F29F 04 (DA1) Provide and Obtain Information at Courts and Formal Hearings

Elements of competence

DA1.1 Provide and Obtain Written Information at Courts and Formal Hearings
DA1.2 Make Oral Contributions to Courts and Formal Hearings

About this Unit

This Unit focuses on providing and obtaining information at courts and formal hearings. The worker needs to provide accurate and timely written information. They may be involved in the collection of information from individuals and from other agencies but would not necessarily be responsible for writing reports. The worker also needs to make oral contributions at courts and formal hearings.

Courts and formal hearings may include: criminal courts, civil courts, prison establishments, parole boards, mental health and other tribunals, youth courts, children's hearings, multi-agency public protection panels, appeals or other formal hearings. Workers only need to apply their knowledge to those courts and formal hearings in which they work, and know about those to which their work is related.

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.

Relevant people staff in own agency, staff in other agencies, individuals who are the subject of courts and formal hearings, people who are significant to individuals who are the subject of courts and formal hearings

Problems Factual errors, omissions, discriminatory language and content, Doubts about the authenticity of information

Conventions style of presentation, use of language

Target Group
This Unit is applicable across the community justice sector. It is designed for all workers who are involved in providing and obtaining written information for courts and formal hearings and who may be asked to make oral contributions at one. This Unit complements Unit F407 which is similar in focus but describes standards for those workers who have more responsibility for representing their agency in courts and formal hearings.

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

SPECIFIC EVIDENCE REQUIREMENTS FOR THIS UNIT
Simulation:
♦ Simulation is permitted for this Unit.
The following forms of evidence ARE mandatory:
♦ **Direct Observation:** Your assessor or expert witness must observe you in real work activities that provide a significant amount of the Performance Criteria for most of the elements in this Unit. For example your assessor may see you obtaining information from those involved in the court hearing, parole board, mental health tribunal, children's hearing etc. And may also be present when you are providing information to any of these hearings. ♦ **Reflective Account/professional discussion:** These will be an explanation or a description of your practice in particular situations based on current working practices. For example an account of a meeting with the subject of the hearing or others involved. An account of how you have gained and from whom you have obtained this information and the communication skills used to pass on this information during court proceedings, hearings etc.
Competence of performance and knowledge could also be demonstrated using a variety of evidence from the following:
♦ **Questioning/professional discussion**: May be used to provide evidence of knowledge, legislation, policies and procedures that 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, undertaking a professional discussion or providing feedback on a reflective account. Working with offending behaviour can pose a number of challenges for Direct Observation of practice by Assessors not based in the Workplace and it is vital that Expert Witnesses are identified at the Planning stage as they will be require to work closely with your Assessor in the Evidence gathering process ♦ **Witness testimony**: can be a confirmation or authentication of the activities described in your evidence that your assessor has not seen. A work colleague or another key person could provide this. It is NOT appropriate to use witness testimony from any offenders/member of their family or circle of friends. ♦ **Products**: These can be, where appropriate reports you have produced or correspondence between you and the individuals involved from your own or other agencies ♦ **Due to the nature of this Unit considerable care should be given to the inclusion of any anonymised records in your Portfolio. They should remain where they are normally stored and checked for their authenticity by your Assessor as well as occasionally by your Verifier. Where records are included great care should be taken to ensure they are anonymised to ensure confidentiality.**

GENERAL GUIDANCE
♦ Prior to commencing this Unit you should agree and complete an assessment plan with your assessor which details the assessment methods (including potential products) 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 parts of the range/scope that are relevant to your job ♦ Candidates and Assessors should ensure that knowledge evidence should be integrated into the reflective accounts, direct observations and if appropriate in professional discussions. Care should be taken to avoid assessment of knowledge through set or banks of questions as they generally do not reflect real work practice. ♦ The evidence must reflect the policies and procedures of your workplace and be linked to the current legislation, values and principles of best practice within the Community Justice Sector and in particular those staff working with Offenders ♦ ALL evidence must relate to your own work practice

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KNOWLEDGE SPECIFICATION FOR THIS UNIT

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**
Working with individuals and groups	
1 the functions, associated statutory requirements, procedures (eg administration and etiquette) and resources of the different courts and formal hearings in which the worker practises or to which their work is related	
2 possible hearing Outcomes and associated statutory requirements of the different courts and formal hearings in which the worker practises or to which their work is related	
3 the different forms of report which are required for the different courts and formal hearings in which the worker practises or to which their work is related and the reasons for these	
4 the ways in which it is necessary to alter communication when working with different individuals and representatives of different agencies	
5 ways of identifying and addressing problems with the information and examples of how they have done this in their work	
6 The specific legislation (national and European) which relates to the work they undertake and how they have taken this into account in their work	
7 Any particular factors relating to the agency's policies and practices which have affected the work undertaken	
8 How they evaluate their own competence when at work and decide when further support and expertise are needed	

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DA1.1 Provide and Obtain Written Information at Courts and Formal Hearings

Performance Criteria	DO	RA	EW	Q	P	WT
1 provide timely written reports to the hearing						
2 provide information which is consistent with your work role, agency policy and statutory requirements						
3 explain to the **relevant people** any further information which is required, by when and for what purpose and liaise effectively with them						
4 explain clearly your role and responsibility to the people from whom information is requested						
5 gather relevant, accurate and current information from the **relevant people** in a manner which is sensitive to their situation						
6 summarise the information received from people and reflect it back to them to confirm that you have interpreted the information correctly						
7 verify the collected information, identify correctly if there are any **problems** and seek to address them appropriately						
8 complete records accurately and clearly and store them according to agency requirements						

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

DA1.2 Make Oral Contributions to Courts and Formal Hearings

	DO	RA	EW	Q	P	WT
1 present the information which the hearing requires (a) clearly, accurately and succinctly (b) in a manner which is consistent with the court or hearing's conventions						
2 provide additional information to support and update written reports, as and when required						
3 answer any questions in a manner which is likely to increase the understanding of those involved						
4 present yourself, and interact with others, in a manner which promotes the work of the agency and is likely to lead to a constructive Outcome						
5 make oral contributions in accordance with agency policy and statutory requirements						
6 seek advice and support promptly when team discussion and supervision are appropriate						
7 complete records accurately and clearly and store them according to agency requirements						

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

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: ……..……..