



Australian Government

Australian Public Service Commission

Candidate Skills Recognition Booklet

PSP50104 Diploma of Government

**PSPLEGN501B: Promote compliance with
legislation in the public sector**



**NATIONALLY RECOGNISED
TRAINING**

Candidate Name:
Department/Agency:
Telephone:
Email:

Skills Recognition

This Booklet is designed for the recognition candidate to initially self-assess against each element within the unit of competency. It is, however, recommended that the supervisor is involved in supporting the Candidate through the assessment of their skills.

While this Booklet addresses each of these elements individually, they will be assessed together as a Unit of Competency or in conjunction with a number of Units.

This Booklet:

- ⇒ provides a framework to guide the Candidate in preparing a portfolio of evidence as a basis for recognition under the National Skills Framework for this Unit of Competency
- ⇒ breaks the unit down into its component elements and addresses these in order. While the recognition process itself will be more holistic, the Booklet allows Candidates to address each element either in isolation or in combination with other elements or Units
- ⇒ encourages the Candidate to identify evidence from within the workplace, if possible
- ⇒ contains a range statement that explains some of the terms in italics used in the Performance Criteria for each element
- ⇒ provides examples and optional work based activities
- ⇒ includes a third party report template and a feedback form.

Candidates should familiarise themselves with the information contained in the Candidates Information Guide that can be downloaded from the Australian Public Service Commission's website: <http://www.apsc.gov.au/rto/>

More information about the Unit of Competency contained in this booklet is available from the National Training Information Service. A link to the unit is included on page 3 of this booklet.

Note: Evidence must be gathered over time in a range of contexts to ensure you can achieve the unit outcome and apply the competency in different situations and environments

This Booklet can be downloaded from the Australian Public Service Commission website www.apsc.gov.au/rto/ and printed for completion by hand or electronic means. If there is insufficient space to record your input, please insert or attach additional pages. A completed copy of this booklet (with appropriate supporting evidence) can be submitted for recognition which can lead to the awarding of a nationally recognised Statement of Attainment or a Qualification from the Australian Public Service Commission.

Promote compliance with legislation in the public sector

Introduction

This is a core unit of competency in the PSP50104 Diploma of Government and covers promotion of compliance with legislation in the public sector.

This unit covers promotion of compliance with legislation in the public sector. It includes modelling compliance with legislation and related public sector guidelines and procedures and encouraging and assisting others to comply.

Being competent in this unit means being able to:

- ✓ *Model and encourage compliance with legislative requirements*
- ✓ *Monitor compliance with legislative requirements.*

There are other related competencies in the key area of legislation and compliance that deal with legislation. If you feel this unit: **Promote compliance with legislation in the public sector** is not appropriate to your skill level, please consider one of the Units below as an alternative.

- PSPLEGN401B Encourage compliance with legislation in the public sector
- PSPLEGN601B Manage compliance with legislation in the public sector.

Useful links

Unit of Competency:

PSPLEGN501B Promote compliance with legislation in the public sector

<http://www.ntis.gov.au/?/trainingpackage/PSP04/unit/PSPLEGN501B>

The National Training Information Service: <http://www.ntis.gov.au/>

APSC Legislation website: <http://www.apsc.gov.au/publications/legislation.htm>

The APSC Registered Training Organisation website: <http://www.apsc.gov.au/rto/>

Relationship to the Integrated Leadership System

This Unit of Competency underpins the following capabilities outlined in the Integrated Leadership System.

EL 1 Demonstrates public service professionalism and probity

- Adheres to the APS Values and Code of Conduct and consistently behaves in an honest, ethical and professional way
- Understands and operates within, legal and public policy constraints and limitations

For further information

Please consult the Commission's [Candidate Information Guide](#) for additional information on the recognition process and how to initiate formal assessment and recognition by the Australian Public Service Commission.

Information for supervisors

As a supervisor you play an important role in assisting the Candidate to develop their skills. By undertaking this recognition activity, the Candidate will be assessed against competencies developed by Government Skills Australia, the Industry Skills Council with responsibility for the public sector. By having their skills recognised, the Candidate is contributing to the identification of your organisation's intellectual capital.

