



CHCLEG001

ASSESSOR GUIDE

# Work legally and ethically

## Assessment 2 of 3

### Case Studies



#### ASSESSOR GUIDE

Student name: <<Insert student name here>>  
Student number: <<Insert student number here>>



## Assessment Instructions

### Task overview

This assessment is split into 3 parts:

- Part A: Identify legal and ethical rights and responsibilities
- Part B: Identify and address legal and ethical issues – Case study 1
- Part C: Identify and address legal and ethical issues – Case study 2

All parts are to be completed in the context of the work role in the Community Services and Health industry.

In Part A you are to answer the 3 questions. In Part B, Part C and Part D you are to review the case studies provided and complete the tasks that follow.

These questions and tasks will test your understanding and skills as required of this unit. To be assessed as competent, you must complete all questions and tasks in the spaces provided.

### Additional resources and supporting documents

To complete this assessment, you will need to access:

- A range of legal and ethical rules and regulations via the internet
- Code of Practice (available via LMS Assessment 2 Page)

## Assessment Information

### Submission

You are entitled to three (3) attempts to complete this assessment satisfactorily. Incomplete assessments will not be marked and will count as one of your three attempts.

All questions must be responded to correctly to be assessed as satisfactory for this assessment.

Answers must be typed into the space provided and submitted electronically via the LMS. Hand-written assessments will not be accepted unless previously arranged with your assessor.

### Reasonable adjustment

Students may request a reasonable adjustment for assessment tasks.

Reasonable adjustment usually involves varying:

- the processes for conducting the assessment (e.g. allowing additional time)
- the evidence gathering techniques (e.g. oral rather than written questioning, use of a scribe, modifications to equipment)

However, the evidence collected must allow the student to demonstrate all requirements of the unit.

Refer to the Student Handbook or contact your Trainer for further information.



Please consider the environment before printing this assessment.

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## PART A: Identify legal and ethical rights and responsibilities

### Question 1

Below are 20 tools that set out the legal and ethical rules and regulations that apply to work in the Community Service and Health industry. Source each tool on the internet and provide a weblink. You must access each link before recording it to ensure it is an active and current link for each tool.

**Assessor instructions:** Students must source the following legal and ethical tools that must be applied to work in the Community Services and Health Industry.

Answers are provided below. Where alternatives apply, an example has been included.

LEGAL AND ETHICAL TOOLS		LINK TO SOURCE (Link to source document or example of tool)
1.	United Nations Universal Declaration of Human Rights (UDHR)	<a href="https://www.un.org/en/about-us/universal-declaration-of-human-rights">https://www.un.org/en/about-us/universal-declaration-of-human-rights</a>
2.	United Nations Convention on the Rights of the Child (UNCRC)	<a href="https://www.unicef.org.au/united-nations-convention-on-the-rights-of-the-child">https://www.unicef.org.au/united-nations-convention-on-the-rights-of-the-child</a>
3.	United Nations Convention on the Rights of Persons with Disabilities (CRPD)	<a href="https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd">https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd</a>
4.	International Labour Organisation (ILO) Conventions	<a href="https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm">https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm</a>
5.	Australian Human Rights Commission Act 1986	<a href="https://humanrights.gov.au/our-work/legal/legislation">https://humanrights.gov.au/our-work/legal/legislation</a>
6.	Child Protection (Working with Children) Act 2012	<a href="https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2012-051#:~:text=An%20Act%20with%20respect%20to,children%3B%20and%20of%20other%20purposes.&amp;text=This%20Act%20is%20the%20Child,Working%20with%20Children)%20Act%202012.&amp;text=This%20Act%20commences%20on%20a,to%20be%20appointed%20by%20proclamation.">https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2012-051#:~:text=An%20Act%20with%20respect%20to,children%3B%20and%20of%20other%20purposes.&amp;text=This%20Act%20is%20the%20Child,Working%20with%20Children)%20Act%202012.&amp;text=This%20Act%20commences%20on%20a,to%20be%20appointed%20by%20proclamation.</a>
7.	Child Wellbeing and Safety Act 2005	<a href="https://www.legislation.vic.gov.au/in-force/acts/child-wellbeing-and-safety-act-2005/038">https://www.legislation.vic.gov.au/in-force/acts/child-wellbeing-and-safety-act-2005/038</a>
8.	National Aged Care Quality Standards	<a href="https://www.agedcarequality.gov.au/providers/standards">https://www.agedcarequality.gov.au/providers/standards</a>

