



**AUSTRALIAN  
HEALTHCARE**  
QUALIFICATIONS & TRAINING

# Learner Assessment

## Task 2 - Case Study

## Task 3 - Simulated Project

**Unit Code:** CHCLEG003

**Unit Name:** Manage Legal and ethical compliance

**Qualification:**

**Participant Name:** \_\_\_\_\_

Version Control:

Please Note: All care has been taken to ensure this document is of the highest quality at the time of publication. The authors, editors, and publishers will not be responsible for any actions taken on the basis of this documentation, nor for any errors or omissions, or for the results obtained from the use of such information.

# Contents

<b>Assessment Information .....</b>	<b>2</b>
<b>Instructions to the student.....</b>	<b>4</b>
<b>Assessment Agreement.....</b>	<b>7</b>
<b>Assessment Task 2 - Case Study .....</b>	<b>8</b>
<b>Assessment Task 3 – Simulated Project.....</b>	<b>17</b>

# Assessment Information

<b>Unit Code &amp; Title:</b>	CHCLEG003 – Manage Legal and Ethical compliance
<b>Unit Descriptor:</b>	The focus of this unit is on researching information about compliance and ethical practice responsibilities, and then develop and monitor policies and procedures to meet those responsibilities.
<b>Application of the Unit:</b>	This unit applied to people working in roles with managerial responsibility for legal and ethical compliance in small to medium sized organisations.
<b>Elements:</b>	<ol style="list-style-type: none"> <li>1. Research information required for legal compliance</li> <li>2. Determine ethical responsibilities</li> <li>3. Develop and communicate policies and procedures.</li> <li>4. Monitor compliance</li> <li>5. Maintain knowledge of compliance requirements</li> </ol>
<b>Performance Knowledge:</b>	<ul style="list-style-type: none"> <li>• Determined the scope of legal and ethical compliance requirements and responsibilities, and developed policies and procedures for at least 1 workplace or business</li> <li>• Developed a strategic response to at least 3 different situations where legal or ethical requirements have been breached</li> </ul>
<b>Knowledge Evidence:</b>	<ul style="list-style-type: none"> <li>• Legal responsibilities and liabilities of managers and others in different types of organisation</li> <li>• Legal and ethical frameworks (international, national state/territory, local), how these apply in the workplace, and the responsibilities of managers in the development and monitoring of policies and procedures, including those related to: <ul style="list-style-type: none"> <li>- Children in the workplace, codes of conduct, codes of practice, complaints Management, continuing professional education</li> <li>- Discrimination, dignity of risk, duty of care</li> <li>- Human rights: <ul style="list-style-type: none"> <li>• <i>Universal declaration of human rights</i></li> <li>• Relationship between human needs and human rights</li> <li>• Frameworks, approaches and instruments used in the workplace</li> </ul> </li> <li>- Informed consent, mandatory reporting, practice standards, practitioner/client Boundaries, privacy, confidentiality and disclosure</li> <li>- Policy frameworks, records management, rights and responsibilities of workers, employers and clients</li> </ul> </li> <li>• Industrial relations legislation and requirements relevant to organisation, specific requirements in the area of work, including: <ul style="list-style-type: none"> <li>• Key practices that are prohibited by law</li> <li>• Auditing and inspection regimes</li> <li>• Main consequences of non-compliance</li> <li>• Need to apply for licences and associated mandatory training and certification requirements</li> <li>• Statutory reporting requirements</li> <li>• Business insurances required including public liability and workers compensation</li> <li>• Accreditation requirements</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Requirements to develop and implement plans, policies, codes of conduct or incorporate certain workplace practices</li> <li>- Work role boundaries – responsibilities and limitations of different people, work health and safety</li> <li>• Sources of information and advice on compliance including: <ul style="list-style-type: none"> <li>- Local, state/territory or commonwealth government departments or regulatory agencies, industry associations</li> <li>- Plain English documentation that explains legislation</li> <li>- Functions and operating procedures of regulatory authorities of particular relevance to the health and community service sectors</li> <li>- Methods of receiving updated information on requirements</li> <li>- Use of policies and procedures in managing compliance and ethical practice in both Internal work practice and external service delivery</li> <li>- Formats for policies and procedures and what they should include</li> </ul> </li> <li>• Techniques for monitoring compliance</li> </ul>
<b>Assessment Conditions:</b>	<p>Skills must have been demonstrated in the workplace or in a simulated environment that reflects workplace conditions. Use of current legislation and regulations and workplace policies and procedures are required. Modelling of industry operating conditions, including use of real or simulated organisations for which the candidate develops policies and procedures, integration of problem-solving activities.</p>

# Instructions to the student

## Purpose of this assessment

This Assessment is designed to test your knowledge and skills against the criteria that is required in order for you to research information about compliance and ethical practice responsibilities, and then develop and monitor policies and procedures to meet those responsibilities and applies to people working in roles with managerial responsibility for legal and ethical compliance in small to medium sized organisations.

