



**Australian Government**

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

# **PUADEFM005B Conduct a Defence administrative inquiry**

**Revision Number: 1**

## **PUADEFM005B Conduct a Defence administrative inquiry**

### **Modification History**

Not applicable.

### **Unit Descriptor**

#### **Unit Descriptor**

This unit covers the competency required to conduct administrative inquiries under the inherent authority of commanders and under the Defence (Inquiry) Regulations.

The unit has application to warrant officers and officers of the Australian Defence Force, and some civilian staff of the Australian Defence Organisation.

Officers, warrant officers and Defence civilian staff may be appointed to conduct administrative inquiries to determine the facts and circumstances surrounding an incident or situation so that an informed decision may be taken about the action required including, where appropriate, action to avoid a recurrence.

### **Application of the Unit**

#### **Application of the Unit**

The application of this unit in the workplace - the environments, complexities and situations involved - will be written during Phase II of the Review of the PUA00 Public Safety Training Package.

This text will be useful for the purposes of job descriptions, recruitment advice or job analysis; where possible, it will not be too job specific to allow other industries to import it into other Training Packages, where feasible.

## Licensing/Regulatory Information

Not applicable.

## Pre-Requisites

**Prerequisite Unit/s** Nil

## Employability Skills Information

**Employability Skills** This unit contains employability skills.

## Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

## Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. <b>Prepare for the conduct of an inquiry</b>	1.1 Requirement to conduct an <i>inquiry</i> is identified and confirmed in accordance with <i>organisational practices and procedures</i> 1.2 Inquiry circumstances are analysed and discussed, if necessary, with the <i>appointing authority</i>
2. <b>Plan the inquiry</b>	2.1 Inquiry Terms of Reference are identified, analysed and clarified in accordance with organisational practices and procedures 2.2 <i>Inquiry plan</i> is developed in accordance with organisational practices and procedures 2.3 <i>Advice</i> is sought where appropriate in accordance with organisational practices and procedures
3. <b>Gather and analyse evidence</b>	3.1 Evidence is identified and acquired in accordance with organisational practices and procedures 3.2 <i>Interviews</i> are conducted in accordance with organisational practices and procedures 3.3 Evidence is confirmed and analysed in accordance with organisational practices and procedures 3.4 Progress reports are provided in accordance with the Terms of Reference and appointing authority requirements
4. <b>Present inquiry findings</b>	4.1 <i>Conclusions and recommendations</i> are made on the basis of the analysis of the evidence 4.2 Inquiry findings are presented in accordance with the Terms of Reference and appointing authority requirements

## **Required Skills and Knowledge**

### **REQUIRED SKILLS AND KNOWLEDGE**

This describes the essential skills and knowledge and their level, required for this unit.

#### **Required Skills**

- analyse evidence
- apply interview techniques
- apply objectivity and impartiality
- communicate ideas, arguments and conclusions logically
- interpret policies
- prepare complex documents
- use appropriate legal terminology

#### **Required Knowledge**

- ADFP 06.1.4
- Defence (Inquiry) Regulations
- inquiry processes
- relevant legislation
- relevant policies and procedures
- scope of authority of an investigating officer undertaking an administrative inquiry

## **Evidence Guide**

### **EVIDENCE GUIDE**

## EVIDENCE GUIDE

### **Critical aspects for assessment and evidence required to demonstrate competency in this unit**

Assessment must confirm the ability to identify the issues surrounding the inquiry, to adhere to the Terms of Reference and to analyse evidence to form conclusions and recommendations.

Assessment must also confirm the ability to conduct interviews and elicit relevant information from witnesses.

The inquiry officer must at all times comply with legislative requirements, policy and standards, and demonstrate an awareness of access, equity and diversity principles and practices.

### **Consistency in performance**

Competency should be demonstrated in a range of actual or simulated inquiry contexts.

### **Context of and specific resources for assessment**

#### **Context of assessment**

Competency should be assessed in the workplace or in a simulated workplace environment conducting an inquiry.

#### **Specific resources for assessment**

Access to appropriate documentation and resources normally found in the work environment and required to allow the inquiry to be properly performed.

### **Guidance information for assessment**

Information that will assist or guide assessment will be written during Phase II of the Review of the PUA00 Public Safety Training Package.

## Range Statement

### RANGE STATEMENT

The Range Statement relates to the Unit of Competency as a whole. It allows for different work environments and situations that may affect performance. ***Bold italicised*** wording in the Performance Criteria is detailed below.

#### **An inquiry may include**

Routine inquiry

Investigating Officer Inquiry under the Defence (Inquiry) Regulations

And have the same basic objectives:

- to collect and assemble information and, in some cases, preserve documents and equipment
- to establish facts known to be true and those that may be inferred from all the available information
- to gather the best available information with the least possible delay
- to make findings on the basis of the information collected
- to make recommendations arising from the findings concerning remedial or other action, including administrative action or the initiation of a separate investigation by service or civil police

#### **Organisational practices and procedures may include**

Conventions including those covered by:

- Defence Act, Naval Defence Act, Air Force Act
- Defence Force Discipline Act (DFDA)
- Defence (Inquiry) Regulations
- ADFP 06.1.4
- Legislation

Policies

Procedures

Practices

Standards

#### **Appointing authority may include**

Commanders

Commanding Officers

#### **Inquiry plan may include**

Allegations

An itinerary

Chronology of events

**RANGE STATEMENT**

	List of evidence considered relevant
	List of preliminary questions for key witnesses
	List of issues requiring resolution
	List of witnesses to be interviewed
<b>Advice may be sought from</b>	Complaint Resolution Agency Defence Equity Organisation Defence legal service legal officer Specialist personnel with experience relevant to the topic of investigation
<b>Interviews may include</b>	Advising witnesses of their rights and obligations Advising witnesses that no guarantee of confidentiality can be given and disclosure may occur (but not in contravention of the Privacy Act) Applying Fair Hearing Rules and No Bias Rule Producing written transcripts and inquiry officer notes Recording interviews by audio or visual means
<b>Conclusions and recommendations may include</b>	Only those based on the evidence gathered Only those within the boundaries of the terms of reference
<b>Inquiry findings may</b>	Be in the form of a written report Have time constraints imposed

**Unit Sector(s)**

Not applicable.

**Corequisite Unit/s**

**Co-requisite Unit/s** Nil