

## Tutor Guidance

The unit is contained within the following qualification:

603/2826/5 Gateway Qualifications Level 2 Diploma in Care (Mandatory unit)

This session is designed to provide some of the knowledge and understanding to support the completion of this unit of the qualification. As you work through the session, activities are provided to support the collection of evidence for the knowledge unit with guidance as to the criteria they cover.

Although this lesson plan refers to 'group' the lesson may well be delivered to one learner at a time.

Resources Required	Handouts Required
<ul style="list-style-type: none"><li>• Laptop and projector</li><li>• Pens and paper</li><li>• Copy of slides and procedures</li><li>• Highlighter pens</li></ul>	<ul style="list-style-type: none"><li>• Activity 1 – Support and Advice</li><li>• Copy of matrix</li><li>• Assignment brief</li><li>• Francis Report Handout</li></ul>

Slide	Content	Tutor Guidance	Handout/Resources Required
1	Title Slide	<p>Welcome the group to the session.</p> <p>Explain that at the centre of working within health care and adult services is the Duty of Care.</p> <p>Duty of Care is mainly about being a professional worker and the standards that we should be implementing when we are working in health settings.</p>	<p>Laptop and projector</p> <p>Pens and paper</p> <p>Copy of slides</p> <p>Unit matrix</p>
2	Aims of the session	<p>Discuss the aims of the session and agree these with the group.</p> <p>Explain this unit contains knowledge and performance based criteria and as such, the students will be required to complete practical activities to complete the unit.</p>	
3	Agenda	<p>Read the points of the agenda.</p>	
4	What is 'Duty of Care'?	<p>Split the students into small groups or pairs.</p> <p>Ask the students what they think the term 'Duty of Care' means.</p> <p>Give 10 mins then feedback.</p> <p><b>Ensure everyone has their own copy as this meets the criteria 1.1.</b></p>	
5	What is 'Duty of Care'?	<p>Explain to the students what 'Duty of Care' is.</p> <p>Explain that Duty of Care underpins everything that health care workers should do.</p> <p>Explain that this is a legal obligation. We have to provide a good standard of care and to access services when needed. If workers do not follow this there can be</p>	

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		<p>consequences. Explain that Duty of Care isn't just used in care settings; it is also used in a variety of settings such as local authority etc.</p> <p>Revisit the students' notes and give 5 mins to add any more points.</p>	
6	Understanding Duty of Care	<p>Explain that we have a right and responsibility to know what Duty of Care is and how this should be implemented in our working role.</p> <p>Explain the points to the students.</p>	
7	Duty of Candour	<p>Explain that the Duty of Candour was created following the Francis Report 2013. This was due to failings within the Mid Staffordshire Trust. Robert Francis wrote the report to look at how these failings cannot be made again. He looked at being open, honest and transparent about any incidents that have occurred.</p> <p>Regardless of your role within a health or adult care setting, we should all know about the Duty of Candour and our practice is to uphold this. Many settings will ensure that any failing which has happened will be shared with service users and carers.</p> <p>Explain the quotation to the students.</p> <p><b>Give out Francis Report Handout.</b></p>	Francis Report Handout
8	How Duty of Care relates to Duty of Candour?	<p>Explain that there are a number of points of how Duty of Care relates to Duty of Candour.</p> <p>Give 10 mins then feedback.</p> <p><b>Ensure everyone has their own copy as this meets the criteria 1.2.</b></p>	

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		<p>Look out for:</p> <ul style="list-style-type: none"> <li>• Duty of Care is a moral or legal expectation to maintain the safety of others.</li> <li>• Duty of Candour is about being open and honest.</li> <li>• That there are morally right things.</li> <li>• There are legal elements if things went wrong and had not been admitted to being wrong.</li> </ul>	
9	What dilemmas may arise between the Duty of Care and an individual's rights?	<p>Explain there are dilemmas that may arise between the Duty of Care and a service user's individual rights. Ask the students what these may be.</p> <p>Give 10 mins then feedback.</p> <p><b>Ensure everyone has their own copy as this meets the criteria 2.1.</b></p>	
10	Dilemmas that may arise between the Duty of Care and an individual's rights	<p>Explain that the Duty of Care for the service user in a care setting can create conflicts/dilemmas for health care workers.</p> <p>Explain the points to the students.</p> <p>Revisit the students' notes and give 5 mins to add any more points.</p>	
11	Accessing support and advice about how to resolve dilemmas	<p>Explain that it is important that we know where to get support and advice when needed. It is important that you don't see that getting advice and support is a weakness. It is important that when dilemmas occur there is no right or wrong; a good decision is to share knowledge and information with others.</p>	

