

# Learning Assessment Guide

## Unit Standard 19230 – Version 1

### Apply knowledge of the operations of the Human Rights Commission

#### Level 5 – 5 Credits

Assessment Summary			
Learner to complete			
Learner's name:			
Employer:			
NSN no. (ROL):		DOB:	
Signed:		Date:	
Assessor to complete			
<input type="checkbox"/> Meets requirements <input type="checkbox"/> More training required <input type="checkbox"/> More evidence required			
Assessor's name:		Assessor's No.	
Signed:		Date:	

## Before you begin...

- As well as this Learning Assessment Guide, you may also want to refer to the unit standard from the NZQA website (<http://www.nzqa.govt.nz>).
- Read the Trainee Information Kit. The kit contains important information and guidelines for Learners and can be found on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.
- Check the learning resources available for this unit standard on the Learning State website (<http://www.learningstate.govt.nz>) under Learners, then Learning Assessment Guides.

The tasks in this assessment are designed to show your assessor that you can:

- Describe the functions and procedures of the complaints division of the Human Rights Commission.
- Describe the role and proceedings of the Human Rights Review Tribunal.
- Define and apply the principles of natural justice relevant to the complaints process of the Human Rights Commission.
- Apply knowledge of exceptions as defined in Part II of the Human Rights Act

This Learning Assessment Guide is made up of:

- Tasks for you to complete.
- Verification Forms to be completed by your manager or team leader.
- Assessment Guide that the assessor will use to assess your competence.

Special notes relating to this unit standard:

- 1 This unit takes into account but is not limited to the following legislation:
  - NZ Bill of Rights Act 1990
  - Human Rights Act 1993
  - and their subsequent amendments.
- 2 The Complaints Review Tribunal referred to in the unit standard is now known as the Human Rights Review Tribunal.

## Assessment Task One – Elements 1 and 2

### Introduction

Assessment task one is designed to assess your ability to describe the functions and procedures of the complaints division of the Human Rights Commission and describe the role and proceedings of the Human Rights Review Tribunal.

### Instructions

- For this assessment you must research the functions and procedures of the complaints division of the Human Rights Commission.
- Compile a report that:
  - Describes the complaints process from the beginning, where the Commission accepts they have jurisdiction, to review hearing at the Human Rights Review Tribunal.
  - Describes the role and authority of the Director of Office of Human Rights Proceedings.
  - Identifies the range of outcomes possible from this process.
  - Identifies occasions where complaints would be referred to the Race Relations Office.
  - Has a special section on the *Human Rights Review Tribunal* that includes:
    - A description of the Tribunal's powers and functions.
    - The general procedures of the Tribunal. Include information on witnesses, summons, evidence and investigations.
    - Identifies a situation where a complaint can be sent to the Tribunal.
    - Identifies the types of settlement the Tribunal can order.
    - Describes the Tribunal's appeals procedures.
- All descriptions must be in accordance with legislation and the policies and procedures of the organisation being described.
- You may wish to include supporting documentation.
- A Verification Form is included. This must be completed by your manager or team leader and confirms that the work submitted is your own.
- Your assessor may wish to discuss your work with you in order to gain clarity or sufficiency of evidence.

**The completed assessment for task one will include:**

- Completed Report.
- Verification Form.
- Assessor's notes where relevant.
- Supporting documentation if supplied.

**Task One Verification Form**

<b>Name of Learner:</b>			
<b>Name of Verifier</b>			
<b>Position</b>		<b>Phone</b>	

\_\_\_\_\_ (name of learner) is currently being assessed toward Unit Standard 19230 Apply knowledge of the operations of the Human Rights Commission.

Your signature on this Verification Form will be viewed as confirmation that the report on the Human Rights Commission is the learner's own work.

Comments

Signed:

Date:

Position:

Contact telephone number:

Thank you for your assistance

## Assessment Task Two – Element 3

### Introduction

Assessment task two is designed to assess your ability to define and apply the principles of natural justice relevant to the complaints process of the Human Rights Commission.

### Instructions

- Complete the following Worksheet. You may wish to give your responses orally, in which case your assessor will note your answers on the worksheet.
- Your assessor may wish to ask you further questions to clarify your work.

