement of Attainment until a full qualification is achieved. This means that training and assessment are truly portable. Registered Training Organisations must recognise the competencies already achieved and recorded on the Statement of Attainment.

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12 For further details on packaging see Section 3.3 Alignment to the AQF.

Packaging advice

It is important to emphasise that this packaging advice relates units of competency to AQF Certificate outcomes. Training programs which have an AQF Certificate outcome must be designed to meet the designated units. When a training outcome is achieved it **must** be reported in terms of the competency standard(s) attained.

Competency at a particular AQF level is achieved when the requisite units of competency (made up of core and elective units) for that level have been attained. A training program may include units beyond the minimum advocated. In some instances, for example traineeships, additional training may be added to fulfil industry, enterprise or regional requirements.

Sometimes these extension units are lateral (at the same AQF level, being additional electives or units from other standards) or in other instances they may be at a higher or lower AQF level. In these cases a Statement of Attainment should be issued indicating the additional unit(s) of competency achieved and, if relevant, the credit transfer available.

Clearly, if the extension units meet the core and elective requirements at the next level of the AQF then the qualification would be awarded at that level. Similarly, if a trainee or student achieves a competency at a higher level than their nominated or enrolled level a Statement of Attainment can be issued to record this outcome.

Specialisation

At AQF Levels 3 to 5, electives are required to achieve a qualification outcome.

Due to the diversity in legal administrative work, the career paths of individual legal support staff vary. In order to reflect the variety of skills and competencies that such positions require, appropriate units from other relevant competency standards can be included as electives.

The Legal Services stream contains six functional areas, containing a range of elective choices, which allow for specialisation.

AQF Level 3: Certificate III in Business (Legal Administration)

Compulsory minimum industry requirements: 10 CORE UNITS Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements.	**BSALPP301A** Apply knowledge of the legal system to complete tasks	**BSALPP302A** Carry out search of the public record	**BSACS301A** Apply the principles of confidentiality and security within the legal environment	**BSAENT203A** Apply knowledge of employee's and employer's rights and responsibilities to workplace environment
	BSALR301A Handle receipt and despatch of information	**BSATEC301B** Use the advanced functions of a range of office equipment to complete daily tasks	**BSALC301A** Use legal terminology in order to carry out tasks	**BSALO301A** Assist in prioritising and planning activities in a legal practice
	BSALF301A Maintain records for time and disbursements in a legal practice	**BSATEM301B** Negotiate with team members to allocate and complete tasks to achieve team goals		

plus 2 ELECTIVE UNITS Choose 2 electives from the Legal Services Competency Standards, the Administration Competency Standards **or any other endorsed units of competency**. Electives may be selected from units packaged at the same AQF Level, Level 2 or Level 4. However, only one elective unit may be selected from Level 2 and only one elective unit may be selected from a Level 4.	**BSALPP303A** Deliver court documentation	**BSATEC302B** Design and develop documents, reports and worksheets	**BSACOM301B** Collect and provide information to facilitate communication flow	**BSACOM302B** Take dictation to produce a text
	BSAINF301B Maintain information records system to ensure its integrity	**BSAORG301B** Coordinate own work schedule with that of others to achieve agreed team/section goals	**THTSMA01A** Coordinate the production of brochures and marketing materials	**FNARFS14A** Deliver a service to customers

AQF Level 4: Certificate IV in Business (Legal Services)

Compulsory minimum industry requirements: 5 CORE UNITS Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements.	BSALPP401A Prepare and produce complex legal documents	BSACS401A Provide non-legal advice	BSALC401A Interact with other parties	BSALC402A Research, locate and provide legal and other information in response to requests	BSALF401A Maintain trust accounts

These units of competency underpin all units of competency in the Legal Services stream of the Administration Training Package. If they have not been achieved in earlier training or work experience, they must be undertaken as part of this certificate, in addition to the prescribed core and elective units.