As every organisation is different, you may be able to assist the Candidate identify the work requirements, work practices and knowledge relevant to your environment.

The Candidate is encouraged to complete the self-assessment checklist and identify appropriate evidence, which is then recorded in the 'supporting evidence list' section. Sample work-based activities have been included in the Booklet for the candidate who is unable to identify sufficient evidence to address each competency and needs to produce further evidence of their skills and knowledge. The sample activities in the Booklet could be modified by the candidate and their supervisor to better suit workplace requirements and needs.

Third party reports

At the end of the booklet is a blank Third Party Report template. In some cases the candidate may require a corroborating statement from a third party. Supervisors, or other third parties, can complete these reports, where appropriate, which Candidates can add to their portfolio of evidence.

On completing their portfolio of evidence, Candidates can submit it to the Australian Public Service Commission for recognition, which can contribute to the awarding of a Diploma of Government.

Benefits for Supervisors

The self assessment process will enable you and your staff to identify current skill levels and assists you in determining if your staff are ready to undertake recognition or whether they may require additional training and/or development. Formal training can be an expensive option, especially if the Candidate can already demonstrate their existing skills and have them recognised.

Additionally, the assistance you provide the Candidate can be used as evidence for recognition of your skills against the *PSPGOV416A Monitor performance and provide feedback* and *PSPGOV510A Undertake and promote career management units of competency*.

Further information

If you have any questions, you can contact the National Recognition Coordinator on 02 6202 3787 or email your query to rto@apsc.gov.au.

Feedback

Finally, a feedback form template is included at the end of this Booklet. As we seek to continuously improve our processes, procedures and resource materials, we would appreciate your feedback as a supervisor. You can use a copy this template to detail your comments. If you provide feedback, consider keeping a copy of your submission as it supports *PSPGOV405B Provide Input to change processes*.

1 Model and encourage compliance with legislative requirements

This element requires:

- Personal work practices are used to provide a consistent model of compliance with current public sector **legislation and guidelines**.
- Responses to staff enquiries about the legislative requirements of the workplace are provided in a timely, consistent and constructive manner.
- The **consequences of non-compliance** relating to a range of legislation are explained to staff using language and materials suited to their levels of experience, learning styles and individual needs.
- **Compliance strategies** are used to encourage compliance with legislation, policies and guidelines in accordance with the situation at hand.

Text in **italics** is explained in the Range Statement on page <> of the Booklet.



Self assessment

Answering the following questions will help you assess the level of your current skills and help you identify appropriate evidence for your portfolio.

Ask yourself the following questions and indicate your response accordingly.	Yes	No	?	If you answer Yes , list examples of evidence you can provide
What personal work practices do I use to provide a consistent model of compliance with current public sector legislation and guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
How do I respond to staff enquiries about the legislative requirements of the workplace are provided in a timely, consistent and constructive manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Do I explain the consequences of non-compliance relating to a range of legislation to staff using language and materials suited to their levels of experience, learning styles and individual needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Do I use compliance strategies to encourage compliance with legislation, policies and guidelines in accordance with the situation at hand?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Do I monitor compliance with legislative requirements in accordance with organisational procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Do I resolve or refer compliance issues in accordance with organisational policy and procedures?

Do I promptly raise inadequacies in workplace procedures which may contribute to non-compliance? Do I address matters in accordance with organisational procedures?

Do I report compliance with legislative requirements in accordance with organisational policy and procedures?



Examples of evidence

The following list may provide guidance in identifying suitable evidence of your knowledge and skills.

- project reports indicating where you have promoted and monitored the legislation and identified and resolved matters of non-compliance (eg breaches of OH&S legislation such as failure to wear protective clothing or report hazards)
- policy documents or guidelines you've written or evaluated
- workplace reports noting action to be taken to ensure legislative compliance
- minutes of meetings where your recommendations for improvements are noted and outcomes recorded
- performance appraisals
- letters from committees (e.g. Access and Equity or OH&S) verifying your promotion of legislative guidelines.

Although the occasional diligent individual has tackled this unit in isolation, it's not recommended. It's much easier – and more relevant to your day to day work practices – if you link your evidence with another unit. Units such as **PSP0HS501A Monitor and maintain workplace safety** (based on compliance with OH&S legislation) or **PSPGOV505A Promote diversity** (EO, EEO and anti-discrimination legislation) are particularly relevant.