### The completed assessment for task two will include:

- Completed Worksheet.
- Assessor's notes where relevant

## Task Two Worksheet

<b>Name of Learner:</b>	
<b>Date</b>	

### Part One

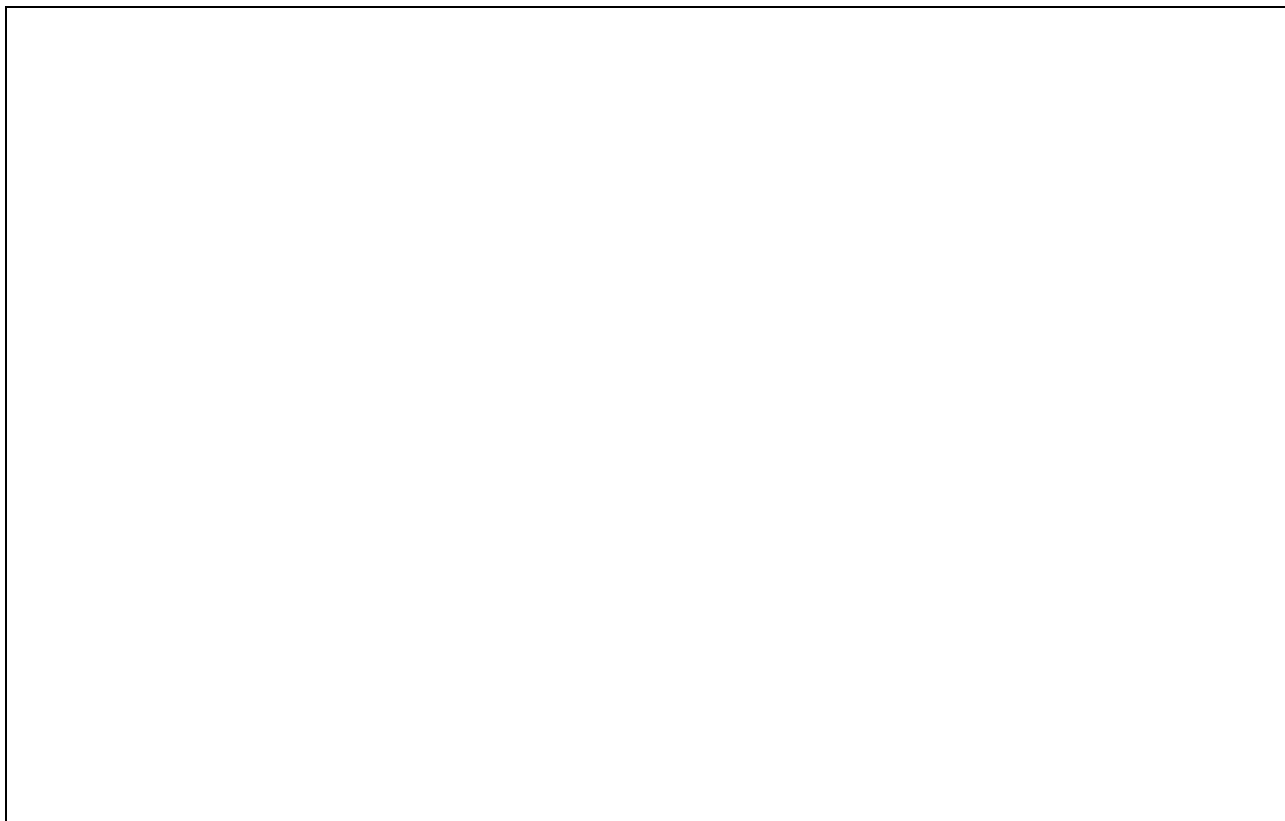
Define below the principles of natural justice.

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### Part Two

The Human Rights Commission lists case studies on their website. Study one of these, give a brief description and describe how the Human Commission complaints process can apply the principles of natural justice to this case. Include the Human Rights Tribunal in your answer if you wish.

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## Assessment Task Three – Element 4

### Introduction

Assessment task three is designed to assess your ability to apply knowledge of exceptions as defined in Part II of the Human Rights Act.

### Instructions

- Obtain a copy of Part II of the Human Rights Act. Highlight the following and hand to your assessor.
  - General exceptions to the grounds and areas identified in Part II of the Act for someone with a disability.
  - The exceptions in Sections 73, 74 and 97, and two other specific exceptions.

Your assessor will ask you to describe the ‘other exceptions’ that you have identified, to ensure that you understand them. They will record your answer.

### Your completed assessment for task three will include:

- Highlighted sections of the Act.
- Assessor’s notes.

## Assessment Guide

These are the evidence and judgements that your assessor will use to assess your competence in unit standard 19230.

<b>Task / Element</b>	<b>Evidence required</b>	<b>Judgement</b>
<p><i>Task 1 / Element 1</i></p> <p>In this task the learner must give a written report on the functions and procedures of the complaints division of the Human Rights Commission.</p>	<p>Completed Report.</p> <p>Verification Form.</p> <p>Assessor's notes where relevant.</p> <p>Supporting documentation if supplied.</p>	<p>The report must describe the complaints process beginning from acceptance to the review hearing at the Human Rights Review Tribunal.</p> <p>The report must describe the role and authority of the Director of the Office of Human Rights Proceedings.</p> <p>The report must identify the range of outcomes from the complaints process. This must be in accordance with legislation and the procedures of the Human Rights Commission.</p> <p>The report must identify situations in which complaints are referred to the Race Relations Office.</p>
<p><i>Task 1 / Element 2</i></p> <p>In this task the learner must give a written report on the role and proceedings of the Human Rights Review Tribunal.</p>	<p>Completed Report.</p> <p>Verification Form.</p> <p>Assessor's notes where relevant.</p> <p>Supporting documentation if supplied.</p>	<p>The report must describe the powers and functions of the tribunal.</p> <p>The report must describe the general procedures of the tribunal including information on witnesses, summons, evidence and investigations.</p> <p>The report must identify a situation where complaints can be sent to the Tribunal and the types of settlement the Tribunal can order.</p> <p>The Tribunal's appeal procedures are described.</p> <p>All descriptions must be in accordance with legislation and policies and procedures of the organisation.</p>

<b>Task / Element</b>	<b>Evidence required</b>	<b>Judgement</b>
<p><i>Task 2 / Element 3</i></p> <p>In this task the learner must define and apply the principles of natural justice as they apply to the complaints process of the human Rights Commission.</p>	<p>Completed Worksheet.</p> <p>Assessor's notes where relevant.</p>	<p>The learner accurately identifies and defines the principles of natural justice:</p> <p>The learner describes the Human Rights Commission's complaints process with regards to the given scenario and the application of natural justice.</p>
<p><i>Task 3 / Element 4</i></p> <p>In this task the learner must answer questions concerning the exceptions to the Human Rights Act.</p>	<p>Answers to questions (sections of Act highlighted).</p> <p>Assessor's notes where relevant.</p>	<p>The learner must highlight specific and general exceptions in Part II of the Act.</p> <p>Answer must include general accommodation and risk of harm for general exceptions.</p> <p>The description must include sections 73, 7 and 97, and two other specific exceptions.</p>