BSALPP301A   BSALPP302A   BSACS301A   BSAENT203A   BSALC301A   BSALF301A

plus at least 2 ELECTIVE UNITS (up to a total of 4) from the functional streams: Paralegal Litigation Conveyancing Administration Community Services and Health Financial Services	Paralegal BSALPL401A Provide support in Property Law matters	Paralegal BSALPL402A Provide support in Family Law matters	Paralegal BSALPL403A Provide support in Criminal Law matters	Paralegal BSALPL404A Provide support in Commercial Law matters	Financial Services FNAMERCO3B Serve legal process
	Litigation BSALLG401A Arrange documents and list exhibits for litigation support	Conveyancing 206/01 Take instructions in relation to a transaction	Conveyancing 206/05 Prepare and execute documents	Administration BSAORG403B Coordinate administration of team projects to achieve project goals	
	Community Services and Health CHCAD2A Support the interests, rights and needs of clients within duty of care requirements	Community Services and Health CHCCD7A Support community resources	Community Services and Health CHCCD3A Meet information needs of the community	Community Services and Health CHCCD1A Support community participation	

plus the remaining number of ELECTIVE UNITS to make a total of 4 elective units Choose electives from the Administration Competency Standards or **any other endorsed units of competency**. Electives may be selected from units packaged at the same AQF Level, Level 3 or Level 5. However, only one elective unit may be selected from Level 3 and only one elective unit may be selected from a Level 5.	BSAINF401B Supervise an established records system to ensure its integrity	BSATEC403B Identify and use new and existing technology to meet the needs of the enterprise	BSATEC404B Customise and maintain software	BSAORG401B Plan business trip and associated itinerary to ensure efficient travel	BSACOM402B Take dictation to produce complex texts
	BSATEM401B Supervise the team to ensure team goals are achieved	BSAFIN401B Produce reports as required for cash flow forecasts and budgetary purposes	BSZ401A Plan assessment	BSZ402A Conduct assessment	BSZ403A Review assessment
	BSZ404A Train small groups	BSZ405A Plan and promote a training program	BSZ406A Plan a series of training sessions	BSZ407A Deliver training sessions	BSZ408A Review training

AQF Level 5: Diploma of Business (Legal Services)

Compulsory minimum industry requirements: 4 CORE UNITS Optional units (industry-related and/or enterprise specific and/or personal preference) may be completed in addition to the minimum industry requirements.	**BSALPP501A** Obtain information from a client	**BSALPP502A** Draft legally binding documents	**BSALC501A** Run a file	**BSALO501B** Perform legal research and prepare reports to meet identified needs

These units of competency underpin all units of competency in the Legal Services stream of the Administration Training Package. If they have not been achieved in earlier training or work experience, they must be undertaken as part of this qualification, in addition to the prescribed core and elective units.

BSALPP301A   BSALPP302A   BSACS301A   BSAENT203A   BSALC301A   BSALF301A

plus at least 2 ELECTIVE UNITS (up to a total of 4) from the functional streams: Litigation Paralegal Conveyancing Community Services and Health	Litigation **BSALLG501A** Assist with the discovery process	Litigation **BSALLG502A** Appear in court	Litigation **BSALLG503A** Attend pre-trial negotiations	Paralegal **BSALPL501A** Cost complex files	Paralegal **BSALPL502A** Administer in-house mortgage practice
	Conveyancing **206/04** Negotiate with others to achieve tasks and goals	Conveyancing **206/09** Finalise transaction	Community Services & Health **CHCCD8A** Support community action	Community Services & Health **CHCCD13A** Work within specific communities	Community Services & Health **CHCCD11A** Provide advocacy and representation

plus the remaining number of ELECTIVE UNITS to make a total of 4 elective units Choose electives from the Administration Competency Standards or any other endorsed units of competency. Electives may be selected from units packaged at the same AQF Level, Level 4 or Level 6. However, only one elective unit may be selected from Level 4 and only one elective unit may be selected from Level 6. No units are offered at Level 6 in the Administration Training Package	**BSAINF501B** Establish and maintain a records system to ensure its integrity	**BSAINF502B** Establish and maintain a library/resource collection	**BSAORG503B** Plan and establish office administration systems and procedures	**BSAORG504B** Review office administration systems and procedures to meet changing demands	**BSATEM501B** Manage the team to ensure team achievements reflect identified enterprise goals
	BSATEM502B Participate in staff selection to ensure team goals are achieved	**BSAFIN502B** Monitor and control disbursements within a given budget	**BSATEC501B** Manage document design and production within the enterprise	**BSATEC502B** Manage the establishment and maintenance of a workgroup network	**BSAENT502B** Apply and monitor enterprise OHS to ensure that all members of the workgroup are fully informed
	BSZ501A Analyse competency requirements	**BSZ502A** Design and establish the training system	**BSZ503A** Design and establish the assessment system	**BSZ504A** Manage the training and assessment system	**BSZ505A** Evaluate the training and assessment system
	BSZ506A Develop assessment procedures	**BSZ507A** Develop assessment tools	**BSZ508A** Design training courses	**BSXFMI410A** Facilitate and capitalise on change and innovation	**BSXFMI502A** Provide leadership in the workplace
	BSXFMI503A Establish and manage effective workplace relationships	**BSXFMI507A** Manage quality customer service			

Sample pathways—Certificate III in Business (Legal Administration)

All pathways require the completion of the 10 core units plus 2 electives for a total of 12 units.

