



Australian Government

CPPDSM4056 Manage conflicts and disputes in the property industry

Release: 1

CPPDSM4056 Manage conflicts and disputes in the property industry

Modification History

Release 1.

Replaces superseded equivalent CPPDSM4056A Manage conflicts and disputes in the property industry.

This version first released with CPP Property Services Training Package Version 5.

Application

This unit of competency specifies the outcomes required to use communication techniques to manage and resolve conflicts and disputes in the property industry. It requires the ability to assess conflict or dispute situations, accurately receive and relay information, adapt interpersonal styles and techniques to varying social and cultural environments, and evaluate responses.

The unit supports the work of those involved in using communication techniques to manage and resolve conflicts and disputes in the property industry. It applies to real estate agents, property managers, strata managers, Nationwide House Energy Rating Scheme (NatHERS) assessors, home sustainability assessors and facility managers.

Licensing, legislative, regulatory or certification requirements apply to this unit in some States and Territories. Relevant state and territory regulatory authorities should be consulted to confirm those requirements.

Pre-requisite Unit

Nil

Competency Field

Strata community management

Unit Sector

Property services

Elements and Performance Criteria

Elements describe the essential outcomes.

Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the range of conditions.

1. Assess conflict or dispute.
 - 1.1. **Causes of conflict or dispute** are identified and response required to prevent escalation is identified and evaluated.
 - 1.2. Effective **communication**, observation and active listening skills are applied to elicit and interpret verbal and non-verbal information and ensure an accurate exchange of information.
 - 1.3. Situations requiring specialist advice are identified and assistance is sought as required.
2. Negotiate resolution.
 - 2.1. Conflict or dispute is negotiated and resolved constructively using strategies that comply with established organisational procedures.
 - 2.2. **Negotiation techniques** are used to maintain positive interaction, and divert and minimise aggressive behaviour.
 - 2.3. Communication with others is conducted in a courteous manner that reflects sensitivity to individual, social and cultural differences.
 - 2.4. Contradictions, ambiguity, uncertainty or misunderstandings are identified and clarified.
 - 2.5. Factors that might impact on the safety or security of clients and colleagues are identified and appropriate responses or **contingency measures** are formulated and implemented.
3. Evaluate response.
 - 3.1. Response evaluation findings are organised in a format suitable for analysis.
 - 3.2. Effectiveness of response is reviewed and evaluated.
 - 3.3. Incident observations are provided in an accurate, concise and constructive manner when reviewing and debriefing situations.
 - 3.4. Records and, where required, report of conflict or dispute are prepared using business equipment and technology.
 - 3.5. Information is securely maintained with due regard to confidentiality, and legislative and organisational requirements.

Foundation Skills

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

Skill	Performance feature
Learning skills to:	maintain current knowledge of conflict-resolution strategies.
Oral communication skills to:	summarise positions and agreements of parties in dispute to establish common ground and advance discussions.
Reading skills to:	clearly document areas of agreement and disagreement in complex disputes.
Writing skills to:	prepare routine documentation associated with the resolution of workplace conflicts and disputes, including agendas, minutes, meeting notes, and correspondence in the form of emails and letters.

Range of Conditions

This section specifies work environments and conditions that may affect performance. Essential operating conditions that may be present (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) are included. Bold italicised wording, if used in the performance criteria, is detailed below.

<i>Causes of conflict or dispute</i> must include at least three of the following:	- breakdown of communication - change of economic and commercial circumstances - differing legal concepts and changes in law - differing views of underlying facts - impact of third parties and force majeure - a person under the influence of intoxicating substances - a person with criminal intent - refusal to comply with committee or group decisions - refusal to pay for services - situations affecting the safety and security of self, others or property - technical problems or defective products.
<i>Communication</i> techniques must include at least four of	- active listening - clear, legible writing - giving customers full attention - maintaining eye contact

the following:

- non-verbal communication, including body language and personal presentation
- speaking clearly and concisely
- using appropriate language and tone of voice
- using open and closed questions.

Negotiation

techniques must include at least four of the following:

- control of tone of voice and body language
- demonstrating flexibility and willingness to negotiate
- using positive, confident and cooperative language
- using clear presentation of options and consequences
- using language and concepts appropriate to the people involved
- using strategic questioning and listening to gather information and direct the focus of people involved
- using summarising of positions and agreements to move understanding.

Contingency

measures must include at least two of the following:

- arbitration
- counselling
- cultural support
- defusing strategies
- intervention
- legal action
- mediation
- selecting alternative actions that may require use of force, within legally permissible limits
- security
- specialists and experts.

Unit Mapping Information

CPPDSM4056A Manage conflicts and disputes in the property industry

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b>

Assessment Requirements for CPPDSM4056 Manage conflicts and disputes in the property industry

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Performance Evidence

A person demonstrating competency in this unit must satisfy all of the elements, performance criteria, foundation skills and range of conditions of this unit.

The person must also use communication techniques to manage and resolve two of the following different conflicts or disputes in a property industry context:

- breakdown of communication
- change of economic and commercial circumstances
- differing legal concepts and changes in law
- differing views of underlying facts
- impact of third parties and force majeure
- a person under the influence of intoxicating substances
- a person with criminal intent
- refusal to comply with committee or group decisions
- refusal to pay for services
- situations affecting the safety and security of self, others or property
- technical problems or defective products.

In doing the above, the person must:

- evaluate resolution process and accurately record and report facts and outcomes
- apply knowledge of organisation's practices, ethical standards and legislative requirements associated with managing and resolving conflict and disputes
- negotiate conflict or dispute situations to an effective resolution where possible
- use communication techniques to accurately identify causes and incidences of conflict or dispute.

Knowledge Evidence

A person demonstrating competency in this unit must demonstrate knowledge of:

- conflict or dispute-resolution techniques and procedures
- consultation methods, techniques and protocols

- ethical practices and relevant codes of conduct
- negotiation strategies
- organisational policies and procedures for property services relating to managing conflicts and disputes, including procedures for handling complaints
- key requirements of federal, state or territory legislation and local government regulations relating to:
 - anti-discrimination
 - consumer protection
 - environmental issues
 - equal employment opportunity (EEO)
 - financial probity
 - franchise and business structures
 - industrial relations
 - privacy
 - property sales, leasing and management
 - strata community management
 - work health and safety (WHS).

Assessment Conditions

The following must be present and available to learners during assessment activities:

- equipment:
 - computer system with internet, email and printing facilities
- specifications:
 - contextual information on conflicts or disputes to be managed and resolved
 - organisational conflict and dispute-resolution policies and procedures
 - organisational templates for reporting conflicts and disputes
 - guides on negotiation techniques and conflict-resolution strategies
- relationship with team members and supervisor:
 - member of a work team in a property industry context.

Assessor requirements

As a minimum, assessors must satisfy the assessor requirements in the *Standards for Registered Training Organisations* (RTOs) current at the time of assessment.

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