



Australian Government

BSBATSIL413 Review and apply the constitution

Release: 1

BSBATSIL413 Review and apply the constitution

Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to ensure the organisation's constitution is relevant and legal, that it is understood, and meeting changing needs.

It applies to individuals responsible for monitoring, guiding and undertaking decision-making activities of Aboriginal and Torres Strait Islander organisations.

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

Unit Sector

Regulation, Licensing and Risk – ATSI Governance

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1 Identify essential components of the constitution	1.1 Explain key clauses to community members 1.2 Seek clarification of clauses from experts when required 1.3 Identify areas of activity of organisation not covered by constitution
2 Ensure the constitution is legal	2.1 Check constitution to ensure it is consistent with relevant law, with support of experts where required 2.2 Check constitution to ensure it is consistent with traditional lore
3 Apply the constitution	3.1 Follow constitutional provisions 3.2 Check policies and programs to ensure they conform to

ELEMENT	PERFORMANCE CRITERIA
	constitution 3.3 Amend constitution as required in consultation with members and according to relevant procedures 3.4 Ensure formal documentation of changes made is maintained

Foundation Skills

This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.

Skill	Performance Criteria	Description
Reading	1.2, 1.3, 2.1, 2.2, 3.1-3.4	- Interprets various texts to guide activities and decisions - Analyses and evaluates validity of information to identify gaps or inconsistencies between texts
Writing	1.2, 3.3, 3.4	Collates and compiles material using clear and detailed language to convey specific information, requirements and recommendations
Oral Communication	1.1, 1.2, 2.1-3.3	- Participates in a variety of spoken exchanges using suitable tone, language and strategies to confirm, clarify or repair understanding - Make constructive suggestions when required - Elicits views and opinions of others by active listening and questioning
Navigate the world of work	1.3, 2.1, 2.2, 3.1, 3.3	- Takes personal responsibility for adherence to legal/regulatory responsibilities relevant to own work context, and draws attention to any issues that may affect the organisation as a whole - Recognises and follows explicit and implicit protocols and meets expectations associated with own role
Interact with others	1.1, 1.2, 2.1, 2.2, 3.3	Follows accepted communication practices and protocols, adjusting personal communication style in response to values, beliefs and cultural expectations of others
Get the work done	1.3, 3.2, 3.3	- Develops plans to manage relatively complex tasks with an awareness of how they may contribute to longer term operational strategic goals - Makes a range of critical and non-critical decisions in relatively complex situations, taking a range of

		constraints into account • Recognises and addresses some unfamiliar problems of increasing complexity within own scope, recognising when to seek expertise of others
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Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBATSIL413 Review and apply the constitution	BSBATSIL413A Review and apply the constitution	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBATSIL413 Review and apply the constitution

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Performance Evidence

Evidence of the ability to:

- communicate effectively with others to ensure the constitution meets legal requirements and expectations of traditional lore
- document constitutional amendments according to workplace policies and procedures
- follow the constitution when undertaking board duties.

Note: if a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- explain the concept of community control of organisations and how it may impact provisions and application of the constitution
- describe cultural context in which Aboriginal and Torres Strait Islander boards operate, including their role in upholding traditional and cultural values, and how that may impact content and application of constitution
- identify legislation and funding body requirements that can impact provisions of constitution
- list geographic, social, economic and political contexts in which particular organisations operate and how these may impact provisions and application of constitution
- explain how to put provisions of constitution into practice, in particular provisions about elections, membership, conduct of meetings (particularly annual general meetings) and reporting
- outline sources of support that can provide advice on legality and practical operations of aspects of the constitution.

Assessment Conditions

Assessment must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities experienced in the regulation, licensing and risk – ATSI governance field of work and include access to:

- participation on an actual or simulated board
- expert knowledge and resources relevant to constitution
- examples of constitutions used by Aboriginal and Torres Strait Islander organisations.

Assessors must satisfy NVR/AQTF assessor requirements.

Links

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<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>