The Sample Pathways listed below are *suggestions only*. They are not prescriptive and are not the only pathways available. Trainees/students are *not restricted* to these Sample Pathways.

Core units = 10 units
BSALPP301A Apply knowledge of the legal system to complete tasks
BSALPP302A Carry out search of the public record
BSACS301A Apply the principles of confidentiality and security within the legal environment
BSAENT203A Apply knowledge of employee's and employer's rights and responsibilities to workplace environment
BSALR301A Handle receipt and despatch of information
BSATEC301B Use the advanced functions of a range of office equipment to complete daily tasks
BSALC301A Use legal terminology in order to carry out tasks
BSALO301A Assist in prioritising and planning activities in a legal practice
BSALF301A Maintain records for time and disbursements in a legal practice
BSATEM301B Negotiate with team members to allocate and complete tasks to achieve team goals

1.   Legal Receptionist

Elective units = 2 units
BSACOM301B Collect and provide information to facilitate communication flow
FNARFS14A Deliver a service to customers

2.   Legal Secretary

Elective units = 2 units
BSACOM302B Take dictation to produce a text
BSAINF301B Maintain information records system to ensure its integrity

3.   Junior Personal Assistant

Elective units = 2 units
BSALPP303A Deliver court documentation
BSATEC302B Design and develop documents, reports and worksheets

4.   Administrative Assistant

Elective units = 2 units
BSAORG301B Coordinate own work schedule with that of others to achieve agreed team/section goals
THTSMA01A Coordinate the production of brochures and marketing materials

Elective units of competency may be selected from other endorsed competency standards to meet specific industry training needs. For example, a trainee/student may wish to select 'Contribute to the Organisation' and 'Offender Management' units from the Correctional Services Training Package.

Sample pathways—Certificate IV in Business (Legal Services)

All pathways require the completion of the 5 core units plus 4 electives for a total of 9 units.

The Sample Pathways listed below are *suggestions only*. They are not prescriptive and are not the only pathways available. Trainees/students are *not restricted* to these Sample Pathways.

Core units = 5 units
BSALPP401A Prepare and produce complex legal documents
BSACS401A Provide non-legal advice
BSALC401A Interact with other parties
BSALC402A Research, locate and provide legal and other information in response to requests
BSALF401A Maintain trust accounts

1.   Assistant Paralegal—General

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALPL401A Provide support in Property Law matters
BSALPL402A Provide support in Family Law matters
BSALPL403A Provide support in Criminal Law matters
BSALPL404A Provide support in Commercial Law matters

2.   Property Paralegal

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALPL401A Provide support in Property Law matters
206/01 Take instructions in relation to a transaction
206/05 Prepare and execute documents
BSALPL404A Provide support in Commercial Law matters

3.   Legal Secretary

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALLG401A Arrange documents and list exhibits for litigation support
BSAORG403B Coordinate administration of team projects to achieve project goals
BSAINF401B Supervise an established records system to ensure its integrity
BSACOM402B Take dictation to produce complex texts

4.   Team Leader—Family Law

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALPL402A Provide support in Family Law matters
BSAORG403B Coordinate administration of team projects to achieve project goals
BSAINF401B Supervise an established records system to ensure its integrity
BSATEM401B Supervise the team to ensure team goals are achieved

Elective units of competency may be selected from other endorsed competency standards to meet specific industry training needs. For example, a trainee/ student may select 'Credit Management' and 'Mercantile Agents' units from the Financial Services Industry Training Package.

Sample pathways—Diploma of Business (Legal Services)

All pathways require the completion of the 4 core units plus 4 electives for a total of 8 units.

The Sample Pathways listed below are *suggestions only*. They are not prescriptive and are not the only pathways available. Trainees/students are *not restricted* to these Sample Pathways.

