CHCLEG003

Manage legal and ethical compliance

LEARNING ACTIVITY BOOKLET

(Trainer Copy)

Copyright

Version Control & Document History

Date	Summary of Modifications	Version
29 April 2022	Version 1.0 released for publishing	1.0
28 August 2023	Version 1.1 endorsed for use Fixed wording issues	1.1
5 March 2024	Version 1.2 endorsed for use	1.2

Table of Contents

Overview

CHCLEG003 - Manage legal and ethical compliance (Release 1)

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.

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 skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand standards and industry codes of practice.

A complete copy of the above unit of competency can be downloaded from the TGA website:

https://training.gov.au/Training/Details/CHCLEG003

Trainer Instructions

This Learning Activity Booklet contains formative activities that learners will complete in the classroom or a similar environment.

These formative activities include knowledge questions to test learners' underpinning generic knowledge and practical activities to test their skills relevant to the unit/s of competency.

These formative assessments are used by trainers to complement both the learning and training processes, and to evaluate how learners are progressing throughout these processes.

IMPORTANT:

The completion of the formative assessments and learning activities included in this workbook DOES NOT lead to a Qualification or a Statement of Attainment (SOA).

Reasonable adjustment applies here, and while the majority of learners will complete this assessment as a written assessment, verbal assessment may be an option for those who need it. The assessor must use the marking guide as the principal marking tool unless a reasonable adjustment is demonstrated.

The Learning Activity Booklet (Trainer Copy) provides model answers to all the questions, setting out which key responses must be included as well as indicating where flexibility is acceptable.

The number of responses required is specified in each assessment task to avoid ambiguity. In these cases, the model answer will provide a list of possible answers. For instance, if a question requires the learner to list three examples, then their response must include three of the items listed in the model answer.

Learner Instructions

This Learning Activity Booklet contains formative activities that learners will complete in the classroom or a similar environment.

These formative activities include knowledge questions to test your underpinning generic knowledge and practical activities to test your skills relevant to the unit/s of competency.

These formative assessments are used by your trainer to complement both the learning and training processes, and to evaluate how you are progressing throughout these processes.

You may reference your Learner Guide and other learning materials to complete the activities included in this workbook.

IMPORTANT:

The completion of the formative assessments and learning activities included in this workbook DOES NOT lead to a Qualification or a Statement of Attainment (SOA).

Learner Information

Learner name	
Phone	
Email	

Trainer Information

Trainer name	
RTO name	
RTO phone	
RTO email	

Resources Required

Resources needed to complete activities included in this workbook include:

- Computer with Internet, email access, and a working web browser
- Installed software: MS Word, Adobe Acrobat Reader
- Learner guide

Work Health and Safety

Both the trainers and learners have duty of care in ensuring that the learning environment is free from hazards that may pose risks to their health and safety.

According to WHS legislation, trainers and learners must take reasonable care while undertaking the activities included in this workbook in the learning environment.

Reasonable Adjustment

'Reasonable adjustment' in VET is the term applied to modifying the learning environment or making changes to the training delivered to assist a learner with a disability. A reasonable adjustment can be as simple as changing classrooms to be closer to amenities or installing a particular type of software on a computer for a person who has low vision.

Why make a reasonable adjustment?

We make reasonable adjustments in VET to make sure that learners with disability have:

- The same learning opportunities as learners without disability, and

- The same opportunity to perform and complete assessments as those without disability.

Reasonable adjustment applied to participation in teaching, learning, and assessment activities can include:

- Customising resources and assessment activities within the training package or accredited course

- Modifying the presentation medium

- Learner support

- Use of assistive/adaptive technologies

- Making information accessible both before enrolment and during the course

- Monitoring the adjustments to ensure learner needs continue to be met

Assistive/Adaptive Technologies

Assistive/adaptive technology means 'software or hardware that has been specifically designed to assist persons with disability in carrying out daily activities' (World Wide Web Consortium - W3C). It includes screen readers, magnifiers, voice recognition software, alternative keyboards, devices for grasping, visual alert systems, and digital note-takers.

(Adapted Reasonable Adjustment in teaching, learning and assessment for learners with a disability - November 2010 - Prepared by - Queensland VET Development Centre)

IMPORTANT:

Reasonable adjustment made for collecting learner assessment evidence must not impact the standard expected by the workplace, as expressed by the relevant unit/s of competency. For example, if the assessment were gathering evidence of the learner's competency in writing, allowing the learner to complete the assessment verbally would not be a valid assessment method. The method of assessment used by any reasonable adjustment must still meet the competency requirements.