Confirm self-assessment with supervisor


Discuss your self assessment with your supervisor or other support person. If you have answered **Yes** to a question you should be able to identify potential examples of evidence to support this. List details of the evidence that you can enclose in a portfolio to submit with this booklet.

Reference number	Details of documents or other evidence that demonstrates your knowledge, skills and abilities.

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If you have answered **No** to any of the above questions, or are unsure, or have been unable to identify sufficient suitable evidence, you could consider whether training, a work based activity or some other form of development would assist you in developing these skills.

The following work-based activity may assist in generating evidence for inclusion above.

 **Work-based activity:** Model and encourage compliance with legislative requirements

The following suggestion for a work-based activity may be of use in demonstrating your ability to meet the competency requirements of this unit.

Complete the following activity checklist.

Answering these questions will prompt you to reflect on your skills and help identify appropriate evidence for your portfolio.

Activity checklist

Which particular government Acts are relevant to your workplace?	
How are they reflected in your organisation's policies and procedures?	
What impact does this legislation have on workplace behaviour?	
How does your behaviour model compliance with the legislation?	
When – and why – have you provided information about this legislation to others?	
What steps have you taken to ensure staff have understood?	
When – and why – have you discussed issues of non-compliance?	

2 Monitor compliance with legislative requirements

This element requires:

- Compliance with legislative requirements is monitored in accordance with organisational procedures.
- Compliance issues are resolved or referred in accordance with organisational policy and procedures.

- **Inadequacies in workplace procedures** which may contribute to non-compliance are raised promptly and addressed in accordance with organisational procedures.
- Compliance with legislative requirements is reported on, in accordance with organisational policy and procedures.



Self assessment

Answering the following questions will help you assess the level of your current skills and help you identify appropriate evidence for your portfolio.

Ask yourself the following questions and indicate your response accordingly.	Yes	No	?	If you answer Yes , list examples of evidence you can provide
Do I monitor compliance with legislative requirements in accordance with organisational procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Compliance issues are resolved or referred in accordance with organisational policy and procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Do I promptly raise inadequacies in workplace procedures which may contribute to non-compliance and address them in accordance with organisational procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Do I report on compliance with legislative requirements, in accordance with organisational policy and procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Examples of evidence

The following list may provide guidance in identifying suitable evidence of your knowledge and skills.

- Information on your organisation's procedures on monitoring compliance with legislative requirements.
- Audits or workplace evaluations you have undertaken or been involved with.
- Details of compliance issues that have been resolved or referred on in accordance with organizational policy and procedures. (Note: please ensure that evidence provided does not provide personal, confidential or otherwise restricted information.)



Confirm self-assessment with supervisor

Discuss your self assessment with your supervisor or other support person. If you have answered **Yes** to a question you should be able to identify potential examples of evidence to support this. List details of the evidence that you can enclose in a portfolio to submit with this Booklet.

Reference number	Details of documents or other evidence that demonstrates your knowledge, skills and abilities.

If you have answered **No** to any of the above questions, or are unsure, or have been unable to identify sufficient suitable evidence, you could consider whether training, a work based activity or some other form of development would assist you in developing these skills.

The following work-based activity may assist in generating evidence for inclusion above.



Work-based activity: Monitor compliance with legislative requirements

Use the following checklist to identify how your agency monitors legislative compliance.



Activity checklist

What are your organisation's procedures for monitoring compliance with legislative requirements?	
What options exist within your organisation to refer matters relating to legislative compliance?	
What system do you have in place to monitor compliance?	
How successful have these strategies been?	
How have you resolved issues of non-compliance?	
	Third party confirmation: Signature: Date:


Range statement

The following information is taken from the Unit of Competency as outlined in the Public Sector Training Package (PSP04).

The range statement provides information about the context in which the unit of competency is carried out. The variables cater for differences between States and Territories and the Commonwealth, and between organisations and workplaces. They allow for different work requirements, work practices and knowledge. The range statement also provides a focus for assessment. It relates to the unit as a whole. Text in italics in the Performance Criteria is explained here.