Core units = 4 units
BSALPP501A Obtain information from a client
BSALPP502A Draft legally binding documents
BSALC501A Run a file
BSALO501A Perform legal research and prepare reports to meet identified needs

1.   Paralegal

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALLG501A Assist with the discovery process
BSALPL501A Cost complex files
BSALPL502A Administer in-house mortgage practice
BSAFIN502B Monitor and control disbursements within a given budget

2.   Personal Assistant in a Community Legal Centre

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALLG503A Attend pre-trial negotiations
CHCCD11A Provide advocacy and representation
BSATEC501B Manage document design and production within the enterprise
BSXFMI507A Manage quality customer service

3.   Litigation Assistant

Elective units = at least 2 functional stream units + requisite number of elective units = 4 units
BSALLG501A Assist with the discovery process
BSALLG503A Attend pre-trial negotiations
BSALPL501A Cost complex files
BSATEM501B Manage the team to ensure team achievements reflect identified enterprise goals

Elective units of competency may be selected from other endorsed competency standards to meet specific industry training needs. For example, a trainee/ student may select 'Personal Trust Administration' units from the Financial Services Industry Training Package.

5.4   Customising the Standards

5.4.1   The customisation process

Customising the endorsed national standards is a simple process. The aim is to **add** specific industry or enterprise information to the standards to reflect the work of a particular industry or workplace.

These additions can be made without changing the integrity or meaning of the endorsed national standards.

Customisation requires knowledge of the endorsed national standards that are relevant to the functions of a particular client (either industry or enterprise), in this case the Legal Services Competency Standards. It can assist in using the standards to enhance skills and productivity, and at the same time deliver access to the advantages of the national training system, quality learning resources, consistent outcomes and nationally recognised qualifications.

The process involves no major changes to the standards; enterprise-specific information is merely added to the national standards, in the Performance Criteria, the Evidence Guides or the Range of Variables, without taking anything away. By doing this the integrity of the national standard is maintained and the customised standard is still equivalent to the national standard.

Business Services Training has worked closely with enterprises to identify the specific words or phrases in the national standards where customisation can take place.

These words or phrases are in *italics* in the text of:
- the Performance Criteria
- the Evidence Guides and
- the Range of Variables

in the Legal Services Competency Standards.

The italics in the standards are usually words or phrases that describe processes, procedures, actions or structures that would differ from enterprise to enterprise. So, rather than use the general term, eg. designated timelines, or nominated personnel, the italics can be replaced with words or phrases specifically applicable to a particular enterprise, eg. 'within one week', or 'solicitor'.

Customisation is designed to convey the enterprise- or industry-specific requirements without changing the skill level or altering the skill described in the competency standard. It is not designed to be so extensive that the assessment and training required to achieve the unit of competency is substantially increased.

5.4.2 Customising for legal contexts

Customisation of the Legal Services Competency Standards, may occur at the following levels. The inclusion of:

State/Territory/Commonwealth specifications, for example:
- State/Territory/Commonwealth legislation and accompanying regulations relevant to the area of law (those which impact on the duties of the legal support staff)
- guidelines / codes of conduct set by relevant Law Societies
- court procedures for specific courts (Civil Registry, Magistrates, County, Supreme, Family, Industrial Relations, Federal, High).

Organisation's policies and procedures, for example:
- pertaining to the nature of the client (eg. services provided to one major corporate client, multi-national clients, small clients, community aid)
- pertaining to the nature of the organisation (sole practitioner, small firm, medium-sized firm, large departments, government agency multi-national practice)
- pertaining to the community in which the legal services take place (central business district, suburban, rural, remote).

For learners who are currently employed in a legal setting, the specific information needed will be easily identifiable eg. legal services support staff working in property law will need to focus on the legislation and regulations impacting on their duties in that State or Territory.

For learners who are not in a legal setting, the Registered Training Organisation will be responsible for providing access to relevant information from a sampling of areas of law eg. family, contract, personal injury. This will allow the competencies to be developed in context.

They will also be responsible for providing a sampling of policies and procedures of the kind that would be implemented in small, medium and large organisations.

An example from the Legal Services Competency Standards:

Assist in prioritising and planning activities in a legal practice

This Unit covers assisting others (for example, Partner, Solicitor, Fee Earner, Human Resources Manager, External Client) to organise a legal schedule. This involves arranging appointments and other activities based upon court dates and required legislative timelines.

