



Australian Government

Department of Education, Employment and Workplace Relations

CPPACC5018A Provide expert access advice to a complainant or respondent

Release: 1

CPPACC5018A Provide expert access advice to a complainant or respondent

Modification History

Not Applicable

Unit Descriptor

Unit descriptor

This unit specifies the competency required to work with individuals, the management and staff of organisations, and their legal advisers in providing advice on their rights and/or obligations under the Disability Discrimination Act (DDA) and the relevant state and territory anti-discrimination legislation.

Access consultants must be able to interpret the DDA and relevant state and territory legislation's provisions relevant to complaint and response processes, together with the necessary information to substantiate such complaints or responses. Access consultants must also be able to interpret the commonwealth, state and territory legislation with regard to rules of evidence and prescribed formats for expert reports.

The unit requires the ability to communicate effectively on service provision issues with individuals, the management and staff of organisations, and their legal advisers in a wide range of situations.

Application of the Unit

Application of the unit

This unit of competency supports the access consulting services of preparing expert witness reports, giving evidence in court and providing expert judgement, information and advice.

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 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 Identify client needs.	<p>1.1 The legal identity of the client and other parties is confirmed in accordance with <i>legislative</i> and <i>organisational requirements</i>.</p> <p>1.2 The parties' legal capacity to respond is determined in accordance with legislative and organisational requirements.</p> <p>1.3 Authority to proceed is negotiated with the client and documented in accordance with legislative and organisational requirements.</p> <p>1.4 A <i>client brief</i> providing the required level of detail is requested and obtained in accordance with legislative and organisational requirements.</p>
2 Review the legislation.	<p>2.1 The specific <i>legislation</i> applicable to the circumstances of the case is determined.</p> <p>2.2 The appropriate procedures, processes and protocols are determined in accordance with relevant legislation.</p>
3 Establish the existence of relevant documentation.	<p>3.1 All available <i>documentation</i> relevant to the specific case is identified, sourced and accessed in accordance with legislative and organisational requirements.</p> <p>3.2 Additional information requirements or missing documents are identified and listed and strategies for obtaining this information are developed in accordance with legislative and organisational requirements.</p> <p>3.3 A staged process for exchanging and collating the required documentation is negotiated and agreed between the parties.</p>
4 Provide advice to client.	<p>4.1 The extent of own competencies in relation to the case are recognised and examined in accordance with industry codes of practice and ethics.</p> <p>4.2 Situations requiring specialist advice are identified and assistance is sought in accordance with legislative and organisational requirements.</p> <p>4.3 Advice is provided to client using effective <i>interpersonal skills and communication techniques</i> and in accordance with legislative and organisational requirements.</p>
5 Complete and distribute the client report.	<p>5.1 All case documentation is reviewed in accordance with legislative and organisational requirements.</p> <p>5.2 The report for client is finalised in accordance with contractual arrangements, and legislative and</p>

ELEMENT**PERFORMANCE CRITERIA**

- organisational requirements.
- 5.3 The report is published and distributed to relevant parties in accordance with client, legislative and organisational requirements.
- 5.4 A copy of the report and associated documentation are recorded and retained for future reference in accordance with legislative and organisational requirements.

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required knowledge and understanding include:

- anthropometric and ergonomic principles
- commonwealth, state and territory anti-discrimination legislation and regulations
- construction methodologies
- current national and international literature on access issues
- design, structural and construction principles of buildings
- disability awareness
- environmental issues impacting on material selection
- industry codes of practice and ethics
- international standards on building access
- limitations of work role, responsibility and professional abilities
- nature of building materials and effect of performance
- processes for interpreting reports, working drawings and specifications
- relevant commonwealth, state and territory building legislation, local government regulations and Australian standards
- research methodology and analytical processes
- relevant terminology and definitions in hazard identification.

Required skills and attributes include:

- analytical skills to:
 - analyse, evaluate and apply legislative requirements pertaining to disability access
 - analyse and evaluate the impacts of the full range of disabilities and the limitations that each disability places on the individual's ability to access the environment
 - analyse and evaluate how environmental barriers impact on people with disabilities
 - analyse and evaluate all case documentation in order to prepare advice for client
 - interpret and analyse routine and non-routine situations to establish suitable methods of reporting
- application skills to:
 - apply relevant codes of practice and other legislative requirements to work processes
 - apply disability awareness to work processes
 - apply current Australian and international building codes, standards, regulations and practices
- communication skills to:

- use questioning and listening techniques to obtain relevant information about the case from the client
- explain clearly information on issues relating to the provision of access
- explain clearly information on legislation relating to the provision of access, and the relationship between the various pieces of legislation
- provide relevant advice about the case to the client clearly so that the client understands the implications of the advice provided
- impart knowledge and ideas through oral, written and visual means
- develop and maintain professional relationships and networks
- use workplace equipment and communication methods
- literacy skills to:
 - assess and use workplace information
 - locate and interpret legislation and legal cases on the provision of access
- organisational skills to:
 - prepare and manage documentation
 - develop and implement organisational policies and procedures
- interpersonal skills to:
 - relate to people from a range of social, cultural and ethnic backgrounds and with a range of physical and mental abilities
 - consult and provide advice in a sensitive and appropriate manner
 - facilitate change for greater awareness of disability access
 - analyse own work practices and process outcomes critically
 - engage colleagues and share disability access knowledge
 - adapt to new workplace situations
- research and evaluation skills to:
 - source, analyse and evaluate building legislative requirements
 - source, analyse and evaluate legislative requirements for the provision of access.