## Methods of Assessment

The assessments have been developed in consideration to assessment requirements, learning environment and the expectations by industry.

To be deemed competent in this unit of competency the following assessment requirements must be completed. You must achieve a satisfactory result for each task to be deemed competent in this unit.

**Assessment Task 1 – Written Questions –** The Written Questions provided in this assessment kit is required to be completed. Assessment Task 1 may be completed within allocated training time or during periods of self-study.

**Assessment Task 2 – Case Studies –** The Case Study/ies provide an opportunity for you to demonstrate your knowledge and skills aligned to settings that reflect your industry. Written answers to questions relating to the different case studies is required. You are required to read the case studies and answer all the questions satisfactorily. Assessment Task 2 may be completed within allocated class time or during periods of self-study.

**Assessment Task 3 – Simulated Project -** This simulated project provides an opportunity for you to demonstrate your competency in a practical setting reflective of the workplace. You are required to read and follow the project instructions. This may include; utilising and completing provided simulated support documentation, participating in role plays, using equipment and/ or providing answers to written questions. Depending on the task you may require guidance from the trainer/assessor and/or participation of other learners. Marking criteria for the simulation is included and is to be used to determine your competency. Please familiarise yourself with both the task instructions and the marking criteria to identify what the trainer/ assessor is looking for.

**Assessment Task 4 - Practical Project –** This practical project provides an opportunity for you to demonstrate your competency in a practical real work setting. You are required to read the project instructions This may include; collecting and providing documents, providing answers/information to the items listed and/or providing answers to written questions. You are to complete the project without the guidance from the Trainer/Assessor. Where you are not able to undertake the practical project in the workplace, your Trainer /Assessor will provide you support by creating a simulated situation. Where a simulated environment has been created your Trainer/Assessor will record this as a reasonable adjustment to the assessment method.

## Resources needed for assessment:

- Learner Guide
- Current legislation and regulations
- Workplace policies and procedures or policies and procedures from Australian Healthcare simulated resources
- Use of a real or simulated organisation for which the candidate develops policies and procedures
- Model of industry operating conditions to enable integration of problem-solving activities.

## What you need to do:

- Complete the activities as described above
- Take a photo copy of your work if you would like to
- Collect all the required evidence and provide to your trainer
- Sign the Assessment Agreement
- Submit the completed assessment kit to your assessor.

If you have any difficulties or there is anything you don't understand, talk with your Trainer/Assessor; they are here to help you. Never be too afraid to ask about anything you don't understand related to safety and do not attempt to complete tasks you are unsure about. You can raise any concerns with your trainer/assessor.

Your assessor will provide you with feedback both verbally and in writing.

## Assessment outcomes

**Satisfactory** – Evidence provided meets the requirements of the assessment method and unit of competency

**Not Satisfactory** – Evidence provided does not meet the requirements of the assessment method and unit of competency.

If you have been given a Not Satisfactory assessment outcome you will be given the chance to review with your assessor and discuss the area/s for improvement and time will be elected where you will be required to resubmit the Assessment Workbook as per the assessor's instructions. If you receive a Satisfactory outcome for the individual Assessment Mode, then this outcome will contribute to final judgement of competency for this unit.

## **Reasonable Adjustment**

Special consideration may be applied, and reasonable adjustment given to this assessment, as required. *(See further information in student handbook – Access & Equity and RTO policies and procedures – Assessment Policy)*

Any adjustments made to standard assessment will be documented clearly in assessment kit either at the front of the booklet or in the individual competency record.

### **Document any adjustments to standard assessment**

## **Reassessment**

Where you are found not yet competent, the RTO will provide three further opportunities to achieve competency at no cost. If you request to be re-assessed after the 3 attempts a cost of \$200 per unit will be applied and any attempt thereafter. *(see Assessment Policy for further information).*

# Assessment Agreement

An assessment agreement is required to ensure that all students are aware of the process and purpose of an assessment and the requirements that achieve competence in this unit.

