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EXEMPLAR CANDIDATE WORK

UNIT SHC 024

INTRODUCTION TO DUTY OF CARE IN
HEALTH, SOCIAL CARE OR CHILDREN'S AND
YOUNG PEOPLE'S SETTINGS.

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INTRODUCTION

OCR has reproduced this exemplar candidate evidence to support teachers in interpreting the assessment criteria for the unit SHC 024, Introduction to duty of care in health, social care or children's and young people's settings.

This exemplar evidence should be considered alongside the unit requirements, the Learning Outcomes and Assessment Criteria. This content has been selected by the OCR Chief External Verifier for the Health and Social Care Diplomas, to illustrate how the assessment criteria are applied, and to provide some commentary on what factors contributed to the final outcome.

The exemplar candidate evidence is intended to demonstrate how criteria have been met and are supported by a commentary. While the exemplars are intended to be useful in interpreting the specification's Assessment Criteria, they should in no way be regarded as definitive evidence.

This resource is provided for advice and guidance only.

EXEMPLAR UNIT: SHC 024 – INTRODUCTION TO DUTY OF CARE IN HEALTH, SOCIAL CARE OR CHILDREN’S AND YOUNG PEOPLE’S SETTINGS.

UNIT PURPOSE

- Introduces the ‘duty of care’ concept
- Raises awareness of the different dilemmas that may arise about duty of care
- Raises awareness of how to respond to complaints that may arise about the duty of care

EVIDENCE FOR LEARNING OUTCOME 1

UNDERSTAND THE IMPLICATIONS OF DUTY OF CARE

Assessment Criteria:

AC1.1 – **Define** the term 'duty of care'

Extract from **Oral Questioning:**

Oral Question: 'Explain what it means to have a duty of care in your own work role':

Response:

A duty of care is a legal obligation imposed on a carer requiring that they adhere to a good quality and standard of care. It is my duty to take care of vulnerable adults and to ensure that their needs and well-being are looked after. I exercise reasonable care with respect to individuals' best interests, this includes protecting service users from any harm or abuse that may occur and avoiding any acts that could result in injury but it also means respecting service users and giving them choices.

I am proficient enough to ensure that every service user is taken care of in a reasonable, responsible and respectful manner. It is my role to ensure that my duty is carried out safely and effectively working alongside my organisation's policies and procedures'

COMMENTARY FOR EVIDENCE FOR AC 1.1

- **Assessment Method:** The assessor has used an open **oral question** with this learner 'Explain what...'; this encourages the learner to think about the meaning of the term duty of care and provides them with an opportunity to provide a more detailed response and to also provide evidence for AC1.2. The assessment method is **valid** as it measures the learner's understanding and knowledge of the term 'duty of care'.
- **Quality of Evidence:** The learner's response is of a good quality because the learner reflects her understanding of the **meaning of** 'duty of care' as providing '*good quality care*' and to a *high 'standard'*. The learner also answers the question in terms of her **own health and social care work setting** and so also reflects her knowledge of how the term duty of care relates to ensuring that service users '*needs and well-being are looked after*', protecting service users '*from any harm or abuse that may occur*', '*avoiding any acts that could result in injury*', '*respecting service users*' and '*giving them choices*'.
- **Breadth of Evidence:** The learner has stated clearly the meaning of the term 'duty of care'. The learner's evidence **meets AC1.1 fully** in terms of providing a **definition** of duty of care within a health and social care context.

Assessment Criteria:

AC1.2 – **Describe** how ‘duty of care’ affects your own work role.

Extract from **Personal Statement:**

Personal Statement: ‘Describe how duty of care affects your job role and the way you work:

‘My organisation and I have a duty of care to ensure that the service users we care for are safe, protected from abuse by other service users, staff, carers, friends and family. I therefore work within the safeguarding policies and procedures and it is important that I receive adequate training so that I can recognise and understand signs of abuse.