Contextualisation

Contextualisation is the process of modifying assessment tools to make learning more meaningful for your students and their employers.

Harvard Management Institute Pty Ltd. highly recommends that your RTO contextualise the assessment tools before using them.

You must contextualise the assessment tools to suit:

- Your student's needs
- Your RTO's training and assessment processes
- The work and industry context in which you operate

Contextualising for your state and territory

The contents of this assessment tool are not written for a specific state and territory unless stated otherwise. Where the assessment tool refers to legislation and other industry requirements, which may vary across states and territories, model answers are based on one state and territory.

Should your RTO intend to use this assessment tool for learners from your state/territory, Harvard Management Institute Pty Ltd. recommends you to:

- Access and review the legislation and industry requirements applicable in your state and territory.
- Update assessments and benchmark answers to reflect the legislation and industry requirements applicable in your state and territory.

When you are contextualising assessment tools, you must ensure that you retain the integrity of the assessment and the outcomes of the unit of competency.

Formative Activities

I. Research Information Required for Legal Compliance

Activity 1.1

Matching Type

Listed below are different topics of legal compliance requirements.

    a. Discrimination

    b. Duty of Care

    c. Privacy, Confidentiality and Disclosure

    d. Mandatory Reporting

    e. Records Management

Match each to the corresponding legal compliance requirement described below, by writing the letter that corresponds to your answer in the space provided.

Mapping: CHCLEG003 PC1.2 (p), KE2.6 (p), KE2.8 (p), KE2.11 (p), KE2.14 (p), KE2.16 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 1, Subchapter 1.2

		Legal Compliance Requirements
c	i.	Clients must be promptly informed of how the organisation will use their personal information.
b	ii.	Workers in charge of supervising clients are responsible for protecting their clients from risks of harm.
d	iii.	Employees whose roles involve working with children must report suspected cases of child abuse and neglect.
e	iv.	Workers must follow policies and procedures when disposing of or destroying any records kept by the organisation.
a	v.	Organisations must provide equal access to all who need to avail of their services.

Activity 1.2

List down four types of penalties for non-compliance.

Mapping: CHCLEG003 PC1.4 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 1, Subchapter 1.4, Section 1.4.2

Marking guide

The learner must list down four types of penalties of non-compliance.

Responses may vary. However, for a satisfactory performance, the candidate must demonstrate sufficient knowledge of the types of penalties for non-compliance. Penalties are sanctions imposed by authorities on organisations that are deemed non-compliant with legislation. Examples of satisfactory responses are stated below.

i.	Monetary fines
ii.	Suspension
iii.	Termination
iv.	Criminal prosecution

II. Determine Ethical Responsibilities

Activity 2.1

True or False

Review the statements below about scope of practice considerations in relation to ethical practice. Indicate whether each statement is True or False.

Tick the box that corresponds to your answer.

Mapping: CHCLEG003 PC2.2 (p)		
Learner guide reference: CHCLEG003 Learner Guide, Chapter 2, Subchapter 2.2		
☐ TRUE ☒ FALSE	i.	Rank and file workers may be placed in charge of supervising the overall implementation of programs in a service.
☐ TRUE ☒ FALSE	ii.	Only an organisation's director may liaise with clients' families.
☒ TRUE ☐ FALSE	iii.	Service workers need to know about ethical practice because their scope of practice involves interacting with and providing care for clients.
☒ TRUE ☐ FALSE	iv.	A worker's scope of practice will dictate what tasks they are qualified and permitted to perform based on their qualifications.
☐ TRUE ☒ FALSE	v.	Managing compliance with legal requirements is the responsibility of the clients of a service.

Activity 2.2

List down four ways to model ethical behaviour at work.

Mapping: CHCLEG003 PC2.4 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 2, Subchapter 2.4

Marking guide

The learner must list down four ways to model ethical behaviour at work.

Responses may vary. However, for a satisfactory performance, the candidate must demonstrate sufficient knowledge of the ways to model ethical behaviour at work. Modeling ethical behaviour involves showing compliance with ethical codes, standards and principles in one's own work role. Examples of satisfactory responses are stated below.

i.	Follow staff policies and procedures on work ethics.
ii.	Encourage sharing of opinions and problems.
iii.	Take responsibility for own actions.
iv.	Treat employees fairly and equally.

