



Higher National Unit specification: general information

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

Unit code: FW5N 34

Superclass: EC

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Unit purpose

This Unit introduces candidates to those areas of current legislation which are of particular relevance to sports coaching and fitness personnel.

It also introduces the candidate to the importance of an awareness of both the ethical responsibilities of the coach and the recommended codes of personal and professional conduct, as developed by Sports Coach UK and or Scottish or National Governing Bodies (S/NGB) for Sport.

Safety issues and the need for appropriate insurance cover are also highlighted, as is current practice in relation to the topical subject of child protection.

On completion of this Unit, the candidate will be able to:

- 1 Explain the implications of current legislation most relevant to sports and or fitness personnel and describe the importance of insurance cover.
- 2 Explain the ethical responsibilities and codes of personal/professional conduct associated with sports coaching and or fitness instructing and demonstrate knowledge and understanding of current child protection practices.

Recommended prior knowledge and skills

Entry is at the discretion of the centre. Experience of the NQ Units *Basic Sports Coaching Techniques* and *Leading Sporting Activities* would be beneficial but not essential.

General information (cont)

Credit points and level

1 Higher National Unit credit at SCQF level 7: (8 SCQF credit points at SCQF level 7*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Core Skills

There may be opportunities to gather evidence towards Core Skills in *Information and Communication Technology (ICT)*, reading and *Written Communication* together with *Problem Solving* in this Unit, although there is no automatic certification of Core Skills or Core Skills components.

Context for delivery

If this Unit is delivered as part of a Group Award. It is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes. This Unit is included in the framework for the HNC Coaching and Developing Sport.

Assessment

The Unit will be holistically assessed by a single instrument of assessment covering both Unit Outcomes. This will take the form of one open-book assessment comprising four case studies. The assessment paper will be split into Sections A and B, each consisting of two case studies. Candidates will be expected to choose and complete successfully one case study per section. It is recommended that the assessments be undertaken in one sitting of approximately two hours. Candidates may have the relevant books with them during the assessment, eg *Protecting Children — A guide for sports people* (Sports Coach UK and NSPCC) or updated *Code of Conduct for Sports Coaches*.

The list may be extended if appropriate — current best practice should be followed and current reference books utilised as these may change from time to time.

SQA has produced an alternative online assessment instrument for this award which may be used if appropriate.

Higher National Unit specification: statement of standards

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

Unit code: FW5N 34

The sections of the Unit stating the Outcomes, Knowledge and/or Skills, and Evidence Requirements are mandatory.

Please refer to *Knowledge and/or Skills for the Unit* and *Evidence Requirements for the Unit* after the Outcomes.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Explain the implications of current legislation most relevant to sports and or fitness personnel and describe the importance of insurance cover.

Knowledge and/or Skills

- ◆ The general principles of the Law of Delict.
- ◆ Negligence as an area of liability.
- ◆ Duty of care and standard of care ('reasonable care').
- ◆ Breach of duty of care and consequential loss.
- ◆ Preventable and inherent risk.
- ◆ Types of recommended insurance cover and possible sources.
- ◆ Protection of Vulnerable Groups (Scotland) Act 2007.
- ◆ Guidelines for adult: child ratios and recommended numbers, with respect to the nature of facility type, size and associated activities to be performed.

Outcome 2

Explain the ethical responsibilities and codes of personal/professional conduct associated with sports coaching, and demonstrate knowledge and understanding of current protection practices.

Higher National Unit specification: statement of standards (cont)

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

Knowledge and/or Skills

- ◆ Ethical principles of responsibility and personal/professional standards as stated by Sports Coach UK
- ◆ Conduct, misconduct and complaints procedures.
- ◆ Categories of child abuse: neglect: physical abuse; sexual abuse; emotional abuse; bullying and harassment.
- ◆ Methods of dealing with disclosures of abuse. The importance of safeguarding the coach from false allegations.
- ◆ The roles and responsibilities of organisations and agencies concerned with child protection.
- ◆ The importance of developing policy statements and Codes of Good Practice with respect to:
 - the welfare and safeguarding of children
 - the roles of organisers and coaches
 - recruitment; employment and deployment of staff/volunteers
 - complaints procedures
 - attendance records

Evidence Requirements for the Unit

To achieve this Unit, each candidate will need evidence to demonstrate knowledge for Outcomes 1 and 2. The assessment will take the form of one open-book assessment consisting of four case studies. The assessment will be split into two sections, A and B, each consisting of two case studies. Candidates will be required to choose and successfully complete one case study from each section. Throughout, there will be integration with Outcomes 1 and 2.

For Section A (Law and Child Protection), each candidate must provide evidence to show that she/he can:

- ◆ Describe three accidents which could be directly attributed to lack of duty of care.
- ◆ Describe preventative measures which could have been undertaken by the coach.
- ◆ Identify the area of liability related to accidents, ie negligence.
- ◆ State the law (Scots Law) which relates to negligence and the link between 'reasonable care', breach of duty of care, and consequential loss.
- ◆ Describe the three factors which must be proven, if negligence is the case.
- ◆ Describe two types of insurance policies, ie from public liability, personal accident/sickness, professional indemnity and civil liberty then state possible sources of these.
- ◆ Distinguish between preventable and inherent risk.
- ◆ Suggest measures which could be undertaken to either safeguard children or protect the coach from false allegations of abuse.