It is my duty to record of all relevant information when an accident or incident occurs in the workplace. It is my responsibility to report any improper conduct or suspicion that I think may contribute to abuse. Duty of care and safeguarding work together because it’s my duty of care to provide protection and safety for a vulnerable adult whilst at the same time respecting their needs and choices.

The Whistleblowing policy in my workplace makes it clear to me and to staff that it is staff’s responsibility to report improper conduct that compromises service user safety whilst ensuring confidentiality and protection from abuse for service users.’

COMMENTARY FOR EVIDENCE FOR AC 1.2

- **Assessment Method:** The learner’s **personal statement** provides the learner with an opportunity to express her understanding of how she thinks that ‘duty of care’ contributes to her own work role. The assessment method is **valid** as it measures the learner’s understanding and knowledge of how duty of care affects her own work role.
- **Quality of Evidence:** The learner’s response is of a good quality because the learner reflects her **understanding of how ‘duty of care’ relates to** the organisation she works for as well **as her role as a carer:** *‘to ensure that the service users we care for are safe, protected from abuse by other service users, staff, carers, friends and family.’* The learner includes a detailed account of ‘duty of care’ and how this impacts on her role as a carer in terms of following the safeguarding and whistle blowing procedures, including reporting and recording any incidents or accidents that may occur to provide ‘protection and safety’ for the individuals she works with *‘whilst at the same time respecting their needs and choices.’*
- **Breadth of Evidence:** The learner has given a detailed account of the different ways how ‘duty of care’ affects her role as a carer. The learner’s evidence **meets AC1.2 fully** in terms of providing a **description** of how duty of care affects her own role as a carer.

EVIDENCE FOR LEARNING OUTCOME 2

UNDERSTAND SUPPORT AVAILABLE FOR ADDRESSING DILEMMAS THAT MAY ARISE ABOUT DUTY OF CARE

Assessment Criteria:

AC2.1 – **Describe** dilemmas that may arise between the duty of care and an individual's rights.

Extract from Personal Statement:
Personal Statement: 'Describe dilemmas that may arise between the duty of care and an individual's rights':
<i>'It is my duty of care to support service users with their medication and to ensure that they are in good health. I support an individual with her medication and on one occasion she refused for me to administer the tablets. I encouraged her and explained to her that she needs to take her medication so that she can keep in good health but she still refused. I therefore gave her some time and space for her to reconsider and calm down; approximately half an hour later I returned back to support her with her medication but she said again that she didn't want her tablets.</i>
<i>I therefore recorded what happened, entered this also in the message book and completed an incident sheet. Her doctor was then contacted to explain that she refused her morning medication and to check that everything will be alright although she missed her morning medication.</i>
<i>It is the service user's right to refuse this service if they want to. It is my duty of care to ensure that service users are supported accordingly and when they refuse a service that I record and report this.</i>
<i>People with a learning difficulty have the same rights as anyone else in deciding whether or not to engage in a particular activity. It is important as it is my duty to ensure service users' safety. For example a service user may be a smoker and insist on smoking in her bedroom at night instead of in the smoking room and ignores all advice from staff who are concerned about the safety of everyone. Another example could be a service user who is a little unsteady on his feet but decides he wants to go out and use a bus or train instead of a taxi; he may be at risk of falling and injuring himself, staff and/or others around him.'</i>

