

CHASE YOUR

CALLING.

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Session One

Introduction & Overview

CHCLEG003 Manage Legal and Ethical Compliance
CHC52015: Diploma of Community Services



I would like to begin by acknowledging the Traditional Custodians of the land on which we meet today.

I pay my respects to their Elders past, present and emerging.

I would also like to acknowledge everyone who has joined us here today.





Assessments

- Assessment No 1: Questioning
 - Due in week 4 – 02.03.2023
 - Refer to your assessment guide
- Assessment No 2: Questioning
 - Due in week 7 – 23.03.2023
 - This is in a form of a class activity
 - Refer to your assessment guide
- Assessment No 3: Report
 - Due in week 11 – 04.05.2023
 - Refer to your assessment guide

Manage legal & ethical compliance

- Why do you think we need to teach you this unit?
- What is the purpose of this unit?
- What is the relevance of legal and ethical compliance within the community services sector?
- What do you want to learn from this unit?
- Discuss



- 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.

Elements

1. Research information required for legal compliance.
2. Determine ethical responsibilities.
3. Develop and communicate policies and procedures.
4. Monitor compliance.
5. Maintain knowledge of compliance requirements

Law

- What is law?
- Why do we have laws?
- Have you had any experience with law?
 - only discuss if you feel comfortable
- Discuss

10 The Commonwealth of Australia is a constitutional monarchy: the States federated in 1901

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The official photograph of the Queen and her husband to mark the diamond jubilee of her accession to the throne on 6th February 1952 – in 2012 60 years doing the same job!

www.dailymail.co.uk/travel/article-2097121/Queens-Diamond-Jubilee-Plans-river-pageant-unveiled-1m-expected-line-route.html?ito=feeds-newsxml

- States

- New South Wales
- Victoria
- Queensland
- South Australia
- Western Australia
- Tasmania

- Territories

- Northern Territory
- Australian Capital Territory
- Islands: Norfolk, Christmas, Cocos

Constitution of Australia

- The States formed a federation in 1901 and divided up powers between the Commonwealth and the States according to the constitution.
- Sometimes the States agree not to exercise their constitutional powers and let the Commonwealth take over the function alone in return for agreed benefits, for example income tax.

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Three levels of governments

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Australia is a constitutional monarchy
but the Queen doesn't live in Australia

Level	Type	Head
1	Commonwealth	Governor General
2	State	Governor
	Territory	Administrator
3	Local: city or shire	Mayor

Three types of laws from each level of government

Level	Law making authority	Type of law	Judiciary
Commonwealth (Federal)	Parliament of Australia	Federal law	High Court Federal Court Family Court
State / Territory	State or Territory Parliaments	State law or Territory law	Magistrates Court County Court or District Court Supreme Court
Local council or shire	Local council with limitations from the State or Territory	By-laws	Magistrates Court

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Australian Legal System

Watch: How laws are made - Courts

<https://www.youtube.com/watch?v=Vb9JjncNq3k>

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Laws from each level of government

Level	Type of law	Examples of laws at each level
Commonwealth (Federal)	Federal law	Family Law Social Security Law Income Tax Law
State / Territory	State law or Territory law	Child Protection Laws Criminal Law Traffic Laws OHS Laws
Local council or shire	By-laws	Parking Laws, Laws about pets such as dogs. Use of public spaces such as parks

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ARE MEMES



LEGAL?

“A system of rules and principles, formally created, which governs specified areas of human activity.”

Bates et al (1985) The Australian Social Worker and the Law, 2nd ed, Law Book Co. p.1

Australian legal system

- Discuss what you know about the Australian legal system
- Constitution
- Referendum
- Plebiscite
- Head of Australia
- Levels of Government
- Elections

Australian Parliaments: Structure and Functions

- Commonwealth
- Parliament

Queen's Representative

Governor General

Upper House (76)

Senate

Lower House (150)

