



Australian Government

DEFCM312A Plan and establish technical regulatory framework compliant management systems

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 plan and establish an appropriate technical regulatory framework compliant management system to enable an organisation to fulfil its obligations and responsibilities under applicable technical compliance requirements. This unit is intended to ensure that compliance is an integral part of normal business operations.

Application of the Unit

This unit was developed for technical regulatory framework specialists working within the materiel logistics area of Defence but is applicable to any individual in this field of work. Typically these individuals work independently or as part of a team under direct and/or indirect supervision, use discretion and judgement, and take responsibility for the quality of their outputs. All activities are carried out in accordance with relevant organisational policies and procedures.

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. Determine applicable compliance requirements	1.1 Information on current compliance requirements applicable to the organisation or project is obtained and interpreted. 1.2 Each area of compliance requirement is reviewed in terms of relevant internal and external authorities, risks involved, ways of ensuring compliance, penalties for a breach of compliance, and areas and operations of the organisation most affected. 1.3 Differences in the responsibilities between executive and engineering/technical authority and their respective roles in the compliance process are identified and clarified. 1.4 Most appropriate compliant management system which satisfies the technical regulatory framework and business needs is selected or mandated for implementation.
2. Identify and select appropriate compliant management system/s	2.1 For each area of applicable compliance, an investigation is initiated to tailor a compliant management system that is consistent with the relevant technical regulatory framework, suitable for the organisation concerned and for controlling the risks involved. 2.2 Tailoring options for a suitable compliant management system and its various components are reviewed and compared on the basis of established analytical criteria. 2.3 Most appropriate compliant management system which satisfies the technical regulatory framework and business needs is selected for implementation.
3. Plan required compliant management system/s	3.1 Components of the proposed compliant management system are identified and documented. 3.2 Personnel requirements for the operation of the compliant management system are identified and appropriate staff are assigned or recruited. 3.3 Management information system requirements for effective and efficient operation of the compliant management system are identified and documented. 3.4 Complaints management system suitable for the organisation and its compliance responsibilities is selected for establishment. 3.5 Strategy for the development of a compliance management culture is determined in collaboration

- with relevant internal and external **personnel**.
- 3.6 Suitable processes and procedures for the **identification and management of breaches** in compliance requirements are identified and documented.
- 3.7 **Review and reporting requirements** in the various areas of compliance are determined, and suitable processes and procedures are developed.
- 3.8 **Identified resources** required for the development, implementation, review and maintenance of the proposed compliant management system are budgeted and assigned.
4. **Document required compliant management system**
- 4.1 Specifications for the various components of the proposed compliant management system are **documented** in accordance with the relevant technical regulatory framework requirements.
- 4.2 **Action schedule** for implementing, reviewing and maintaining planned compliant management system is documented, approved and disseminated to relevant internal and external personnel.
- 4.3 Approval is sought from appropriate internal and external personnel or **authorities** prior to the establishment of the proposed compliant management system.
5. **Establish planned compliant management system**
- 5.1 Managers and operations personnel are appointed and trained before assuming their compliance management responsibilities.
- 5.2 Components of the compliant management system are monitored in collaboration with the assigned staff in accordance with the approved plan.
- 5.3 Operation of the compliant management system is monitored in collaboration with assigned staff as per the approved plan.
- 5.4 Periodic reviews of the compliant management system are conducted in collaboration with assigned staff as per the approved plan.
- 5.5 Reports on the operation and review of the compliant management system are prepared in accordance with established procedures and other compliance obligations.

Required Skills and Knowledge

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

Required Skills

- apply configuration management knowledge relevant to work being performed
- apply safety, legislative and statutory requirements
- consult with and negotiate with relevant groups and individuals to gain understanding and support for the plan
- interpret organisational role relevant to configuration management plans
- manage projects
- relate to people from a range of backgrounds with a range of abilities
- think strategically to identify and assess potential alliances and effective strategies

Required Knowledge

- elements of the technical regulatory framework compliance management systems such as:
- 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
- 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 specified work role/area
- liaison procedures (with internal and external personnel) on compliance related matters
- processes for the internal and external promulgation of information on compliance requirements and a compliance program management system
- record-keeping systems required for compliance management
- reporting processes and procedures on compliance management including reports on breaches and rectification action
- specification of compliance management functions, accountabilities and responsibilities under the technical regulatory framework
- strategies for maintenance of a positive compliance culture within the organisation
- techniques and performance indicators for monitoring the operation of a compliance program/management system
- implementation processes
- monitoring processes
- performance measurement relevant to technical regulatory framework compliance management plans
- quantitative and qualitative data analysis techniques relevant to compliance related research
- relevant Australian Standards and international standards

- research methods and techniques suitable for compliance related research projects
- sources of data relevant to compliance research
- technical integrity i.e. an item's fitness for service, safety and compliance with regulations for the protection of the environment

Evidence Guide

The evidence guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for this Training Package.

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

Assessment must confirm the ability to:

- apply, monitor and report on relevant implementation processes
- analyse data and information
- apply knowledge to plan and establish technical regulatory framework compliant management plans to assist in work and to guide problem solving

Consistency in performance

Competency should be demonstrated over time and should be observed in a range of actual or simulated work contexts.

