

Unit 13: Principles for implementing duty of care in health, social care or children's and young people's settings

Unit code: R/601/1436
QCF Level 3: BTEC Specialist
Credit value: 1
Guided learning hours: 4

Unit aim

This unit is aimed at those who work in health or social care settings or with children or young people in a wide range of settings. It considers how duty of care contributes to safe practice, and how to address dilemmas or complaints that may arise where there is a duty of care.

Unit introduction

This unit will provide learners with an understanding of a duty of care and its influence on the delivery of care and support across a variety of settings. The unit examines how duty of care contributes to the safeguarding and protection of individuals. Learners will investigate the dilemmas which may arise between duty of care and an individual's rights, and the ways in which risks may be managed in order to maintain the balance between the two. The unit will inform learners of sources of support in resolving and managing dilemmas and resultant conflicts. Learners will examine how to respond to complaints and the main points of agreed procedures.

Learning outcomes and assessment criteria

In order to pass this unit, the evidence that the learner presents for assessment needs to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria determine the standard required to achieve the unit.

On completion of this unit a learner should:

Learning outcomes	Assessment criteria
1 Understand how duty of care contributes to safe practice	1.1 Explain what it means to have a duty of care in own work role 1.2 Explain how duty of care contributes to the safeguarding or protection of individuals
2 Know how to address conflicts or dilemmas that may arise between an individual's rights and the duty of care	2.1 Describe potential conflicts or dilemmas that may arise between the duty of care and an individual's rights 2.2 Describe how to manage risks associated with conflicts or dilemmas between an individual's rights and the duty of care 2.3 Explain where to get additional support and advice about conflicts and dilemmas
3 Know how to respond to complaints	3.1 Describe how to respond to complaints 3.2 Explain the main points of agreed procedures for handling complaints

Unit content

1 Understand how duty of care contributes to safe practice

Duty of care in own work role: accountability eg exercising authority, managing risk, working safely, safeguarding children and young people, monitoring own behaviour and conduct, maintaining confidentiality, storing personal information appropriately, reporting concerns and allegations, making professional judgements, maintaining professional boundaries, avoiding favouritism, maintaining high standards of conduct outside the professional role

Contribution of duty of care to safeguarding and protection of individuals: safeguarding children and young people eg protection from sexual, physical or emotional harm, preserving respect and dignity, engendering trust; protecting children and young people eg safety in the environment, safe use of resources and equipment, prevention from intimidation or humiliation; protecting self eg ensuring against risk of allegation of misconduct or abuse, avoiding risk of accusations of malpractice

2 Know how to address conflicts or dilemmas that may arise between an individual's rights and the duty of care

Potential conflicts or dilemmas and individuals' rights: conflicts/dilemmas eg attitudes, unsafe behaviour such as drug/alcohol abuse, truanting, staying out without permission, aggression and violence, bullying and intimidation, vandalism; individuals' rights eg respect for views and actions, safety and security, love and belonging, education, equality

Managing risks: implement policies and codes of practice, act in individual's best interests, foster culture of openness and support, be consistent, maintain professional boundaries, follow systems for raising concerns

Support and advice about conflicts and dilemmas: line management, training and professional development, health professionals, school/college services, counselling services, mediation and advocacy services

3 Know how to respond to complaints

Responding to complaints: listen to complainant, refer complainant to policy, suggest that complaint is made in writing, report complaint to line manager

Main points of agreed procedures for handling complaints: eg acknowledgement of complaint, stages within procedure, report and recommendations, review and appeals

Essential guidance for tutors

Delivery

This unit should be delivered by a well-qualified and experienced tutor who has a full understanding of the issues involved. The use of scenarios will allow learners to place the information in a realistic context, particularly those who are not yet working in the relevant sectors. Input from appropriate professionals will enhance learner experience.

Outline learning plan

The outline learning plan has been included in this unit as guidance and can be used in conjunction with the programme of suggested assignments.

