



Australian Government

Department of Education, Employment and Workplace Relations

CHCLEG411A Use relevant legislation in response to client needs

Release: 1

CHCLEG411A Use relevant legislation in response to client needs

Modification History

Not Applicable

Unit Descriptor

Descriptor

This unit describes the knowledge and skills required by the worker to use relevant legislation to advise clients with specific needs in relation to particular legal issues e.g. tenancy, disability, discrimination, juvenile justice, domestic violence, mental health

Application of the Unit

Application

This unit may apply to work in a range of community service contexts

Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Not Applicable

Employability Skills Information

Employability Skills

This unit contains Employability Skills

Elements and Performance Criteria Pre-Content

Elements define the essential outcomes of a unit of competency.

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Terms in italics are elaborated in the Range Statement.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

- | | |
|---|--|
| 1. Apply an understanding of relevant legislation | 1.1 Identify the scope and coverage of legislation
1.2 Apply understanding of the purpose of legislation and amendments over time
1.3 Define roles and influences of <i>key stakeholders</i>
1.4 Correctly interpret terms and definitions in the legislation |
| 2. Identify and interpret relevant legislative provisions | 2.1 Identify needs of clients in relation to relevant legislation
2.2 Analyse client situation and identify legislative provisions that apply to the circumstances |

ELEMENT**PERFORMANCE CRITERIA**

- | | |
|--|---|
| 3. Identify strategies in response to the client's needs | 3.1 Provide strategies to apply legislative provisions to the factual circumstances of the case |
| | 3.2 Explore a range of legal and non-legal strategies according to the needs of the client |
| | 3.3 Clearly communicate options and possible outcomes to the clients |
| | 3.4 Support client to achieve appropriate 'best possible' outcome |

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Essential knowledge:

It is critical that the candidate demonstrate knowledge of:

- Legislation interpretation including case law precedents
- Social justice principles (access, equity, participation and fairness)
- Organisations to which appropriate referrals can be made
- Other legislation that may impact on the situation

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, such as knowledge of:

- Legal system of common law and statute law
- Legal structure involving tribunals, local court, district court, supreme court etc

Essential skills:

It is critical that the candidate demonstrate the ability to:

- Read and interpret legislation and legal documents
- Demonstrate understanding of and adherence to own work role and responsibilities

REQUIRED SKILLS AND KNOWLEDGE

- Recognise own limitations and professional boundaries and the need for assistance
- Follow organisation policies, protocols and procedures

In addition, the candidate must be able 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

These include the ability to:

- Apply appropriate high level literacy skills
- Work collaboratively with colleagues, community services professionals and other services

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, the Range Statement and the Assessment Guidelines for this Training Package.

Critical aspects for assessment and evidence required to demonstrate this unit of competency:

- The individual being assessed must provide evidence of specified essential knowledge as well as skills
- This unit will be most appropriately assessed in the workplace or in a simulated workplace and under the normal range of workplace conditions
- It is recommended that assessment or information for assessment will be conducted or gathered over a period of time and cover the normal range of workplace situations and settings

EVIDENCE GUIDE

- Access and equity considerations:*
- All workers in community services should be aware of access, equity and human rights issues in relation to their own area of work
 - All workers should develop their ability to work in a culturally diverse environment
 - In recognition of particular issues facing Aboriginal and Torres Strait Islander communities, workers should be aware of cultural, historical and current issues impacting on Aboriginal and Torres Strait Islander people
 - Assessors and trainers must take into account relevant access and equity issues, in particular relating to factors impacting on Aboriginal and/or Torres Strait Islander clients and communities
- Context of and specific resources for assessment:*
- This unit can be assessed independently, however holistic assessment practice with other community services units of competency is encouraged
 - Resources required for assessment of this unit include access to:
 - an appropriate workplace where assessment can be conducted
 - relevant organisation policy, protocols and procedures
 - resources normally used in the workplace
- Method of assessment may include:*
- Observation in the workplace
 - Written assignments/projects
 - Presentation of portfolio of examples of work
 - Case study and scenario analysis
 - Questioning
 - Role play simulation
- Related units:*
- It is recommended (but not required) that this unit be assessed in conjunction with related unit:
- CHCAD401D Advocate for clients

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. Add any 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.

Consideration to be given in Australian States and Territories to different:

- Legislation and subordinate legislation such as regulations including the Acts Interpretation Act
- Support services, resourcing bodies, peak organisations
- Resources e.g. written material that interprets legislation
- Methods of dispute resolution e.g. tribunals, courts, alternative dispute resolution models

Factors influencing tenancy advisers include:

- Demographics of area servicing
- Size of community
- Cultural differences
- Rural, remote or metropolitan
- Situations causing conflict of interest for a tenancy advisor

Key stakeholders include:

- Administrators of the Act
- Industry groups

Unit Sector(s)

Not Applicable