

<b>UNIT CODE</b>	<b>PSPWPI0##</b>
<b>UNIT TITLE</b>	<b>Advise on Work Health and Safety legislative frameworks</b>
<b>APPLICATION</b>	<p>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 Work Health and Safety (WHS) and other relevant legislation.</p> <p>It applies to individuals working independently to provide this advice to others including parties working in a different place to the Advisers workplace. Those providing advice work independently while performing complex tasks in a range of familiar contexts.</p> <p>The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.</p> <p>No occupational licensing, certification or specific legislative or certificate requirements apply to this unit at the time of publication.</p>
<b>PREREQUISITE UNIT</b>	Nil
<b>COMPETENCY FIELD</b>	Workplace inspection
<b>UNIT SECTOR</b>	

<b>ELEMENTS</b>	<b>PERFORMANCE CRITERIA</b>
<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	<p>1.1 Source WHS legislation and other sources relevant to own organisation's jurisdiction and operations.</p> <p>1.2 Identify and confirm the application of the framework to own job role and the policies and procedures of own organisation.</p> <p>1.3 Locate and confirm in legislation the duties, rights and obligations of individuals and parties as specified in legislation.</p> <p>1.4 Determine legal requirements relevant to WHS in the workplace.</p>

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

FOUNDATION SKILLS	
<i>Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.</i>	
SKILLS	DESCRIPTION
Reading skills to:	<ul style="list-style-type: none"> <li>■ interpret and apply legislative requirements to regulatory operations.</li> </ul>
Writing skills to:	<ul style="list-style-type: none"> <li>■ document and report from observation and analysis within complex report structures</li> <li>■ collate and organise information to prepare reports.</li> </ul>
Oral communication skills to:	<ul style="list-style-type: none"> <li>■ communicate with audiences, requiring adaptation of style and language</li> <li>■ question to confirm understanding</li> <li>■ negotiate and diffuse and resolve conflict.</li> </ul>
Numeracy skills to:	<ul style="list-style-type: none"> <li>■ schedule compliance activities in accordance with required timeframes and parameters.</li> </ul>

Problem-solving skills to:	<ul style="list-style-type: none"> <li>■ investigate advise and report on compliance related issues</li> <li>■ use mediation</li> <li>■ undertake conflict resolution.</li> </ul>
Technology skills to:	<ul style="list-style-type: none"> <li>■ use information systems relevant to accessing legislation and related documents, including up dates and amendments.</li> </ul>
<b>UNIT MAPPING INFORMATION</b>	New unit.
<b>LINKS</b>	Companion Volume Implementation Guide

<b>TITLE</b>	Assessment Requirements for PSPWPI0## Advise on Work Health and Safety (WHS) legislative frameworks
<b>PERFORMANCE EVIDENCE</b>	<p>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:</p> <ul style="list-style-type: none"> <li>■ provide advice to an <ul style="list-style-type: none"> <li>○ internal stakeholder</li> <li>○ external workplace</li> </ul> </li> <li>■ refer an issue for legal advice and identify how that advice was used</li> <li>■ provide a workplace inspection report.</li> </ul>

<b>KNOWLEDGE EVIDENCE</b>	<p>Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:</p> <ul style="list-style-type: none"> <li>■ sources of information about WHS legislation and related legislation</li> <li>■ objectives and principles underpinning WHS legislation and related legislation</li> <li>■ relevant sections of Commonwealth and state or territory WHS Acts, regulations, codes of practice, standards, guidance material and other instruments including: <ul style="list-style-type: none"> <li>○ duties, rights and obligations of individuals and parties</li> <li>○ functions and powers of the WHS regulator, and how they are exercised</li> </ul> </li> <li>■ the relationship between; <ul style="list-style-type: none"> <li>○ relevant WHS ACT</li> <li>○ regulations</li> <li>○ codes of practice</li> <li>○ standards</li> <li>○ guidance material</li> <li>○ other legislation relevant to WHS</li> </ul> </li> <li>■ Organisation policies and procedures, and codes of conduct relating to <ul style="list-style-type: none"> <li>○ the role of an WHS Inspector or Advisor</li> <li>○ consultation and participation processes including record keeping and reporting requirements</li> </ul> </li> <li>■ work health and safety information systems (WHSIS) or other workplace information systems relating to the management and processes of WHS implementation in a workplace</li> <li>■ workplace policies, procedures, activities, processes and systems to support and promote compliance with WHS legislation and related legislation.</li> <li>■ systematic approaches to managing and complying with WHS legislation.</li> </ul>
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<b>ASSESSMENT CONDITIONS</b>	<p>Skills must be demonstrated in the workplace or in a simulated environment that reflects workplace conditions</p> <p>Simulated assessment environments must simulate the real-life working environment where the skills and knowledge within this unit would be utilised, with all the relevant equipment and resources of that working environment.</p> <p>Assessment must ensure access to:</p> <ul style="list-style-type: none"> <li>■ legislation, policy, procedures and protocols relating to, the organisation and workplace legislative compliance.</li> </ul> <p>Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.</p>
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LINKS	Companion Volume Implementation Guide
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