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9.	Disability Discrimination Act 1992	<a href="https://www.legislation.gov.au/Details/C2018C00125">https://www.legislation.gov.au/Details/C2018C00125</a>
10.	Family Law Act 1975	<a href="https://www.legislation.gov.au/Details/C2019C00101">https://www.legislation.gov.au/Details/C2019C00101</a>
11.	Privacy Act 1988	<a href="https://www.legislation.gov.au/Details/C2014C00076">https://www.legislation.gov.au/Details/C2014C00076</a>
12.	Fair Work Act 2009	<a href="https://www.legislation.gov.au/Details/C2017C00323">https://www.legislation.gov.au/Details/C2017C00323</a>
13.	<p>Child Protection Act for your state/territory. These include:</p> <ul style="list-style-type: none"> <li>- Child Protection Act 1999 (Qld)</li> <li>- Children and Young Persons (Care and Protection) Act 1998 (NSW)</li> <li>- Children and Young People Act 2008 (ACT)</li> <li>- Child Employment Act 2003 (VIC)</li> <li>- Children, Young Persons and Their Families Act 1997 (TAS)</li> <li>- Child Safety (Prohibited Persons) Act 2016 (SA)</li> <li>- Children and Community Services Act 2004 (WA)</li> <li>- Care and Protection of Children Act 2007 (NT)</li> </ul>	<ul style="list-style-type: none"> <li>- Child Protection Act 1999 (Qld): <a href="https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010">https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010</a></li> <li>- Children and Young Persons (Care and Protection) Act 1998 (NSW): <a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-157">https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-157</a></li> <li>- Children and Young People Act 2008 (ACT): <a href="https://www.legislation.act.gov.au/a/2008-19/">https://www.legislation.act.gov.au/a/2008-19/</a></li> <li>- Child Employment Act 2003 (VIC): <a href="http://classic.austlii.edu.au/au/legis/vic/consol_act/cea2003180/">http://classic.austlii.edu.au/au/legis/vic/consol_act/cea2003180/</a></li> <li>- Children, Young Persons and Their Families Act 1997 (TAS): <a href="http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/tas/consol_act/cypatfa1997399/">http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/tas/consol_act/cypatfa1997399/</a></li> <li>- Child Safety (Prohibited Persons) Act 2016 (SA): <a href="chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.legislation.sa.gov.au/__legislation/lz/c/a/child%20safety%20(prohibited%20persons)%20act%202016/current/2016.49.auth.pdf">chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.legislation.sa.gov.au/__legislation/lz/c/a/child%20safety%20(prohibited%20persons)%20act%202016/current/2016.49.auth.pdf</a></li> <li>- Children and Community Services Act 2004 (WA): <a href="https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_132_homepage.html">https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_132_homepage.html</a></li> <li>- Care and Protection of Children Act 2007 (NT): <a href="https://tfhc.nt.gov.au/publications-and-policies/child-protection/care-and-protection-of-children-act">https://tfhc.nt.gov.au/publications-and-policies/child-protection/care-and-protection-of-children-act</a></li> </ul>

