

### Unit overview

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#### Elements of competence

440a	Establish your organisation's legal, regulatory, social and ethical responsibilities
440b	Ensure compliance with legal, regulatory, social and ethical responsibilities

#### About this unit

For this unit you have to make sure that your organisation complies with its legal, regulatory, social and ethical responsibilities.

#### 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.

**Legal and regulatory requirements:** current; emerging.

**Relevant authorities:** your organisation's governing body; statutory bodies; non-statutory regulatory authorities.

**Responsibilities:** legal; regulatory; social; ethical.

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## **SUPPORT EFFECTIVE GOVERNANCE**

440a Establish your organisation's legal, regulatory, social and ethical responsibilities

### **Performance criteria**

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You need to show that:

- 1 You identify all the legal and regulatory requirements which are relevant to your organisation
- 2 You obtain accurate interpretations of legal and regulatory requirements from external specialists, where required
- 3 You establish how legal and regulatory requirements apply to your organisation
- 4 You clearly establish your organisation's social and ethical responsibilities in consultation with relevant people
- 5 You tell people what they need to do to comply with legal and regulatory requirements and your organisation's social and ethical responsibilities

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## **SUPPORT EFFECTIVE GOVERNANCE**

440b Ensure compliance with legal, regulatory, social and ethical responsibilities

### **Performance criteria**

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You need to show that:

- 1 You develop appropriate strategies to ensure your organisation complies with its responsibilities
- 2 You ensure the availability of systems for accurately monitoring your organisation's compliance with its responsibilities
- 3 You obtain accurate and timely reports of your organisation's performance in complying with its responsibilities
- 4 You take prompt and appropriate corrective action if your organisation is not complying with its responsibilities
- 5 You report on your organisation's performance in complying with its responsibilities to the relevant authorities as required

**Knowledge specification for the whole of this unit**

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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.**

**Legislation and organisational policy and procedures**

- 1 The legal and regulatory requirements that apply to your organisation
- 2 Organisational requirements or codes of practice for communicating information
- 3 How different people within your organisation are affected by your organisation's legal, regulatory, social and ethical responsibilities
- 4 Specialists outside your organisation from whom you can obtain accurate interpretations of legal and regulatory requirements
- 5 How to establish your organisation's social and ethical responsibilities, and whom you need to consult with

**Theory and practice**

- 6 How to interpret the relevance to your organisation of legal and regulatory requirements
- 7 How to communicate your organisation's responsibilities clearly to those responsible for monitoring compliance
- 8 How to communicate clearly to people what they need to do to comply with your organisation's responsibilities
- 9 The range of sources of information about legal and regulatory requirements which may be relevant to your organisation and how to access them
- 10 The importance of obtaining accurate and timely reports of your organisation's performance in complying with its responsibilities and how to do so
- 11 What reports you need to make to what authorities, and how and when to make these reports
- 12 The importance of developing strategies to ensure compliance and how to do so
- 13 The range of systems for monitoring compliance and how to ensure a suitable system is available
- 14 The types of corrective action available and how to choose that which is appropriate

**Evidence requirements for this unit**

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- Direct observation by assessor and/or an expert witness is required for some of the performance criteria for every element in 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 requirements and the relevant parts of the SCOPE as applicable to your workplace.
- 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 the National Service Standards for your area of work or client group.
- All evidence should relate to real work activities for ALL elements of this unit.
- Simulation is NOT permitted for this unit.

**Competences can be demonstrated using a variety of types of evidence from the following:**

- **Work products:** these can be any record that you would normally use within your normal role eg policies and procedures, records of consultation and reports; communication records, minutes of meetings with relevant parties, inspection reports, etc.
- **Assignment/project:** you may have already completed a project or assignment (for example from HNC, NC, VRQ, BTec courses, D32, 33, 34, A1 and V1). You could also use evidence of previous in-house training course/programmes you have completed showing professional development.
- **Reflective accounts:** you describing your actions in (a) particular situation(s) and reflection on the reason(s) for you practicing in that way, in relation to your organisation's legal, regulatory, social and ethical responsibilities.
- **Questioning/professional discussion:** you and your assessor may agree on questions or discussion to demonstrate your knowledge, to supplement the knowledge demonstrated through observations, products 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.**