



Australian Government

PSPWPI008 Evaluate and report on workplace legislative compliance

Release: 1

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Modification History

Supersedes and is not equivalent to PSPWPI001 Evaluate workplace legislative compliance.

Application

This unit describes the performance outcomes, skills and knowledge required to identify work health and safety (WHS) issues, assess workplaces for compliance, advise on control measures and report on compliance activities. This includes acting to minimise risks to workers, the public and the work environment, and recording outcomes of compliance activities.

This unit applies to individuals working independently to inspect and evaluate workplaces for compliance with their jurisdictional requirements.

The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.

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

Pre-requisite Unit

Nil

Competency Field

Workplace inspection

Elements and Performance Criteria

ELEMENTS	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Determine jurisdictional parameters.	1.1 Identify and confirm jurisdictional boundaries according to legislation. 1.2 Identify and confirm regulator powers according to legislation. 1.3 Identify and confirm own powers according to legislation and jurisdictional policies and procedures.

2. Evaluate allegation of non-compliance.
 - 2.1. Assess preliminary information provided.
 - 2.2. Conduct background checks and research into alleged issues raised.
 - 2.3. Identify potential risks and strategies to minimise those risks associated with the exercise of regulatory powers.
 - 2.4. Determine procedures, timeframes, resources and equipment requirements for self and others.
 - 2.5. Identify and confirm compliance requirements of the legislation, standards, codes of practice and relevant policy and procedures for situations raised in allegations of non-compliance.
 - 2.6. Identify and refer issues outside jurisdiction in accordance with policies and procedures.
 - 2.7. Maintain records in accordance with jurisdictional requirements and policies and procedures, including security and confidentiality requirements.
3. Assess and determine compliance.
 - 3.1. Identify self and explain reasons for visit to relevant persons at the workplace.
 - 3.2. Determine and prioritise compliance issues relating to duty holders, workers and others in the work environment.
 - 3.3. Identify and make evidence-based decisions to determine compliance or non-compliance with the elements of relevant legislation.
 - 3.4. Select safe evidence collection methods in accordance with jurisdictional policies and procedures.
 - 3.5. Determine a reasonably practicable solution to achieve compliance.
 - 3.6. Negotiate compliance timeframes where appropriate.
4. Implement and record compliance activity.
 - 4.1. Compile appropriate compliance notices in accordance with jurisdictional and legislative requirements.
 - 4.2. Issue and explain rights and obligations of notices to relevant persons.
 - 4.3. Compile reports that address all issues raised in accordance with jurisdictional policies and procedures.

5. Evaluate effectiveness of selected compliance activity.
 - 5.1. Conduct follow up of implemented compliance activity in accordance with jurisdictional policies and procedures.
 - 5.2. Identify and make evidence-based decisions to confirm compliance or non-compliance against the selected compliance activity.
 - 5.3. Record outcome of compliance activity in accordance with jurisdictional policies and procedures.

Foundation Skills

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.

SKILLS	DESCRIPTION
Reading skills to:	interpret and analyse complex and formal documents, including legislation, and their application.
Oral communication skills to:	explain complex and formal documents, including legislation, and their application to workplace situations.
Planning and organising skills to:	- sequence and schedule a range of routine and complex activities within legislative parameters - systematically analyse information to decide on appropriate compliance actions.
Technology skills to:	access legislation and apply related systems which apply to legislative compliance systems and processes.

Unit Mapping Information

Supersedes and is not equivalent to PSPWPI001 Evaluate workplace legislative compliance.

Links

Companion Volume implementation guides are found in VETNet - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>