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14.	<p>Domestic Violence Protection Act for your state/territory. These include:</p> <ul style="list-style-type: none"> <li>- Domestic and Family Violence Protection Act 1989 (Qld)</li> <li>- Crimes (Domestic and Personal Violence) Act 2007 (NSW)</li> <li>- Domestic Violence and Protection Orders Act 2008 (ACT)</li> <li>- Family Violence Protection Act 2008 (Vic)</li> <li>- Family Violence Act 2004 (Tas)</li> <li>- Statutes Amendment (Domestic Violence) Act 2018 (SA)</li> <li>- Restraining Orders Act 1997 (WA)</li> <li>- Domestic and Family Violence Act 2007 (NT)</li> </ul>	<ul style="list-style-type: none"> <li>- Domestic and Family Violence Protection Act 1989 (Qld): <a href="https://www.legislation.qld.gov.au/view/pdf/2009-12-01/act-1989-042">chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.legislation.qld.gov.au/view/pdf/2009-12-01/act-1989-042</a></li> <li>- Crimes (Domestic and Personal Violence) Act 2007 (NSW): <a href="https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2007-080">https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2007-080</a></li> <li>- Domestic Violence and Protection Orders Act 2008 (ACT): <a href="https://www.legislation.act.gov.au/a/2008-46">https://www.legislation.act.gov.au/a/2008-46</a></li> <li>- Family Violence Protection Act 2008 (Vic): <a href="https://www.legislation.vic.gov.au/in-force/acts/family-violence-protection-act-2008/053">https://www.legislation.vic.gov.au/in-force/acts/family-violence-protection-act-2008/053</a></li> <li>- Family Violence Act 2004 (Tas): <a href="https://www.legislation.tas.gov.au/view/html/inforce/current/act-2004-067">https://www.legislation.tas.gov.au/view/html/inforce/current/act-2004-067</a></li> <li>- Statutes Amendment (Domestic Violence) Act 2018 (SA): <a href="https://www.legislation.sa.gov.au/lz?path=%2FV%2FA%2F2018%2FSTATUTES%20AMENDMENT%20(DOMESTIC%20VIOLENCE)%20ACT%202018_38">https://www.legislation.sa.gov.au/lz?path=%2FV%2FA%2F2018%2FSTATUTES%20AMENDMENT%20(DOMESTIC%20VIOLENCE)%20ACT%202018_38</a></li> <li>- Restraining Orders Act 1997 (WA): <a href="https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_822_homepage.html">https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_822_homepage.html</a></li> <li>- Domestic and Family Violence Act 2007 (NT): <a href="https://legislation.nt.gov.au/en/Legislation/DOMESTIC-AND-FAMILY-VIOLENCE-ACT-2007">https://legislation.nt.gov.au/en/Legislation/DOMESTIC-AND-FAMILY-VIOLENCE-ACT-2007</a></li> </ul>
15.	<p>Informed consent as recognised in the World Medical Association's Declaration of Helsinki.</p>	<p>World Medical Association's Declaration of Helsinki: <a href="https://www.wma.net/policies-post/wma-declaration-of-helsinki-ethical-principles-for-medical-research-involving-human-subjects/#:~:text=The%20World%20Medical%20Association%20(WMA,identifiable%20human%20material%20and%20data.">https://www.wma.net/policies-post/wma-declaration-of-helsinki-ethical-principles-for-medical-research-involving-human-subjects/#:~:text=The%20World%20Medical%20Association%20(WMA,identifiable%20human%20material%20and%20data.</a></p>
16.	<p>Duty of Care for community services and health industry. Example may be for any group catered to in this industry.</p>	<p>Eg. Duty of Care in NSW Youth and Welfare Services: <a href="https://www.youthaction.org.au/duty_of_care#:~:text=What%20is%20duty%20of%20care,law%20calls%20this%20reasonable%20foreseeability).">https://www.youthaction.org.au/duty_of_care#:~:text=What%20is%20duty%20of%20care,law%20calls%20this%20reasonable%20foreseeability).</a></p>
17.	<p>Research Ethics Guidelines for community services and health industry. Example may be for any group catered to in this industry.</p>	<p>Eg. Ethical research in palliative care: <a href="https://documents.uow.edu.au/content/groups/public/@web/@chsd/documents/doc/uow082016.pdf">chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://documents.uow.edu.au/content/groups/public/@web/@chsd/documents/doc/uow082016.pdf</a></p>
18.	<p>Individual decision-making legislation as covered by the Guardianship and Administration Act 2019 (Qld).</p>	<p>Guardianship and Administration Act 2019 (Qld): <a href="https://www.legislation.qld.gov.au/view/pdf/asmade/act-2019-009">chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.legislation.qld.gov.au/view/pdf/asmade/act-2019-009</a></p>

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19.	Ethics and Standards - Australian Community Workers Association	<a href="https://www.acwa.org.au/workers/ethics-and-standards/">https://www.acwa.org.au/workers/ethics-and-standards/</a>
20.	National Practice Standards for Health and Aged Care – mental health workforce	<a href="https://www.health.gov.au/resources/publications/national-practice-standards-for-the-mental-health-workforce-2013">https://www.health.gov.au/resources/publications/national-practice-standards-for-the-mental-health-workforce-2013</a>

## Question 2

Using the links below, review, interpret and provide a short description for each of the following legal and ethical requirements listed. The descriptions should include what is required and what this involves in practice.

