Australian Government

Department of Education, Employment and Workplace Relations

BSBCOM502B Evaluate and review compliance

Revision Number: 1

BSBCOM502B Evaluate and review compliance

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to evaluate and review an organisation's compliance program/management system and how it is fulfilling its obligations and responsibilities under applicable compliance requirements. This unit has been designed to be consistent with AS 3806:2006 Compliance programs.
	No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.

Application of the Unit

Application of the unit	This unit applies to managers with responsibility for evaluating and reporting on the operation and effectiveness of an organisation's planned compliance program/management system to ensure that compliance is an integral part of normal business operations. It also applies to individuals working as an owner-manager (where it would be part of their broad role), as a senior manager in a small organisation, as an external consultant or as a section or frontline manager in an operational unit within the organisation. In addition, it applies to members of a compliance management team or a frontline manager within a larger organisation.
	Application of this unit must be consistent with the pertinent sections of relevant Australian and international standards and legislative requirements including: AS 3806:2006 Compliance programs, AS ISO 10002:2006 Customer satisfaction - Guidelines for complaints handling in organizations, AS/NZS 4360:2004 Risk management and AS ISO 15489:2004 Records management.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

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 performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Develop the evaluation plan	1.1. Obtain details of the organisation's compliance policies, objectives and assessment criteria
	1.2. Obtain and interpret information on current **compliance requirements** applicable to the organisation
	1.3. Develop a suitable **evaluation methodology** to enable sufficiently valid and reliable outcomes for the required research and suitable arrangements for both internal and external monitoring processes
	1.4. Prepare the **evaluation plan** for the proposed project including the detailing of established evaluation criteria and the data to be collected
	1.5. Obtain approval of plan from relevant internal and/or external personnel
2. Gather required evaluation data	2.1. Collect relevant **evaluation data** on how the organisation is fulfilling its compliance requirements using appropriate techniques and sources in accordance with the agreed evaluation plan
	2.2. Organise, interpret and review collected data against established evaluation criteria including those specified in **relevant Australian and international standards**
	2.3. Discuss ambiguities, uncertainties and problems experienced while interpreting collected data and address appropriately in conjunction with **relevant internal and/or external personnel**
	2.4. Organise interpreted evaluation data for later analysis
3. Analyse the collected data	3.1. Analyse evaluation data in accordance with planned methodology
	3.2. Review and discuss outcomes and findings of the analysis with relevant internal and/or external personnel
4. Determine evaluation findings and outcomes	4.1. Develop and discuss preliminary findings and any identified issues with relevant internal and/or external personnel
	4.2. Undertake any additional data collection and analysis required to clarify aspects of findings, issues and related action options if necessary
	4.3. Prepare recommendations for any action to improve

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ELEMENT	PERFORMANCE CRITERIA
	identified deficiencies in conjunction with relevant internal and/or external personnel
5. Document and disseminate the outcomes and recommendations of the evaluation	5.1. Prepare a draft report of the outcomes, findings and recommendations of the compliance evaluation in accordance with the agreed structure and format and distribute to relevant internal and/or external personnel for comment and feedback
	5.2. Edit the report based on the feedback obtained
	5.3. Proofread the report in preparation for publishing
	5.4. Ensure the report of outcomes, findings and recommendations of the evaluation is signed off by *authorised personnel*
	5.5. Produce and disseminate the report to nominated internal and external personnel in accordance with agreed arrangements

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Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- interpersonal skills to contribute to a positive culture of compliance within an organisation
- investigative skills to evaluate and review compliance
- project management skills to:
    - develop project plans
    - manage other personnel involved in the evaluation activity
    - meet project timelines
    - mange project finances
- interpersonal skills to relate to internal and external personnel and in particular those representing relevant regulatory authorities, professional institutes and organisations, standards organisations
- research and evaluation skills to:
    - conduct literature searches and internet searches
    - analyse and organise evaluation data using appropriate techniques
    - conduct various types of evaluation surveys
    - conduct quantitative data analysis using appropriate techniques
- technical skills to use communications technology effectively.

Required knowledge

- evaluation methods and techniques suitable for compliance related evaluation and review
- sources of data relevant to compliance related evaluation and review
- relevant Australian and international standards including but not limited to:
    - AS 3806:2006 Compliance programs
    - AS ISO 10002:2006 Customer satisfaction - Guidelines for complaints handling in organizations
    - AS ISO 15489:2004 Records management
    - AS/NZS 4360:2004 Risk management quantitative and qualitative data analysis techniques relevant to compliance related evaluation
- elements of compliance program/management systems including:
    - documentation of compliance requirements relevant to the organisation
    - compliance management functions, accountabilities and responsibilities within the organisation
    - compliance related management information systems
    - record keeping systems required for compliance management

REQUIRED SKILLS AND KNOWLEDGE

- liaison procedures with relevant internal and external personnel on compliance related matters
- breach management policies and processes including the identification, classification, investigation, rectification and reporting of breaches in compliance requirements
- compliance reporting procedures
- corporate induction and training processes related to compliance management
- processes for the internal and external promulgation and promotion of information on compliance requirements and compliance program/management system
- compliance complaints handling systems
- continuous improvement processes for compliance including monitoring, evaluation and review
- strategies for developing a positive compliance culture within the organisation
- techniques and performance indicators for monitoring the operation of a compliance program/management system
- reporting processes on compliance management including reports on breaches and rectification action
- relevant organisational policies and procedures including:
  - compliance plans and policies in various compliance areas
  - organisational standards for operations and ethics.

