



Australian Government

Department of Education, Employment and Workplace Relations

BSBCOM401B Organise and monitor the operation of compliance management system

Revision Number: 1

BSBCOM401B Organise and monitor the operation of compliance management system

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to organise and monitor the operation of a compliance program/management system established by an organisation. It has been designed to be consistent with AS 3806:2006 Compliance programs. No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.
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Application of the Unit

Application of the unit	This unit applies to individuals with a broad knowledge of compliance who are involved in organising and operating compliance managing systems and creating solutions to unpredictable problems. Well developed skills enable these individuals to provide leadership and guidance to others, although they have limited responsibility for the output of others. Analysis and evaluation of information will take place from a variety of sources. This unit could be applied as part of a broader role of an owner-manager or senior manager in a small organisation. It may also be undertaken as a section or line manager in an operational unit or as a member of a compliance management team within a larger organisation. Application of this unit must be consistent with the pertinent sections of relevant Australian and international standards and legislative requirements including: AS 3806:2006 Compliance programs, AS ISO 10002:2006 Customer satisfaction - Guidelines for complaints handling in organizations, AS/NZS 4360:2004 Risk management and AS ISO 15489:2004 Records management.
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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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.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Identify compliance roles and responsibilities	1.1. Confirm and interpret the compliance requirements applicable to the organisation 1.2. Examine the structure of the organisation to determine the roles, accountabilities and responsibilities of managers and operational staff in maintaining compliance within the organisation's planned compliance program/management system
2. Organise the operation of the compliance program/management system	2.1. Confirm the components of the planned compliance program/management system and clarify the proposed structures, procedures and budgetary arrangements for their implementation 2.2. Develop an implementation strategy and schedule for the establishment of the planned compliance program/management system in accordance with relevant Australian and international standards 2.3. Assign or acquire resources for the planned compliance program/management system in accordance with organisational procedures and policies 2.4. Arrange appropriate briefings and training to ensure relevant managers and operations staff are aware of their roles and responsibilities 2.5. Launch the compliance program/management system in accordance with organisation's plan
3. Monitor the operation of the compliance program/management system	3.1. Gather information on the operation of the compliance program/management system from appropriate sources 3.2. Review feedback and performance indicators on the operation of the compliance program/management system in terms of agreed criteria 3.3. Identify problems in the operation of the compliance program/management system and in particular any breach of compliance requirements and take appropriate action to address problems 3.4. Provide detailed compliance requirements in the case of breaches, initiate specific timely action and inform all relevant internal and external personnel through the established reporting systems
4. Document the operation and monitoring of the compliance	4.1. Prepare and disseminate information on the operation of the compliance program/management system to relevant internal and external personnel in accordance with the communication strategy for

ELEMENT	PERFORMANCE CRITERIA
program/management system	the compliance program/management system 4.2. Prepare and disseminate periodic reports on the operation of the compliance program/management system, identify any operational problems and take any related action to relevant internal and external personnel 4.3. Prepare and disseminate reports on any identified breaches of compliance requirements and take any related action to relevant internal and external personnel

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required skills

- financial skills to manage budgetary resources for compliance management systems
- interpersonal skills to establish rapport and to build relationships with clients, team members and stakeholders who have an interest in the operation of an organisation's compliance program or management system
- leadership skills to gain trust and confidence of colleagues and clients
- literacy skills to prepare and edit reports containing complex concepts and ideas
- organisational and time management skills to organise compliance management systems, and associated finances and human resources within an organisation
- problem solving skills to create innovative solutions to problems arising from the organisation and monitoring of compliance management systems
- research and data collection skills to investigate an organisation's compliance management system
- research and data collection skills to monitor the operation of a management system.

Required knowledge

- Australian and international standards including but not limited to:
 - AS 3806:2006 Compliance programs
 - AS ISO 10002:2006 Customer satisfaction - Guidelines for complaints handling in organizations
 - AS ISO 15489:2004 Records management
 - AS/NZS 4360:2004 Risk management
- compliance policies and requirements relevant to the organisation
- elements of the compliance program/management system 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 identifying, classifying, investigating, rectifying and reporting breaches in compliance requirements
 - compliance reporting procedures
 - corporate induction and training processes related to compliance management

REQUIRED SKILLS AND KNOWLEDGE

- 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 developing 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 organisational policies and procedures including:
 - compliance plans and policies in various compliance areas
 - organisational standards for operations and ethics.

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.	
Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	Evidence of the following is essential: • organising and monitoring compliance programs or management systems • knowledge of relevant Australian and international standards.
Context of and specific resources for assessment	Assessment must ensure: • access to a compliance program or management system • access to relevant documentation such as: • plans for the operation of the compliance program/management system • organisational policies, standard operating procedures, procedures and plans • relevant legislation, regulations, licensing requirements, codes of practice, standards, etc. • access to appropriate computer resources for online searching, data processing and analysis, and report preparation and editing.
Method of assessment	A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit: • analysis of responses to case studies and scenarios • analysis of information gathered about the compliance management system • assessment of compliance plans, progress and monitoring reports • direct questioning combined with review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate • observations of application of compliance management techniques • observations of interactions with team members, colleagues, regulatory authorities and clients • oral or written questioning to assess knowledge of

EVIDENCE GUIDE	
	compliance management activities • review of implementation strategy and schedule for the establishment of the planned compliance program/management system • evaluation of briefings and training to ensure staff are aware of their roles and responsibilities.
Guidance information for assessment	Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example: • other compliance units.