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.

Overview of assessment

- This unit of competency could be assessed on its own or as part of an integrated assessment activity involving other competencies relevant to the job function.

Critical aspects for

- A person who demonstrates competency in this unit

assessment and evidence required to demonstrate competency in this unit

must be able to provide evidence of:

- recognising the needs and desires of people with disabilities to engage fully in all aspects of society, and their right to do so
- interpreting accurately the impacts of the full range of disabilities and the limitations that each disability places on the individual's ability to access the environment
- interpreting accurately how the full range of environmental barriers impact on any of the impairments that people with disabilities might have
- interpreting and applying anti-discrimination legislation for the purposes of providing advice on issues relating to the provision of access for people with disabilities
- interpreting and applying building legislation for the purposes of providing advice on issues relating to the provision of access for people with disabilities
- applying a knowledge of the appropriate means of seeking a judicial or quasi-judicial hearing and providing appropriate advice to clients
- applying disability awareness to the individual's circumstances when providing advice for people with disabilities
- providing an access compliance report that complies with legislative requirements and is useable by the client for the intended purpose
- applying organisational management policies and procedures, including quality assurance requirements.

Context of and specific resources for assessment

- Resource implications for assessment include:
 - a registered provider of assessment services
 - competency standards
 - assessment materials and tools
 - suitable assessment venue/equipment
 - workplace documentation
 - candidate special requirements
 - cost and time considerations.
- Validity and sufficiency of evidence requires that:
 - competency will need to be demonstrated over a period of time reflecting the scope of the role
 - where the assessment is part of a structured

learning experience the evidence collected must relate to a number of performances assessed at different points in time and separated by further learning and practice with a decision of competence only taken at the point when the assessor has complete confidence in the person's competence

- all assessment that is part of a structured learning experience must include a combination of direct, indirect and supplementary evidence
- where assessment is for the purpose of recognition (RCC/RPL), the evidence provided will need to be current and show that it represents competency demonstrated over a period of time
- assessment can be through simulated project-based activity and must include evidence relating to each of the elements in this unit.

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. 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.

Client may include:

- owner and manager
 - corporate body
- small business tenant.

Legislative requirements may be outlined and reflected in:

- relevant commonwealth, state and territory legislation that affects organisational operation:
 - occupational health and safety (OHS)
 - building
 - environmental
 - equal employment opportunity
 - industrial relations
 - anti-discrimination and diversity
- Australian standards
- codes of practice
- international codes and standards
- local government regulations and by-laws

- privacy legislation
- quality assurance and certification requirements
- trade practices laws and guidelines.

Organisational

requirements may be outlined and reflected in:

- access and equity policy, principles and practices
- business and performance plans
- client service policies, procedures and standards
- codes of conduct and codes of practice
- communication channels and reporting procedures
- communication of services offered
- complaint and dispute resolution procedures
- compliance with legislation, codes and workplace standards
- continuous improvement processes and standards
- defined resource parameters
- duty of care
- employer and employee rights and responsibilities
- ethical standards
- legal policies and guidelines
- occupational health and safety policies, procedures and programs
- organisational mission statement, goals, objectives, plans, systems and processes
- policies and procedures relating to the setting of fees and the negotiation and management of contracts
- policies and procedures relating to own role, responsibilities and delegation
- privacy and confidentiality policies and procedures
- quality assurance and procedures manuals
- records and information management systems and processes
- style guides and other guides used to prepare documents.

Client brief will include:

- written instructions detailing requirements of the access consultant
- any documentation related to the case.

Legislation may include:

- Building Code of Australia
- DDA
- DDA Education Standard
- DDA Premises Standard
- DDA Transport Standard
- commonwealth, state and territory anti-discrimination legislation and regulations

state and territory building legislation.

Documentation may include:

- advertisements
- contracts and leases

- DDA Action Plan

disclaimers.

Interpersonal skills and communication techniques may include:

- active listening to clarify and confirm understanding
- control of tone of voice and body language
- culturally aware/sensitive use of language and concepts
- demonstrating flexibility and a willingness to negotiate
- presenting options and consequences
- providing constructive feedback
- reflection
- seeking feedback to confirm understanding of needs
- summarising and paraphrasing to check understanding
- using language that is:
 - accurate, articulate and concise
 - positive, confident and cooperative
 - verbal or non-verbal.

Unit Sector(s)

Unit sector

Access consulting