**Assessor instructions:** Students must interpret and provide a short description for each of the following legal and ethical requirements.

Sample answers are provided below. Answers may vary, however they must incorporate the elements captured in the sample.

LEGAL REQUIREMENT		INTERPRETATION & PRACTICAL APPLICATION (Word count: Up to 50 words each)
1.	<p><a href="#">United Nations Convention on the Rights of the Child:</a></p> <p>Article 6, Pt 2. States Parties shall ensure to the maximum extent possible the survival and development of the child.</p>	<p>Parties have the responsibility to prioritize and safeguard the survival and development of children to the greatest extent possible.</p> <p>This legal requirement emphasizes the importance of providing children with the necessary conditions and opportunities to thrive physically, mentally, emotionally, and socially.</p>
2.	<p><a href="#">Australian Privacy Principles:</a></p> <p>Australian Privacy Principle 1 — open and transparent management of personal information.</p>	<p>APP 1 requires organizations to handle personal information in a transparent manner.</p> <p>It entails informing clients how their information is collected, used, and stored through provision of and adherence to a privacy policy.</p>
3.	<p><a href="#">Mental Health Act 2014 – Informed Consent:</a></p> <p>Sect 69. (1) (a) For the purposes of treatment or medical treatment that is given in accordance with this Act, a person gives informed consent if the person (a) has the capacity to give informed consent to the treatment or medical treatment proposed.</p>	<p>This section specifies that any person with the required capacity can provide informed consent to their treatment.</p> <p>Determining a person’s capacity to give informed consent involves assessing their ability to understand the relevant information, weigh the potential risks and benefits, and be able to communicate their decision about their treatment.</p>

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4.	<p><u><a href="#">Duty to maintain confidentiality:</a></u></p> <p>A health professional may only provide information to a person other than the patient for reasons of significant public interest or when required by legislation.</p>	<p>This requirement states that health professionals can disclose patient information to a third party in cases of significant public interest or as mandated by legislation.</p> <p>This may include disclosure of an act of crime or negligence of a minor to the appropriate authorities.</p>
5.	<p><u><a href="#">National Practice Standards for the mental health workforce 2013:</a></u></p> <p>Part 3: Standard 1: Pt 8. Develops meaningful professional and therapeutic relationships while maintaining safe and professional boundaries. (pg 12)</p>	<p>This requires workers create professional relationships through interactions that build trust, empathy and rapport, while maintaining appropriate boundaries by acting professionally, avoiding dual relationships, personal disclosure and any conflicts of interest that compromise objectivity or create a dependency.</p>

### Question 3

Identify the scope and nature of the role of a community services and health worker aligned to the roles legal and ethical rights and responsibilities.

(Approximate word count: 30 words each)

**Assessor instructions:** Students must identify and describe 5 key legal and ethical rights and responsibilities for the role of a community services and health worker. Students must describe each including the scope and nature of the requirement.

Sample answers are provided below. Student answers may vary, however it must represent a valid and significant right and responsibility for this role. They need to include the element and how it is applied to this industry.

1.	<p><b>Duty of Care:</b> Ensuring the safety, well-being, and protection of clients by providing appropriate care and support while adhering to professional standards and practices.</p>
2.	<p><b>Confidentiality and Privacy:</b> Respecting and maintaining the confidentiality of clients' personal information, ensuring privacy is protected, and only sharing information on a need-to-know basis or with proper consent.</p>
3.	<p><b>Informed Consent:</b> Obtaining informed consent from clients before providing any treatment, intervention, or sharing of information, ensuring they have a clear understanding of the purpose, risks, and benefits involved.</p>
4.	<p><b>Non-discrimination and Equal Treatment:</b> Treating all clients with respect, fairness, and without prejudice, regardless of their background, ethnicity, gender, or other protected characteristics. Upholding the principles of equality and providing inclusive care to all individuals.</p>
5.	<p><b>Professional Boundaries:</b> Maintaining appropriate boundaries in relationships with clients, refraining from engaging in dual relationships, conflicts of interest, or any behavior that may compromise the professional integrity or exploit the vulnerability of clients.</p>

## PART B: Identify and address legal and ethical issue – Case study 1

Read the following case study and then complete the tasks that follow.

