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Assessment Requirements for CHCLEG003 Manage legal and ethical compliance

Release: 1

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Modification History

Release	Comments
Release 1	This version was released in *CHC Community Services Training Package release 2.0* and meets the requirements of the 2012 Standards for Training Packages. Significant changes to the elements and performance criteria. New evidence requirements for assessment, including volume and frequency. Significant change to knowledge evidence.

Performance Evidence

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role. There must be evidence that the candidate has:

- determined the scope of legal and ethical compliance requirements and responsibilities, and developed policies and procedures for at least 1 workplace or business
- developed a strategic response to at least 3 different situations where legal or ethical requirements have been breached

Knowledge Evidence

The candidate must be able to demonstrate essential knowledge required to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role. This includes knowledge of:

- legal responsibilities and liabilities of managers and others in different types of organisation
- legal and ethical frameworks (international, national state/territory, local), how these apply in the workplace, and the responsibilities of managers in the development and monitoring of policies and procedures, including those related to:
  - children in the workplace
  - codes of conduct
  - codes of practice
  - complaints management
  - continuing professional education
  - discrimination

- dignity of risk
- duty of care
- human rights:
  - *Universal declaration of human rights*
  - relationship between human needs and human rights
  - frameworks, approaches and instruments used in the workplace
- informed consent
- mandatory reporting
- practice standards
- practitioner/client boundaries
- privacy, confidentiality and disclosure
- policy frameworks
- records management
- rights and responsibilities of workers, employers and clients
- industrial relations legislation and requirements relevant to organisation
- specific requirements in the area of work, including:
  - key practices that are prohibited by law
  - auditing and inspection regimes
  - main consequences of non-compliance
  - need to apply for licences and associated mandatory training and certification requirements
  - statutory reporting requirements
  - business insurances required including public liability and workers compensation
  - accreditation requirements
  - requirements to develop and implement plans, policies, codes of conduct or incorporate certain workplace practices
- work role boundaries – responsibilities and limitations of different people
- work health and safety
- sources of information and advice on compliance including:
  - local, state/territory or commonwealth government departments or regulatory agencies
  - industry associations
  - plain English documentation that explains legislation
- functions and operating procedures of regulatory authorities of particular relevance to the health and community service sectors
- methods of receiving updated information on requirements
- use of policies and procedures in managing compliance and ethical practice in both internal work practice and external service delivery
- formats for policies and procedures and what they should include
- techniques for monitoring compliance

Assessment Conditions

Skills must have been demonstrated in the workplace or in a simulated environment that reflects workplace conditions. The following conditions must be met for this unit:

- use of suitable facilities, equipment and resources, including:
  - current legislation and regulations
  - workplace policies and procedures
- modelling of industry operating conditions, including:
  - use of real or simulated organisation for which the candidate develops policies and procedures
  - integration of problem solving activities

Assessors must satisfy the Standards for Registered Training Organisations (RTOs) 2015/AQTF mandatory competency requirements for assessors.

Links

Companion Volume implementation guides are found in VETNet - https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53