House of
Representatives

- Victorian
Parliament

Queen's Representative

Governor

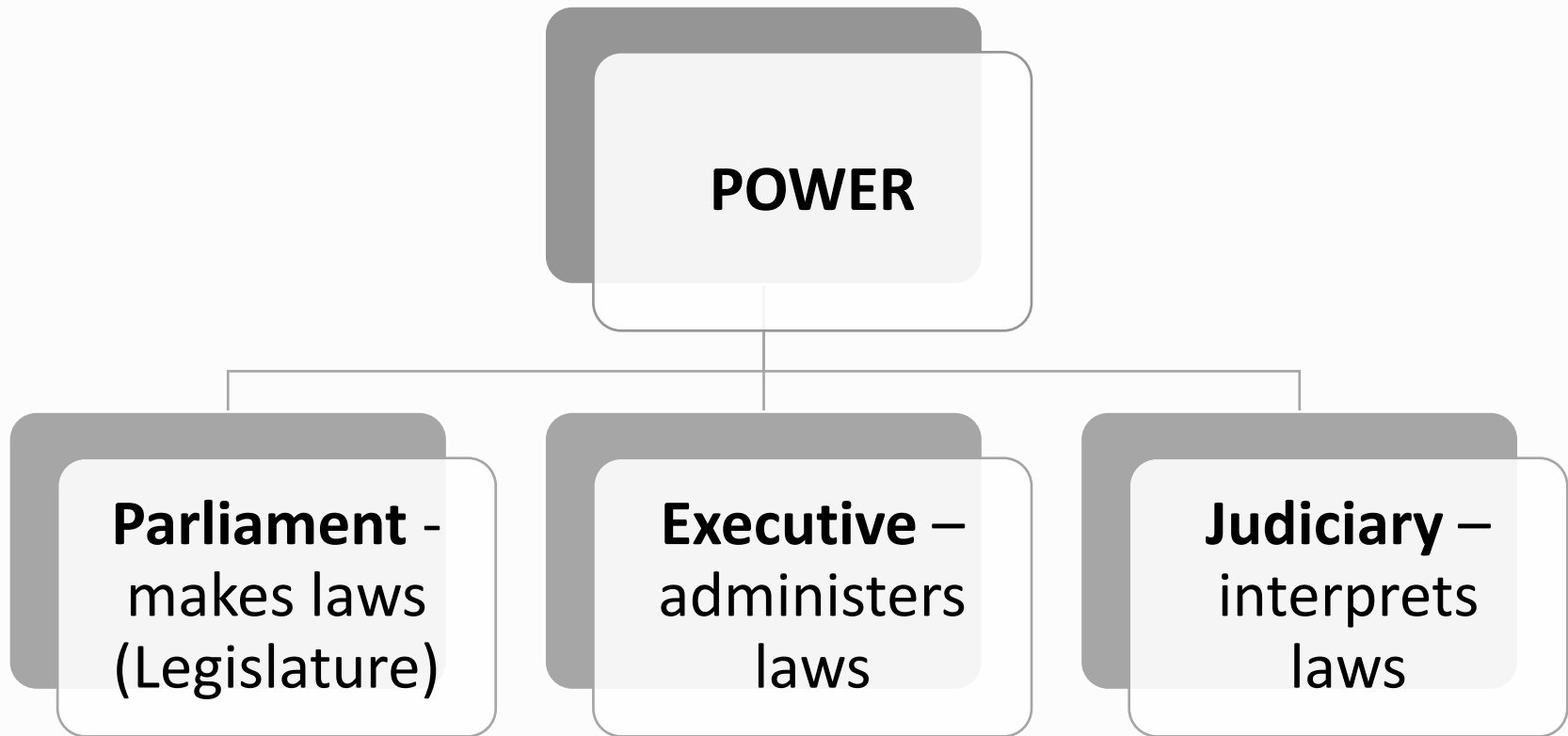
Upper House (40)

Legislative Council

Lower House (88)

Legislative Assembly

Separation of Powers



What are rights?

- **“...generally a benefit or claim entitling a person to be treated in a certain way.”**
- In terms of the rights of clients of community services organisations –the term rights may be used to describe the fundamental and basic entitlements or expectations of the person (and others) in relation to the way an organisation operates, how it treats people and the services it provides.

Rights & Community service organisations

- How do community services organisation's and workers assist service users to find out about and understand what their rights are?

- Know that they exist and comply with them
- Inform clients –through written information such as client charters and service information
- Inform clients -through verbal information such as explaining in appropriate language at appropriate times and giving examples
- Refer service users to other workers/organisations, if necessary,
- Refer service users to other workers/organisations, if necessary, to help them understand and protect their rights.
- Why do community service organisations need to do all this for the service users?

Legal compliance



... Next session

- Information required for legal compliance
- Evaluating your work area
- Breaches of compliance
- Compliance and seeking specialist legal advice

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