**BSBWHS402**

**Assist with compliance with WHS laws**

**Learner Workbook**

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# Instructions to Learner

### Assessment instructions

Overview

Prior to commencing the assessments, your trainer/assessor will explain each assessment task and the terms and conditions relating to the submission of your assessment task. Please consult with your trainer/assessor if you are unsure of any questions. It is important that you understand and adhere to the terms and conditions, and address fully each assessment task. If any assessment task is not fully addressed, then your assessment task will be returned to you for resubmission. Your trainer/assessor will remain available to support you throughout the assessment process.

Written work

Assessment tasks are used to measure your understanding and underpinning skills and knowledge of the overall unit of competency. When undertaking any written assessment tasks, please ensure that you address the following criteria:

* Address each question including any sub-points
* Demonstrate that you have researched the topic thoroughly
* Cover the topic in a logical, structured manner
* Your assessment tasks are well presented, well referenced and word processed
* Your assessment tasks include your full legal name on each and every page.

Active participation

It is a condition of enrolment that you actively participate in your studies. Active participation is completing all the assessment tasks on time.

Plagiarism

Plagiarism is taking and using someone else's thoughts, writings or inventions and representing them as your own. Plagiarism is a serious act and may result in a learner’s exclusion from a course. When you have any doubts about including the work of other authors in your assessment, please consult your trainer/assessor. The following list outlines some of the activities for which a learner can be accused of plagiarism:

* Presenting any work by another individual as one's own unintentionally
* Handing in assessments markedly similar to or copied from another learner
* Presenting the work of another individual or group as their own work
* Handing in assessments without the adequate acknowledgement of sources used, including assessments taken totally or in part from the internet.

If it is identified that you have plagiarised within your assessment, then a meeting will be organised to discuss this with you, and further action may be taken accordingly.

Collusion

Collusion is the presentation by a learner of an assignment as their own that is, in fact, the result in whole or in part of unauthorised collaboration with another person or persons. Collusion involves the cooperation of two or more learners in plagiarism or other forms of academic misconduct and, as such, both parties are subject to disciplinary action. Collusion or copying from other learners is not permitted and will result in a “0” grade and NYC.

Assessments must be typed using document software such as (or similar to) MS Office. Handwritten assessments will not be accepted (unless, prior written confirmation is provided by the trainer/assessor to confirm).

Competency outcome

There are two outcomes of assessments: S = Satisfactory and NS = Not Satisfactory (requires more training and experience).

Once the learner has satisfactorily completed all the tasks for this module the learner will be awarded “Competent” (C) or “Not yet Competent” (NYC) for the relevant unit of competency.

If you are deemed “Not Yet Competent” you will be provided with feedback from your assessor and will be given another chance to resubmit your assessment task(s). If you are still deemed as “Not Yet Competent” you will be required to re-enrol in the unit of competency.

Additional evidence

If we, at our sole discretion, determine that we require additional or alternative information/evidence in order to determine competency, you must provide us with such information/evidence, subject to privacy and confidentiality issues. We retain this right at any time, including after submission of your assessments.

Confidentiality

We will treat anything, including information about your job, workplace, employer, with strict confidence, in accordance with the law. However, you are responsible for ensuring that you do not provide us with anything regarding any third party including your employer, colleagues and others, that they do not consent to the disclosure of. While we may ask you to provide information or details about aspects of your employer and workplace, you are responsible for obtaining necessary consents and ensuring that privacy rights and confidentiality obligations are not breached by you in supplying us with such information.

Assessment appeals process

If you feel that you have been unfairly treated during your assessment, and you are not happy with your assessment and/or the outcome as a result of that treatment, you have the right to lodge an appeal. You must first discuss the issue with your trainer/assessor. If you would like to proceed further with the request after discussions with your trainer/assessor, you need to lodge your appeal to the course coordinator, in writing, outlining the reason(s) for the appeal.

Recognised prior learning

Candidates will be able to have their previous experience or expertise recognised on request.

## 

Special needs

Candidates with special needs should notify their trainer/assessor to request any required adjustments as soon as possible. This will enable the trainer/assessor to address the identified needs immediately**.**

### Assessment requirements

Assessment can either be:

* Direct observation
* Product-based methods e.g. reports, role plays, work samples
* Portfolios – annotated and validated
* Questioning
* Third party evidence.

If submitting third party evidence, the Third Party Observation/Demonstration document must be completed by the agreed third party.

Third parties can be:

* Supervisors
* Trainers
* Team members
* Clients
* Consumers.

The third party observation must be submitted to your trainer/assessor, as directed.

The third party observation is to be used by the assessor to assist them in determining competency.

The assessment activities in this workbook assess aspects of all the elements, performance criteria, skills and knowledge and performance requirements of the unit of competency.

To demonstrate competence in this unit you must undertake all activities in this workbook and have them deemed satisfactory by the assessor. If you do not answer some questions or perform certain tasks, and therefore you are deemed to be Not Yet Competent, your trainer/assessor may ask you supplementary questions to determine your competence. Once you have demonstrated the required level of performance, you will be deemed competent in this unit.

Should you still be deemed Not Yet Competent, you will have the opportunity to resubmit your assessments or appeal the result.

As part of the assessment process, all learners must abide by any relevant assessment policies as provided during induction.

If you feel you are not yet ready to be assessed or that this assessment is unfair, please contact your assessor to discuss your options. You have the right to formally appeal any outcome and, if you wish to do so, discuss this with your trainer/assessor.

