

Title	Establish, collect evidence for, and complete documentation for a compliance breach		
Level	4	Credits	4

Purpose	This unit standard is intended for people who work in compliance and law enforcement. People credited with this unit standard are able to: establish a compliance breach; collect evidence to verify a compliance breach; and complete compliance breach documentation.
----------------	---

Classification	Compliance and Law Enforcement > Compliance and Regulatory Control
-----------------------	--

Available grade	Achieved
------------------------	----------

Guidance Information

Definitions

Organisational requirements refer to instructions to staff on policy and procedures, which are documented in memo or manual format and are available in the workplace. These include the application of legislation.

Legislative requirements include the rules of evidence as covered by the Evidence Act 1908 and the Interpretation Act 1999 and, depending on the role of the person for whom credit is being sought, may include but are not limited to – Human Rights Act 1993, Privacy Act 1993, Health and Safety in Employment Act 1992, Dog Control Act 1996 (including by-laws contained in section 20), and Biosecurity Act 1993.

Brief of evidence refers to a document, which clearly outlines all admissible evidence that a witness can give about the matter before the court.

Outcomes and performance criteria

Outcome 1

Establish a compliance breach.

Performance criteria

- 1.1 Provisions of the law that relate to the compliance breach are identified in accordance with organisational requirements.
- 1.2 Compliance breach is established in accordance with organisational requirements.

Outcome 2

Collect evidence to verify a compliance breach.

Range evidence includes but is not limited to – interview of complainant, alleged offender, and witnesses; physical evidence; observational records.

Performance criteria

- 2.1 Information required to substantiate possible compliance breach is identified in accordance with organisational requirements.
- 2.2 Information collected is admissible in a judicial hearing in accordance with legislative requirements.
- 2.3 Evidence is collected in accordance with organisational requirements and the rules of evidence.

Outcome 3

Complete compliance breach documentation.

Range documentation includes but is not limited to – evidence, summary of facts, recommendations.

Performance criteria

- 3.1 Collected evidence is documented in accordance with organisational requirements.

Range requirements include but are not limited to – completeness; accuracy of dates, times, and sources; case history; impact report.
- 3.2 The brief of evidence links the offence and the alleged offender to the compliance breach.
- 3.3 The report includes recommendations on action to be taken in accordance with organisational requirements.

Range recommendations may include but are not limited to – prosecution, issue of compliance notice, discussion, negotiation with client.

This unit standard is expiring. Assessment against the standard must take place by the last date for assessment set out below.

Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	19 August 1998	31 December 2023
Revision	2	17 July 2002	31 December 2023
Revision	3	19 May 2004	31 December 2023
Review	4	27 February 2006	31 December 2023
Review	5	23 May 2019	31 December 2023

Consent and Moderation Requirements (CMR) reference	0046
--	------

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.