



Australian Government

Department of Education, Employment and Workplace Relations

BSBCOM404A Promote and liaise on compliance requirements, systems and related issues

Release: 1

Modification History

Not Available

INTRODUCTION

Unit Descriptor

This unit covers the promotional, communication and liaison activities that ensure that the organisation's commitment to and requirements for compliance are well publicised to staff, agents, contractors and other relevant third parties. Regular communication and liaison are necessary to keep management staff informed on compliance issues such as changes in the law, court decisions or other requirements with which they may have to comply. Regular communication and liaison are also required with relevant regulators, statutory authorities, etc. concerning compliance requirements, and identified breaches in those requirements and reports on action taken to rectify and manage identified compliance breaches. This unit has been designed to be consistent with Australian Standard AS 3806: Compliance Programs.

Competency Field

Business management services

Domain

Compliance management

Application of the Competency

This unit may be undertaken as part of a broader role of an owner- manager, chief executive or senior manager in a small business, as well as a manager or member of a compliance management team within a larger organisation. This could also apply to promotional and/or liaison activities undertaken by an internal consultant responsible for advising the chief executive and/or management team on compliance management policies and systems and related matters.

While competence in this unit requires the demonstration of a core of knowledge associated with general promotional and liaison functions, there is also a variable knowledge set related to the specific legislative requirements, code(s) of practice and internal standards and procedures relevant to the operations and sphere of business of the organisation and/or industry sector concerned.

This unit is intended to ensure that compliance is an integral part of normal business operations.

Application of this unit must be consistent with the pertinent sections of relevant Australian and international standards and legislative requirements including – AS 3806: Compliance Programs, AS 4269: Complaints Handling, A/NZS: 4360 Risk Management and AS ISO 15489: Records Management.

Element

Performance Criteria

Elements define the critical outcomes of a unit of competency.

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Italicised terms are elaborated in the Range Statement.

1. Clarify compliance issues on which liaison is required

- 1.1 Compliance issues requiring communication with relevant internal and external personnel are confirmed and clarified
- 1.2 Information to be sought and/or obtained in the course of the liaison activity on applicable compliance requirements and related compliance program/management system is clarified and summarised in an appropriate format
- 1.3 Sections of relevant Australian and international standards are identified, sourced and interpreted in terms of processes to be followed for promotional and liaison activities related to an organisation's compliance program/management system

2. Identify the target groups for promotional or liaison activities

- 2.1 Groups that need to be aware of the organisation's compliance program/management system or that may need to be contacted about compliance issues are identified using appropriate means
- 2.2 Information on identified target groups is recorded and stored in an appropriate format for use in activities to promote the compliance program/management system of the organisation

3. Identify contacts for liaison

- 3.1 Suitable contacts are identified from own network or with the assistance of relevant internal and external personnel
- 3.2 Where immediate contacts are not obvious suitable, search techniques are applied to establish the most suitable contacts for the liaison activities

4. Develop the action plan for the promotional and liaison activities

- 4.1 Details of the organisation's compliance program/management system are accessed and reviewed
- 4.2 Internal and external persons and organisations that need to be aware of specific aspects of the compliance program/management system are listed for inclusion in compliance management promotional and liaison activities
- 4.3 An action plan for the compliance management promotional and liaison activities is prepared in

collaboration with relevant internal and external personnel

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| 5. Assign resources for promotional and liaison activities | 5.1 A suitable budget to implement the planned compliance management promotional and liaison activities is prepared and negotiated with authorised personnel for approval
5.2 Physical and human resources for the execution of the planned promotional and liaison activities are assigned or acquired in accordance with the approved action plan |
| 6. Communicate with identified contacts | 6.1 Initial contact is made with identified internal and/or external contacts using appropriate communication techniques
6.2 Where information is being sought, the requirements are clearly explained and communicated in written, electronic or oral form
6.3 Effective interpersonal skills are applied in the course of all communication activities
6.4 Where information is being provided, details are accurately and clearly provided in written, electronic or oral form using appropriate techniques in accordance with relevant internal and external requirements
6.5 Details of communications conducted as part of compliance related promotional and liaison activities are recorded in an appropriate format in accordance with relevant internal and external requirements |
| 7. Manage the promotional and liaison activities | 7.1 Managers and personnel involved in the compliance management promotional and liaison activities are briefed on their roles and responsibilities
7.2 Compliance management promotional and liaison activities are monitored against objectives, established performance criteria, milestones and budget targets, and appropriate action is taken to ensure promotional activities achieve the planned outcomes within project limits |
| 8. Evaluate promotional and liaison activities | 8.1 Data and performance indicators on the success or otherwise of compliance management promotional and liaison activities are collected from appropriate sources using planned techniques
8.2 Collected evaluation data is analysed in terms of planned outcomes and performance criteria
8.3 Results of evaluation of promotional and liaison activities are summarised and findings, identified issues and related recommendations are prepared |
| 9. Document promotional activities | 9.1 Details of the execution of planned compliance |

management promotional and liaison activities are recorded, stored and disseminated in accordance with the organisation's policies and procedures