Higher National Unit specification: statement of standards (cont)

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

For Section B (Law and Child Protection Code of Conduct), each candidate must provide evidence to show that she/he can:

- ◆ Describe the way in which personal/professional standards are breached by the coach.
- ◆ Describe the way in which principles of responsibility are breached by the coach.
- ◆ Explain how the coach is expected to behave, according to the SCUk's or S/NGB's relevant Code of Ethics for the coach
- ◆ Explain a procedure for reporting alleged child or adult abuse and state possible contact organisations for the pursuit of this.

For section B it is envisaged that a choice be given. Candidates will be expected to choose between the following:

B1

- ◆ Identify poor recruitment procedures and recommend good practice for this.
- ◆ Name the Act responsible for the protection of those who are vulnerable and briefly explain its importance to the area of sports coaching.
- ◆ Describe the value of a complaints procedure for sports organisations.

Or

B2

- ◆ Identify poor practice in relation to both attendance record keeping and disregard for numbers participating in an activity.
- ◆ State sources of information for guidelines re: adult: child ratios, facilities, and activities held therein.
- ◆ Suggest appropriate good codes of practice for sports organisations, and ideas for parental involvement.

Candidates will be informed in advance of the topics to be assessed. It is recommended that the assessment be undertaken in one sitting of approximately 2 hours.

Assessment Guidelines for the Unit

This Unit will be assessed holistically, by combining Outcomes 1 and 2 for assessment purposes. The assessment instrument will take the form of TWO sections, A and B, each of which will comprise TWO case studies. Candidates will be required to choose, and complete successfully, ONE case study, only, from each section.

Section A: This will consist of two case studies encompassing Law and Child/Vulnerable Groups Protection.

Section B: This will consist of two case studies encompassing Law and Code of Conduct.

Higher National Unit specification: statement of standards (cont)

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

Legal issues relating to Outcome 1 will require to be assessed in each of the case studies chosen. However, an element of choice will be afforded, the details of which are as follows:

Section A:

- ◆ Case Study A1 requires evidence for public liability/professional indemnity insurance.
- ◆ Case Study A2 requires evidence for personal accident/sickness insurance and public liability insurance.
- ◆ Case Study B1 requires evidence for child protection procedures.
- ◆ Case Study B2 requires evidence for measures to help avoid allegations of child abuse.

Section B:

- ◆ Case Study B1 requires evidence for the reporting of child/vulnerable group abuse, poor recruitment practices and policies to avoid this, Protection of Vulnerable Groups (Scotland) Act 2007, the benefit of the Police Act (and or subsequent relevant legislation) to sports clubs, and the utilisation of complaints procedures within clubs.
- ◆ Case Study B2 requires evidence for attendance record keeping, sources of guidance for adult: child ratios, activities and facilities, codes of practice for clubs, and ideas for parental involvement.

For further information on assessment, please refer to the exemplar instruments of assessment and marking guidelines which have been produced to indicate the national standard of achievement at SCQF level 7.

Higher National Unit specification: support notes

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

The Unit is likely to form part of a Group Award and is primarily designed to provide candidates with knowledge of those areas of current legislation considered to be of particular relevance to sports coaching and development personnel. It also introduces candidates to the importance of an awareness of both the ethical responsibilities of the coach and the recommended code of personal/professional conduct, as developed by Sports Coach UK or S/NGB. Safety issues and the need for appropriate insurance cover are also highlighted, as is current practice in relation to the topical subject of child protection. As knowledge, understanding and practical experience of the coaching process underpin this Unit, candidates will benefit from studying relevant practical and theoretical Units, either prior to, or in parallel with, the study of this Unit. This should allow the Unit to be delivered in a meaningful way, and the instruments of assessment, which are case study in nature, to be more easily interpreted. Whenever possible, reference should be made to several of the topics studied within the more practical Units of the course, to enhance candidate appreciation of the relevance of the Unit. In particular, codes of practice relating to safety should receive frequent reference. Where publications are referenced in relation to legislation, the current publication should be used. Centres should take account of this.

Guidance on the delivery and assessment of this Unit

It is envisaged that an integrated approach to teaching the Unit will be adopted, with examples of past and more recent incidents in the area of sport being used to highlight legal and ethical issues. The theoretical aspects of both Outcomes should be taught initially. Thereafter, knowledge could be applied to relevant scenarios in an effort to evaluate good and bad practice. Candidate involvement in the design of scenarios could be encouraged. Delivery materials for each Outcome are suggested below.

