



**Australian Government**

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

# **PUAPOLGD008A Administer legislation to ensure compliance**

**Revision Number: 3**

## **PUAPOLGD008A Administer legislation to ensure compliance**

### **Modification History**

PUAPOLGD008A Release 3:Licensing statement added to Unit Descriptor.

PUAPOLGD008A Release 2:Layout adjusted. Unit Descriptor edited.

PUAPOLGD008A Release 1:Primary release

### **Unit Descriptor**

This unit covers the competency required to investigate possible breaches of legislation or regulations and to take action to penalise the breach and/or achieve compliance.

This unit replaces PUAPOL008B Administer legislation to ensure compliance.

No licensing, legislative, regulatory or certification requirements apply to this unit at the time of publication.

### **Application of the Unit**

This unit will apply to officers empowered to investigate possible breaches of legislation or regulations and to take action to penalise the breach and/or achieve compliance.

### **Licensing/Regulatory Information**

Not applicable.

### **Pre-Requisites**

Not applicable.

### **Employability Skills Information**

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 Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

## Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<b>1. Investigate alleged breaches</b>	<p>1.1 Alleged <i>breaches</i> are investigated in accordance with <i>organisational policies and procedures</i></p> <p>1.2 <i>Inspections</i> or <i>searches</i> are conducted in accordance with assigned powers and organisational policies and procedures and all relevant details accurately recorded or reported to supervising officer</p> <p>1.3 Available <i>information</i> is assessed against relevant <i>legislation</i> to determine if a breach has occurred</p> <p>1.4 Any complainants are advised of investigation outcomes in accordance with organisational policies and procedures</p> <p>1.5 All parties are informed of their rights according to legislation and within appropriate timeframes</p> <p>1.6 Investigation is referred to higher authority if beyond own legal powers, organisational responsibility or practical powers</p>
<b>2. Determine appropriate action to achieve compliance</b>	<p>2.1 Consultation is undertaken with alleged offending party to facilitate resolution if appropriate</p> <p>2.2 Options for action are identified that will allow compliance to be achieved at the earliest possible date</p> <p>2.3 Practical action plan to achieve compliance is developed as a result of consultation</p>
<b>3. Undertake action to achieve compliance</b>	<p>3.1 Relevant parties are <i>notified</i> in terms that clearly explain breaches and action required to achieve compliance</p> <p>3.2 Any <i>immediate actions</i> undertaken to ensure public safety and compliance with legislation are in accordance with law and organisational policies and procedures</p> <p>3.3 Appropriate report recommending action or detailing action taken is <i>submitted</i> to appropriate personnel in accordance with organisational policies and procedures</p> <p>3.4 Legal proceedings are instigated within the required <i>timeframe</i></p>

## **Required Skills and Knowledge**

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

### **Required Skills**

- consult in person and via the telephone
- negotiate
- solve problems
- write clear and accurate reports (to organisational requirements)

### **Required Knowledge**

- current principles and practices to monitor areas under jurisdiction to ensure compliance
- organisational negotiating parameters
- organisational policies and procedures relating to obtaining information, advising complainants
- relevant investigation techniques
- relevant legislation and regulations

## Evidence Guide

The evidence guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for this Training Package.

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

Assessment must confirm the ability to:

- undertake comprehensive investigations within policy
- develop a practical action plan
- write clear notices and reports.

### **Consistency in performance**

Competency should be demonstrated over time in a range of actual or simulated workplace environments.

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

#### **Context of assessment**

Competency should be assessed over time in a range of actual or simulated workplace environments.

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

There are no specific resource requirements for this unit.

### **Method of assessment**

In a public safety environment assessment is usually conducted via direct observation in a training environment or in the workplace via subject matter supervision and/or mentoring, which is typically recorded in a competency workbook.

Assessment is completed using appropriately qualified assessors who select the most appropriate method of assessment.

Assessment may occur in an operational environment or in an industry-approved simulated work environment.

Forms of assessment that are typically used include:

- direct observation
- interviewing the candidate
- journals and workplace documentation
- third party reports from supervisors
- written or oral questions.

## 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.

***Breaches*** may occur in:

- Pedestrian precincts
- Private houses or shops
- Public parks
- Public recreation areas
- Remote communities
- Rural or urban environments including national parks
- Streets
- Waterways

***Breaches*** may include:

- Boating or fishing offences
- Chemical spills
- Fires
- Liquor offences
- Motor vehicle or traffic offences
- Pollution
- Public order offences
- Smuggling of native flora and fauna
- Trespass
- Other regulatory offences

***Organisational policies and procedures may vary between sectors and organisations*** and may include:

- General orders
- Operational corporate and strategic plans
- Operational performance standards
- Organisational standard operating procedures
- Organisation's approach to environmental management and sustainability

***Inspections*** may include:

- Clothing
- Equipment
- Firearms
- Houses
- Land or vehicles

***Searches*** may be for:

- Persons
- Property or vehicles

***Information*** may include:

- Directions from supervisor/management
- Instructions
- Interviews - formal and informal
- Media reports
- Oral reports and anecdotes

- Reports from experts
  - Reports from other agencies
  - Team meetings
  - Written records
- Legislation** may include:
- Acts and regulations concerning offences
  - Acts and regulations concerning the organisation
  - By-laws or other regulations established by the organisation
- Notifying relevant parties** may include:
- Oral reports
  - Written notices
- Immediate actions** may include:
- Confiscating vehicle keys
  - Destroying alcohol
  - Removing barriers
  - Seizing exhibits or vehicles
- Timeframe** may include:
- Legislative requirements
  - Organisational requirements
  - State/territory statute of limitations
- Submitting appropriate report** may include:
- Completing forms
  - Oral reports
  - Written reports

## Unit Sector(s)

Not applicable.