This unit can be assessed alone or in combination with other units making up a job role.

The italics signal words/phrases that you may wish to customise by replacing them with your own enterprise-specific information. For example, instead of *designated person* you may substitute 'solicitor'.

ELEMENT OF COMPETENCY	PERFORMANCE CRITERIA
Record file-related critical dates and times	▪ File related deadlines are identified ▪ File related deadlines are recorded according to a *firm's policies and procedures*
Make and record appointments on behalf of *designated person*	▪ Priorities of *designated person/s* are established and clarified in discussion ▪ Timelines for achievement of priorities are agreed and documented/recorded ▪ Appointments are arranged and/or re-arranged to a time or date which is more convenient for parties involved
Assist *designated person/s* to prepare for critical dates	▪ Records are checked daily for upcoming appointments and commitments ▪ *Designated person/s* are reminded of critical file dates ▪ Information meeting legislative requirements is prepared and distributed to the *designated person/s* prior to critical dates ▪ Timelines are monitored regularly in consultation with *designated person*
Follow up outcomes of meetings and other activities	▪ Appropriate follow up actions and activities are planned and organised in conjunction with *designated person* and relevant parties ▪ File notes are updated according to a *firm's policies and procedures*

Legal Organisation

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5.4.3 Rules for customising the standards

There are general rules that apply to the customisation of all national standards:

1. See if customisation can be done in the Range of Variables or the Evidence Guide. In other words, see if enterprise-specific information can be added to these sections of the national standards.

Assist in prioritising and planning activities in a legal practice

RANGE OF VARIABLES

File related deadlines may include:
- court appearances
- settlement dates
- document lodgement cut off dates
- legislated timelines
- **arranging appointments**

Critical dates may include:
- court appearances
- court mentions
- property settlements
- meetings with clients
- travel arrangements
- meetings:
  - external
  - internal
- lodgement of documents
- settlement of accounts
- **end of month/financial year**

Designated person may include:
- external client
- lawyer
- partner
- legal practice manager
- supervisor

if you need to, add in new information that would spell out the specific context for your enterprise, e.g. company BCD would add this information

EVIDENCE GUIDE

Critical aspects:
- an understanding of the responsibility involved in making arrangements for others is demonstrated
- diary entries are accurately transferred to duplicate if necessary
- interaction with other parties when making, confirming, and changing appointments is courteous and efficient
- appropriate information is given to clients
- non-disclosable information is not communicated and where any doubt exists as to the information's status it is not disclosed
- problems (such as double bookings or non-attendances) are solved promptly and satisfactorily using standard procedures
- all relevant details of appointments and file deadlines are diarised accurately and legibly
- activities, actions and outcomes are documented and time is recorded
- file/matter number is attached to all relevant documentation and filed appropriately
- legal consequences of not meeting critical timelines are understood eg. failing to give appropriate notice of impending trial
- records are kept up-to-date, legible, accurate and accessible according to *BCD's policies and procedures*
- diary records are checked regularly to ensure follow up occurs as required
- consideration is given to failure of diary system and need to check files, eg. backup system is understood and *BCD's policies and procedures* are followed
- all work is conducted within accepted codes of conduct including those relating to: maintaining confidentiality, use of company property, duty of care, ethical behaviours, privacy, non-discriminatory practice, conflict of interests and compliance with reasonable direction

use the italics to add in your specific information

Sometimes there is a need to change the name of a skill area, e.g. from 'Team' to 'Workgroup' or 'Working with People'.