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 Student number: <<Insert student number here>>



You are a carer for independent living individuals with support needs.

You have returned from 2 weeks annual leave, and you are looking forward to seeing Ms Lee, who is a client in her mid-70's. She lives independently in her own home receiving a range of support from your organisation, including personal care. You have been her primary support worker for over 3 years.

Ms Lee has no family or friends. The only personal contact she has is with your community care organisation and the Meals on Wheels service who drop her meals off at her doorstep.

You attend an appointment at Ms Lee's home at 49 Fifty Rd, Sydney on 23 March 2023 at 2:00pm. Yourself and Ms Lee are the only people at the house at the time.

You are very happy to see Ms Lee as you enter her home, but she doesn't acknowledge you and is rather reserved in comparison to her usual cheerful disposition. You ask if she is ok but you receive no response.

As you start preparing for her shower routine, she begins to yell that she can shower herself and then proceeds to start throwing shower items at you. She tells you to get out of her house because she did fine without your help when you were on leave. She continues to verbally attack you until you leave the house and screams at you not to return.

You leave immediately and contact your Manager outside Ms Lee's home. You verbally report the issue to your Manager who then tells you to send an email to her about the incident and return to the office the next day.

Your supervisor advises you that she will send another support worker out to cover your shift.

### Task 1

The above client interaction is in breach of your legal rights and must be address. In line with your workplaces **Code of Practice** document (see the **Assessment 2** page on the **LMS**), complete the Incident Reporting Procedure.

The formal report is to be completed by your manager, William, however you are required to capture a record of the incident details in an email to him for this purpose.

You must include the following details in your email:

- Details of the incident with Ms Lee as outlined in the **Code of Practice** document (see the **Assessment 2** page on the LMS)
- Details of potential and actual breaches of your legal rights and responsibilities.
- A summary of action taken at the time and following the incident.

This communication must be professional, respectful in tone and apply appropriate use of language.

Capture this communication in the email template below.

(Approximate word count: 250 words in the body of the email)

Email Template	
<b>To:</b>	William@CHC.org.au
<b>From:</b>	You@CHC.org.au
<b>CC:</b>	<<Add names and position title of carbon copy email recipients here (leave blank if none)>>
<b>Date/time:</b>	<<Add the time and date of the email here>>
<b>Subject:</b>	<<Add the subject of the email here>>
<b>Attachments:</b>	<<Add the name of any attachments here (leave blank if none)>>

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Student name: <<Insert student name here>>  
Student number: <<Insert student number here>>

To <<Add recipient name here>>, <<Add your message content here>> Kind regards , <<Add your name here>>
Support Worker – Community and Home Care 1001 Mindful St, Sydney, NSW 2000 Phone: 1800 333 333 <a href="http://www.CHC.org.au">http://www.CHC.org.au</a>

**Assessor instructions:** Students must draft an email communication to their manager, William, to capture details of a recent incident and breach in their legal rights as outlined in the case study for Part B.

This communication must be positive and professional and incorporate the following information in order to support completion of a report on the incident by their manager:

- Details of the recent incident with Ms Lee in line with the Code of Practice document (see below).
- Details of potential and actual breaches of your legal rights and responsibilities.
- A summary of action taken at the time and following the incident.

<p><b>Code of Practice, Incident Reporting Procedure</b> Details per the case study sample policy document</p> <p>Reporting Process:</p> <ul style="list-style-type: none"><li>• Any employee who becomes aware of a potential breach of the Code of Practice, including any legal or ethical obligations of our staff and/or clients, should immediately report the incident to their supervisor or designated reporting authority.</li><li>• Reports should include:<ul style="list-style-type: none"><li>○ Date and time</li><li>○ Location</li><li>○ Individuals involved by name, role and contact details.<ul style="list-style-type: none"><li>▪ i.e. Ms Smith – Client – 0411 111 111, Mr F Jones – Care Worker – 0411 222 333</li></ul></li><li>○ Witnesses to the incident (if any) as above.</li><li>○ An account of the incident.</li><li>○ Actions taken.</li></ul></li></ul>
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The students email must be written professionally, respectful in tone and use appropriate language.