The outline learning plan demonstrates one way in planning the delivery and assessment of this unit.

Topic and suggested assignments/activities and/assessment
Introduction to unit and programme of assignments.
Learning outcome 1: Understand how duty of care contributes to safe practice
Taught session; explanation of the duty of care in the work role. Class discussion.
Guest speaker; the ways in which a duty of care can contribute to the safeguarding and protection of individuals. Question-and-answer session.
Taught session; protecting self. Class plenary on relevant issues.
Assignment 1: A duty of care
Produce a poster which explains the duty of care in your work role and how this will contribute to the safeguarding or protection of individuals in the setting.
Learning outcome 2: Know how to address conflicts or dilemmas that may arise between an individual's rights and the duty of care
Taught session; potential conflicts or dilemmas and individual rights. Class discussion based on case studies given out the previous week. This will enable learners to come to class with points to contribute.
Taught session; managing risks with individuals. Class discussion.
Class discussion on using support and advice to manage conflicts and dilemmas. Learners to make notes of each other's pertinent points. Tutor to coordinate.
Assignment 2: Dilemmas and conflicts
Produce a booklet on issues surrounding duty of care, dilemmas and conflicts, to include the following:
a) Potential conflicts and dilemmas which may arise between an individual's rights and the duty of care (description)
b) Managing risks associated with those conflicts and dilemmas (description)
c) Where to obtain additional support and advice (description)

Topic and suggested assignments/activities and/assessment
Learning outcome 3: Know how to respond to complaints
Taught session; responding to complaints, procedures and protocols. Learners to take notes.
Taught session; the main points of procedures for handling complaints. Learners to take notes.
Assignment 3: Responding to complaints Produce an information sheet describing how to respond to complaints and explaining the main points of the relevant agreed procedures.
Review of unit and programme of assignments.

Assessment

The assessments for this unit may be designed to be in a variety of formats and the suggested programme may be adapted to meet local needs or the needs of particular groups of learners. Tutors should ensure that learners understand the reasons why dilemmas may arise and the need to make certain that the rights of individuals are promoted. Learners should provide sufficient evidence to demonstrate their understanding of why situations may present as dilemmas and exactly how conflicts may arise. Tutors should ensure that learners show evidence of research rather than merely reiterating tutor notes in their work. Learners at level 3 should be encouraged to take a professional approach to the presentation of assignments, regardless of the format. Tutors should ensure that the correct operative verbs are included in all assessments, for example "explain" and "describe".

Programme of suggested assignments

The table below shows a programme of suggested assignments that cover the criteria in the assessment grid. This is for guidance only and it is recommended that centres either write their own assignments or adapt Edexcel assignments to meet local needs and resources.

Criteria covered	Assignment title	Scenario	Assessment method
1.1, 1.2	A duty of care	You have decided to renew the poster in your workplace that displays information about a duty of care and its role in safeguarding and protecting individuals.	Poster
2.1, 2.2, 2.3	Dilemmas and conflicts	You have observed that your workplace has little information about dilemmas and conflicts that could arise between a duty of care and the rights of individuals. You have decided to produce a booklet for staff.	Booklet
3.1, 3.2	Responding to complaints	Your manager has noticed your efforts and has offered you a small bonus if you produce an information sheet about the settings' complaints procedures.	Information sheet

Essential resources

Learners will require access to full library facilities including relevant text, professional journals and magazines, ICT and CDROM.

Indicative resource materials

Textbooks

Burgess C, Pritchatt N and Shaw C — *S/NVQ Level 2 Health and Social Care*, (Heinemann 2007) ISBN 9780435456278

Journals

Community Care magazine

The Nursing Times

Websites

www.dementiarights.org

Dementia Rights

www.elderabuse.org.uk

Action on Elder Abuse

www.skillsforcareanddevelopment.org

Sector Skills Council for Care and Development