Evidence Guide

EVIDENCE GUIDE	
The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.	
Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	Evidence of the following is essential: • completion of project work which comprehensively evaluates how an organisation is fulfilling its compliance requirements • knowledge of evaluation methods and techniques suitable for compliance related evaluation and review.

Context of and specific resources for assessment	Assessment must ensure:
	• access to relevant published material and such as:
	  • organisational policies, standard operating procedures, procedures and plans
	  • relevant legislation, regulations, licensing requirements, codes of practice, standards
	  • compliance evaluation reports
	• access to the relevant internal and external data files
	• access to appropriate computer resources for online searching, data processing and analysis, and report preparation and editing.

Method of assessment	A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit: • observations of activities undertaken to evaluate compliance requirements • assessment of reports evaluating the performance and effectiveness of existing compliance systems and processes • direct questioning combined with review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate • observations of interactions with internal and external stakeholders while evaluating compliance requirements • oral or written questioning to assess knowledge of the effectiveness of compliance systems and processes

EVIDENCE GUIDE	
	and their impact on organisational objectives, processes and systems • review of evaluation plan • assessment of dissemination of the report.
Guidance information for assessment	Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example: • other compliance units.

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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, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

| *Compliance requirements* may include: | • different types of external and internal compliance requirements including:
  • accreditation requirements of an institute, professional organisation or registration body
  • internal policies, procedures, standards or codes of practice of an organisation
  • regulations of a state/territory, national or international regulatory authority
  • requirements for certification under statutory licensing systems
  • statutory standards or codes of practice
• cross-industry, industry-specific and internal organisational compliance requirements in such areas as (examples in alphabetical groupings):
  • anti-discrimination (including discrimination by race, sex, disability, religion, etc.), alcohol licensing (licensing regulations covering clubs, pubs, licensed premises, etc.), aviation
  • bankruptcy
  • chemical use, child protection, construction, conveyancing/real estate, copyright, corporate governance, customs, credit
  • education, electricity, environmental protection, equal opportunity
  • financial services (including banking), fire, food hygiene, freedom of information, freight forwarding
  • gambling, gene technology
  • health, human rights
  • insurance, immigration, intellectual property
  • land management |

RANGE STATEMENT	
	• maritime, mining • pharmaceuticals, patents, privacy • quarantine • racing, rail transport, road transport • safety (including cross-industry generic regulations as well as industry, equipment or product-specific sub-categories e.g. marine safety, rail safety, food safety, aviation safety, road safety, dangerous goods, construction safety, mine safety, road safety, etc.), security, sewage, superannuation • taxation, telecommunications, tobacco, trade practices and consumer protection • water supply, workers compensation, workers rehabilitation
Evaluation methodology may include:	• analysis of complaints recorded involving compliance requirements • analysis of feedback from clients, suppliers, internal managers and personnel • assessment of information contained in the organisation's management information system • collection of operational data • desk analysis • drafting and editing of the evaluation report • literature searches including internet searches • review of reports from relevant compliance authorities and organisations • surveys of relevant internal and external personnel including interviews, focus groups, questionnaires
Evaluation plan may include:	• details of the applicable compliance requirement and related evaluation criteria • evaluation methodology • milestones • personnel required including evaluation project manager, the evaluation team and those who may be consulted during the course of the evaluation activities • resource requirements and related costs • timelines

RANGE STATEMENT	
Evaluation data may include:	• completed survey questionnaires • documentation on feedback and complaints involving compliance requirements • operational data pertinent to the fulfillment of compliance requirements • published documents including papers, standards, regulations • quantitative data collected from various sources • records of interviews, meetings or focus group workshop outcomes • records of telephone conversations • written correspondence including letters, faxes, emails
Relevant Australian and international standards may include:	• AS 3806:2006 Compliance programs • AS ISO 10002:2006 Customer satisfaction - Guidelines for complaints handling in organizations • AS ISO 15489:2004 Records management • AS/NZS 4360:2004 Risk management
Relevant internal personnel may include:	• board of directors • chief executive officer • compliance management team (where relevant) • compliance specialists at the operational level • frontline managers • senior management team
Relevant external personnel may include:	• chief executive officers and managers in organisations with an interest in the compliance issues being researched • legal and business advisors and consultants with expertise and interest in compliance requirements and related management systems • representatives of professional associations and institutes relevant to the organisation's operations and sphere of business • representatives of relevant authorities in pertinent compliance areas
Authorised personnel may include:	• chief executive officer or manager in an organisation • evaluation project manager • evaluation steering committee (where applicable) • nominated representative of educational

RANGE STATEMENT	
	institution/s or organisation/s
	• nominated representative of professional association/s or institute/s
	• nominated representative of regulatory authority

Unit Sector(s)

Unit sector	

Competency field

Competency field	Regulation, Licensing and Risk - Compliance

Co-requisite units

Co-requisite units		