COMMENTARY FOR EVIDENCE FOR AC 2.1

- Assessment Method:** The learner's **personal statement** details different dilemmas that may arise between the duty of care and an individual's rights. The learner's description includes different examples of dilemmas that may arise including an individual who refuses her medication, an individual who insists on smoking in his room at night instead of in the smoking room and an individual who is *'a little unsteady on his feet but decides he wants to go out and use a bus or train instead of a taxi'*. The learner provides details of each of these and in doing so reflects her knowledge of the different dilemmas that may arise whilst acknowledging that although individuals have *'a right to refuse'* a service she still needs to ensure as part of her duty of care that *'service users are supported accordingly and when they refuse a service that (she) records and reports this'*. The assessment method is **valid** as it measures the learner's understanding and knowledge of the different dilemmas that may arise.
- Quality of Evidence:** The learner's response is of a good quality because the learner reflects her understanding of the **difficult situations that may arise** as a result of **conflicts** that exist **between her duty of care and individuals' rights**. For the individual who refuses their medication the learner states that the *'doctor was then contacted to explain that she refused her morning medication and to check that everything will be alright although she missed her morning medication.'* For the individual who insists on smoking in his room the learner states that staff are *'concerned about the safety of everyone'* and for the individual who insists on using a bus or train that *'he may be at risk of falling and injuring himself, staff and/or others around him.'*
- Breadth of Evidence:** The learner has given a detailed account of the different dilemmas that may arise between the duty of care and individual's rights. The learner's evidence **meets AC1.2 fully** in terms of providing a **description** of different dilemmas that may arise within a health or social care setting.

Assessment Criteria:

AC2.2 – **Explain** where to get additional support and advice about how to resolve such dilemmas.

Extract from **Personal Statement:**

Personal Statement: 'Explain where to get additional support and advice about how to resolve such dilemmas':

'I can get additional support and advice about how to resolve dilemmas from training, supervision, from my Manager, the internet and also from appropriate professionals such as the GP or the person's advocate. For example it is my responsibility to ensure that I assist service users in making complaints and to make sure that their complaint is taken seriously and that they are listened to. An advocate could be a person that supports a service user when needed and help with advising about how to resolve dilemmas.'

COMMENTARY FOR EVIDENCE FOR AC 2.2

- **Assessment Method:** The learner's **personal statement** gives information about the different sources of support and advice that can be accessed about how to resolve such dilemmas including from training, supervision and accessing the internet to seeking advice from her Manager and other professionals such as the GP and the individual's advocate. The assessment method is **valid** as it measures the learner's understanding and knowledge of where additional support and advice about how to resolve dilemmas can be sought.
- **Quality of Evidence:** The learner's response is of a good quality because the learner reflects her understanding of both formal and informal **sources of support** and advice from both within the organisation she works for and externally; supervision, training, the internet, her Manager, the GP and the individual's advocate. The learner then details how the process of seeking advice from others links into her responsibility to assist individuals with *'making complaints and to make sure that their complaint is taken seriously and that they are listened to'* and explains how an accessing an advocate would be an appropriate person to **seek advice** from.
- **Breadth of Evidence:** The learner has given detailed information about the different sources of information and advice that exist. The learner's evidence **meets AC2.2 fully** in terms of providing an **explanation** of the different sources of additional support and advice.

EVIDENCE FOR LEARNING OUTCOME 3

KNOW HOW TO RESPOND TO COMPLAINTS

Assessment Criteria:

AC3.1 – **Describe** how to respond to complaints.

Extract from **Written Questioning:**

Written Question: 'Describe how to respond to complaints':

'All complaints and concerns are dealt with fairly in my workplace and we respond to individuals' needs. It is important that all complaints are reported to a senior staff member and logged. Once logged it looked into by the Manager who will try and resolve it. All complaints received are important and must be taken seriously. The Care Quality Commission (CQC) requires my organisation to gather, evaluate and generate reports about complaints – this is to ensure the continual improvement of the service.'

'The main point of these procedures is for service users to exercise their rights. Staff should also respond appropriately to any complaint they receive from service users or their families. If an informal complaint is made this should be discussed and this may stop it becoming a formal issue. The staff member receiving the complaint should listen carefully, take everything into consideration that is said and let the service user know what will then happen. If complaints are not responded to by staff appropriately then the service and the service provider will not improve.'