<b>Student Full Name:</b>			
<b>Unit Code and Title:</b>	CHCLEG003 – Manage legal and ethical compliance		
<b>Qualification:</b>			
<b>Please tick as appropriate</b>	<b>Yes</b>	<b>No</b>	<b>Comment</b>
The purpose of the assessment has been clearly explained			
Assessment methods and outcomes required have been clearly explained and I understand what is required of me to achieve competency in this unit			
I have been made aware of the Assessment and Appeals Policy			
I have discussed any special needs to be considered during assessment with my assessor			
I understand I have three attempts to complete each task satisfactorily. After three attempts, \$200 per unit will be charged to reassess the unit of competency. If after the fourth attempt I am deemed 'Not Yet Competent', I will be required to do further training before reattempting this unit.			
I give permission for the RTO to use my assignment for assessment moderation / validation purposes.			
<p>I declare that I understand how assessment will take place for this unit.</p> <p>I also understand that work completed towards this assessment must be verifiably my own.</p>			
<p><b>Student's Name:</b> _____</p> <p><b>Student's Signature:</b> _____ <b>Date:</b> ____ / ____ / _____</p>			
<p><b>Assessor's Name:</b> _____</p> <p><b>Assessor's Signature:</b> _____ <b>Date:</b> ____ / ____ / _____</p>			



# Assessment Task 2 - Case Study

## Assessment description

This assessment is based on a case study for you to read and complete the relevant questions.

### Case Study 1

Read the Case Study and answer the questions that follow. \*\*When preparing for this assessment you are to draw knowledge and consider the workplace policies and procedures and documentation you would be required to utilise.

Rebecca, who is a personal care worker, left a client in an undressed state in her room for 20 minutes after giving her a shower. Rebecca was distracted and lost track of the time that she was away from the client. Her absence contravened both her duty of care and her job description, which specified that she must never leave a client alone after showering and before they were dressed. The client attempted to dress herself and had a nasty fall. Fortunately, there was no permanent injury.

The client's family decided to take legal action for negligence but was advised by their solicitor that, while there were grounds for establishing negligence, it was felt that the action would be unsuccessful because the client had not been permanently injured.

1. What could have been done to prevent the incident?

Assessor Use Only: Satisfactory response provided

YES

NO

2. What were Rebecca’s responsibilities in this instance? When listing the responsibilities, list which are legal, and which are ethical compliance requirements.

Assessor Use Only: Satisfactory response provided      YES      NO

3. In this scenario you are the manager responsible for Rebecca. What actions would you take to address this situation?

Assessor Use Only: Satisfactory response provided      YES       NO

4. What strategies would you put in place to ensure this situation would not be repeated?

**Assessor Use Only:** Satisfactory response provided

**YES**

**NO**

## Case Study 2

You are the senior personal carer of the night shift and your staff member on duty Angela has performed CPR on a client who has a DNR order.

**1. What are the legal issues associated to this situation?**

**Assessor Use Only:** Satisfactory response provided

**YES**

**NO**

**1b. Who would you consult with to determine legalities?**

**Assessor Use Only:** Satisfactory response provided      **YES**      **NO**

**2. How would you manage this situation?**

**Assessor Use Only:** Satisfactory response provided      **YES**      **NO**

3. What preventative measure would you put in place for the future that would ensure this situation was not repeated?

**Assessor Use Only:** Satisfactory response provided

**YES**

**NO**

### Case Study 3

In this scenario you are the Manager of a Home and Community Care organisation in Victoria. Your organisation provides oversees support services for individuals in their homes. The individuals that utilise your organisation are individuals living in their own homes who require emotional, social and physical support. You are responsible for the management of a team of care workers who provide day to day support to the clients. The day to day support also includes coordinating a variety of community services such as occupational therapy, speech therapy, physiotherapy and psychology. You have received a complaint from a service user Louise. Louise has stated that a staff member Matilda has treated Louise differently to other residents because she doesn't agree with Louise's religion.

1. Describe what the breaches of legal and ethical requirements are within this situation

Assessor Use Only: Satisfactory response provided

YES

NO

**2. Outline the steps you would take to respond to this situation.**

**Assessor Use Only:** Satisfactory response provided      **YES**      **NO**

**3. What strategies would you implement to ensure a complaint such as this, is not received again?**

**Assessor Use Only:** Satisfactory response provided      **YES**      **NO**



## Case Studies Assessment Record

CHCLEG003

Manage Legal and Ethical compliance

Reasonable Adjustments made

Assessment activity

Task 2 – Case Study

Satisfactory

Not Satisfactory

Assessor Initials

Date: \_\_\_ / \_\_\_ / \_\_\_\_\_

### Assessment Guide

**Satisfactory**

The Assessor has reviewed the Assessment Workbook against the requirements of the Assessment Mode and is satisfied that all requirements have been met.

**Not Satisfactory**

The Assessor has reviewed the Assessment Workbook against the requirements of the Assessment Mode and is not satisfied that all requirements have been met.

### Re- Assessment

\_\_\_ / \_\_\_ / \_\_\_\_\_

\_\_\_ / \_\_\_ / \_\_\_\_\_

\_\_\_ / \_\_\_ / \_\_\_\_\_

\_\_\_ / \_\_\_ / \_\_\_\_\_

# Assessment Task 3 – Simulated Project

## Assessment Description

This assessment is based on a case study for you to read and complete the relevant questions.