**Candidate Details**

|  |  |
| --- | --- |
| Assessment – BSBWHS402: Assist with compliance with WHS laws. Please complete the following activities and hand in to your trainer/assessor for marking. This forms part of your assessment for BSBWHS402: Assist with compliance with WHS laws. | |
| Name: |  |
| Address: |  |
| Email: |  |
| Employer: |  |
| **Declaration**  I declare that no part of this assessment has been copied from another person’s work with the exception of where I have listed or referenced documents or work and that no part of this assessment has been written for me by another person. I also understand the assessment instructions and requirements and consent to being assessed. | |
| Signed: |  |
| Date: |  |
| **If activities have been completed as part of a small group or in pairs, details of the learners involved should be provided below:**  This activity workbook has been completed by the following persons and we acknowledge that it was a fair team effort where everyone contributed equally to the work completed. We declare that no part of this assessment has been copied from another person’s work with the exception of where we have listed or referenced documents or work and that no part of this assessment has been written for us by another person. | |
| Learner 1: |  |
| Signed: |  |
| Learner 2: |  |
| Signed: |  |
| Learner 3: |  |
| Signed: |  |

Activities

Complete the following activities individually or in a group (as applicable to the specific activity and the assessment environment).

### Activity 1A

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to access current WHS legislation and related documentation relevant to the organisation’s operations. |
| 1. Using the table provided in Chapter 1.1 of the Learner Guide, or other relevant sources, identify the following for your own state/territory:  * Governing WHS/OH&S Act * Governing WHS/OH&S regulation * WHS/OH&S Regulator. | |
| *Student Response* | |
| Assessor Comments | |
| 1. List at least three legal obligations of Australian businesses according to WHS/OH&S legislation. These should be general obligations and not related to specific fields of work or businesses. | |
| *Student Response* | |
| Assessor Comments | |
| 1. List at least three possible internal sources of WHS/OH&S information that may be found within an organisation. | |
| *Student Response* | |
| Assessor Comments | |

### Activity 1A checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 1B

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to use knowledge of the relationship between WHS Acts, regulations, codes of practice, standards and guidance material to assist with determining legal requirements in the workplace. |
| 1. In your own words, describe briefly (300-500 words) the relationship between WHS Acts, regulations, codes of practice, standards and guidance materials. | |
| *Student Response* | |
| Assessor Comments | |
| 1. Which steps may be taken to determine the WHS/OH&S legal requirements of your own PCBU? | |
| *Student Response* | |
| Assessor Comments | |

### Activity 1B checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 1C

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with identifying and confirming the duties, rights and obligations of individuals and parties as specified in legislation. |
| 1. List at least three steps that an officer of the PCBU might take to ensure due diligence in their role. (As outlined by Comcare). | |
| *Student Response* | |
| Assessor Comments | |
| 1. **List at least three employee obligations in relation to workplace health and safety as outlined by the Australian Department of Industry, Innovation and Science.** | |
| *Student Response* | |
| Assessor Comments | |

### Activity 1C checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 1D

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with seeking advice from legal advisers where necessary. |
| 1. When might a PCBU seek independent legal advice? | |
| *Student Response* | |
| Assessor Comments | |
| 1. List at least two things you could do to assist with seeking legal advice for your PCBU in relation to WHS and OH&S legislation. | |
| *Student Response* | |
| Assessor Comments | |

### Activity 1D checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 2A

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with providing advice to individuals and parties about their legal duties, rights and obligations, and the location of relevant information in WHS legislation. |
| 1. A change in WHS/OH&S law means that a workplace procedure is being changed to make sure that WHS/OH&S standards are being met in the workplace. | |
| *Student Response* | |
| Assessor Comments | |
| 1. Describe how you would convey this information effectively to employees. | |
| *Student Response* | |
| Assessor Comments | |

### Activity 2A checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 2B

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with providing advice to individuals and parties about the functions and powers of the WHS regulator and how they are exercised, and the objectives and principles underpinning WHS. |
| 1. List at least three functions/powers of the WHS regulator. | |
| *Student Response* | |
| Assessor Comments | |
| 1. Your PCBU is due a visit from an inspector representing a regulator. Which advice and/or information would you provide to employees in this situation? Your answer should not exceed 500 words. | |
| *Student Response* | |
| Assessor Comments | |

### Activity 2B checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 3A

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with assessing how the workplace complies with relevant WHS legislation. |
| 1. List at least two methods of assessing workplace compliance with WHS/OH&S legislation. | |
| *Student Response* | |
| Assessor Comments | |

### Activity 3A checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 3B

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with determining the WHS training needs of individuals and parties, and with providing training to meet legal and other requirements. |
| 1. In the last five months, there have been four accidents in your workplace that have resulted in injury. How might this information relate to determining training needs and what would you suggest the PCBU should do in response to these accidents? | |
| *Student Response* | |
| Assessor Comments | |

### Activity 3B checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |

### Activity 3C

|  |  |
| --- | --- |
| **Objective** | To provide you with an opportunity to assist with developing and implementing changes to workplace policies, procedures, processes and systems that will achieve compliance. |
| 1. Specify five consultation procedures which may be followed for the identification of necessary policy changes. | |
| *Student Response* | |
| Assessor Comments | |

### Activity 3C checklist – for assessor

|  |  |  |
| --- | --- | --- |
| **Comments** | | |
| **Provide your comments here:** | | |
| **The learner’s performance was:** | Not yet satisfactory | Satisfactory |