

SQA Unit Code - DK6R 04 (HSC440)

Ensure compliance with legal regulatory, ethical and social requirements

- HSC440.1 Establish your organisation's legal, regulatory, social and ethical responsibilities
- HSC440.2 Ensure compliance with legal, regulatory, social and ethical responsibilities

About this Unit

For this Unit you have to make sure that your organisation complies with its legal, regulatory, social and ethical responsibilities.

Scope

The scope is here to give you guidance on possible areas to be covered in this Unit. The terms in this section give you a list of options linked with items in the performance criteria. You need to provide evidence for any option related to your work area.

Legal and regulatory requirements: current; emerging.

Relevant authorities: your organisation's governing body; statutory bodies; non-statutory regulatory authorities.

Responsibilities: legal; regulatory; social; ethical.

Evidence Requirements for the Unit

It is essential that you adhere to the Evidence Requirements for this Unit – please see details overleaf.

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SPECIFIC Evidence Requirements for this unit
Simulation:
<ul style="list-style-type: none">• Simulation is NOT permitted for any part of this unit.
The following forms of evidence ARE mandatory:
<ul style="list-style-type: none">• Direct Observation: Your assessor or an expert witness must observe you in real work activities which provide a significant amount of the performance criteria for most of the elements in this unit. For example how you prepared for and participated in visits from Care Commission officers or other regulating body. This observation can be completed by your assessor or another professional involved in the process.• Reflective Account/professional discussion: You should describe your actions in a particular situation and explain why you did things for example how you reviewed the service delivery in line with current legislation and standards, who you involved in this review, and what changes you implemented to the service delivery, either as a result of your own, work or in response to recommendations made following the visit.
Competence of performance and knowledge could also be demonstrated using a variety of evidence from the following:
<ul style="list-style-type: none">• Questioning/professional discussion: May be used to provide evidence of knowledge, legislation, policies and procedures which cannot be fully evidenced through direct observation or reflective accounts. In addition the assessor/expert witness may also ask questions to clarify aspects of your practice.• Expert Witness: A designated expert witness may provide direct observation of practice, questioning, professional discussion and feedback on reflective accounts.• Witness Testimony: Can be a confirmation or authentication of the activities described in your evidence which your assessor has not seen. This could be provided by a work colleague, individual or other key person.• Products: These can be any record that you would use within your normal role e.g. policies and procedures, records of consultation and reports; communication records, minutes of meetings with relevant parties, inspection reports etc. You need not put confidential records in your portfolio; they can remain where they are normally stored and be checked by your assessor and internal verifier. If you do include them in your portfolio all names and identifying information must be removed to ensure confidentiality. These may also be assignments/projects: For example you may have already completed a Project or Assignment (for example from HNC, O.U. course or other formally assessed training programme). You could also use evidence of previous in-house training courses/programmes you have completed showing professional development.
GENERAL GUIDANCE
<ul style="list-style-type: none">• Prior to commencing this unit you should agree and complete an assessment plan with your assessor which details the assessment methods you will be using, and the tasks you will be undertaking to demonstrate your competence.• Evidence must be provided for ALL of the performance criteria ALL of the knowledge and the parts of the scope that are relevant to your job role.• The evidence must reflect the policies and procedures of your workplace and be linked to current legislation, values and the principles of best practice within the Care Sector. This will include the National Service Standards for your areas of work and the individuals you care for.• All evidence must relate to your own work practice.

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Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this Unit.

When using this specification **it is important to read the knowledge requirements in relation to expectations and requirements of your job role.**

You need to provide evidence for ALL knowledge points listed below. There are a variety of ways this can be achieved so it is essential that you read the ‘knowledge evidence’ section of the Assessment Guidance.

You need to show that you know, understand and can apply in practice:	Enter Evidence Numbers
Legislation and organisational policy and procedures	
1 The legal and regulatory requirements that apply to your organisation.	
2 Organisational requirements or codes of practice for communicating information.	
3 How different people within your organisation are affected by your organisation’s legal, regulatory, social and ethical responsibilities.	
4 Specialists outside your organisation from whom you can obtain accurate interpretations of legal and regulatory requirements.	
5 How to establish your organisation’s social and ethical responsibilities, and whom you need to consult with.	
Theory and practice	
6 How to interpret the relevance to your organisation of legal and regulatory requirements.	
7 How to communicate your organisation’s responsibilities clearly to those responsible for monitoring compliance.	
8 How to communicate clearly to people what they need to do to comply with your organisation’s responsibilities.	
9 The range of sources of information about legal and regulatory requirements which may be relevant to your organisation and how to access them.	
10 The importance of obtaining accurate and timely reports of your organisation’s performance in complying with its responsibilities and how to do so.	
11 What reports you need to make to what authorities, and how and when to make these reports.	
12 The importance of developing strategies to ensure compliance and how to do so.	
13 The range of systems for monitoring compliance and how to ensure a suitable system is available.	
14 The types of corrective action available and how to chose that which is appropriate.	

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Performance criteria		DO	RA	EW	Q	P	WT
1	You identify all the legal and regulatory requirements which are relevant to your organisation.						
2	you obtain accurate interpretations of legal and regulatory requirements from external specialists, where required						
3	You establish how legal and regulatory requirements apply to your organisation.						
4	You clearly establish your organisation's social and ethical responsibilities in consultation with relevant people.						
5	You tell people what they need to do to comply with legal and regulatory requirements and your organisation's social and ethical responsibilities.						

HSC440.2 Ensure compliance with legal, regulatory, social and ethical responsibilities

Performance criteria		DO	RA	EW	Q	P	WT
1	You develop appropriate strategies to ensure your organisation complies with its responsibilities.						
2	You ensure the availability of systems for accurately monitoring your organisation's compliance with its responsibilities.						
3	You obtain accurate and timely reports of your organisation's performance in complying with its responsibilities.						
4	You take prompt and appropriate corrective action if your organisation is not complying with its responsibilities.						
5	You report on your organisation's performance in complying with its responsibilities to the relevant authorities as required.						

*DO = Direct Observation**RA = Reflective Account**Q =**Questions**EW = Expert Witness**P = Product (Work)**WT = Witness Testimony*

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To be completed by the Candidate

I SUBMIT THIS AS A COMPLETE UNIT

Candidate's name:

Candidate's signature:

Date:

To be completed by the Assessor

It is a shared responsibility of both the candidate and assessor to claim evidence, however, it is the responsibility of the assessor to ensure the accuracy/validity of each evidence claim and make the final decision.

I CERTIFY THAT SUFFICIENT EVIDENCE HAS BEEN PRODUCED TO MEET ALL THE ELEMENTS, PCS AND KNOWLEDGE OF THIS UNIT.

Assessor's name:

Assessor's signature:

Date:

Assessor/Internal Verifier Feedback

To be completed by the Internal Verifier if applicable

This section only needs to be completed if the Unit is sampled by the Internal Verifier

Internal Verifier's name:

Internal Verifier's signature:

Date: