



Australian Government

DEFCM005B Conduct a Defence administrative inquiry

Release 2

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Modification History

Release	TP Version	Comments
2	DEF12V2	Layout adjusted. No changes to content.
1	DEF12V1	Primary release.

Unit Descriptor

This unit covers the competency required to conduct administrative inquiries under the inherent authority of commanders and under the Defence (Inquiry) Regulations. The unit has application to warrant officers and officers of the Australian Defence Force, and some civilian staff of the Australian Defence Organisation. Officers, warrant officers and Defence civilian staff may be appointed to conduct administrative inquiries to determine the facts and circumstances surrounding an incident or situation so that an informed decision may be taken about the action required including, where appropriate, action to avoid a recurrence.

Application of the Unit

As agreed in the creation of this Training Package, applications for units transferred from the PUA00 Public Safety Training Package will be developed as part of continuous improvement plans, and taking into account the change in Unit of Competency format as detailed in templates for Streamlined Training Packages.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element.

Where ***bold italicised*** text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

- | | |
|---|---|
| 1. Prepare for the conduct of an inquiry | 1.1 Requirement to conduct <i>an inquiry</i> is identified and confirmed in accordance with <i>organisational practices and procedures</i> .
1.2 Inquiry circumstances are analysed and discussed, if necessary, with the <i>appointing authority</i> . |
| 2. Plan the inquiry | 2.1 Inquiry Terms of Reference are identified, analysed and clarified in accordance with organisational practices and procedures.
2.2 <i>Inquiry plan</i> is developed in accordance with organisational practices and procedures.
2.3 <i>Advice is sought</i> where appropriate in accordance with organisational practices and procedures. |
| 3. Gather and analyse evidence | 3.1 Evidence is identified and acquired in accordance with organisational practices and procedures.
3.2 <i>Interviews</i> are conducted in accordance with organisational practices and procedures.
3.3 Evidence is confirmed and analysed in accordance with organisational practices and procedures.
3.4 Progress reports are provided in accordance with the Terms of Reference and appointing authority requirements. |
| 4. Present inquiry findings | 4.1 <i>Conclusions and recommendations</i> are made on the basis of the analysis of the evidence.
4.2 Inquiry findings are presented in accordance with the Terms of Reference and appointing authority requirements. |

Required Skills and Knowledge

This describes the essential skills and knowledge and their level, required for this unit.

Required Skills

- analyse evidence
- apply interview techniques
- apply objectivity and impartiality
- communicate ideas, arguments and conclusions logically
- interpret policies
- prepare complex documents
- use appropriate legal terminology

Required Knowledge

- ADFP 06.1.4
- Defence (Inquiry) Regulations
- inquiry processes
- relevant legislation
- relevant policies and procedures
- scope of authority of an investigating officer undertaking an administrative inquiry

Evidence Guide

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Assessment must confirm the ability to identify the issues surrounding the inquiry, to adhere to the Terms of Reference and to analyse evidence to form conclusions and recommendations.

Assessment must also confirm the ability to conduct interviews and elicit relevant information from witnesses.

The inquiry officer must at all times comply with legislative requirements, policy and standards, and demonstrate an awareness of access, equity and diversity principles and practices.

Consistency in performance

Competency should be demonstrated in a range of actual or simulated inquiry contexts.

Context of and specific resources for assessment

Context of assessment

Competency should be assessed in the workplace or in a simulated workplace environment conducting an inquiry.

Specific resources for assessment

Access to appropriate documentation and resources normally found in the work environment and required to allow the inquiry to be properly performed.

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 in the Performance Criteria is detailed below.

<i>An inquiry</i> may include:	• routine inquiry • Investigating Officer Inquiry under the Defence (Inquiry) Regulations • And have the same basic objectives: • to collect and assemble information and, in some cases, preserve documents and equipment • to establish facts known to be true and those that may be inferred from all the available information • to gather the best available information with the least possible delay • to make findings on the basis of the information collected • to make recommendations arising from the findings concerning remedial or other action, including administrative action or the initiation of a separate investigation by service or civil police
<i>Organisational practices and procedures</i> may include:	• conventions including those covered by: • Defence Act, Naval Defence Act, Air Force Act • Defence Force Discipline Act (DFDA) • Defence (Inquiry) Regulations • ADFP 06.1.4 • Legislation • policies • procedures • practices • standards
<i>Appointing authority</i> may include:	• commanders • commanding officers
<i>Inquiry plan</i> may include:	• allegations • an itinerary • chronology of events • list of evidence considered relevant • list of preliminary questions for key witnesses • list of issues requiring resolution • list of witnesses to be interviewed

<i>Advice may be sought from</i>	• Complaint Resolution Agency • Defence Equity Organisation • Defence legal service legal officer • specialist personnel with experience relevant to the topic of investigation
<i>Interviews</i> may include:	• advising witnesses of their rights and obligations • advising witnesses that no guarantee of confidentiality can be given and disclosure may occur (but not in contravention of the Privacy Act) • applying Fair Hearing Rules and No Bias Rule • producing written transcripts and inquiry officer notes • Recording interviews by audio or visual means
<i>Conclusions and recommendations</i> may include:	• only those based on the evidence gathered • only those within the boundaries of the terms of reference
<i>Inquiry findings</i> may	• be in the form of a written report • have time constraints imposed

Unit Sector(s)

Not applicable.

Corequisite Unit/s

Not applicable.