



Australian Government

Department of Education, Employment and Workplace Relations

BSALC402A Research, locate and provide legal and other information in response to requests

Release: 1

Modification History

Not Available

INTRODUCTION

This Unit covers researching, locating and providing information in response to a request so that the client's needs are met. This may involve combining and analysing information from a number of sources before composing a report for the client.

This unit has been adapted from BSACOM401B: Organise and provide information in response to requests.

This unit can be assessed alone or in combination with other units making up a job role.

Element of Competency

Performance Criteria

Receive and process a request for information

- Request is documented using the appropriate recording system
- Client's identity is confirmed and/or other party's right to receive information is confirmed
- Client needs are clarified and relevant criteria are established in consultation with designated person to ensure client's needs are met
- Appropriate response methods and format are researched and identified
- Request for information is forwarded to another person where appropriate

Identify information source/s

- Relevant sources and locations of information are identified and researched
- Access to identified sources is obtained

Organise self or other(s) to extract information

- Information relevant to the particular request is located and extracted
- Resolutions to problems accessing information are discussed with designated person and implemented where appropriate
- Copy of extracted information is made in accordance with a firm's security and confidentiality procedures
- Integrity of contents/information is maintained

Ensure information meets request

- Extracted information is analysed, evaluated and edited to fit client's needs
- Different types of information are combined, where appropriate, to provide a response to a request

Compose report/correspondence

- Report/correspondence plan and synopsis are developed
- Report/correspondence is written using clear and concise language
- Spelling, punctuation and grammar is checked and errors are amended

Organise self or other to format report/correspondence

- Report/correspondence is formatted according to requirements
- Report/correspondence is checked for accuracy and to ensure that intended meaning of report/correspondence is readily understood by recipient and it conforms with a firm's policies and procedures

Finalise report/correspondence

- Review and sign off of report/correspondence is arranged with designated person
- Firm's information recording procedures are applied
- Report/correspondence is forwarded to client

RANGE STATEMENT

Request for information to meet a client's needs may come from:

- external clients
- other parties
- internal staff
- staff from another office
- barrister

A firm's recording system may be:

- paper based
- electronic

Designated person may include:

- external client
- external official
- lawyer
- partner
- legal practice manager
- supervisor
- teacher/trainer

Possible criteria may include:

- matter progress report
- report on costing procedures
- summary of other information
- copies of various certificates
- summary of entitlements

Appropriate response methods may include:

- letters
- reports
- sending original information
- sending copies of original information

Appropriate format may include:

- photocopies
- preparation of original documents
- completion of proforma

Relevant sources of information may include:

- client file
- closed matter file
- relevant legislation
- statistics
- previous case histories/Common Law
- non-legal reports
- market research information
- financial information
 - specific to firm
 - specific to another firm
 - state
 - federal

- international
- original research
- media
 - television
 - video
 - audio
- articles
 - academic
 - on-line
 - newspaper
 - journal
- specialist texts
- letters
- internal correspondence
- transcripts from supervisor's notes
- agreements
- opinion letters
- memorandums of law
- briefs
- pleadings
- precedents
- other bodies
- other libraries

Problems with accessing information may include:

- information not being readily available
- information being non-disclosable

A firm's security and confidentiality processes may relate to:

- Non-disclosable information and may include:
 - court dates
 - fees
 - addresses
 - legal history
 - personal history
 - health status
 - firm's other clients

Integrity of contents may include:

- order of pages
- completeness
- neatness

Different types of information may include:

- certificates
- reports
- legislation
- entitlements
- correspondence

Requirements for document/form may include:

- correct margins
- correct line spacing
- dual column system
- presence/absence of a back sheet
- presence/absence of a cover sheet
- placing of headings
- usage of keycaps and font features
- table of contents
- paragraph numbering
- correct use of reference
- specific sign off clauses
- appropriate use of letterhead
- use of document footers
- list of enclosures

A firm's policies and procedures may include:

- report/correspondence format
- information sources
- document recording procedures
- customer service protocol
- security/confidentiality/privacy procedures
- verifying and authorising information

- Requirements for delivery may include:
- recording information
 - protocol for accommodating special client needs, eg. case manager, social worker, parole officer, translator, interpreter
 - timelines
 - format (eg. hard copy or disk copy)
 - number of copies
 - accompanying documentation
 - place for delivery
 - identification of receiving party as authorised by client
- Recording procedures may include:
- attaching files name and matter number
 - storing and securing copy
 - ensuring client file is updated
 - maintaining time records
- The area of law may include*:
- commercial law
 - corporate law
 - criminal law
 - family law
 - industrial relations/employment law
 - property law
 - tax law
 - litigation
 - wills and probate
- * These are nine common areas of law. The area of law is not restricted to this list; other areas of law may be applicable
- Legislative requirements may relate to:
- relevant State/Territory/Commonwealth legislation
 - the client and a firm (eg. Consumer Credit Code, Privacy Act, secrecy laws, Codes of Practice)
 - the area of law
 - schedule of fees and duties payable
 - copyright and intellectual property
 - Freedom of Information legislation