III. Develop and Communicate Policies and Procedures

Activity 3.1

Matching Type

Listed below are different parts of an organisational policy.

a. Statement of purpose

b. Scope

c. Background

d. Restrictions

e. Attachments

Match each to their description below, by writing the letter that corresponds to your answer in the space provided.

Mapping: CHCLEG003 PC3.1 (p), KE7.0 (p)		
Learner guide reference: CHCLEG003 Learner Guide, Chapter 3, Subchapter 3.1, Section 3.1.2		
	Description	
a	i.	This part states what the policy is trying to achieve.
e	ii.	This part lists down workplace documents needed to comply with the policy.
c	iii.	This part identifies legislation and guidelines that serve as bases for the policy.
d	iv.	This part describes acceptable or unacceptable behaviour based on the policy.
b	v.	This part lists down persons to whom the policy will apply.

Activity 3.2

Explain the difference between documentation requirements and record keeping requirements.

Mapping: CHCLEG003 PC3.2 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 3, Subchapter 3.2

Marking guide

The learner must explain the difference between documentation requirements and record keeping requirements.

For a satisfactory performance, although the wording may slightly vary, their response must be consistent with the benchmark answer below.

Documentation requirements relate to details of activities, incidents and events that must be recorded. Record keeping requirements include the general information that you have to collect from employees and clients to support the operations of the service.

IV. Monitor Compliance

Activity 4.1

Matching Type

Listed below are techniques for monitoring compliance.

    a. Audit

    b. Risk assessment

    c. Inspections and walkthroughs

    d. Reporting

    e. Feedback

Match each to their description below, by writing the letter that corresponds to your answer in the space provided.

Mapping: CHCLEG003 PC4.1 (p), KE8.0 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 4, Subchapter 4.1, Section 4.1.1

		Description
b	i.	This is the process of identifying workplace hazards and evaluating their associated risks.
a	ii.	This refers to a comprehensive review of all compliance areas related to the service.
d	iii.	In this process, employees inform their managers of compliance issues they find in the workplace.
e	iv.	This includes opportunities for employees to talk to their managers and give suggestions and opinions about compliance practices.
c	v.	This is done by observing different activities within a workday or workweek and taking notes.

Activity 4.2

List down the common stages in an accreditation process.

Mapping: CHCLEG003 PC4.2 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 4, Subchapter 4.2, Section 4.2.1

Marking guide

The learner must list down the common stages in an accreditation process.

For a satisfactory performance, although the wording may slightly vary, their responses must be consistent with the benchmark answers below.

i.	Internal evaluation
ii.	Notice from the regulatory authority
iii.	Audit and inspection
iv.	Initial assessment and feedback
v.	Final report and accreditation

V. Maintain Knowledge of Compliance Requirements

Activity 5.1

True or False

Review the statements below about current and emerging legal requirements and ethical issues. Indicate whether each statement is True or False.

Tick the box that corresponds to your answer.

Mapping: CHCLEG003 PC5.1 (p)		
Learner guide reference: CHCLEG003 Learner Guide, Chapter 5, Subchapter 5.1		
☒ TRUE ☐ FALSE	i.	Emerging legal requirements are new requirements that result from updates in legislation.
☒ TRUE ☐ FALSE	ii.	Industry publications may contain information about updates to legal and ethical requirements.
☒ TRUE ☐ FALSE	iii.	Using outdated information on requirements may put your service at risk of non-compliance.
☐ TRUE ☒ FALSE	iv.	The Fair Work Ombudsman provides information on updates to human rights principles.
☐ TRUE ☒ FALSE	v.	Regulatory authorities can only provide organisations with updated legal requirements during designated assessment periods.

Activity 5.2

List down three kinds of updated knowledge and information that you can share with peers and colleagues.

Mapping: CHCLEG003 PC5.2 (p)

Learner guide reference: CHCLEG003 Learner Guide, Chapter 5, Subchapter 5.2

Marking guide

The learner must list down three kinds of updated knowledge and information that they can share with peers and colleagues.

For a satisfactory performance, although the wording may slightly vary, their responses must include three of the following:

- Developments in policies
- Changes in processes, practices and procedures
- Legislative amendments
- Emerging trends and best practices
- Strategies for addressing non-compliance
- Updates on organisational compliance
- Workplace information and resources

i.	
ii.	
iii.	

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