



Australian Government

Department of Education, Employment and Workplace Relations

HLTHIR506C Implement and monitor compliance with legal and ethical requirements

Release: 1

HLTHIR506C Implement and monitor compliance with legal and ethical requirements

Modification History

Not Applicable

Unit Descriptor

Descriptor

This unit describes the skills and knowledge required to implement and monitor compliance with legal and ethical requirements relevant in the work area

Application of the Unit

Application

Work will be performed within a range of skilled applications including evaluation and analysis of current practices, assistance in the development of new criteria and procedures and provision of some leadership and guidance to others
Application of this unit should be contextualised to reflect specific legal and ethical requirements and issues relevant to the workplace, role and function

Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Not Applicable

Employability Skills Information

Employability Skills

This unit contains Employability Skills

Elements and Performance Criteria Pre-Content

Elements define the essential outcomes of a unit of competency.

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Terms in italics are elaborated in the Range Statement.

Elements and Performance Criteria

ELEMENT

1. Maintain ethical work practices

PERFORMANCE CRITERIA

- 1.1 Fulfil duty of *confidentiality* to the client, both at law and under professional code of ethics
- 1.2 Ensure the collection, use and *disclosure of client information* is consistent with information privacy principles
- 1.3 Ensure the *rights of clients* are recognised and respected throughout all stages of tests/procedures
- 1.4 Ensure adherence to relevant industry code of practice that outlines the minimum standard of professional conduct
- 1.5 Refer ethical issues or breaches of *ethical practice* to management or ethics committees in accordance with organisation policies and procedures
- 1.6 Exercise duty of care in all aspects of work to ensure client safety
- 1.7 Handle client complaints sensitively and in line with organisation policies and procedures
- 1.8 Perform all work within the boundaries of responsibility and refer problems to supervisor and/or other appropriate health professional
- 1.9 *Monitor work practices* to ensure that they reflect *principles of ethical practice*

ELEMENT

PERFORMANCE CRITERIA

2. Maintain appropriate documentation

2.1 When referral or request is received, ensure nature and requirements referral and/or request are correctly identified

2.2 Complete documentation within clients' medical records in accordance with state/territory legislation, and organisation policies and procedures

2.3 Ensure reports and documentation address requirements of state/territory legislation, and organisation policies and procedures

2.4 Implement policies and procedures to safe guard client information from unauthorised access or disclosure

3. Maintain compliance with legal requirements

3.1 Ensure statutory obligations and requirements are fulfilled

3.2 Ensure consent of client is obtained for each test/procedure, as required

3.3 Ensure authorities are notified of client information as required by law

3.4 Ensure release of information contained within client records is completed in accordance with relevant federal, state/territory legislation and organisation policies and procedures

3.5 Ensure duty of care is met in all aspects of own work role

3.6 Ensure clients are provided with access to information about themselves in accordance with legislation or other statutory provisions

3.7 Ensure the right of every client to be treated fairly and equitably is recognised

3.8 Monitor compliance with legal obligations and requirements

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level required for this unit.

Essential knowledge:

The candidate must be able to demonstrate essential knowledge required to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

This includes knowledge of:

- Client rights and responsibilities
- Industry code(s) of practice where applicable
- Law of consent to medical treatment
- Legal and ethical requirements and responsibilities as they relate to specified work role(s)
- Organisation policy and procedures for complaints handling
- Relevant federal, state, territory and local government legislation affecting role and duties

Essential skills:

It is critical that the candidate demonstrate the ability to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

This includes the ability to:

- Apply reading and writing skills (literacy competence) required to fulfil job roles in a safe manner and as specified by the organisation, at a level of skill that includes:
 - literacy in English or a community language depending on the language used in pamphlets or workplace manuals
 - reading and interpreting organisation policy and procedure manuals and industry codes of practice
- Apply oral communication skills-language competence required to fulfil job roles in a safe manner and as specified by the organisation:
Assessors should look for skills in:
 - asking questions
 - clarifying workplace instructions when necessary
 - listening to and understanding workplace instructions

REQUIRED SKILLS AND KNOWLEDGE

- providing clear information
- Conduct compliance monitoring activities
- Demonstrate, model and monitor work activities in compliance with legal and ethical requirements and organisation policies and procedures, including:
 - demonstrating respect for clients' rights
 - meeting requirements for provision of duty of care
 - working in accordance with legislation relevant to the workplace and specific work functions
- Take into account requirements and imperatives relating to waste minimisation, environmental responsibility and sustainable practice
- Use effective verbal and non verbal communication skills with a range of internal and external persons, which may involve competence in English or a community language, depending on client group
- Use problem solving skills as required to interpret and apply policy in the workplace, develop procedures and monitor practices

Evidence Guide

EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for this Training Package.

Critical aspects for assessment and evidence required to demonstrate this competency unit:

- The individual being assessed must provide evidence of specified essential knowledge as well as skills
- Consistency of performance should be demonstrated over the required range of situations relevant to the particular workplace
- Assessment involves access to an appropriate workplace or simulated realistic workplace setting, using relevant organisation policy, guidelines, procedures and protocols

EVIDENCE GUIDE

- Access and equity considerations:*
- All workers in the health industry should be aware of access and equity issues in relation to their own area of work
 - All workers should develop their ability to work in a culturally diverse environment
 - In recognition of particular health issues facing Aboriginal and Torres Strait Islander communities, workers should be aware of cultural, historical and current issues impacting on health of Aboriginal and Torres Strait Islander people
 - Assessors and trainers must take into account relevant access and equity issues, in particular relating to factors impacting on health of Aboriginal and/or Torres Strait Islander clients and communities

Range Statement

RANGE STATEMENT

The Range Statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Add any essential operating conditions that may be present with training and assessment depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts.

Confidentiality of client information must include:

- Verbal
- Written i.e. medical records, referral/request
- Video/audio tapes
- Radiographic films and images
- Computer files

RANGE STATEMENT

Disclosure of client information may include:

- When a client consents to disclosure
- When other health care workers need to know information to complete appropriate treatment and care
- When disclosure of information is required by law eg some infectious diseases, suspected or known child abuse

Client's rights may include:

- Treatment with reasonable care and skill
- Right to refuse medical treatment
- Confidentiality of information
- Access to information held about them including medical records, registers
- Right not to be discriminated against
- Right to make a complaint
- Right to be involved in decisions regarding treatment and care

Legal obligations and requirements may relate to:

- Privacy
- Anti-Discrimination
- Consent to medical treatment
- Duty of care
- Release of client information, including medical and other clinical records
- Coroners Act
- Child protection
- Industrial relations
- Trade practices
- Poisons legislation
- Retention of human tissue
- Equal Employment Opportunity
- Occupational health and safety
- Infection control
- Contractual obligations
- Licensing laws

RANGE STATEMENT

Consent of client may include:

- Written
- Verbal
- Implied

Notification of authorities of client information must include:

- Certain infectious diseases
- Suspected or known child abuse
- If it is deemed to be in the public's best interest

Monitoring of ethical work practice and legal compliance may involve:

- Audits
- Inspections and reviews
- Quality Assurance activities

Unit Sector(s)

Not Applicable