

Course Name	Work within a legal and ethical framework
Course code	CHCCS301A
Contact details	Allens Training Phone 1300 559 064 or www.allenstraining.com.au
Partial completion of one of these qualification	This course is taken from the Health Training package HLT07 and is in partial completion of <input checked="" type="checkbox"/> HLT21107 Certificate II in Emergency Medical First Response or <input checked="" type="checkbox"/> HLT30207 Certificate III in Non Emergency Medical Transport or <input checked="" type="checkbox"/> HLT41007 Certificate Iv in Health (Ambulance)
Description of this unit against the qualification	For a full understanding of the qualification, please go to the link for further information http://www.allenstraining.com.au and click on the courses tab found on the top left hand side of the web page
Descriptor	This unit describes the knowledge and skills required by the workers to work within a legal and ethical framework that supports duty of care requirements.
What is covered in the course	<ol style="list-style-type: none"> 1. Demonstrate an understanding of legislation and common law relevant to work role 2. Follow the organisation's policies and practices 3. Work ethically 4. Recognise and respond when the clients rights and interests are not being protected
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
Pre-requisites	There are no pre-requisites or co-requisites for this competency unit
Course duration	10 hours
How will I be assessed	A written assessment plus project required to be awarded the unit competency
Policy and procedures	A copy is available on our web site http://www.allenstraining.com.au/documents.aspx
Where is the Training Package ocated	This is attached to this document starting on page 2

UNIT CHCCS301A Work within a legal and ethical framework

Unit Descriptor

This unit describes the knowledge and skills required by the workers to work within a legal and ethical framework that supports duty of care requirements.

This unit is equivalent to SRC CRO 007A Operate in accordance with accepted instructional practices, styles and legal and ethical responsibilities which is a prerequisite to SRCCRO009A Conduct a recreation program for older persons.

ELEMENT

PERFORMANCE CRITERIA

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| 1. Demonstrate an understanding of legislation and common law relevant to work role | 1.1 All work reflects an understanding of the legal responsibilities and obligations of the work role |
| | 1.2 Key statutory and regulatory requirements relevant to the work role are demonstrated |
| | 1.3 Duty of care responsibilities are fulfilled in the course of practice |
| | 1.4 Responsibility is accepted for own actions |
| | 1.5 Confidentiality is maintained |
| | 1.6 Where possible the agreement of the client is sought prior to providing services |
| 2. Follow the organisation's policies and practices | 2.1 Work is performed within organisational policies protocols and procedures |
| | 2.2 Contribution is made to the review and development of policies and protocols |
| | 2.3 Work is undertaken within position specifications/role responsibilities |
| | 2.4 Clarification is sought when unsure of scope of practice as defined by position description |
| | 2.5 Clarification is sought of unclear instructions |
| 3. Work ethically | 3.1 The rights of the client are protected when delivering services |
| | 3.2 The ability to use effective problem solving techniques when exposed to competing value systems is demonstrated |
| | 3.3 Services are delivered to all clients regardless of personal values, beliefs and attitudes |
| | 3.4 Potential ethical issues and ethical dilemmas in the workplace are recognised and discussed with an appropriate person |
| | 3.5 Unethical conduct is recognised and reported to an |

ELEMENT	PERFORMANCE CRITERIA
4. Recognise and respond when the clients rights and interests are not being protected	appropriate person 4.1 The client and/or their advocate/s is supported to identify and express their concerns 4.2 The client and/or their advocate/s is referred to advocacy services as appropriate 4.3 Organisational policy and protocols are followed when managing a complaint 4.4 Witnessed signs consistent with financial, physical, emotional, sexual abuse and neglect of the client are recognised and reported to an appropriate person 4.5 Understanding of the role and responsibilities of legal guardians is demonstrated

RANGE STATEMENT

The Range Statement explains the scope and context of the unit of competency allowing for differences between workplaces. The scope of variables chosen for training and assessment requirements will depend on the particular work situation.