Context of and specific resources for assessment

Context of assessment

Competency should be assessed in the workplace or simulated workplace environment.

Specific resources for assessment

Access is required to:

- computer and relevant software
- relevant legislation, guidelines, procedures and protocols
- plans
- workplace documentation
- relevant information on compliance requirements and options for compliant management systems
- relevant internal and external personnel
- appropriate computer resources for online searching, data processing and analysis, preparing and editing reports

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>Compliance requirements</i> must include:	• Those contained in the organisational instructions and procedures • Relevant legislation from all levels of government that impacts on business operations, especially in regard to work health and safety, and environmental issues
<i>Areas of compliance requirements</i> may include:	• Authorisation of engineering and maintenance organisations • Defect reporting • Engineering change management • Engineering delegations • Internal evaluation • Quality management systems • Risk management • Standards and specifications • System design acceptance • Technical data management • Technical/design certification • Technical investigation • Technical support networks
<i>External and internal authorities</i> may include:	• Design acceptance authorities • Design acceptance authority representatives • Design acceptance representatives • Technical regulatory authorities
<i>Risks</i> may include:	• Those which impact either directly or indirectly on the technical integrity of materiel for which the organisation or individual is responsible
<i>Penalties for a breach of compliance</i> may include:	• Sanctions • Suspension • Loss of formal recognition or accreditation • Court determinations in relation to criminal or civil cases • Penalties for a breach of compliance are detailed in the relevant technical regulatory framework but include breaches of: • Defence Force Discipline Act • relevant civil legislation and regulation • relevant commercial legislation and regulation

	Public Service Act
Executive and engineering/technical authority may include:	- Executive authority based on an individual's place in the organisational hierarchy and focuses on making decisions that facilitate achievement of organisational tasks and governance responsibilities - Engineering/technical authority, which focuses on the discharge of technical responsibilities as defined in the relevant technical regulatory framework
Tailoring a compliant management system may include:	- Tailoring a compliant management system that never breaches the integrity or intent of the technical regulatory framework - Identifying, analysing and selecting structures, procedures and processes which best translate the Technical regulatory framework requirements into application terms for specific business units, projects and activities
Analytical criteria may include:	- Cost - Effectiveness - Efficiency - Feasibility - Match to organisational culture - Suitability
Components of the proposed compliant management system may include:	- Breach management processes - 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 internal and external promulgation and promotion of information on compliance requirements and the compliance program/management system - Record-keeping systems required for compliance management - Reporting processes on compliance management including reports on breaches and rectification action

	• Specification of compliance management accountabilities/responsibilities in the organisation • Strategies for development of a positive compliance culture within the organisation • Techniques and performance indicators for monitoring the operation of the compliant program/management system
Personnel requirements may include:	• Satisfaction of competency profile requirements in terms of: • engineering/technical authority • technical/design certification • project management capabilities and accreditation levels • technical regulatory framework competencies and levels • other required professional and technical qualifications
Management information systems may include:	• Complying with the requirements of the Archives Act 1983 • Information survivability/redundancy requirements and strategies • Legal/technical archival requirements • Specified registers • Systems providing the medium and visibility requirements for the information types • Systems recording the range, nature and characteristics of the information to be managed • Traceability requirements
Complaints management system may include:	• Information from an aggrieved party which may technical or administrative in nature but which does not, without further investigation, relate to or indicate a breach of compliance • Recording and progression of complaints to a logical and defensible outcome
Compliance management culture is:	• Following development and maintenance strategies that may encompass inclusions in competency development programs (with a focus within continuing improvement programs and change management programs and other direct internal marketing campaigns) • One in which compliance is a normal business strategy which is viewed by the workforce as a positive, logical and essential goal that is inherent in the discharge of job tasks

	- To have all engineering and technical personnel consider the technical regulatory framework principles as a normal part of daily activities in terms of: - assessing the technical risk associated with the task - seeking to use the approved standards required for the task - ensuring that personnel allocated to the task are competent and authorised to undertake the activity - using approved processes and procedures the execution of the task - certifying the work is as being correct on completion
Personnel may only:	Be assigned to delegated positions and functions for which they satisfy current competency profile and certification requirements
Identification and management of breaches may include:	- Processes and procedures that cover proactive and reactive measures such as: - criteria for specifications - site visits and inspections - provider accreditation or equivalent systems - contract management and review arrangements - internal review - audit systems - standard procedures for the investigation of and graduated response to non-compliance and breaches
Review and reporting requirements may include:	Those specified in the relevant technical regulatory framework together with elaboration or extensions of these considered to be necessary for the effective application of the technical regulatory framework to the specific or localised business circumstances
Identified resources may include:	Resources for development, implementation, review and maintenance of the compliant management system and are to include time, human, fiscal, physical and materiel resources
Documenting compliant management systems may include:	Relevant aspects of organisation/systems, people, processes and data
Action schedule may include:	- Budgets for implementation, review and maintenance - Internal and external reporting requirements and dates for implementation, review and maintenance - Key responsibilities and activities for implementation, review and maintenance

	• Resource acquisition and maintenance schedules • Staff assignments including recruitment and training schedules • Target outcomes, timelines and milestones
Authorities may only:	• Grant approval for a proposed compliant management system in accordance with the relevant technical regulatory framework

Unit Sector(s)

Not applicable.