­CPC40120 Module 3 – Assessment 2.1   
**Assessment Cover Sheet**

**The Cover Sheet must be completed before you start your assessment.**

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| --- | --- | --- | --- |
| **Student Surname** | McLovin | **Student Given Name** | Jack |
| **Qualification** | CPC40120 CertIV of Building and Construction (Building) | | |
| **Module of Study** | Module 3 | | |
| **Assessment Name** | Activity 2.1 - Establishing Legal Requirements | | |
| **Trainer Name** | Yaser Farag | | |

# Student Statement

Plagiarism is a form of cheating. It is taking and using someone else’s thoughts or writings and representing them as your own. Plagiarism is a serious act and may result in a participant’s exclusion from a Unit of Competency or a course. This in turn may require for students to pay to re-complete the module or course at a later date.

The following list outlines some of the activities for which a participant can be accused of plagiarism:

1. Presenting any work by another individual as one’s own unintentionally
2. Handing in assessments markedly similar to or copied from another student
3. Presenting the work of another individual or group as their own work.
4. Handing up assessments without the adequate acknowledgement of sources used, including assessments taken totally or in part from the internet.

Many of the workbook activities are ‘open book’ yet should still be conducted under test conditions without consultation with other students. If you are unsure of any assessment requirements you should check with your Trainer / Assessor.

By submitting this assessment electronically you declare that all work for assessment tasks submitted for this assessment is your own with no part of any assessment being copied/plagiarised from another person’s work, except where authorised and listed / referenced.

**Business Profile (Part A)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Business Name: | | *Builders Academy Australia* | | | |
| State of Operations: | | *VIC* | | | |
| Project Title: | | *BAA Retail Development* | | | |
| Legal Structure | | *Company – Pty Ltd* | | | |
| Key Operational Activities: | | *Teaching the language required for staff and contractors to know and managing the time in which they use such language in an employment profession* | | | |
| **Compliance Frameworks** | | | | | |
| **Area of Consideration** | **Frameworks** | | **Application** | **Policies and Procedures Required** | **Record Keeping** |
| *One per row*  *Include all federal and/or state/territory legislation, regulation, codes of practice, best practice or standards* | | *One response per framework*  *REMEMBER: Your application must relate to domestic building and the specific project in your State or Territory* | *At least one for each area of consideration*  *Identify the key elements of each required policy and procedures* | *At least one requirement for each area of consideration* |
| Consumer legislation including: |  | |  |  |  |
| * negotiating, creating and terminating contractual arrangements | Fair Work Act Independent Contractors Act  Corporations Act (director breach) | | Contracting full time employees  contracting sub-contractors  contractors suppliers  contract between builder and client | Workplace induction policy – preparation for safety  purchasing policy – terms of purchase  privacy policy - confidentiality  dispute resolution policy – mediation  consumer protection policy – rights given to the client | 10 years structural warranty  installation warranty  keep a record of conversations surrounding pre-contractual arrangements and contract signing |
| * investigating and securing procurement rights relating to products and/or services (both for providing your products and services, and obtaining products and services from others) | ACL, Competition and Consumer Act 2010 | | Procuring and obtaining products | Quality Assurance Policy, Product Testing Policy, Supplier Evaluation Policy  Service Level Agreement Policy | What products pass what tests, and by what margin |
| * identifying options for leasing or owning business premises | Retail Leases Act 2003, Property Law, Local Zoning and Planning Regulations | | Determining residential vs commercial vs rural | Property Portfolio Management Policy | What was bought when and from whom, where and why (history of property) |
| Industrial relations | Modern Awards  Enterprise Agreements | | Establishing expectations for employee behaviour | Workplace Code of Conduct and Ethics | Who has signed what policies, and what feedback management has of their congruence to them |
| Taxation | Corporations Act | | Saving money and government reimbursements | Tax Compliance Police  Transfer Pricing Policy | How much tax was paid when and what for |
| **Area of Consideration** | **Frameworks** | | **Application** | **Policies and Procedures Required** | **Record Keeping** |
| Maintaining information and record security and accessibility | Privacy and Data Protection Act 2014 | | Preventing data breaches | Privacy Policy | Maintaining a record of confidentiality – who has access to what, for in the case of a breach |
| Environment and sustainability including corporate sustainability | Environment Protection and Biodiversity Conservation Act 1999 | | Ensuring ecosystem health | Environmental Management Policy | What chemicals are being released into what areas with what safety margins |
| Registration and licensing requirements | ABN, ACN, VBA, AFS License | | Registering a company or business | Building Code and Regulatory Compliance Policy | Document the registration numbers, names, dates, and reporting requirements |
| Work Health and Safety (WHS) | Work Health and Safety Act 2011 | | Worker safety | WHS Policy | PPE usage and incident reports |
| Insurance cover | Insurance Contracts Act 1984  APRA Prudential Standards | | Preventing loss in case of liability | Insurance Coverage Policy,  Claims Handling and Reporting Policy | What assets the company owns and what damage has been done in a loss |
| Risk management including: |  | |  |  |  |
| * Identifying risks | ISO 31000 | | Knowing what could go wrong | Risk Identification Policy | Risk ID process |
| * Assessment of risks | ISO 31000 | | Knowing what may or may not have gone wrong | Risk Assessment Policy | Criteria for assessing risks |
| * Prioritisation of risks | ISO 31000 | | Knowing what problems come first | Risk Prioritisation and Scoring Policy | Risk scores and rationale for assigning scores |
| * Treatment of risks | ISO 31000 | | Knowing what to do with the current assessment of risks | Risk Treatment and Mitigation Policy | Treatment strategies and action plans |
| * Review of risks | ISO 31000 | | Maintaining an acceptable level of risk treatment | Risk Monitoring and Review Policy | Ongoing review dates and findings and adjustments made thereafter |

**Business Profile (Part B)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Existing Policies and Procedures** | **Legal Framework associated with Policy** | **Currency** | **Completeness** | **Accuracy** |
| **BAA\_Consumer Protection Policy** | *Australian Consumer Law* | *Up to 2010*  *- current* | *Limited but to the essentials* | *Will meet state and federal governments rigorous expectations* |
| **Record-Keeping-Policy** | *Corporations Act* | *No room for signing by contractor and witness upon reading* | *Soil Report, and Drawings included* | *Drawings made by Civil engineer and checked by secondary.* |
| **WHS Policy** | *Work Health Safety Act* | *Up to OHS Act 2004 – should be 2011* | *Sections missing, and only one region of discussion* | *Hazard reporting should be incident reporting, other things wrong too.* |
| **Compliance with existing policies and procedures** | *Corporations Act* | *Complies if Builder Unlimited – however should be updated as of new Acts* | *Completes the task at hand, but not up to compliance* | *All policies congruent as they all relate to their respective components* |

1.12 – COVID Screening and Vaccinations – employees and contractors must be vaccinated and require testing upon returning to work after sick leave

1.13 – Evidence of Compliance – employees and contractors must sign below with a (non-interested party) witness to show they have read and will comply with the OHS/WHS Policy