### RPL Standard



### CHCLEG003 – Manage legal and ethical compliance

### *This unit is clustered with HLTWHS004 Manage work health and safety and HLTINF004 Manage the prevention and control of infection, as all units have the performance requirement of the development of policies and procedures for work environments.*

**How to complete this form:**

Complete all areas in **blue** on the following pages by providing information on your previous skills and qualifications using the information below as a guide.

**Unit Description:**

This unit describes the skills and knowledge required to research information about compliance and ethical practice responsibilities, and then develop and monitor policies and procedures to meet those responsibilities.

### To gain RPL for this unit of competency the applicant must meet the following benchmarks along with providing evidence that their current level of knowledge and skills is

relevant to all performance criteria, knowledge and **performance evidence**. This unit applies to people working in roles with managerial responsibility for legal and ethical compliance in small to medium sized organisations. There may or may not be a team of workers involved.

**The applicant may provide evidence of the following to gain RPL for this unit:**

* The applicant must have industry experience within a health, community and/or fitness service where direct client contact is involved
* Applicants may have completed a similar unit within a health course where they have developed, implemented and reviewed policy and procedures for a business
* Applicates working in roles with managerial responsibility for legal and ethical compliance in small to medium sized organisations
* Provide evidence of developing strategic responses to breaches in legal or ethical requirements
* The applicant must demonstrate knowledge of all Performance Criteria, Essential Knowledge and Skills

### Evidence documents MUST include, but not limited to:

### Submission of a policy and procedure handbook that you have developed for a business or within a previous course or business

### Evidence of the development of strategic responses to a minimum of 3 different situations where legal or ethical requirements have been breached. This may be through the development of the policy and procedure handbook.

### Completion of ACFB e-learning quiz/oral questioning related to appropriate responses to ethical and legal requirements of a business

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### *Unit Evidence Description*



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| **Applicant Name** |  |  |  |



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| HLT42015 | | Certificate IV in Massage Therapy | | | **CHCLEG003** | **Manage legal and ethical compliance** | **Office Use only** | |
| HLT52015 | | Diploma of Remedial Massage | | |
| **Type of Unit:** Core | | | **Prerequisite:** None | | **Sufficient** | **F.E.R.** |
| **Elements / Performance Criteria** | | | | **EVIDENCE** *(Applicant; Explain in detail how your evidence relates to the required knowledge listed)* | | |  |  |
| 1. **Research information required for legal compliance** | | | | | | | | |
| 1.1 | Identify sources of information about compliance requirements | | |  | | |  |  |
| 1.2 | Evaluate own area of work and determine scope of compliance requirements | | |  |  |
| 1.3 | Access and interpret information relevant to area of work | | |  |  |
| 1.4 | Identify risks, penalties and consequences of non compliance | | |  |  |
| 1.5 | Assess and act on need for specialist legal advice | | |  |  |
| 1. **Determine ethical responsibilities** | | | | | | | | |
| 2.1 | Identify the ethical framework that applies to the work context | | |  | | |  |  |
| 2.2 | Incorporate scope of practice considerations as part of ethical practice | | |  |  |
| 2.3 | Evaluate responsibilities to workers, clients and the broader community | | |  |  |
| 2.4 | Model ethical behaviour in own work | | |  |  |

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| 1. **Develop and communicate policies and procedures** | | | | |
| 3.1 | Clearly articulate and document policies and procedures to support legal and ethical practice in readily accessible formats |  |  |  |
| 3.2 | Integrate documentation and record keeping requirements into policies and procedures |  |  |
| 3.3 | Ensure systems protect client information |  |  |
| 3.4 | Nominate the roles and responsibilities of different people in meeting requirements where multiple people are involved |  |  |
| 3.5 | Distribute policies, procedures and legal information to colleagues and peers in a timely fashion |  |  |
| 1. **Monitor compliance** | | | | |
| 4.1 | Evaluate work practices for non-compliance on an ongoing basis, and implement modifications |  |  |  |
| 4.2 | Maintain and update required accreditations or certifications |  |  |
| 4.3 | Refer issues or breaches of ethical or legal practice to relevant people |  |  |
| 1. **Maintain knowledge of compliance requirements** | | | | |
| 5.1 | Identify and use opportunities to maintain knowledge of current and emerging legal requirements and ethical issues |  |  |  |
| 5.2 | Share updated knowledge and information with peers and colleagues. |  |  |
| 5.3 | Pro-actively engage in process of review and improvement |  |  |

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| **Knowledge Evidence** | **EVIDENCE***(Applicant; Explain in detail how your evidence relates to the required knowledge listed)* | **Office Use Only** | |
|  | | **Sufficient** | **F.E.R.** |
| Legal responsibilities and liabilities of managers and others in different types of organisation |  |  |  |
| Legal and ethical frameworks (international, national state/territory, local), how these apply in the workplace, and the responsibilities of managers in the development and monitoring of policies and procedures, including those related to: | | | |
| Children in the workplace |  |  |  |
| Codes of practice |  |  |
| Codes of conduct |  |  |
| Complaints management |  |  |
| Continuing professional education |  |  |
| Discrimination |  |  |
| Dignity of risk |  |  |
| Duty of care |  |  |
| Human rights:   * Universal declaration of human rights * Relationship between human needs and human rights * Frameworks, approaches and instruments used in the workplace |  |  |

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| Informed consent |  |  |  |
| Mandatory reporting |  |  |
| Practice standards |  |  |
| Practitioner/client boundaries |  |  |
| Privacy, confidentiality and disclosure |  |  |
| Policy frameworks |  |  |
| Records management |  |  |
| Rights and responsibilities of workers, employers and clients |  |  |
| Industrial relations legislation and requirements relevant to organisation |  |  |
| Specific requirements in the area of work, including:   * Key practices that are prohibited by law * Auditing and inspection regimes * Main consequences of non-compliance * Need to apply for licences and associated mandatory training and certification requirements * Statutory reporting requirements * Business insurances required including public liability and workers compensation * Accreditation requirements * Requirements to develop and implement plans, policies, codes of conduct or incorporate certain workplace practices |  |  |  |
| Work role boundaries – responsibilities and limitations of different people |  |  |  |
| Work health and safety |  |  |  |

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| Sources of information and advice on compliance including:   * Local, state/territory or commonwealth government departments or regulatory agencies * Industry associations * Plain English documentation that explains legislation |  |  |  |
| Functions and operating procedures of regulatory authorities of particular relevance to the health and community service sectors |  |  |  |
| Methods of receiving updated information on requirements |  |  |
| Use of policies and procedures in managing compliance and ethical practice in both internal work practice and external service delivery |  |  |  |
| Formats for policies and procedures and what they should include |  |  |
| Techniques for monitoring compliance |  |  |

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| **Performance Evidence** | **EVIDENCE** *(This evidence will be collected via documents outlined on first page & oral questioning if required)* | **Office Use Only** | |
|  | | **Sufficient** | **F.E.R.** |
| Determined the scope of legal and ethical compliance requirements and responsibilities, and developed policies and procedures for at least 1 workplace or business | *This evidence will be collected via submission of documentation requested on the first page.* |  |  |
| Developed a strategic response to at least 3 different situations where legal or ethical requirements have been breached | *This evidence will be collected via submission of documentation requested on the first page.* |  |  |

**Office Use Only**

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| **RPL Outcome** | | | | |
| **RPL Achieved** | Yes □ | No □ | |
| **Further Evidence Required** | Yes □ | No □ | |
| **Further Evidence *(list of required evidence)*** | | | | |
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| *RPL Assessor Name:* | | | *Date:* | |