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, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

Compliance requirements may include:

- cross-industry, industry-specific and internal organisational compliance requirements in such areas as (examples 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 (including 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,

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	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/territory, 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 • industrial relations agreements and policies
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RANGE STATEMENT	
<i>Components of the planned compliance program/management system</i> may include:	• breach management policies and processes including the identification, classification, investigation, rectification and reporting of breaches in compliance requirements • compliance complaints handling systems • compliance related management information systems • compliance reporting procedures • continuous improvement processes for compliance including monitoring, evaluation and review • corporate induction and training processes related to compliance management • documentation of compliance requirements relevant to the organisation • liaison procedures with relevant internal and external personnel on compliance related matters • processes for the internal and external promulgation and promotion of information on compliance requirements and compliance program/management system • record keeping systems required for compliance management • reporting processes on compliance management including reports on breaches and rectification action • specifications of compliance management functions, accountabilities and responsibilities within the organisation • strategies for developing a positive compliance culture within the organisation • techniques and performance indicators for monitoring the operation of a compliance program/management system
<i>Relevant Australian and international standards</i> may include:	• AS 3806:2006 Compliance programs • AS ISO 10002:2006 Customer satisfaction - Guidelines for complaints handling in organizations • AS ISO 15489:2004 Records management • AS/NZS 4360:2004 Risk management
<i>Resources for the planned compliance program/management</i>	• audiovisual resources where applicable • computer hardware, software and files

RANGE STATEMENT	
system may include:	• facilities and physical resources • hardcopy and electronic documentation • management and operations personnel • management information system

RANGE STATEMENT	
<i>Appropriate sources</i> may include:	• information from advisors, consultants and others with expertise in the development, operation and maintenance of compliance program/management systems • internal personnel with expertise in the development, operation and maintenance of compliance program/management systems • publications (hardcopy and electronic) of authorities and organisations in relevant compliance areas • representatives of authorities and organisations in relevant compliance areas
<i>Performance indicators</i> may include:	• content of reports of breaches of compliance requirements • number and details of alleged breaches of relevant laws, codes and organisational standards • number and details of complaints recorded that are related to compliance requirements and action taken • operational costs of the compliance program/management system • reported problems in the operation of the complaints management system • reports on action taken in the event of a breach in compliance requirements • results of assessments of skills and knowledge of managers and operations staff in terms of the organisation's compliance requirements, the compliance program/management system and their individual roles, accountabilities and responsibilities
<i>Relevant internal personnel</i> may include:	• board of directors • chief executive officer • chief executives and managers in related organisations with an interest in the compliance requirements and the compliance program/management system • compliance management team (where relevant) • compliance specialists at the management level • compliance specialists at the operational level

RANGE STATEMENT	
	• frontline managers • legal and business advisors and consultants with expertise and interest in compliance requirements and related management systems • representatives of professional associations and institutes relevant to the compliance requirements and the compliance program/management system • representatives of relevant authorities with an interest in the compliance requirements and the compliance program/management system • senior management team
<i>Relevant external personnel</i> and organisations may include:	• educational institutions and organisations • government departments • professional associations and institutes • state/territory or national licensing authorities • state/territory or national statutory standards authorities • state/territory, national or international regulatory authorities
<i>Communication strategy</i> may include:	• attendance at relevant conferences, seminars, etc. dealing with relevant aspects of applicable compliance requirements and related compliance management • hardcopy and electronic newsletters either dedicated to compliance management issues or having a section dealing with compliance management issues • nominated internal contacts linked to an established network of external contacts in relevant regulatory authorities and other organisations with an interest in applicable compliance requirements • presentations and papers at conferences or in relevant journals covering relevant aspects of the organisation's compliance program/management system • production and distribution of external documentation requirements including press releases, published information on compliance policies and organisational initiatives for compliance management, submissions and reports to regulatory authorities and others with an interest in applicable compliance

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	requirements - production and distribution of internal documentation requirements including overall specification of the compliance program/management system, procedures, standards, organisational structures, descriptions of staff roles and responsibilities, information on compliance program/management system components, breach management policies and procedures - subscription to and/or systematic access and review of, relevant publications and periodicals dealing with relevant aspects of applicable compliance requirements and related compliance management - website and email arrangements for communication with relevant internal and external personnel
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Unit Sector(s)

Unit sector	
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Competency field

Competency field	Regulation, Licensing and Risk - Compliance
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Co-requisite units

Co-requisite units		