9.2 Reports on the compliance management promotional and liaison activities and the outcomes achieved are prepared and submitted to relevant internal and external personnel

9.3 Recommendations on opportunities for improvements to compliance management promotional and liaison activities arising from evaluation of the activities and their outcomes are referred to relevant managers for appropriate action

9.4 Information on contacts established during compliance management liaison activities is organised and incorporated in an appropriate listing of contacts for future liaison activities

RANGE STATEMENT

The Range Statement adds definition to the unit by elaborating critical or significant aspects of the performance requirements of the unit. The Range Statement establishes the range of indicative meanings or applications of these requirements in different operating contexts and conditions. The specific aspects which require elaboration are identified by the use of italics in the Performance Criteria.

Legislation, codes and national standards relevant to the workplace may include:

- award and enterprise agreements and relevant industrial instruments
- relevant legislation from all levels of government that affects business operation, especially in regard to occupational health and safety (OHS) and environmental issues, equal opportunity, industrial relations and anti-discrimination
- relevant industry codes of practice

Compliance issues may include but are not limited to:

- details of compliance requirements
- risk management strategies
- breach management strategies
- personnel roles and responsibilities
- changes in compliance requirements
- interpretation of compliance requirements
- costs of compliance
- possible exemptions in some areas of compliance requirements

Compliance requirements may include but are not limited to:

- cross-industry, industry-specific and internal organisational compliance requirements in such areas as (examples only in alphabetical groupings):
 - anti-discrimination (including discrimination by race, sex, disability, religion, etc.), alcohol licensing (licensing regulations covering clubs, pubs, licensed premises, etc.), aviation
 - bankruptcy
 - chemical use, child protection, construction, conveyancing/real estate, copyright, corporate governance, customs, credit
 - education, electricity, environmental protection, equal opportunity
 - financial services (including banking), fire, food hygiene, freedom of information, freight forwarding
 - gambling, gene technology
 - health, human rights
 - insurance, immigration, intellectual property
 - land management
 - maritime, mining

- pharmaceuticals, patents, privacy
- quarantine
- racing, rail transport, road transport
- safety (includes cross-industry generic regulations as well as industry, equipment or product-specific sub-categories e.g. marine safety, rail safety, food safety, aviation safety, road safety, dangerous goods, construction safety, mine safety, road safety, etc.), security, sewage, superannuation
- taxation, telecommunications, tobacco, trade practices and consumer protection
- water supply, workers compensation, workers rehabilitation
- different types of external and internal compliance requirements including:
 - regulations of a state, national or international regulatory authority
 - accreditation requirements of an institute, professional organisation or registration body
 - requirements for certification under statutory licensing systems
 - statutory standards or codes of practice
 - internal policies, procedures, standards or codes of practice of an organisation

Compliance program/management system may include but is not limited to:

- documentation of compliance requirements relevant to the organisation
- specification of compliance management accountabilities and responsibilities within the organisation
- compliance related management information systems
- record-keeping systems required for compliance management
- liaison procedures with relevant internal and external personnel on compliance related matters
- breach management policies and processes including the identification, classification, investigation, rectification and reporting of breaches in compliance requirements
- compliance reporting procedures
- corporate induction and training processes related to compliance management
- processes for the internal and external promulgation and promotion of information on compliance requirements and compliance program/management system
- compliance complaints handling systems
- continuous improvement processes for compliance including monitoring, evaluation and review
- strategies for development of a positive compliance culture within the organisation
- techniques and performance indicators for monitoring the operation of a compliance program/management system
- reporting processes on compliance management including reports on breaches and rectification action

Relevant Australian and international standards may include but are not limited to:

- AS 3806: Compliance Programs
- AS 4269: Complaints Handling
- A/NZS 4360: Risk Management
- AS ISO 15489: Records Management

Target groups (for compliance management promotional activities) may include but are not limited to:

- staff
- internal management teams
- internal operations teams and personnel
- clients of the organisation
- contractors and suppliers of services and resources to the organisation
- consultants and advisors to the organisation
- regulatory authorities and other organisations with an interest in applicable compliance requirements
- media and other organisations with a role in reporting on the organisation's compliance responsibilities and obligations, possible breaches in the requirements and the operation of the organisation's compliance program/management system

