



**Australian Government**

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

# **LGAREGS303B Enforce legislation to achieve compliance**

**Release 2**

## **LGAREGS303B Enforce legislation to achieve compliance**

### **Modification History**

LGAREGS303A Release 2: Layout adjusted.

LGAREGS303A Release 1: Primary release.

### **Unit Descriptor**

This unit covers the enforcement of legislation to achieve compliance.

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

### **Application of the Unit**

This unit supports the attainment of skills and knowledge required for competent workplace performance in councils of all sizes. Knowledge of the legislation and regulations within which councils must operate is essential. The unique nature of councils, as a tier of government directed by elected members and reflecting the needs of local communities, must be appropriately reflected.

### **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

- |   |   |
|---|---|
| 1 <b>Demonstrate knowledge of relevant legislation and voluntary compliance</b> | 1.1 Infringements issued are correct, complete and able to be justified in court.<br>1.2 <b><i>Legislation</i></b> can be explained when required.<br>1.3 Voluntary compliance is understood and used to inform decision making regarding <b><i>breaches</i></b> .<br>1.4 Voluntary compliance is achieved in negotiations with members of the public.  |
| 2 <b>Detect possible breaches</b>   | 2.1 Possible breaches are detected and recorded in accordance with legislative and council requirements.  |
| 3 <b>Investigate alleged breaches</b>   | 3.1 Relevant details are checked and accurately recorded.<br>3.2 <b><i>Information</i></b> is assessed and an appropriate decision is made in accordance with legislation and council policies and procedures.<br>3.3 Consultation is conducted to achieve a resolution.<br>3.4 Options and legislation are explained to the offending party.<br>3.5 Practical suggestions are combined with fair and legal action to achieve compliance. |
| 4 <b>Report outcomes of actions taken to achieve compliance</b>                 | 4.1 Report describing actions and related incidents is produced in accordance with organisational policies and procedures.  |

## **Required Skills and Knowledge**

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

### **Required Skills**

- numeracy, including calculations of time, fractions and proportions for sampling
- negotiation and mediation
- investigation
- communication with diverse groups
- conflict resolution
- personal safety in an enforcement environment
- reading and interpreting legislation
- incident report writing, including providing factual and clearly expressed information

### **Required Knowledge**

- relevant legislation
- council policies and procedures
- local area and facilities
- options for action
- types of notices

## Evidence Guide

<b>Overview of assessment requirements</b>	A person who demonstrates competency in this unit will be able to perform the outcomes described in the elements to the required performance level detailed in the performance criteria. The unit's skill and knowledge requirements must also be demonstrated. For example, knowledge of the legislative framework and safe work practices that underpin the performance of the unit are also required to be demonstrated.
<b>Critical aspects of evidence to be considered</b>	The demonstrated ability to: <ul style="list-style-type: none"><li>• investigate complaints</li><li>• detect breaches</li><li>• issue notices</li><li>• compile reports</li><li>• provide accurate information</li></ul>
<b>Context of assessment</b>	on the job or in a simulated work environment written or oral test role-play.
<b>Method of assessment</b>	The following assessment methods are suggested: <ul style="list-style-type: none"><li>• observation of the learner performing a range of workplace tasks over sufficient time to demonstrate handling of a range of contingencies</li><li>• written and oral questioning to assess knowledge and understanding</li><li>• completion of workplace documentation</li><li>• third-party reports from experienced practitioners</li><li>• completion of self-paced learning materials, including personal reflection and feedback from trainer, coach or supervisor</li></ul>
<b>Evidence required for demonstration of consistent performance</b>	Evidence will need to be collected over time across a range of variables.
<b>Resource implications</b>	Access to a workplace or simulated environment with access to: <ul style="list-style-type: none"><li>• compliance issues</li><li>• legislation</li><li>• procedures</li></ul>

## 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.

***Legislation*** may include:

- federal
- state or territory
- local controls

***Breaches*** may include:

- parking offences
- abandoned vehicles
- unauthorised use of vehicles
- dog nuisances
- swimming pools
- general by-laws and local laws
- overgrown allotments
- litter
- pollution
- environmental
- businesses operating outside permitted hours
- illegal land use
- fires
- illegal landfill

***Information*** may include:

- written records
- signage
- oral reports
- interviews
- reports from other services and specialists
- police
- media
- supervisors and management team
- team meetings
- colleagues
- public
- traders and customers

## Unit Sector(s)

Regulatory Services