When preparing for this assessment you are to consider the workplace policies and procedures and documentation you would be required to utilise. You are required to demonstrate your skills in developing strategic responses to where legal or ethical requirements have been breached.

During the observation of the role play the assessor will confirm that you can:

- Determine legal compliance
- Determine responsibilities
- Provide a strategic response
- Develop strategies to ensure continuous improvement

## Instructions to the student

Read the below scenario and provide detailed description of how you would manage the situation. For this task you are to draw knowledge from your workplace organisational policies and procedures. You are also to consider current legislation and regulations that will apply.

## Scenario

### The scene:

Aged care facility called Health Care Australia Inc.

Health Care Australia Inc provides residents with the opportunity to live independently within a managed facility.

A variety of external community organisations provide services to the residents in this wing.

### Your responsibility

Manage legal and ethical compliance within the organisation

Ensure that the facility is up to date with their AHPRA registration and accreditation

Maintain effective relationships with a variety of external community service providers

### The situation

A casual nurse comes to work with the symptoms of gastroenteritis. She knows that she should have stayed home but she was unable to swap the shift with any other staff member and didn't want to let the team down. Throughout her shift Renee struggled to perform and her direct supervisor was given feedback from a resident of her illness and symptoms.

Her supervisor Rebecca directs her to finish her shift straight away as she is concerned by the repercussions of Renee's actions on the residents.

## The impact

At the start of the evening shift the evening supervisor Nathan contacts you to report that five residents have developed gastroenteritis.

Two (2) of the five (5) residents who have contracted the virus have been taken to hospital and is in a critical condition.

Provide details of how you would respond to this situation. (refer to the policies and procedures of Health Care Australia Inc.)

- **What immediate actions do you take?**
- **Provide response to the following questions.**

<p>What is the organisations scope of compliance requirements? How would you determine this?</p>	
<p>Where would you access information about legal and ethical compliance requirements of the organisation?</p>	

<p>Describe the consequences or penalties Health Care Australia Inc might face as a result of breaching its duty of care to residents?</p>	
<p>What are the responsibilities of:</p> <ul style="list-style-type: none"> <li>• Rebecca</li> <li>• Renee</li> <li>• The evening Supervisor</li> <li>• You as the manager</li> </ul>	
<p>List a minimum of 3 policies and procedures you should use to support legal and ethical compliance when managing the incident.</p>	

Assessor Use Only: Satisfactory response provided

**YES**

**NO**

4. What strategies do you put in place to ensure issues like this don't happen again?

**Assessor Use Only:** Satisfactory response provided

**YES**

**NO**

# Simulated Project Assessment Record

CHCLEG003

Manage Legal and Ethical Compliance

<b>Reasonable Adjustments made</b>			
<b>Assessment activity</b> Task 3 – Simulated Project	<b>Satisfactory</b>	<b>Not Satisfactory</b>	<b>Assessor Initials</b>
Date: ___ / ___ / _____			
<b>Assessment Guide</b>			
<b>Satisfactory</b>	The Assessor has reviewed the Assessment Workbook against the requirements of the Assessment Mode and is satisfied that all requirements have been met.		
<b>Not Satisfactory</b>	The Assessor has reviewed the Assessment Workbook against the requirements of the Assessment Mode and is not satisfied that all requirements have been met.		
<b>Re- Assessment</b>			
___ / ___ / _____			
___ / ___ / _____			
___ / ___ / _____			
___ / ___ / _____			

## Competency Record

<b>Unit Code &amp; Title</b>	CHCLEG003 – Manage legal and ethical compliance	
<b>Student Name:</b>		
<b>Assessment Strategies:</b>	<p style="text-align: right;">Satisfactory      Unsatisfactory</p> <p>Assessment Task 2 - Case Studies</p> <p>Assessment Task 3 - Simulated Project</p>	
<b>Student Feedback:</b>		
<b>Assessment Result:</b>	<p>The participant is COMPETENT</p> <p>The participant is NOT YET COMPETENT</p>	
<b>Assessor Declaration:</b>	<p>Evidence of Competency is:</p> <p style="text-align: center;">Valid      Authentic      Sufficient      Current</p> <p>All the above assessment modes have been met</p> <p>The assessment has been modified due to Reasonable Adjustment (see below)</p> <p>Gaps in performance were identified and reassessment completed (as per record of results)</p> <p>Feedback given to student:      Written (above)      Email (attached)</p>	
<b>Assessor's Name:</b>		
<b>Assessor's Signature:</b>	Date: ____ / ____ / _____	