

MTMPSR5606B Monitor legal requirements and business compliance

Unit descriptor	This unit covers the skills and knowledge required to monitor management's legal responsibilities in the operation of the business and the provision of goods and services. It includes working with enterprise personnel and monitoring and reviewing systems to achieve compliance.
Employability Skills	The required outcomes described in this unit of competency contain applicable facets of Employability Skills. The Employability Skills Summary of the qualification in which this unit of competency is packaged will assist in identifying Employability Skill requirements.
Application of the unit	This unit is appropriate for all managers with responsibility for production safety, OH&S, Human Resources, environmental or financial management systems and functions, in all sectors of the meat industry.

ELEMENT

Elements describe the essential outcomes of a Unit of Competency.

PERFORMANCE CRITERIA

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

1	Gather legal information required for business compliance	1.1	Relevant legal information is gathered and analysed.
		1.2	Expert advice is sought when required.
		1.3	Employer and employee obligations and responsibilities are clearly explained to the team.
2	Monitor enterprise compliance	2.1	Workplace policies, systems and controls are developed according to enterprise and <i>legal requirements</i> .
		2.2	Mentoring and training is provided to assist team compliance.
		2.3	Workplace policies, procedures and systems are monitored for compliance with legal requirements.
		2.4	Non-compliance is analysed and corrective actions to prevent future non-compliance are determined.
3	Improve enterprise compliance	3.1	Feedback on compliance record is provided to stakeholders.
		3.2	Control systems are reviewed and improved.

	3.3	Legal information is updated regularly.
4	Report enterprise compliance	<p>4.1 Records relating to systems, training, communication and non-compliance with legal requirements are maintained and secured.</p> <p>4.2 Compliance reports are prepared for internal personnel.</p> <p>4.3 Non-compliance incidents are recorded and reported to relevant internal personnel and external authorities in a timely manner.</p> <p>4.4 Compliance reports and enterprise representations are prepared for external authorities.</p>

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge required for this unit. Where bold italicised text is used, further information is detailed in the Range Statement.

- Access relevant *mathematical information*.
- Analyse and update legal information through independent research and/or professional development.
- Apply legal concepts including duty of care, to the development and implementation of enterprise operations and systems.
- Apply *teamwork strategies* to foster stakeholder commitment and compliance with legal requirements.
- *Communicate* legal information and requirements to all stakeholders, in a language and style suitable for the purpose and audience.
- Determine corrective actions appropriate for the circumstances.
- Determine the responsibilities and liabilities of managers, directors, owners and employees and the consequences of non-compliance.
- Identify and apply relevant *OH&S* and *workplace requirements*.
- Identify enterprise requirements for specialist legal advice.
- Identify *sources of legal information*.
- Interact and communicate with external authorities in a professional and open manner.
- Interpret monitoring data and prepare compliance reports.
- Maintain and secure records and record keeping systems to meet legal or statutory requirements.
- Present reports according to legal and enterprise requirements.
- Promptly report non-compliance to relevant external authorities and enterprise personnel.
- Take action to improve own work practice as a result of self-evaluation, feedback from others' or in response to changed work practices or technology.

RANGE STATEMENT

The Range Statement relates to the Unit of Competency as a whole. It allows for different work environments within the meat industry and situations that may affect performance. This includes any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts. Bold italicised wording in the Elements and Performance Criteria, and Required Skills and Knowledge, is detailed below.

Legal requirements may include:

- ANZ risk management standards
- ANZ compliance standards
- Australian Standards
- commercial law including fair trading, banking, trade practices, insurance, contracts, patents, copyright, trademarks, sale of goods, procurement rights
- consumer law
- corporate law, including registration, licensing, financial reporting, liability, partnerships
- environmental and waste management
- equal opportunity, anti-discrimination and sexual harassment
- export regulations
- food standards and food safety including industry licensing and registration, processing and transporting of meat for human consumption, food safety, labelling of ingredients etc
- industrial awards, agreements
- OH&S regulations
- superannuation
- taxation
- traineeship requirements.

Mathematical information may be complex and relate to product and product quality, financial operations, personnel, operations, sales and turnover, exports etc.

Teamwork strategies may include:

- applying knowledge of own role as part of a team
- coaching, mentoring and giving feedback
- identifying and utilising the strengths of team members
- working with diverse individuals and groups.

Communication may:

- be with company personnel, legislators, internal and external auditors, customers, clients, government representatives, lawyers, inspectors from a range of social, cultural and ethnic backgrounds
 - involve the reading, analysis and interpretation of complex legal information
 - require analysis and presentation of complex concepts, technical information, mathematical information and other data in simple or complex formats
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- require the establishment of information networks
 - require the preparation of complex reports, containing information from a range of technical sources and include mathematical and graphical information and data
 - require the use of assertiveness, persuasion and negotiation skills.
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OH&S requirements may include:

- enterprise OH&S policies, procedures and programs
 - OH&S legal requirements
 - Personal Protective Equipment (PPE) which may include:
 - coat and apron
 - ear plugs or muffs
 - eye and facial protection
 - head-wear
 - lifting assistance
 - mesh apron
 - protective boot covers
 - protective hand and arm covering
 - protective head and hair covering
 - uniforms
 - waterproof clothing
 - work, safety or waterproof footwear
 - requirements set out in standards, codes of practice etc.
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Workplace requirements may include:

- enterprise ethical standards, values and obligations
 - enterprise-specific procedures
 - standard operating procedures
 - work instructions.
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Sources of legal information may include:

- courts, including industrial, civil and criminal courts
 - employer associations and unions
 - government departments, agencies and statutory bodies
 - industry associations
 - official web sites containing Acts, regulations, food standards etc.
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EVIDENCE GUIDE

The Evidence Guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for this Training Package.

Overview of assessment	<p>The meat industry has specific and clear requirements for evidence. A minimum of three forms of evidence is required to demonstrate competency in the meat industry. This is specifically designed to provide evidence that covers the demonstration in the workplace of all aspects of competency over time.</p> <p>These requirements are in addition to the requirements for valid, current, authentic and sufficient evidence.</p> <p>Three forms of evidence means three different kinds of evidence – not three pieces of the same kind. In practice it will mean that most of the unit is covered twice. This increases the legitimacy of the evidence.</p> <p>All assessment must be conducted against Australian meat industry standards and regulations.</p>
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Competency must be demonstrated through sustained performance over time, at an appropriate level of responsibility and authority under typical operating and production conditions for the enterprise.</p>
Context of and specific resources for assessment	<p>Assessment must occur in the workplace under normal production conditions.</p> <p>Resources may include:</p> <ul style="list-style-type: none"> • real work environment. • relevant documentation such as: <ul style="list-style-type: none"> — manufacturer’s instructions or operations manuals — regulatory requirements — workplace policies and procedures • relevant equipment and materials.
Method of assessment	<p>Recommended methods of assessment are:</p> <ul style="list-style-type: none"> • a third party referee report of sustained performance at appropriate level of authority and responsibility • assignment focusing on understanding and application of principles and theory to workplace operations • workplace projects with focus on company environment and conditions. <p>Assessment practices should take into account any relevant language or cultural issues related to Aboriginality, gender, or language backgrounds other than English. Language and literacy demands of the assessment task should not be higher than those of the work role.</p>
Guidance information for assessment	<p>Resource materials are available from MINTRAC, telephone 1800 817 462.</p>