A sample answer is provided below. Students answers will vary, however must address the elements captured in the assessor instructions above.

**Email Template**

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Student number: <<Insert student number here>>



To:	William @CHC.org.au
From:	You@CHC.org.au
CC:	
Date/time:	Xx/x/xx
Subject:	Incident: Ms Lee 23/3/23
Attachments:	N/A

To William,

*In accordance with the Incident Report Policy and Procedure, I would like to report an incident to you as it is part of my duty, and responsibility as a support worker.*

*Incident per appointment at Ms Lee's home 49 Fifty Rd, Sydney, 23 March 2023 at 2:05pm.  
Involved: Myself (Carer) – 0411 111 111 and Ms Lee (Client) – 9111 1111*

*During my shift with Ms Lee today the following occurred:*

- I entered Ms Lee's home and I noticed that she was unusually quiet and did not acknowledge me*
- I then asked if she was okay but I received no response*
- As I prepared the shower for her, she began yelling and throwing small shower items at me.*
- She then continued yelling at me and told me to get out of her house and that she did not need my help.*
- Ms Lee's verbal attack continued until I left her house.*
- I then contacted you immediately to discuss the issue.*

*As a support worker I have the right to a safe and healthy workplace, however with Ms Lee's outbursts I was not afforded this today.*

*It is my legal responsibility however to report this incident to you and personally taking any action further than this is outside the scope of my role, so I simply left the premises.*

*I understand I can lodge a formal complaint against her however as this is the first incident of this type with her I would prefer it be recorded and no further action be taken at this time. I hope that we can provide Ms Lee with our full support and address any issues in order to move forward from here.*

Kind regards ,

<<Add your name here>>

Support Worker – Community and Home Care  
1001 Mindful St, Sydney, NSW 2000  
Phone: 1800 333 333  
<http://www.CHC.org.au>

## PART C: Identify and address legal and ethical issues – Case study 2

Read the following case study and then complete the tasks that follow.

You are on your usual Support Worker shift in the Sydney Head Office 7 May 2023 at lunchtime (12:30pm) when you overhear Ash, a co-worker, in the staff room speaking about Jamie, a client, in a derogatory way. Ash is sharing very personal details about Jamie's current health status and other personal information.

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Ash says he is fed up with working with Jamie and that he is completely draining. Ash states that he has considered not showing up for shifts with Jamie. Ash goes on to say that even Jamie's family are tired of his whining, and he doubts anybody would care if nobody looked after him.

The co-worker Ash is talking to is quiet and does not say anything in response.

### Task 1

The above co-workers behaviour is illegal and unethical and as such needs to be reported. In line with your workplaces **Code of Practice** document (see the **Assessment 2** page on the **LMS**), complete the Incident Reporting Procedure.

The formal report is to be completed by your manager, William, however you have been asked to capture a record of the incident details in an email to him for this purpose.

You must include the following details in your email:

- Details of the incident with Ash as outlined in the **Code of Practice** document (see the **Assessment 2** page on the LMS)
- Details of potential and actual breaches of Jamie's legal and ethical rights and responsibilities.
- A summary of action taken at the time and following the incident.

This communication must be professional, respectful in tone and apply appropriate use of language.

Capture this communication in the email template below.

(Approximate word count: 250 words in the body of the email)

Email Template	
<b>To:</b>	William@CHC.org.au
<b>From:</b>	You@CHC.org.au
<b>CC:</b>	<<Add names and position title of carbon copy email recipients here (leave blank if none)>>
<b>Date/time:</b>	<<Add the time and date of the email here>>
<b>Subject:</b>	<<Add the subject of the email here>>
<b>Attachments:</b>	<<Add the name of any attachments here (leave blank if none)>>
To <<Add recipient name here>>,  <<Add your message content here>>  Kind regards ,  <<Add your name here>>	
Support Worker – Community and Home Care 1001 Mindful St, Sydney, NSW 2000 Phone: 1800 333 333 <a href="http://www.CHC.org.au">http://www.CHC.org.au</a>	

### ASSESSOR GUIDE

Student name: <<Insert student name here>>  
 Student number: <<Insert student number here>>

**Assessor instructions:** Students must draft an email communication to their manager, William, to capture details of a recent incident and breach in a clients legal and ethical rights as outlined in the case study for Part C.