<p><i>Legislation and guidelines may include</i></p>	<ul style="list-style-type: none">• public sector standards:<ul style="list-style-type: none">○ codes of conduct/ethics○ guarantee of service○ legislated standards○ State/Territory/Commonwealth/organisational standards○ technical/industrial standards○ professional standards○ industry competency standards○ anti-corruption legislation○ whistleblowers' protection.• public sector employment:<ul style="list-style-type: none">○ employee relations○ chief executive officer's instructions○ Commissioner's instructions○ public sector notices.• workplace environment:<ul style="list-style-type: none">○ equal employment opportunity○ affirmative action○ workplace diversity○ anti-discrimination○ workplace harassment○ occupational health and safety○ duty of care○ security, storage, handling and classification of documents.• financial management and accountability:<ul style="list-style-type: none">○ Treasurer's instructions○ contractual obligations.• transparency:<ul style="list-style-type: none">○ freedom of information○ professional reporting○ accountability○ fair trading.• business and community:<ul style="list-style-type: none">○ privacy○ trade practices
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	<ul style="list-style-type: none"> ○ competition ○ road transport legislation. ● information and records management standards and legislation ● the organisation's enabling legislation, regulations ● aspects of common law, criminal law, contract law, employment law and administrative law, including judges' rules ● international legislation/codes of behaviour.
<i>Consequences of non-compliance may include</i>	<ul style="list-style-type: none"> ● for individuals: <ul style="list-style-type: none"> ○ counselling ○ disciplinary action ○ transfer ○ demotion ○ dismissal ○ legal liability ○ fine. ● external consequences, for example: <ul style="list-style-type: none"> ○ to clients ○ customer service ○ to the organisation's reputation.
<i>Compliance strategies may include</i>	<ul style="list-style-type: none"> ● education ● mentoring ● coaching ● shadowing ● supervision ● taking disciplinary or legal action.
<i>Inadequacies in workplace procedures may include</i>	<ul style="list-style-type: none"> ● insufficient financial/other controls ● insecure Internet/fax access ● non-auditable records processes ● ambiguous guidelines ● no guidelines ● unnecessary complexity ● use of non-current legislation.

 **Third party report**

Third party reports provide supplementary evidence to support the recognition of your skills. Completed Third Party Reports can be referenced in your booklet and a copy placed in your portfolio of evidence. Copy this form if you require additional Reports. An electronic version in Microsoft Word format can be downloaded from <http://www.apsc.gov.au/rto/downloads.html>.

 **Candidate to complete:**

Dear <insert name of third party>,

In support of my seeking skills recognition I am requesting a third party report for the following Unit of Competency element.

<Candidate to write in element name>

I would appreciate your comments in relation to myself against the above criteria I would appreciate your return of the report to me on completion

Portfolio reference: _____

Candidate Name:.....Signature:.....

 **Third Party to complete:**

It would be appreciated if you could provide comments relating to the above-named Candidate for recognition against the criteria they have selected

Please provide your appraisal on the Candidate in the context of observed performance. Where possible please refer to relevant situations and examples of which you have observed or are aware.

Name:	Signature:
Position:	Date:
Relationship to Candidate: Indicate one (eg supervisor, manager, peer, other)	Duration: for months

If you have any queries about this process, please email the rto@apsc.gov.au
Additional information is available on the Australian Public Service Commission's RTO website:
<http://www.apsc.gov.au/rto/>

Feedback

The Australian Public Service Commission welcomes for comments, feedback and suggestions for improvement.

We hope you have had the opportunity to review this booklet and would especially appreciate your thoughts.

Please forward completed forms to:

National Recognition Coordinator
Level 5, 16 Furzer Street
PHILLIP ACT 2606
Facsimile: 02 6202 3799
Email: rto@apsc.gov.au

Please Note:

If you provide feedback, keep a copy for your evidence portfolio as it supports *PSPGOV405B Provide Input to change processes*.

Please tick / circle your answers

1. I found this Skill Recognition Booklet to be?

Difficult to use 1 2 3 4 5 Easy to use

2. What suggestions do you have to improve this Skills Recognition Booklet?

- 3 Other comments