

## **FX0T 04 (DA2) Exchange Information and Present at Courts and Formal Hearings**

### **Elements of competence**

- DA2.1 Obtain and analyse information for use at courts and formal hearings
- DA2.2 Present reports at courts and formal hearings

### **About this Unit**

This standard is about representing your organisation in courts, at formal hearings and relevant meetings through exchanging information and presenting reports.

It involves representing your agency in courts and at formal hearings through exchanging information and presenting reports at courts and formal hearings. Reports are any which are relevant to your agency. Due to the nature of such work, you need to be able to develop effective relationships with others and liaise with them.

'Courts and formal hearings' includes criminal courts, civil courts, prison establishments, parole boards, mental health and other tribunals, youth courts, children's hearings, multi-agency public protection panels, multi-agency risk assessment conferences, appeals or other formal hearings. You need to apply your knowledge to only those courts and formal hearings in relation to your area of responsibility.

### **Evidence Requirements for the Unit**

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

<b>SPECIFIC EVIDENCE REQUIREMENTS FOR THIS UNIT</b>
<b>Simulation:</b>
◆ Simulation is permitted for this Unit.
<b>The following forms of evidence ARE mandatory:</b>
<ul style="list-style-type: none"> <li>◆ <b>Direct observation:</b> 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, you could record the discussions you have with your line manager regarding the content of your report and the evidence you will give at the hearing.</li> <li>◆ <b>Reflective account/Professional discussion:</b> You should describe your actions in a particular situation and explain why you did things. For example you could write about the process you used to collect, collate and share information about an individual and reflect on the balance between the rights and needs of the individual and those of the organisation.</li> </ul>
<b>Competence of performance and knowledge could also be demonstrated using a variety of evidence from the following:</b>
<ul style="list-style-type: none"> <li>◆ <b>Questioning/Professional discussion:</b> 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.</li> <li>◆ <b>Expert witness:</b> A designated expert witness may provide direct observation of practice, questioning, professional discussion and feedback on reflective accounts.</li> <li>◆ <b>Witness testimony:</b> 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 people.</li> <li>◆ <b>Products:</b> These can be any record that you would use within your normal role, reports and records, communication records, policies and procedures, minutes of meetings, etc.</li> </ul> <p>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.</p> <p>These may also be <b>assignments/projects:</b> For example you may have already completed a project or assignment for a formally assessed course of study. You could also use evidence of previous in-house training courses/programmes you have completed showing professional development.</p>

**GENERAL GUIDANCE**

- ◆ 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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**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
<b><i>Legislative, regulatory and organisational requirements</i></b>	
1 Legal and organisational requirements which relate to the provision of information at courts and formal hearings, and their impact for your area of operations.	
2 Legislation, policies and procedures relating to data protection, health and safety, diversity and their impact for your area of operations.	
3 The role of your organisation and the services which it provides at courts and formal hearings.	
4 Your organisation's policy and procedures regarding confidentiality of information and the disclosure of information to third parties, and the specific circumstances under which disclosure may be made.	
5 The limits of your authority and responsibility, and the actions to take if these are exceeded.	
<b><i>Working within the community justice sector</i></b>	
6 The functions, procedures and resources of the different courts, formal hearings and meetings relevant to your work, including the appropriate administration and etiquette.	
7 The different forms of report which are required for the different courts, formal hearings and meetings relevant to your work, and the reasons for these.	
8 The ways in which it is necessary to alter communication when working with different individuals and representatives of different organisations.	
9 Ways of identifying and addressing problems with the information.	
10 The nature of the sector in which you work, and the nature, roles and functions of the principal organisations within it.	
11 Your organisation's structures, functions, methods of communication and decision making processes.	

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**DA2.1 Obtain and analyse information for use at courts and formal hearings**

Performance Criteria		DO	RA	EW	Q	P	WT
1	Establish the reports required by courts, hearings and meetings, confirming by when they are required and their purpose.						
2	Plan how to obtain the information required for the reports and work effectively with colleagues and other organisations to obtain the information on time.						
3	Gather relevant, accurate and current details from relevant people where further information is required, in a manner which is sensitive to their situation.						
4	Analyse the information collected, identify correctly any problems with it and address them promptly.						
5	Prepare and provide accurate, legible and complete written reports to the courts/hearings, on time and in the required format.						
6	Provide information which is consistent with requests, your work role, your organisation's policy and statutory requirements.						
7	Identify any tensions and areas of conflict with others and seek to address them constructively.						
8	Maintain accurate and up to date records, in line with your organisation's requirements.						
9	Communicate information to people who are authorised to receive it.						

*DO = Direct Observation*  
*EW = Expert Witness*

*RA = Reflective Account*  
*P = Product (Work)*

*Q = Questions*  
*WT = Witness Testimony*

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**DA2.2 Present reports at courts and formal hearings**

Performance Criteria		DO	RA	EW	Q	P	WT
1	Identify and discuss the issues which may be raised at courts, formal hearings and relevant meetings with your line manager prior to the event.						
2	Present the information which the court and formal hearing requires clearly, accurately and succinctly, and in a manner which is consistent with court conventions.						
3	Present yourself and interact with others in a manner which promotes the work of your organisation.						
4	Make timely and appropriate interventions which challenge others when they misinterpret information or are discriminating unfairly.						
5	Seek advice and support from an appropriate person if difficulties arise.						
6	Clarify details of court requests for further information.						
7	Take action to gain further information about the report promptly.						
8	Maintain accurate and up to date records, in line with your organisation's requirements.						
9	Communicate information to people who are authorised to receive it.						

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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: .....