



Australian Government

Department of Education, Employment and Workplace Relations

RGRSTD403A Apply principles of administrative law to investigation and resolution of racing incidents

Release: 1

RGRSTD403A Apply principles of administrative law to investigation and resolution of racing incidents

Modification History

Not Applicable

Unit Descriptor

Unit descriptor

This unit of competency specifies the outcomes required to ensure principles of administrative law are applied in the investigation and resolution of incidents in racing. It requires knowledge of the rules of racing, the concept of natural justice, and the application of correct documentation procedures. Verbal and non-verbal communication skills, including conflict resolution, assertiveness and interviewing techniques, are required. This unit has been contextualised and is based on TAFE NSW 0639F Principles of Administrative Law. This unit of competency operates in workplace environments of racing administration, kennels, stables, racecourses and public areas. Greyhound, harness and thoroughbred racing is strictly regulated throughout Australia. All stewards are appointed under the rules of racing by the relevant racing controlling body. For this reason enrolment in this unit of competency is restricted to people currently employed as a stipendiary or cadet steward or those who have been approved by a State Principal Racing Authority to undertake this unit.

Application of the Unit

Application of the unit

This unit of competency supports stipendiary or cadet stewards and others authorised to conduct and resolve racing incident investigations. Competencies attained in this unit apply to the greyhound, harness or thoroughbred code of the industry. Consequently when performance criteria are applied they will relate to the greyhound code or the harness code or the thoroughbred code, and statements of attainment for this unit will reflect this distinction.

Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Prerequisite units

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 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.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
Apply the principles of administrative law.	<ol style="list-style-type: none">1. Natural justice is applied to the investigation and resolution of racing incidents.2. Racing protocols and procedures are followed during the investigation and resolution of incidents.3. Documentation of investigations and interviews is prepared in compliance with the rules of racing and administrative law principles.
Use effective interview techniques.	<ol style="list-style-type: none">4. Appropriate non-verbal communication skills are employed.5. Communication and recording aids are used.6. Techniques for dealing with difficult people are applied.7. Conflict resolution strategies are employed.8. Assertiveness skills are used.9. Questioning techniques employed are effective and in accordance with administrative law principles.10. Interviews and inquiries are conducted with due consideration for organisational protocols and time constraints.
Conduct inquiries.	<ol style="list-style-type: none">11. Rights and responsibilities are relayed to participants.12. Assertiveness skills are employed during inquiries.13. Participant's need for assistance is identified and provided.14. Decisions made are based on evidence provided and the rules of racing.
Determine appropriate penalties.	<ol style="list-style-type: none">15. Rules of racing are reviewed in relation to incident.16. Penalties appropriate to the incident are considered.17. Previous history of participant is considered when deciding penalty.18. Decision is announced.19. Participant's right to appeal is explained.

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required skills

- communicating with other stewards, racing officials, licensed and registered personnel and others using assertive communication techniques to gather, interpret

REQUIRED SKILLS AND KNOWLEDGE

and relay information related to racing incident investigations

- completing duties in accordance with safe operating procedures and nominated time frame
- completing clear and concise stewards' reports
- complying with organisational policies and procedures and the rules of racing
- conducting inquiries and arriving at satisfactory conclusions
- gathering relevant evidence to racing incidents covered by the rules of racing
- hearing and adjudicating race protests
- managing conflicts and difficult situations
- performing the duties of a steward with due consideration to the individual differences and needs of licensed persons
- preparing and presenting evidence for appeals
- reading and interpreting workplace documentation, including rules of racing
- relating to people from a range of social, cultural and ethnic backgrounds and with varying physical and mental abilities
- teamwork skills to ensure completion of job tasks
- written communication skills to complete workplace documentation and reports.

Required knowledge

- communication procedures for communicating with other stewards and industry personnel, including reporting lines within the workplace and wider racing industry
- detailed understanding of applicable federal, state or territory legislation and regulations relating to anti-discrimination and harassment
- ethical conduct standards of relevant racing principal authority
- industry terminology related to steward duties, racing operations and wider racing industry
- OHS and environmental legislative requirements
- organisational policies and procedures
- principles of administrative law
- principles of effective communication
- purpose of racing operations documentation
- racing industry animal welfare requirements
- rules of racing
- reporting requirements for irregularities and problems
- rules relating to licensed personnel, permit holders and others authorised to undertake work associated with the greyhound, harness and thoroughbred codes
- rules relating to conduct of inquiries, hearings, protests and appeals
- state and territory Acts governing the specific racing code of the industry.

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, range statement and the Assessment Guidelines for the Training Package.

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

The evidence required to demonstrate competency in this unit must be relevant to workplace operations and satisfy all of the requirements of the performance criteria, required skills and knowledge and the range statement of this unit and include evidence of the following:

- knowledge of the requirements, procedures and instructions applicable to applying the principles of administrative law to racing incident investigations and resolution
- demonstration of ability to employ a range of communication strategies to elicit facts and information and to defuse potentially difficult situations, while applying the principles of natural justice and procedural fairness and complying with equity principles
- implementation of procedures and timely techniques for the safe, effective and efficient application of administrative law principles to investigations and resolution of racing incidents
- working with others to undertake and complete the required procedures that meet required outcomes.

