



Australian Government

PSPWPI015 Advise on work health and safety (WHS) legislative frameworks

Release: 1

PSPWPI015 Advise on work health and safety (WHS) legislative frameworks

Modification History

No equivalent unit.

Application

This unit describes the performance outcomes, skills and knowledge required to provide written and verbal advice about the legislative duties, rights and obligations of individuals and parties prescribed in WHS and other relevant legislation.

This unit applies to individuals working independently to provide advice to others, including parties working in a different place to the adviser's workplace. Those providing advice work independently, performing complex tasks in a range of familiar contexts.

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

No occupational licensing, certification or specific legislative requirements apply to this unit at the time of publication.

Pre-requisite Unit

Nil

Competency Field

Workplace inspection

Elements and Performance Criteria

ELEMENTS	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Source and identify legislative frameworks relevant to WHS.	1.1. Source WHS legislation and other sources relevant to own organisation's jurisdiction and operations. 1.2. Identify and confirm application of framework to own job role and policies and procedures of own organisation. 1.3. Locate and confirm in legislation the duties, rights and obligations of individuals and parties. 1.4. Determine legal requirements relevant to WHS in the workplace.

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| 2. Communicate changes in legislative frameworks. | 2.1. Monitor current WHS legislation and other sources relevant to the organisation's jurisdiction and operations, to identify changes, amendments and emerging issues which impact own organisation and operations.
2.2. Communicate changes, amendments and emerging issues in legislation in accordance with organisational policies and procedures.
2.3. Seek advice from legal advisers and other sources where necessary. |
| 3. Provide advice on compliance with WHS legislative frameworks. | 3.1. Identify own limits when providing advice to ensure that advice provided to others is appropriate to own job responsibilities and functions.
3.2. Seek advice from, or refer matters to, legal advisers and others in accordance with organisational policies and procedures.
3.3. Provide advice to individuals or parties internal or external to the organisation about compliance with WHS and other relevant legislation.
3.4. Provide advice about the functions, powers and exercise of powers of WHS Inspectors and other relevant regulators.
3.5. Establish and maintain records in accordance with organisational policies and procedures. |
| 4. Evaluate workplace compliance with WHS legislative frameworks. | 4.1. Assess workplace compliance with WHS and other relevant legislation.
4.2. Advise on requirements to achieve WHS compliance in a workplace.
4.3. Identify WHS training needs based on assessment.
4.4. Provide a report to the workplace which records issues identified, and advice provided to ensure that evaluation of actions taken on the basis of advice given can be verified in the future. |

Foundation Skills

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.

SKILLS

DESCRIPTION

Reading skills to:

- interpret legislative requirements.

- Numeracy skills to:
- schedule compliance activities in accordance with required timeframes and parameters.
- Technology skills to:
- use information systems relevant to accessing legislation and related documents, including updates and amendments.

Unit Mapping Information

No equivalent unit.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>

Assessment Requirements for PSPWPI015 Advise on work health and safety (WHS) legislative frameworks

Modification History

No equivalent unit.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and on at least one occasion:

- provide advice to an:
 - internal stakeholder
 - external workplace
- refer an issue for legal advice and identify how that advice was used
- provide a workplace inspection report.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- sources of information about WHS and related legislation
- objectives and principles underpinning WHS and related legislation
- relevant sections of Commonwealth and State or Territory WHS Acts, regulations, codes of practice, standards, guidance material and other instruments including:
 - duties, rights and obligations of individuals and parties
 - functions and powers of the WHS regulator, and how they are exercised
- relationship between:
 - relevant WHS acts
 - regulations
 - codes of practice
 - standards
 - guidance material
 - other legislation relevant to WHS
- organisational policies and procedures, and codes of conduct relating to:
 - the role of an WHS inspector or adviser
 - consultation and participation processes including record keeping and reporting requirements
- work health and safety information systems (WHSIS) or other workplace information systems relating to the management and processes of WHS implementation in a workplace

- workplace policies, procedures, activities, processes and systems to support and promote compliance with WHS and related legislation.
- systematic approaches to managing and complying with WHS legislation.

Assessment Conditions

Skills must be demonstrated in the workplace or in a simulated environment that reflects workplace conditions.

Assessment must ensure access to:

- relevant sections of Commonwealth and State or Territory WHS Acts, regulations, codes of practice, standards, guidance material and other instruments
- resources and equipment of the working environment.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

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