



Australian Government

BSBWHS412 Assist with workplace compliance with WHS laws

Release: 1

BSBWHS412 Assist with workplace compliance with WHS laws

Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 5.0.

Application

This unit describes the skills and knowledge required to assist with establishing and maintaining workplace compliance with work health and safety (WHS) laws. It includes identifying applicable WHS laws, duties, rights and obligations, and the necessary actions to ensure WHS compliance in the workplace.

It also includes assisting with providing advice about the legislative duties, rights and obligations of individuals and parties prescribed in WHS laws and those of WHS regulators.

The unit applies to those working in a broad range of WHS roles across all industries.

NOTES

1. The terms ‘occupational health and safety’ (OHS) and ‘work health and safety’ (WHS) are equivalent, and generally either can be used in the workplace. In jurisdictions where *model WHS laws* have not been implemented, registered training organisations (RTOs) are advised to contextualise this unit of competency by referring to existing WHS legislative requirements.
2. The *model WHS laws* include the model WHS Act, model WHS Regulations and model WHS Codes of Practice. See Safe Work Australia for further information.

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

Unit Sector

Regulation, Licensing and Risk – Work Health and Safety

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>

ELEMENTS	PERFORMANCE CRITERIA
1. Assist with identifying the legal framework for WHS in the workplace	1.1 Access current WHS laws and related documentation relevant to organisation's operations 1.2 Assist with analysing accessed information to determine legal requirements in the workplace 1.3 Assist with identifying and confirming duties, rights and obligations of individuals and/or parties as specified in WHS laws 1.4 Assist with seeking advice from legal advisers as required
2. Assist with providing advice about WHS compliance	2.1 Assist individuals and/or parties to locate information about their WHS duties, rights and obligations 2.2 Assist with providing advice to individuals and/or parties about their WHS duties, rights and obligations, within scope of own role 2.3 Assist with providing advice to individuals and/or parties about the functions and powers of the WHS regulator and workplace regulatory compliance matters
3. Assist with establishing WHS legislative compliance	3.1 Assist with assessing workplace compliance with relevant WHS laws 3.2 Assist with reporting on outcomes of compliance assessment 3.3 Assist with determining and documenting recommendations that address identified non-compliance 3.4 Assist with determining related WHS training needs of work team, and with providing the WHS training to meet legislative and organisational requirements
4. Assist with maintaining WHS legislative compliance	4.1 Assist with developing or modifying workplace policies, procedures, processes and systems that support compliance according to organisational policies and procedures, and WHS legislative requirements 4.2 Assist with communicating developed or modified workplace policies, procedures, processes and systems 4.3 Assist with monitoring implementation of developed or modified workplace policies, procedures, processes and systems to ensure legislative compliance

Foundation Skills

This section describes those language, literacy, numeracy and employment skills that are essential to performance but not explicit in the performance criteria.

Skill	Description
Reading	Reviews and interprets at times complex WHS legislative and organisational texts
Writing	- Documents WHS advice using structure, layout and language suitable for audience - Drafts, documents, and updates policies, procedures and processes according to requirements and using appropriate vocabulary and register
Oral communication	- Uses structure and language suitable for audience to provide, seek and discuss WHS legislative information - Uses questioning and active listening to clarify understanding
Navigate the world of work	- Adheres to legal and regulatory responsibilities, and organisational policies and procedures in relation to own WHS role and responsibilities - Keeps up to date on changes to WHS laws, and related organisational policies and procedures relevant to own role
Interact with others	- Cooperates with others as part of WHS compliance activities, and contributes to specific activities requiring joint responsibility and accountability - Collaborates with others to achieve individual and team outcomes
Get the work done	- Uses combination of logical planning and intuitive understanding of context to identify relevant information and hazards, and to evaluate alternative strategies in relation to WHS compliance - Uses decision-making processes in relation to WHS compliance: sets and clarifies goals, gathers information, and identifies and evaluates choices against a set of criteria

Unit Mapping Information

Supersedes and is equivalent to BSBWHS402 Assist with compliance with WHS laws.

Links

Companion Volume Implementation Guides are available from VETNet -

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

Assessment Requirements for BSBWHS412 Assist with workplace compliance with WHS laws

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Performance Evidence

The candidate must demonstrate the ability to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, and to:

- assist with establishing workplace compliance with work health and safety (WHS) laws in relation to at least two different compliance matters and within scope of own role.

During the above, the candidate must assist with:

- identifying current WHS legal requirements for the workplace
- providing advice about current WHS legal requirements for the workplace
- assessing and maintaining workplace compliance with WHS legislative requirements
- making recommendations for implementing workplace changes in order to achieve WHS legal compliance
- monitoring compliance with WHS laws according to organisational policies and procedures.
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Knowledge Evidence

The candidate must demonstrate the knowledge to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit. This includes knowledge of:

- internal and external sources of WHS information, and procedures for accessing them
- duties, rights and obligations of work team as specified in WHS laws, and location of relevant information about WHS laws
- functions and powers of relevant WHS regulator and how they are exercised
- regulatory compliance matters, including objectives and principles underpinning WHS laws
- methods used for:
 - assessing and maintaining WHS compliance
 - determining training needs in relation to WHS compliance

- implementing changes to policies, procedures, processes and systems to achieve WHS compliance
- organisational policies and procedures for:
 - documenting compliance requirements
 - assessing WHS compliance obligations and processes to address non-compliance
 - recording and documenting compliance assessment.
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Assessment Conditions

Assessment must comply with WHS laws, legal responsibilities and duty of care required for this unit. It must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities undertaken by individuals carrying out WHS duties in the workplace, and must include access to:

- WHS laws and organisational documentation required to demonstrate the performance evidence
- reports from individuals and parties consulted about WHS compliance
- case studies and, where possible, real situations
- opportunities for interaction with others.

Assessors of this unit must satisfy the assessor requirements in applicable vocational education and training legislation, frameworks and/or standards.

Links

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