Evidence should be collected over a period of time in a range of racing industry administration and operations contexts, and include dealings with an appropriate range of situations.

Context of and specific resources for assessment

Competency must be assessed in a racing workplace that provides access to the required resources. Assessment is to occur under standard and authorised work practices, safety requirements and environmental constraints. It is to comply with relevant regulatory requirements or Australian Standards requirements.

Assessment of the practical components of this unit will be by observation of relevant skills.

The following resources must be available:

- materials and equipment relevant to assessing candidate's ability to apply the principles of administrative law to investigation and resolution of racing incidents

EVIDENCE GUIDE

- racing administration buildings, race meetings and related facilities
- work instructions and related documentation.

EVIDENCE GUIDE

Method of assessment

Assessment methods must satisfy the endorsed Assessment Guidelines of the Racing Training Package. The suggested strategies for the assessment of this unit are:

- written and/or oral assessment of candidate's required knowledge
- observed, documented and firsthand testimonial evidence of candidate's application of practical tasks
- case studies to assess candidate's ability to provide written and/or oral responses to various scenarios.

Evidence is required to be demonstrated over a period of time, therefore where performance is not directly observed any evidence should be authenticated by supervisors or other appropriate persons, at least one of whom should be approved by the State Principal Racing Authority.

This unit may be assessed in a holistic way with other units of competency relevant to the industry sector, workplace and job role.

Guidance information for assessment

Assessment methods should reflect workplace demands (e.g. literacy and numeracy demands) and the needs of particular target groups (e.g. people with disabilities, Aboriginal and Torres Strait Islander people, women, people with a language background other than English, youth and people from low socioeconomic backgrounds).

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.

The range statement provides details of how this competency can be used in the workplaces of the racing industry to apply the principles of administrative law to investigation and resolution of racing incidents. Workplaces include greyhound, harness and thoroughbred racecourses, training tracks and administration buildings.

Stewards oversee the conduct of all racing-related activities within the responsibilities and powers described under the rules of racing. The conditions under which this unit is

RANGE STATEMENT

delivered and assessed must take into consideration these powers and responsibilities. These powers and responsibilities are further described in the rules of racing for the relevant racing code. It is strongly recommended that training facilitators and learners refer to these powers and responsibilities as part of the range of conditions for all units covered in the steward specialist area of the Training Package.

RANGE STATEMENT

Natural justice, also known as procedural fairness, is applied to:

- conduct of inquiries, hearings, protests and appeals
- dealings with licensed persons, including:
 - drug testing procedures
 - inspections
 - licensing matters.

Racing protocols and procedures include:

- legal parameters within the rules of racing and the stewards' rights and obligations under these rules when conducting an investigation and resolution of an incident.

Non-verbal communication may include:

- body posture
- eye contact
- distance or physical contact
- facial expression
- timing.

Communication and recording aids may include:

- microphone
- note taking
- recorder
- scribe
- two-way radio.

Techniques for **dealing with difficult people** may include:

- analysing the situation from the interviewee's point of view
- avoiding using manipulation or displays of temper
- creating a clear picture of the overall situation
- defining the parameters or constraints of the inquiry and solution
- explaining decisions
- identifying strengths and weaknesses of the case
- judging issues at hand and not individuals
- keeping calm and controlling level and pitch of voice
- recognising the existence of difficulty
- restraining from retaliating to interviewee's manipulation or displays of temper
- stating the issues.

Questioning techniques may include:

- identifying and acknowledging individual differences
- identifying own issues that might impact on effective interviewing, including:

RANGE STATEMENT

- job role limitations
 - personal interaction styles
 - personal values
 - identifying legislation and organisational policies, procedures and protocols that impact on effective interviewing, including natural justice
 - using open-ended questions.
- Assertiveness skills* may include:
- acknowledging rights of self and others
 - confronting tactfully
 - displaying self-confidence
 - giving others an opportunity to state their case
 - keeping control of emotions
 - keeping control of tone, level and pitch of voice
 - maintaining authority without resorting to emotional blackmail or violence
 - valuing others.
- Participant's need for assistance* may be required due to:
- age
 - culture
 - gender
 - lack of racing industry experience
 - lack of reading or writing skills
 - non-English speaking background
 - physical or intellectual disability.
- Evidence* may include:
- copy of betting sheets and fluctuations
 - inquiry transcripts
 - stewards' reports
 - swab materials
 - videos.
- Explanations of *participant's right to appeal* may cover:
- how to obtain relevant documentation
 - permitted time frame
 - steps involved in appealing a decision
 - types of decisions that are eligible for appeal.

Unit Sector(s)

Unit Sector

Greyhound, harness and thoroughbred racing codes

Co-requisite units

Co-requisite units

Functional Area

Functional Area Racing common