Search techniques may include but are not limited to:

- review of published information on personnel within relevant organisations such as company reports, journals and other documentation from regulators and other organisations with responsibility for overseeing that organisations fulfil compliance requirements
- internet search of the websites of pertinent regulatory authorities, licensing bodies, organisations, etc. to identify relevant contacts
- scan of suitable published reference materials such as business directories, corporate listings, government services and agencies, Yellow Pages, etc. to identify relevant contacts
- contacting relevant professional associations and other organisations that may be able to recommend possible contacts

Compliance management promotional and liaison activities may include but are not limited to:

- meetings
- interviews
- telephone discussions
- email communications
- faxes
- teleconferences and videoconferences
- articles and papers in newsletters and journals
- letters, reports, completed forms and other types of written documentations
- information promulgated via websites
- conferences, seminars and workshops
- multimedia materials and resources

Action plan for the compliance management promotional and liaison activities may include but are not limited to:

- objectives and planned outcomes
- key performance criteria and indicators
- schedule of activities
- required human and physical resources
- budget
- timelines and key milestones
- methodology for evaluating the success of the planned compliance management promotional activities
- planned processes for reporting on the compliance management promotional activities

Internal and/or external contacts might include but are not limited to:

- chief executive officer
- board of directors
- senior management team
- frontline managers
- compliance management team (where relevant)
- compliance specialists at the operational level
- representatives of relevant authorities in pertinent

	compliance areas • chief executives and managers in organisations with an interest in the compliance issues being researched • representatives of professional associations and institutes relevant to the organisation's operations and sphere of business • legal and business advisors and consultants with expertise and interest in compliance requirements and related management systems
Communication techniques may include but are not limited to:	• electronic communications including telephone, fax, email, SMS, etc. • face-to-face oral communications • written communications
Performance indicators (on the success or otherwise of compliance management promotional and liaison activities) may include but are not limited to:	• reduction in breaches of compliance requirements amongst internal and external personnel including those contracted to provide services or supplies to the organisation • assessed increase in confidence in the ability of the organisation to fulfil its obligations and responsibilities under applicable compliance requirements • assessed increase in awareness amongst target groups of the compliance requirements and related compliance program/management system of the organisation • confidence of representatives of relevant regulatory authorities, licensing bodies, etc. in the capacity of an organisation and its managers and staff to take appropriate action to fulfil pertinent compliance requirements and rectify and report on any breaches in those requirements
Listing of contacts may include but is not limited to:	• hardcopy lists of contacts including address books and contact lists • electronic database of contacts

EVIDENCE GUIDE

The Evidence Guide provides advice to inform and support appropriate assessment of this unit. It contains an overview of the assessment requirements followed by identification of specific aspects of evidence that will need to be addressed in determining competence. The Evidence Guide is an integral part of the unit and should be read and interpreted in conjunction with the other components of competency. Assessment must reflect the endorsed Assessment Guidelines of the parent Training Package.

Overview of Assessment Requirements

A person who demonstrates competence in this standard must be able to provide evidence that they have successfully promoted and liaised on compliance requirements and the compliance program/management system in an organisation. The promotional and liaison activities may be undertaken externally for an organisation such as a larger organisation, or internally within an organisation as by a CEO, senior manager, compliance officer, internal compliance researcher, or as a member of a compliance management team. Evidence will include:

- demonstration of core skills and knowledge required in promoting and liaising on compliance programs and compliance requirements generally
- demonstration of the specific skills and knowledge that may be uniquely required to promote and liaise on compliance programs and requirements covering particular compliance areas such as OHS, environmental protection, corporate governance, insurance, transport, credit, food production, banking, etc and/or on specific issues such as impact of compliance, costs of compliance, risks of non-compliance, scope of compliance requirements, etc.

Note: dependent on the scope and type of compliance requirements involved and the size and nature of the organisation, the depth, breadth and complexity of skills and knowledge to promote and liaise on compliance requirements and related programs may vary.

