

448

PROVIDE AND OBTAIN INFORMATION AT COURTS AND FORMAL HEARINGS

Unit overview

Elements of competence

- 448a Provide and obtain written information at courts and formal hearings
448b Make oral contributions to courts and formal hearings

About this unit

For this unit you need to provide and obtain information at courts and formal hearings.

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 your 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 relating to: style of presentation; use of language.

The courts and formal hearings will include: mental health tribunals, other tribunals, criminal courts, civil courts, youth courts, children's hearings or other formal hearings. However, you would only be expected to apply your knowledge to those courts and formal hearings in which you work, and know about those others to which your work is related.

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Key words and concepts

This section provides explanations and definitions of the key words and concepts used in this unit. In occupational standards it is quite common to find words or phrases used which you will be familiar with, but which, in the detail of the standards, may be used in a very particular way.

Therefore, we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.

Individuals

The actual people requiring health and care services. Where individuals use advocates and interpreters to enable them to express their views, wishes or feelings and to speak on their behalf, the term individual within this standard covers the individual and their advocate

Others

Are other people within and outside your organisation that are necessary for you to fulfil your job role

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Provide and obtain written information at courts and formal hearings

Performance criteria

You need to show that:

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

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Make oral contributions to courts and formal hearings

Performance criteria

You need to show that:

- 1 You present the information which the hearing requires
 - clearly, accurately and succinctly
 - in a manner which is consistent with the court or hearing's conventions
- 2 You provide additional information to support and update written reports, as and when required
- 3 You answer any questions in a manner which is likely to increase the understanding of those involved
- 4 You 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 You make oral contributions in accordance with agency policy and statutory requirements
- 6 You seek advice and support promptly when team discussion and supervision are appropriate
- 7 You complete records accurately and clearly and store them according to agency requirements

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Knowledge specification for the whole of 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.**

Values

- 1 How you have applied the principles of equality, diversity and anti-discriminatory practice to your work

Legislation and organisational policy and procedures

- 2 The specific legislation (national and European) which relates to the work you undertake and how you have taken this into account in your work
- 3 The functions, associated statutory requirements, procedures (eg administration and etiquette) and resources of the different courts and formal hearings to which you contribute or to which your work is related
- 4 Possible hearing outcomes and associated statutory requirements of the different courts and formal hearings to which you contribute or to which your work is related
- 5 Any particular factors relating to the agency's policies and practices which have affected the work undertaken
- 6 The ways in which it is necessary to alter communication when working with different individuals and representatives of different agencies

Theory and practice

- 7 The different forms of report which are required for the different courts and formal hearings to which you contribute or to which your work is related and the reasons for these
- 8 Ways of identifying and addressing problems with the information and examples of how you have done this in your work
- 9 How you evaluate your own competence when at work and decide when further support and expertise are needed

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Evidence requirements for this unit

- Prior to commencing the unit you should agree a plan with your assessor regarding the types of evidence to be used.
- You must provide your assessor with evidence for ALL the performance criteria and ALL the knowledge specifications.
- All evidence should relate to real work activities.
- Direct observation by your assessor and/or expert witness is required for some of the performance criteria for every element in this unit.
- The candidate's package of evidence from their performance needs to cover all the performance criteria, except those detailed below. If performance evidence is not available during the assessment period, evidence from knowledge and understanding can be used.
- In order to meet the evidence requirements, it is likely that a candidate would need to gather evidence over time and from work in relation to more than one occasion on which they have dealt with and reviewed incidents.
- The evidence must, at all times, reflect the policies and procedures of the workplace as linked to current legislation and the values and principles for best practice within the Health and Social Care Sector. This will include National Service Standards for your area of work or client group.

Competence can be demonstrated using a variety of different types of evidence from the following:

- **Work products:** these can be any record that you would normally use within your normal role eg minutes of staff meetings, review meetings, care plans, records and reports from hearings.
- **Reflective account:** you describe your actions in (a) particular situation(s) and reflect on the reason(s) for you practicing in that way, probably in relation to the individuals you work with.
- **Assignment/project:** you may have already completed an assignment or project (for example during an HNC, NC, VRQ or BTec course).
- **Questioning/professional discussion:** you and your assessor may agree on questions or discussion to demonstrate your knowledge, to supplement the knowledge demonstrated through observations and reflective accounts. These can be oral or written but evidence of this must be recorded.

NB Confidential records are not required in your portfolio, they can remain where they are normally stored and be checked by your assessor and internal verifier. If they are included they must be anonymised.