Clients may include:

- Individuals living in residential aged care environments
- Individuals living in the community
- Prospective individuals to the service or services
- Individuals living in government funded services and/or institutions to 'clients'
- Job seekers
- Children and young people

Contexts may include:

- Clients own dwelling
- Independent living accommodation
- Residential aged care facilities
- Community centres
- Community or government agency or organisation

Key statutory and legislative regulatory requirements may include those related to;

- Privacy legislation
- Health records legislation
- Equal employment opportunities
- Discrimination and harassment
- Residential and community services
- Poisons and therapeutics
- Registration and practice of health professionals
- Pharmaceutical benefits
- Occupational health and safety
- Freedom of information
- Public health
- Building standards
- Criminal acts
- International and national standards

RANGE STATEMENT

Reporting may be, and include:

- Verbal
 - Telephone
 - Face to face
- Non-verbal (written)
 - Progress reports
 - Case notes
 - Incident reports

Rights may include:

- Privacy
- Confidentiality
- Dignity
- Freedom of association
- Informed choice
- To lodge a complaint
- Right to express ideas and opinions
- To an agreed standard of care
- Access to services

Rights are detailed in:

- Legislation
- Industry and organisational service standards
- Industry and organisational Codes of Conduct, Practice and Ethics
- Accreditation standards
- International and National Charters

Principles of access and equity may include:

- Creation of a client orientated culture
- Non-discriminatory approach to all individuals using or accessing the service
- Respect for individual differences

Appropriate person/s may include:

- Member of senior management
- Colleagues
- Health professionals
- External agencies (complaints and advocacy services. professional registering authorities, child protection authorities)
- Law enforcement officers
- Advocates/family members

EVIDENCE GUIDE

The Evidence Guide identifies the critical aspects of assessment, and the essential knowledge and skills to be demonstrated to confirm competency in this unit. The Evidence Guide is an integral part of the assessment of competency and it should be read carefully in conjunction with the Range Statement, elements and performance criteria.

Critical aspects of assessment must include:

- Understanding and adherence to own work role and responsibilities
- Following organisational policies, protocols and procedures
- Working within legal and ethical frameworks

Concurrent assessment and relationship with other units:

This unit can be assessed independently, however holistic assessment practice with other community services units of competency is encouraged

Essential knowledge must include:

- Overview of the legal system
- Types of law
- Principles underpinning duty of care
- Outline of common legal issues, such as:
 - Consent
 - Assault and battery
 - Bailment
 - Negligence
 - Defamation
- Overview of relevant legislation in the sector and jurisdictions including contracts
- Relevant standards and code of practice in the sector
- Rights and responsibilities of clients
- Rights and responsibilities of workers
- Principles and practices for upholding the rights of the client
- Principles and practices for upholding the rights of the children and young people
- Strategies for managing complaints
- Principles and practices of confidentiality
- Definitions and explanations of the terms ‘ethics, ethical thinking and morality’
- Importance of ethics in practice

EVIDENCE GUIDE

- Distinction between ethical and legal problems
- Principles of ethical decision making
- Strategies for addressing common ethical issues
- Types of abuse experienced by client (including systems abuse)
- Strategies for managing abuse of a client
- Reporting mechanisms for suspected abuse of a client
- Role and responsibilities of legal guardians
- Strategies for contributing to the review and development of policies and protocols

Essential skills must include:

- Reading and writing skills-literacy competence required to fulfil work role in a safe manner and as specified by the organisation/service. This requires a level of skill that enables the worker to follow and give work related instructions and directions and the ability to seek clarification and comments from clients, colleagues, health professionals and other service providers. Industry work roles will require workers to possess a literacy level that will enable them to, read and write client's service delivery plans, record in health records, complete assessment tools and write reports and submissions.
- Oral communication skills-language competence required to fulfil work role in a safe manner and as specified by the organisation. This requires a level of skill that enables the worker to follow work related instructions and directions and the ability to seek clarification and comments from supervisors, clients and colleagues. Industry work roles will require workers to possess effective verbal and non-verbal communication skills that will enable them to ask questions, clarify understanding and meaning, recognise and interpret non-verbal cues, adapt communication styles to meet specific needs, provide information and express encouragement and support.
- Problem solving skills that require negotiation and mediation skills to resolve problems of a difficult nature within organisational protocols
- Ability to collaborate and network with a variety of stakeholders in order to achieve service objectives.

EVIDENCE GUIDE

Resource implications:

- Access to appropriate workplace where assessment can take place
- Simulation of realistic workplace setting for assessment
- Relevant organisational policy, protocols and procedures

Method of assessment:

- Observation in the work place
- Written assignments/projects
- Case study and scenario analysis
- Questioning
- Role play simulation

Consistency in performance:

It is recommended that assessment or information for assessment will be conducted or gathered over a period of time and cover the normal range of workplace situations and settings

Context of assessment:

This unit will be most appropriately assessed in the workplace or in a simulated workplace and under the normal range of workplace conditions

