



Australian Government

Department of Education, Employment and Workplace Relations

MTMPSR602A Monitor and manage organisational legal responsibilities

Release: 1

MTMPSR602A Monitor and manage organisational legal responsibilities

Modification History

Not Applicable

Unit Descriptor

Unit descriptor	This unit covers the skills and knowledge required to monitor and manage the enterprise's legal responsibilities and risks in the operation of the business and the provision of goods and services. It includes working with enterprise personnel and monitoring and reviewing systems to achieve compliance and minimise risk.
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Application of the Unit

Application of the unit	This unit is appropriate for all managers with responsibility for production, Occupational Health and Safety (OH&S), human resources, environmental or financial management systems and procurement, sales and marketing functions, in all sectors of the meat industry.
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Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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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.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Gather <i>legal information required for business compliance</i>	1.1. Relevant legal information is gathered and analysed from appropriate <i>sources</i> . 1.2. Expert advice is sought, analysed and evaluated. 1.3. Employer and employee obligations and responsibilities are clearly explained to management.
2. Identify legal risks	2.1. Workplace policies, systems, controls and practices are evaluated according to enterprise and <i>legal requirements</i> . 2.2. Workplace policies, procedures and systems are analysed for compliance with contract and legal requirements. 2.3. Key risk areas are identified. 2.4. Level of risk is analysed.
3. Ensure enterprise compliance with legal requirements	3.1. Current strategies for compliance with legal requirements are analysed. 3.2. Feedback on compliance record is provided to <i>stakeholders</i> . 3.3. Strategies to ensure compliance with legal requirements and reduce risk are developed, communicated and implemented. 3.4. Currency of legal information is maintained.
4. Report enterprise compliance	4.1. Records relating to systems, training, communication and non-compliance with legal requirements are maintained and secured. 4.2. Compliance reports are prepared for internal personnel and <i>external authorities</i> as required. 4.3. Non-compliance incidents are recorded and reported to relevant internal personnel and external authorities in a timely manner. 4.4. Compliance reports and enterprise representations are prepared for external authorities.

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

REQUIRED SKILLS AND KNOWLEDGE**Required skills**

Ability to:

- analyse and update legal information through independent research and/or professional development
- read, analyse and interpret complex legal information
- access relevant mathematical information
- interpret monitoring data and prepare compliance reports
- apply legal concepts including duty of care, to the development and implementation of enterprise operations and systems
- apply teamwork strategies to foster stakeholder commitment and compliance with legal requirements
- communicate legal information and requirements to all stakeholders, in a language and style suitable for the purpose and audience
- determine the enterprise's level of legal and statutory compliance
- interact and communicate with external authorities in a professional and open manner
- promptly report non-compliance to relevant external authorities and enterprise personnel
- determine corrective actions appropriate for the circumstances
- present reports according to legal and enterprise requirements
- use assertive, persuasion and negotiation skills as required
- determine the responsibilities and liabilities of managers, directors, owners and employees and the consequences of non-compliance
- maintain and secure records and record keeping systems to meet legal or statutory requirements
- prepare briefing information for specialist legal advisors
- identify enterprise requirements for specialist legal advice
- take action to improve own work practice as a result of self-evaluation, feedback from others' or in response to changed work practices or technology

Required knowledge

Knowledge of:

- relevant OH&S and workplace requirements
- sources of legal information
- legal concepts including social justice, tort, negligence, consumer law, employment law
- relevant environmental requirements
- relevant food safety legal requirements
- relevant trade practices requirements

Evidence Guide

EVIDENCE GUIDE	
<p>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.</p>	
<p>Overview of assessment</p>	<p>The meat industry has specific and clear requirements for evidence. A minimum of three forms of evidence is required to demonstrate competency in the meat industry. This is specifically designed to provide evidence that covers the demonstration in the workplace of all aspects of competency over time.</p> <p>These requirements are in addition to the requirements for valid, current, authentic and sufficient evidence.</p> <p>Three forms of evidence means three different kinds of evidence - not three pieces of the same kind. In practice it will mean that most of the unit is covered twice. This increases the legitimacy of the evidence.</p> <p>All assessment must be conducted against Australian meat industry standards and regulations.</p>
<p>Critical aspects for assessment and evidence required to demonstrate competency in this unit</p>	<p>Competency must be demonstrated through sustained performance over time, at an appropriate level of responsibility and authority under typical operating and production conditions for the enterprise.</p> <p>Ability to identify, understand and interpret legal information in context for the enterprise's business must be demonstrated.</p>
<p>Context of and specific resources for assessment</p>	<p>Assessment must occur in the workplace under normal production conditions.</p> <p>Resources may include:</p> <ul style="list-style-type: none"> • real work environment. • relevant documentation such as: <ul style="list-style-type: none"> • manufacturer's instructions or operations manuals • regulatory requirements

EVIDENCE GUIDE	
	<ul style="list-style-type: none"> workplace policies and procedures relevant equipment and materials.
Method of assessment	<p>Recommended methods of assessment include:</p> <ul style="list-style-type: none"> a third-party referee report of sustained performance at appropriate level of authority and responsibility assignment focusing on understanding and application of principles and theory to workplace operations workplace projects focusing on company environment and conditions. <p>Assessment practices should take into account any relevant language or cultural issues related to Aboriginality or Torres Strait Islander, gender, or language backgrounds other than English. Language and literacy demands of the assessment task should not be higher than those of the work role.</p>
Guidance information for assessment	A current list of resources for this unit of competency is available from MINTRAC www.mintrac.com.au or telephone 1800 817 462.

Range Statement

RANGE STATEMENT	
<p>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.</p>	
<p><i>legal information required for business compliance</i> may include:</p>	<ul style="list-style-type: none"> ANZ risk management standards ANZ compliance standards Australian Standards commercial law including fair trading, banking, trade practices, insurance, contracts, patents, copyright, trademarks, sale of goods, procurement rights

RANGE STATEMENT	
	<ul style="list-style-type: none"> • consumer law • corporate law, including registration, licensing, financial reporting, liability, partnerships • environmental and waste management • Equal Employment Opportunity (EEO), anti-discrimination and sexual harassment • export regulations • food standards and food safety including industry licensing and registration, processing and transporting of meat for human consumption, food safety and labelling of ingredients • industrial awards, agreements • OH&S regulations and rehabilitation legislation • superannuation • taxation • traineeship requirements.
Sources of legal information include:	<ul style="list-style-type: none"> • courts, including industrial, civil and criminal courts • employer associations and unions • government departments, agencies and statutory bodies • industry associations • enterprise legal advisors • official web sites containing Acts, regulations and food standards.
Legal requirements must include, as a minimum:	<ul style="list-style-type: none"> • consumer • commercial • corporate • industrial awards • employment.
Stakeholders might include	<ul style="list-style-type: none"> • enterprise management • regulatory authorities • industry organisations.
Compliance reports for external authorities might include:	<ul style="list-style-type: none"> • environmental compliance reports • declarations of legal competence

Unit Sector(s)

Unit sector	
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Co-requisite units

Co-requisite units		

Competency field

Competency field	
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