EVIDENCE GUIDE

Critical aspects:

- evidence that purpose of research is understood
- instructing legal practitioner is kept up to date regarding all activities, actions and outcomes
- where instructing other, instructions are clear with adequate explanation to allows the task/s to be complete
- where instructing others, supervision is provided throughout the task in relation to:
 - providing advice and assistance with resolving problems
 - ensuring that work is completed within timelines
 - ensuring that report/correspondence is formatted correctly
 - ensuring that filing requirements are fulfilled and that a copy/ies of report/correspondence is stored appropriately
- non-disclosable information is not communicated and where any doubt exists as to the information's status it is not disclosed
- evidence of use of appropriate response format
- plan of action is developed before commencing tasks
- criteria are developed at outset to ensure research outcomes meet client needs
- relevant persons are contacted and request is explained to person using clear and simple language
- location of information and access to information is determined and documented
- information sources are accessed efficiently
- information is copied, borrowed or applied for according to reference centre requirements
- copies and original documents are not damaged or disclosed
- information is collated to reflect the specific needs of the original request
- information is analysed and notes/summaries of the information are recorded according to the specific needs and criteria developed to meet the original request
- file/matter number is attached to all relevant documentation
- final copies of information and report/correspondence are filed according to a firm's policies and procedures
- original copy of final report is forwarded to client according to instructions and within agreed timelines
- inability to meet timelines is communicated to designated person and designated person's instructions regarding contacting client are adhered to
- time records are processed for client invoicing purposes
- all work is conducted within accepted codes of conduct including those relating to: maintaining confidentiality, use of company property, duty of care, ethical behaviours, privacy, non-discriminatory practice, conflict of interests and compliance with reasonable direction

- evidence that party receiving the information has the right to receive such information and where any doubt exists clarification is sought before any information is disclosed

Resource implications:

The assessor must have access to appropriate documentation and resources normally found in the work environment and required to allow the job or task to be properly performed. These may include:

- appropriate legislation and regulations relevant to assisting clients
- workplace manuals and reference materials such as legal dictionary, company policy, procedural manuals and checklists
- appropriate technology such as computers with relevant software
- access to relevant resource collections

Consistency in performance:

This unit of competency will require evidence to be collected across a range of events, eg. dealing with different research requests and client requirements, and over a period of time to ensure that situational variables are consistently achieved.

Context of assessment:

Evidence of competency can be met in different situations, including:

- on the job assessment
- off the job assessment
- placement in an enterprise
- participation in a New Apprenticeship (traineeship) arrangement
- use of a Practice Firm or simulated work environment
- flexible delivery methods used by training providers to cater for distance education students
- Recognition of Prior Learning, Recognition of Current Competencies (in skill areas where there has been no significant change to work practice in recent times).

Evidence gathering methods may include:

- workplace performance
- simulation
- projects/assignments
- skills portfolio
- third party reports

Underpinning knowledge and skills

Knowledge

- what is disclosable/undisclosable

- legal terminology in relation to the area of law and the relevant legal process
- application of a firm's policies and procedures required in the full range of tasks covered

Skills

- literacy: follows a firm's policies and procedures; makes notes from spoken and written texts in chosen fields of knowledge; sequences writing with attention to organising principles of time, importance or other workplace relevant system; uses vocabulary and grammar appropriate to register and to create nuances of meaning
- researches: elicits and sources correct information; checks and validates information with peers/teacher/external sources; considers aspects of context, purpose and audience when comprehending or generating texts; draws together information gathered from a range of sources, then summarises data in a logically coherent report/brief
- communication: listens and questions to clarify and elicit information; participates effectively in spoken interactions; communicates ideas, arguments and conclusions logically, clearly and concisely in an appropriate form using appropriate vocabulary; provides clear sequenced oral instructions to others
- problem solving: identifies gaps in information and gathers necessary information from external sources; selects alternative methods to locate information
- proofreading and editing skills
- numeracy: numeracy: records and files data; adheres to designated deadlines

KEY COMPETENCIES

Utilisation of the Key Competencies required in the performance of this unit

Communicating ideas and information	Collecting, analysing and organising information	Planning and organising activities	Working with others in a team	Using mathematical ideas and techniques	Solving problems	Using technology
2	3	2	2	0	2	2

Performance levels:

Level 1	Level 2	Level 3
- carries out established processes - makes judgements of quality using given criteria	- manages processes - selects the criteria for the evaluation process	- establishes principles and processes - evaluates and reshapes processes - establishes criteria for evaluation of processes