Specific Evidence Requirements

- Required knowledge and understanding include:
- compliance requirements applicable to the organisation
 - techniques suitable for liaising with others on an organisation's compliance program/management system and related issues
 - relevant Australian and international standards including but not limited to:
 - AS 3806: Compliance Programs
 - AS 4269: Complaints Handling
 - A/NZS 4360: Risk Management
 - AS ISO 15489: Records Management
 - internal and external personnel with an interest in an organisation's compliance program/management system
 - elements of compliance program and related management

systems including:

- documentation of compliance requirements relevant to the organisation
- specification of compliance management functions, accountabilities and responsibilities within the organisation
- compliance related management information systems
- record-keeping systems required for compliance management
- liaison procedures with relevant internal and external personnel on compliance related matters
- breach management policies and processes including the identification, classification, investigation, rectification and reporting of breaches in compliance requirements
- compliance reporting procedures
- corporate induction and training processes related to compliance management
- processes for the internal and external promulgation and promotion of information on compliance requirements and compliance program/management system
- compliance complaints handling systems
- continuous improvement processes for compliance including monitoring, evaluation and review
- strategies for development of a positive compliance culture within the organisation
- techniques and performance indicators for monitoring the operation of a compliance program/management system
- reporting processes on compliance program/management including reports on breaches and rectification action
- relevant organisational policies and procedures including:
 - compliance plans and policies in various compliance areas
 - organisational standards for operations and ethics

- Required skills and attributes include:
- ability to relate to people from a range of social, cultural and ethnic backgrounds, and physical and mental abilities
 - ability to contribute to a positive culture of compliance within an organisation
 - ability to organise promotional and liaison activities
 - ability to identify target groups for promotional and liaison activities
 - ability to effectively use communications technology
 - ability to use the media in the course of promotional and liaison activities
 - project management skills such as:
 - developing project plans for promotional and liaison activities
 - managing other personnel involved in the promotional and liaison activities
 - time management
 - financial management
 - communication and interpersonal skills:
 - written and verbal communication skills
 - ability to communicate with and relate to relevant internal and external personnel

Key competencies or generic skills relevant to this unit

The seven key competencies represent generic skills considered essential for effective work participation. Innovation skills represent a further area of generic competence. The bracketed numbering indicates the performance level required in this unit: Level (1) represents the competence to undertake tasks effectively
Level (2) represents the competence to manage tasks
Level (3) represents the competence to use concepts for evaluating and reshaping tasks
The bulleted points provide examples of how the key competencies can be applied for this unit.

Communicating ideas and information (3)

- consulting with others and sharing ideas in the course of promotional and liaison activities
- communicating with internal and/or external personnel using appropriate technology

Collecting, analysing and organising information (3)

- gathering and analysing information on target groups for promotional and liaison activities
- obtaining and organising information on the organisation's compliance program/management system

Planning and organising activities (3)	• preparing the plans for promotional and liaison activities
Working in a team (2)	• managing work of others performing specific functions as part of promotional and liaison activities
Using mathematical ideas and techniques (3)	• conducting any calculations required when planning or evaluating promotional and liaison activities
Solving problems (3)	• solving problems arising in the course of promotional and liaison activities
Using technology (3)	• using computers and software packages when planning, conducting or evaluating promotional and liaison activities
Innovation skills (3)	• recognising and creating opportunities for innovative activities that may improve promotional and liaison activities
Products that could be used as evidence include:	• plans and budgets for promotional and liaison activities • schedules of promotional and liaison activities • summaries of the outcomes of promotional activities • media releases and other documentation and promotional resources produced in the course of activities to promote the organisation's compliance program/management system • diaries and other records of promotional and liaison activities • reports on the conduct and outcomes of promotional and liaison activities
Processes that could be used as evidence include:	• how the promotional and liaison activities were planned • how target groups were identified • how promotional resources were developed and used • how feedback on the outcomes of the promotional and liaison activities was obtained and interpreted • how promotional and liaison activities were conducted • how promotional and liaison activities were evaluated and reported • how details of promotional and liaison activities were recorded
Resource implications for assessment include:	• access to relevant information on the organisation's applicable compliance requirements and related management system such as: - organisational policies, plans, standard operating procedures, compliance breach management procedures, etc. - relevant legislation, regulations, licensing requirements,

	- codes of practice, standards, etc. • access to the relevant internal and external data files • access to relevant internal and external personnel • access to appropriate computer resources for maintaining a contact database or maintaining records of promotional and liaison activities
Validity and sufficiency of evidence requires:	• that where assessment is part of a learning experience, evidence will need to be collected over a period of time, involving both formative and summative assessment • full documentation of the successful conduct of at least three projects involving liaison with relevant internal and external personnel with an interest in an organisation's compliance program/management system. These may be suitably simulated compliance management promotional or liaison projects or actual compliance management promotional or liaison projects
Integrated competency assessment means:	• that this unit can be assessed alone or as part of an integrated assessment activity involving other relevant compliance management units or related records management units