2. If Step 1 above does not accommodate the customisation need, add to, rather than take away from, the Performance Criteria. In other words, add specific information in, as extra Performance Criteria in the relevant Element of Competency. An example is shown below:
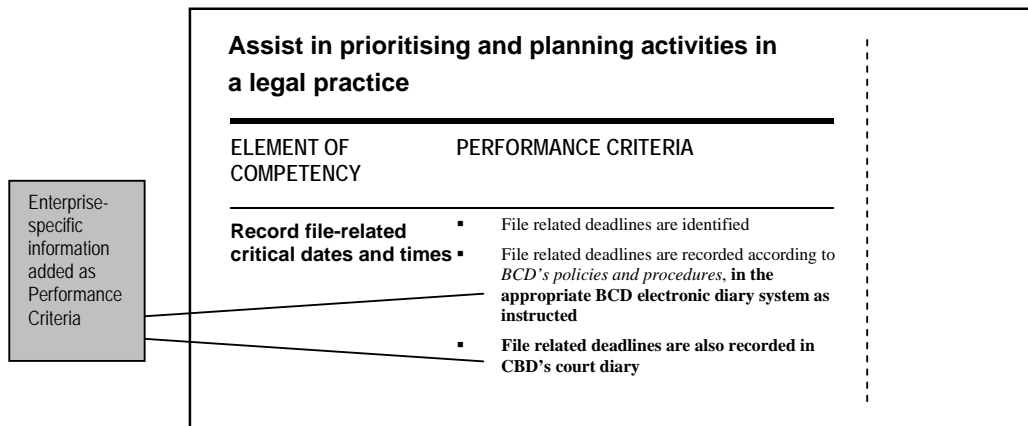
3. When the enterprise information has been added into the national standard, or has changed the name of the skill area, the Unit of Competency may no longer be identifiable as the national standard. Therefore, there may be a need to state equivalence to the national standard. Contact Business Services Training in respect to equivalence matters.

4. Remember, equivalence only exists if the national standard is still intact in the customised version. If information has been taken out of the national standard (other than replacing *italicised* words with enterprise-specific ones), the resulting standard is no longer equivalent to the national standard.

Stating equivalence

Using the national standards as a benchmark reduces training costs through accurately pinpointing training needs. It also assists in determining the criteria for the promotion of existing staff and in the recruitment of new staff.

When employees move from job to job, any training and assessment they may have undertaken against national standards, no matter where it occurred, will be relevant and meaningful to any enterprise. Stating equivalence ensures national portability of skills and qualifications.

If all the Elements of Competency and the Performance Criteria present in a national standard are still present in the customised version, the customised standard is equivalent to the national standard.

This means that someone who is competent in the customised standard would also be competent in the national standard.

However, because additions have been made in the customised version it is no longer *exactly the same* as the national competency standard. There is a need to create a **new code** for the customised standard. This is because the national code, e.g. BSALR301B, can only be used to refer to the endorsed national standard.

To acknowledge that customisation has taken place and that the standard is now specific to a particular enterprise there is a need to:

- **state the equivalence** to the relevant national standard, e.g. 'This Unit is equivalent to the Legal Services Competency Standards Unit BSALR301B' and
- **create a new code** for the customised standard, e.g. **BCD BSALR301B**.

Statements of equivalence must be discussed and approved by Business Services Training.

5.4.3   A practical example of customising the standards

Following is an example of a customised competency standard. On the following pages, an excerpt from the national standard is displayed first and followed by the customised standard excerpt.

The added enterprise–specific information is in **bold** type. The fictional enterprise that undertook this customisation exercise is **BCD**.

- The **Unit Code** of the customised standard is different to the national standard to signal that customisation has taken place.

- There is a **statement of equivalence** under the title to acknowledge that the customised standard is equivalent to the national standard. This enables anyone using the customised standard to identify which national standard the customised version has come from and assists people in accessing national qualifications when they have achieved competence.

- In most cases, the **enterprise-specific information** was able to be **added in** where there were *italics* in the text of the national standard. In other words, all **BCD** had to do was locate the *italics* in the text, substitute its enterprise-specific information and the customisation for this Unit of Competency was done.

- **BCD** also **added information** to some of the **Performance Criteria** thus clarifying how the company expects this work to be done in order to conform to its standard.

- **BCD** has **added information** to both the **Range of Variables** and the **Evidence Guide** to clarify the context in which the company expects this work would be performed.

Legal Services Competency Standard BSALR301A

Handle receipt and despatch of information

This Unit covers receiving and distributing incoming mail and collecting and despatching outgoing mail. It also covers collating and despatching bulk mail according to Australia Post and AUSDOC specifications.

This unit has been adapted from BSAINF201B: Handle mail to facilitate information flow.

This unit can be assessed alone or in combination with other units making up a job role.