COMMENTARY FOR EVIDENCE FOR AC 3.1

- **Assessment Method:** The assessor has given the learner a clear **written question** that asks them clearly to detail how to respond to complaints. The learner's description gives consideration to different factors that have to be taken into account when describing how to deal with complaints and refers to doing this '*fairly*'; '*seriously*'; in response to '*individuals' needs*'; ensuring '*that all complaints are reported to a senior staff member and logged*' and to '*listen carefully, take everything into consideration that is said and let the service user know what will then happen*'. The assessment method is **valid** as it measures the learner's understanding and knowledge of what responding to complaints involves.
- **Quality of Evidence:** The learner's response is of a good quality because the learner reflects her understanding of how to deal with both informal and formal complaints and also mentions how this applies to dealing effectively with informal complaints as '*this may stop it becoming a formal issue*'. The learner then details what needs to be considered when responding to complaints and shows an awareness of how responding to complaints is essential for '*the continual improvement of the service*'.
- **Breadth of Evidence:** The learner has given a detailed account of **how** to respond to complaints effectively. The learner's evidence **meets AC3.1 fully** in terms of providing a **description** of how to respond to complaints. The learner's **description** also generates evidence for AC3.2 around the main points of agreed procedures for handling complaints.

Assessment Criteria:

AC3.2 – **Identify** the main points of agreed procedures for handling complaints.

Extract from **Discussion:**

Discussion: 'Tell me about the main points of agreed procedures for handling complaints and how to respond to complaints':

'There are stated steps to follow when a complaint is made. In my workplace we first have to make sure that the service user is given the correct form to complete; and sometimes staff help service users to complete these when they are not able to especially when they have been given poor services.'

All complaints must be dealt with quickly and fairly. In my workplace the Manager is responsible for conducting the investigation when a complaint is received and a written letter is sent out to the service user to inform them that the complaint is being dealt with and timescales are given to them for a response.

The complaints policy ensures that service users are given a good service and protected from harm and abuse as all complaints have to be responded to and regulatory bodies notified.

COMMENTARY FOR EVIDENCE FOR AC 3.2

- **Assessment Method:** The assessor has recorded a discussion that has taken place with this learner and invites the learner to tell them about 'the main points of agreed procedures for handling complaints and how to respond to complaints'. The learner's account includes the main points of agreed procedures for handling complaints including recording the complaint, reporting to a nominated person, supporting individuals to follow the complaints procedure, dealing with complaints 'quickly and fairly' and providing the individual with information about what will happen next and what timescales will be used. The assessment method used elicits a more detailed response from the learner; the assessor for this learner could have asked the learner to list the main points as this assessment criterion states 'identify'; but the discussion used here with this learner is more suitable to her needs as this enables her to reflect her knowledge verbally and fully in this area. The assessment method is **valid** as it measures the learner's understanding and knowledge of the main points of procedures for handling complaints.
- **Quality of Evidence:** The learner's response is of a good quality because the learner reflects her understanding of a range of the most important points that should be included in procedures for handling complaints. The learner then reflects her understanding of how handling complaints effectively relates back to 'duty of care': 'The complaints policy ensures that service users are given a good service and protected from harm and abuse as all complaints have to be responded to and regulatory bodies notified.'
- **Breadth of Evidence:** The learner's evidence **meets AC3.2 fully** in terms of **identifying** the main points of agreed procedures for handling complaints. The learner's account also generates evidence for AC3.1 around how to respond to complaints effectively.

SUMMARY OF HOW EXEMPLAR EVIDENCE FOR SHC 024 MEETS THE ASSESSMENT REQUIREMENTS AND ASSESSMENT CRITERIA

Variety of assessment methods used	Yes	Oral and Written questioning Personal Statement Discussion
Valid assessment methods used	Yes	All assessment methods used were appropriate for validating the learner's knowledge of all the assessment criteria in this unit.
Quality and Breadth of evidence sufficient	Yes	Evidence provided meets all the assessment criteria fully.

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