This communication must be positive and professional and incorporate the following information in order to support completion of a report on the incident by their manager:

- Details of the incident with Ash in line with the Code of Practice document (see below).
- Details of potential and actual breaches of Jamie’s legal and ethical rights and responsibilities.
- A summary of action taken at the time and following the incident.

**Code of Practice,  
Incident Reporting Procedure**

Details per the case study sample policy document

Reporting Process:

- Any employee who becomes aware of a potential breach of the Code of Practice, including any legal or ethical obligations of our staff and/or clients, should immediately report the incident to their supervisor or designated reporting authority.
- Reports should include:
  - Date and time
  - Location
  - Individuals involved by name, role and contact details.
    - i.e. Ms Smith – Client – 0411 111 111, Mr F Jones – Care Worker – 0411 222 333
  - Witnesses to the incident (if any) as above.
  - An account of the incident.
  - Actions taken.

The students email must be written professionally, respectful in tone and use appropriate language.

A sample answer is provided below. Students answers will vary, however must address the elements captured in the assessor instructions above.

Email Template	
<b>To:</b>	<i>William @CHC.org.au</i>
<b>From:</b>	<i>You@CHC.org.au</i>
<b>CC:</b>	
<b>Date/time:</b>	<i>Xx/x/xx</i>
<b>Subject:</b>	<i>Incident: Jamie 7/5/23</i>
<b>Attachments:</b>	<i>N/A</i>

**ASSESSOR GUIDE**

Student name: <<Insert student name here>>  
Student number: <<Insert student number here>>

To *William,*

*In accordance with the Incident Report Policy and Procedure, I would like to report an incident to you as it is part of my duty, and responsibility as a support worker.*

*Incident overheard in the lunchroom of the Sydney Head Office, 7 May 2023 at 12:30pm.*

*Involved: Myself (Support Worker) – 0411 111 111 and Ash (Support Worker) – unknown.*

*I was in the staffroom today and overheard Ash, speaking about our client Jamie. I overheard him sharing personal details about Jamie's health status and other personal information. Ash stated that he is fed up working with Jamie and finds it draining. He also said that he has thought about not showing up for shifts. He stated that that even Jamie's family were sick of him.*

*At the time I did not engage in this conversation as I did not feel it would be appropriate. I would also like to confirm that the person Ash was speaking with did not encourage or agree with Ash in any way.*

*I am very concerned about what I overheard today and feel that this warrants an incident report as this is a clear demonstration of unethical and illegal behaviour.*

*Ash should not be discussing his like or dislike of any patient, let alone saying he considers not attending shifts that support this client and that he feels their family wouldn't even care.*

*In addition to this unethical behaviour, Ash was in breach of his legal responsibilities by also disclosing a patients private information in public without cause to do so.*

*While as a peer of Ash's I feel uncomfortable sharing this overheard conversation with you, as a support worker I feel passionate that I owe a duty of care to our clients so it is my responsibility to report this incident to you in line with our Incident Reporting procedures.*

*Please let me know if you have any questions for me to address.*

Kind regards ,

<<Add your name here>>

Support Worker – Community and Home Care

1001 Mindful St, Sydney, NSW 2000

Phone: 1800 333 333

<http://www.CHC.org.au>

### Assessment checklist:

Students must have completed all questions and tasks within this assessment before submitting. This includes:

Part A: Identify legal and ethical rights and responsibilities		
1	Sources of information	<input type="checkbox"/>
2	Interpret legal and ethical requirements	<input type="checkbox"/>
3	Roles legal and ethical rights and responsibilities	<input type="checkbox"/>
Part B: Identify and address legal and ethical issues – Case Study 1		
1	Email to Manager regarding legal and ethical issues	<input type="checkbox"/>
Part C: Identify and address legal and ethical issues – Case Study 2		

### ASSESSOR GUIDE

Student name: <<Insert student name here>>

Student number: <<Insert student number here>>

(CHCLEG001) Work legally and ethically

Page 13 of 14

1	Email to Manager regarding legal and ethical issues	<input type="checkbox"/>
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**Congratulations you have reached the end of Assessment 2!**

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**ASSESSOR GUIDE**

Student name: <<Insert student name here>>  
Student number: <<Insert student number here>>