ELEMENT OF COMPETENCY	PERFORMANCE CRITERIA
Receive and distribute incoming mail	▪ Incoming mail is checked and registered to ensure accuracy of *records*
	▪ Court documents are processed according to the *firm's procedures*
	▪ Original documents are processed according to the *firm's procedures*
	▪ Served documents are processed according to the *firm's procedures*
	▪ Titles and locations of company personnel and departments are identified and understood
	▪ Urgent and confidential mail is identified and distributed to the addressee *promptly*
	▪ Mail is sorted and despatched to the *nominated person/location*
	▪ Damaged, suspicious or missing items are recorded and where necessary reported *promptly*

RANGE OF VARIABLES	Register of incoming mail may include: ▪ mailbook ▪ electronic register ▪ diary
	The *firm's policies and procedures* may include: ▪ security procedures ▪ mail register ▪ confidential mail procedures ▪ delivery/despatch of urgent mail
	Processing original documents may include: ▪ attaching the date to the document ▪ attaching file matter number to the document…..

EVIDENCE GUIDE	**Critical aspects** ▪ a *firm's policies and procedures* are understood and followed ▪ instructing legal practitioner is kept up to date with activities, actions and outcomes ▪ incoming mail is registered accurately ▪ court, original and served documents are processed appropriately ▪ incoming mail, including urgent and confidential items, is distributed to correct personnel within accepted timelines ▪ damaged, suspicious or missing items are dealt with according to a *firm's processes and procedures* ▪ regulations regarding process serving are followed where necessary…..

Legal Records

BCD BSALR301B This Unit is equivalent to the Legal Services Competency Standards Unit BSALR301B.*

Handle receipt and despatch of information at BCD

This Unit covers receiving and distributing incoming mail and collecting and despatching outgoing mail. It also covers collating and despatching bulk mail according to Australia Post and AUSDOC specifications.

This unit has been adapted from BSAINF201B: Handle mail to facilitate information flow.

This unit can be assessed alone or in combination with other units making up a job role.

ELEMENT OF COMPETENCY	PERFORMANCE CRITERIA
Receive and distribute incoming mail	▪ Incoming mail is checked and registered **in BCD central mail register** to ensure accuracy of *records* ▪ Court documents are processed according to *BCD's mail policy* ▪ Original documents are processed according to *BCD's mail policy* ▪ Served documents are processed according to *BCD's mail policy* ▪ Titles and locations of company personnel and departments are identified and understood ▪ Urgent and confidential mail is identified and distributed to the addressee *by 10am of the same day* ▪ Mail is sorted and despatched to the *correct department* ▪ Damaged, suspicious or missing items are recorded and where necessary reported *to your supervisor* **immediately**
RANGE OF VARIABLES	Register of incoming mail may include: ▪ mailbook ▪ electronic register ▪ diary The *BCD mail policy* may include: ▪ security procedures ▪ mail register ▪ confidential mail procedures ▪ delivery/despatch of urgent mail Processing original documents may include: ▪ attaching the date to the document ▪ attaching file matter number to the document ▪ **sorting mail according to BCD's mail policy**…..
EVIDENCE GUIDE	**Critical aspects** ▪ *BCD mail policy* is understood and followed ▪ instructing legal practitioner is kept up to date with activities, actions and outcomes ▪ incoming mail is registered accurately **in BCD central mail register** ▪ court, original and served documents are processed appropriately ▪ incoming mail, including urgent and confidential items, is distributed to correct personnel within accepted timelines ▪ damaged, suspicious or missing items are dealt with according to *BCD's mail policy* **and, if necessary, reported to your supervisor immediately** ▪ regulations regarding process serving are followed where necessary…..

Legal Records

* Note: Equivalence must be discussed and approved by Business Services Training.

5.4.4   Customising the standards checklist

The following checklist will help ensure that customised standards are still equivalent to the endorsed national standards.

CHECK THAT: YES!
You have **not** taken information **out** of any of the: • Elements of Competency or   • Performance Criteria.
Where you have **added information** to either the **Performance Criteria**, the **Evidence Guide** or the **Range of Variables** you have: • stated equivalence to the original endorsed national Unit of Competency   • created a new code for your customised Unit of Competency
Where you have **only replaced** the *italics* with your specific company information you have: • stated equivalence to the original endorsed Unit of Competency*   • created a new code for your customised Unit of Competency
Where you have **not changed anything** in an endorsed Unit of Competency you have: • referred to it with its original title and code

* Equivalence must be discussed and approved by Business Services Training.

5.4.4 Using other standards

A combination of endorsed national standards can be used to cover your enterprise's work functions. ANTA has information on all the endorsed national standards and can assist in locating the standards needed by an enterprise.