Corresponding to Outcomes

Outcome 1

- ◆ Delict (tort in English Law): A wrong in civil law. A crime which involves loss or injury to another, and can result in a right to a claim for compensation. When the legal rights of another are infringed, the wrongdoer is liable in Delict. The following elements must be present — wrongful conduct by the defender, loss or injury suffered, and an established link between conduct and loss, ie causation.
- ◆ Negligence: Failure to take 'reasonable care'. To succeed in an action for negligence, the pursuer must prove the following — a duty of care was owed and there was a breach of that duty, consequently causing the pursuer to suffer injury, damage or loss.

Higher National Unit specification: support notes (cont)

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

- ◆ Standard of Care: Should be that of the hypothetical 'reasonable man'. The greater the risk, the greater the degree of care needed. More is expected of the sports coach than is of the ordinary, prudent person. More is expected where children or vulnerable people are concerned.
- ◆ Types of Insurance: Personal accident, professional indemnity, civil liability, public liability. Sources could be S/NGBs, Sports Coach UK, companies. The list is not exhaustive. Employees may be insured via their employer.

Outcome 2

Code of Conduct: Sports Coach UK.

- ◆ Rights; relationships; responsibilities; personal and professional standards, as set by Sports Coach UK and S/NGBs.
- ◆ Abuse: Physical, emotional, sexual, neglect, bullying and harassment.
- ◆ Contact Organisations: Police; Local Services; Childline; NSPCC Helpline; National Child Protection Helpline; S/NGBs — list is not exhaustive.
- ◆ Dealing with disclosures from those involved: Record keeping; referring; guidelines for staff dealing with abuse.
- ◆ Codes of Good Practice for Clubs: Pre-recruitment procedures; interviewing, checking; monitoring; complaints procedures; parental involvement; attendance record keeping; consent forms; minimising opportunities for an adult to be left alone with a child; clear roles and responsibilities for staff; policy statements on safeguarding children; adequate supervision.

Open learning

There may be opportunities to deliver and assess the Unit in this manner as it may lend itself to supported study and assessment as long as there are steps in place to ensure the validity and authenticity of assessments.

Opportunities for the use of e-assessment

E-assessment may be appropriate for some assessments in this Unit. By e-assessment we mean assessment which is supported by Information and Communication Technology (ICT), such as e-testing or the use of e-portfolios or e-checklists. Centres which wish to use e-assessment must ensure that the national standard is applied to all candidate evidence and that conditions of assessment as specified in the Evidence Requirements are met, regardless of the mode of gathering evidence. Further advice is available in *SQA Guidelines on Online Assessment for Further Education (AA1641, March 2003)*, *SQA Guidelines on e-assessment for Schools (BD2625, June 2005)*.

Higher National Unit specification: support notes (cont)

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

Opportunities for developing Core Skills

There will be opportunities to develop skills in *ICT* where the internet is used to support research and learning. In addition there will be opportunities to acquire skills in *Communication* as the candidate is required to research the law then interpret the data. Opportunities will arise for other aspects of *Communication*.

Opportunities will arise to develop skills in *Problem Solving* within study and assessment.

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website www.sqa.org.uk/assessmentarrangements

History of changes to Unit

Version	Description of change	Date

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General information for candidates

Unit title: Conduct and Ethics for Sport and Fitness Practitioners

This Unit introduces you, as students of sport coaching, to important ethical issues, conduct issues and legal considerations, which are central to working with people, in general, and with children, in particular.

As no laws specific to sports coaching have been passed by Acts of Parliament, any legal matters studied within the Unit will pertain to the Law of the Land, with which, up to a point, any citizen should be familiar. Coaches, in particular, need to be aware of how the Law of the Land can affect coaching. Awareness of certain aspects of legislation requires to be raised because of: a massive increase in public litigation; the prevalence of no win — no fee lawyers; the present trend for a 'blame culture'; and increasing opportunities for paid involvement in coaching.

In addition to this, there has in recent years been media exposure of a number of sport-related accidents/incidents resulting in legal proceedings, whether due to negligence or child abuse. It is, therefore, essential that you have knowledge and understanding of important areas such as current legislation, risk assessments, insurance cover, and methods for either safeguarding children (and for that matter other vulnerable groups), or avoiding false allegations of abuse.

As coaching and fitness are developing professions, and practitioners are in a position of considerable influence, particularly when dealing with children, they have a responsibility to set high moral standards and show exemplary personal/professional standards of behaviour and conduct at all times. As unethical practice can either contribute negatively to the development of individuals, or even become a legal issue, you are required to demonstrate an awareness of Sports Coach UK's Code of Ethics for Coaches, together with current recommendations for child protection and good practice in the organisation of clubs.

On completion of the Unit, you will be able to explain the implications of current legislation and describe the importance of appropriate insurance cover.

You will also be able to explain important ethical responsibilities and codes of personal professional conduct and demonstrate awareness of current child protection practices.

The Unit will be assessed by means of one open-book assessment comprising four case studies.

The assessment will be split into two sections, A and B, each consisting of two case studies. You will be required to choose, and complete successfully, one case study, only, from each section. The assessment will be undertaken in one sitting of approximately two hours. As the assessment is open-book in nature, access will be allowed to specified texts. You will be allowed reference material and your centre will offer advice on what that may be.