



Australian Government

CHCLEG003 Manage legal and ethical compliance

Release: 1

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Modification History

Release	Comments
Release 1	This version was released in <i>CHC Community Services Training Package release 2.0</i> and meets the requirements of the 2012 Standards for Training Packages. Significant changes to the elements and performance criteria. New evidence requirements for assessment, including volume and frequency. Significant change to knowledge evidence.

Application

This unit describes the skills and knowledge required to research information about compliance and ethical practice responsibilities, and then develop and monitor policies and procedures to meet those responsibilities.

This unit applies to people working in roles with managerial responsibility for legal and ethical compliance in small to medium sized organisations. There may or may not be a team of workers involved.

The skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand standards and industry codes of practice.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

Elements define the essential outcomes

Performance criteria describe the performance needed to demonstrate achievement of the element

1. Research information required for legal compliance

1.1 Identify sources of information about compliance requirements

1.2 Evaluate own area of work and determine scope of compliance requirements

1.3 Access and interpret information relevant to area of work

1.4 Identify risks, penalties and consequences of non compliance

1.5 Assess and act on need for specialist legal advice

ELEMENT**PERFORMANCE CRITERIA**

Elements define the essential outcomes

Performance criteria describe the performance needed to demonstrate achievement of the element

2. Determine ethical responsibilities

- 2.1 Identify the ethical framework that applies to the work context
- 2.2 Incorporate scope of practice considerations as part of ethical practice
- 2.3 Evaluate responsibilities to workers, clients and the broader community
- 2.4 Model ethical behaviour in own work

3. Develop and communicate policies and procedures

- 3.1 Clearly articulate and document policies and procedures to support legal and ethical practice in readily accessible formats
- 3.2 Integrate documentation and record keeping requirements into policies and procedures
- 3.3 Ensure systems protect client information
- 3.4 Nominate the roles and responsibilities of different people in meeting requirements where multiple people are involved
- 3.5 Distribute policies, procedures and legal information to colleagues and peers in a timely fashion

4. Monitor compliance

- 4.1 Evaluate work practices for non-compliance on an ongoing basis, and implement modifications
- 4.2 Maintain and update required accreditations or certifications
- 4.3 Refer issues or breaches of ethical or legal practice to relevant people

5. Maintain knowledge of compliance requirements

- 5.1 Identify and use opportunities to maintain knowledge of current and emerging legal requirements and ethical issues
- 5.2 Share updated knowledge and information with peers

ELEMENT

Elements define the essential outcomes

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element

and colleagues.

5.3 Pro-actively engage in process of review and improvement

Foundation Skills

The Foundation Skills describe those required skills (language, literacy, numeracy and employment skills) that are essential to performance.

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

No equivalent unit.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53>

Assessment Requirements for CHCLEG003 Manage legal and ethical compliance

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Performance Evidence

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role. There must be evidence that the candidate has:

- determined the scope of legal and ethical compliance requirements and responsibilities, and developed policies and procedures for at least 1 workplace or business
- developed a strategic response to at least 3 different situations where legal or ethical requirements have been breached

Knowledge Evidence

The candidate must be able to demonstrate essential knowledge required to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role. This includes knowledge of:

- legal responsibilities and liabilities of managers and others in different types of organisation
- legal and ethical frameworks (international, national state/territory, local), how these apply in the workplace, and the responsibilities of managers in the development and monitoring of policies and procedures, including those related to:
 - children in the workplace
 - codes of conduct
 - codes of practice
 - complaints management
 - continuing professional education
 - discrimination
 - dignity of risk

- duty of care
- human rights:
 - *Universal declaration of human rights*
 - relationship between human needs and human rights
 - frameworks, approaches and instruments used in the workplace
- informed consent
- mandatory reporting
- practice standards
- practitioner/client boundaries
- privacy, confidentiality and disclosure
- policy frameworks
- records management
- rights and responsibilities of workers, employers and clients
- industrial relations legislation and requirements relevant to organisation
- specific requirements in the area of work, including:
 - key practices that are prohibited by law
 - auditing and inspection regimes
 - main consequences of non-compliance
 - need to apply for licences and associated mandatory training and certification requirements
 - statutory reporting requirements
 - business insurances required including public liability and workers compensation
 - accreditation requirements
 - requirements to develop and implement plans, policies, codes of conduct or incorporate certain workplace practices
- work role boundaries – responsibilities and limitations of different people
- work health and safety
- sources of information and advice on compliance including:
 - local, state/territory or commonwealth government departments or regulatory agencies
 - industry associations
 - plain English documentation that explains legislation
- functions and operating procedures of regulatory authorities of particular relevance to the health and community service sectors
- methods of receiving updated information on requirements
- use of policies and procedures in managing compliance and ethical practice in both internal work practice and external service delivery
- formats for policies and procedures and what they should include
- techniques for monitoring compliance

Assessment Conditions

Skills must have been demonstrated in the workplace or in a simulated environment that reflects workplace conditions. The following conditions must be met for this unit:

- use of suitable facilities, equipment and resources, including:
 - current legislation and regulations
 - workplace policies and procedures
- modelling of industry operating conditions, including:
 - use of real or simulated organisation for which the candidate develops policies and procedures
 - integration of problem solving activities

Assessors must satisfy the Standards for Registered Training Organisations (RTOs) 2015/AQTF mandatory competency requirements for assessors.

Links

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