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		Explain the points with the students.	
12	Support and Advice	Hand out Activity 1 – Support and Advice.  Give 10 mins to complete.	Activity 1 - Support and Advice
13	Complaints	Explain that it is important to know that all complaints are negative. An effective complaints procedure can benefit an organisation to help service users/carers to know that they have control on the care that they have been provided by health care and adult workers. However, people often find problems occur when making a complaint. This can be due to a lack of accessibility for some people to make a complaint because health care workers sometimes don't know how to follow the policy. This is why, occasionally, outside agencies can help assist complainants.  Explain the points to the students.	
14	What is the process to follow when responding to complaints?	Split the group into pairs. Ask them to consider what processes are in place to respond to complaints.  Give 10 mins then feedback.  <b>Ensure everyone has their own copy as this meets the criteria 3.1.</b>	
15	How to respond to complaints	Explain that it is important that we need to know how to deal with a complaint. It is important that we follow the procedure and policy for the setting.  Explain the points to the students adding in extra information.	

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		<p>Provide information - service users/carers need to be informed regularly about what is happening with their complaint. They also need to know their rights whilst the complaint is being dealt with.</p> <p>Provide support - the reasons why people complain are because they are unhappy or upset with something that has happened or not happened. It is important to help them through these situations.</p> <p>Maintain confidentiality - in order for policy to be followed it is important not to discuss it with others or the person who it involves until it has been fully investigated.</p> <p>Deal with it respectfully – if the complaint is about yourself it is important that you know how to deal with the complaint. In the future you speak to the service user before and understand their concerns as it could avoid it going into a formal complaint. Mediation can be used to try and overcome any concerns service users/carers may have.</p> <p>Handle it sensitively – consider if this is about another colleague you need to know what action to take and inform your manager.</p> <p>Access to advocacy – to ensure the service user is informed where they can access advocacy services, as everyone has a right to have an advocate.</p> <p>Listen to the complaint - listen to what the complaint is about.</p> <p>Report when a complaint arises - make sure that the appropriate paperwork is used.</p>	

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		<p>Act on the complaint - to inform the person who has made the complaint that it is being dealt with and inform them what stage the complaint is at.</p> <p>Revisit the students' notes and give 5 mins to add any more points.</p>	
16	What are the agreed procedures for handling complaints?	<p>Split the group into pairs. Ask them to consider why it is important to adhere to the scope of the job role.</p> <p>Give 10 mins then feedback.</p> <p><b>Ensure everyone has their own copy as this meets the criteria 3.2.</b></p>	
17	Procedures for handling complaints	<p>Explain that even though complaints are dealt with in a variety of different ways to the care setting, they are similar in the way that these are handled.</p> <p>Stage 1 - Informal resolution - this is where the complaint is looked at by the line manager. They will then discuss this with the complainant to check what they want to happen. If the matter is resolved to a point that the complainant is happy it is recorded and no further action is taken.</p> <p>Stage 2 - Formal complaint which is handled in-house - this is a formal complaint where senior management or an outside agency is brought in. Interviews will be taken to gain all the information needed. The outcome of the complaint will be discussed with the complainant and people who are involved will be informed of the outcome. Actions will be taken about what will happen in the future.</p> <p>Stage 3 - The complaint is investigated – if the complainant isn't happy with the outcome the next stage will involve either an independent agency to examine the complaint or a panel to look at the complaint in more detail. Actions will be taken after this has been reviewed.</p>	

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		<p>Stage 4 - External agencies involved - this is where the complainant has taken the complaint to the Local Authority Ombudsman. They will look at how the complaint has been handled and make recommendations as needed.</p> <p>Revisit the students' notes from the activity and give 5 mins to add any more points.</p>	
18	Aims of the session	Review the session aims and agree if these have been met.	
19	Any questions?	<p>Allow time to ask additional questions.</p> <p>Once complete, dismiss the group.</p>	

<b>Level 2 Diploma in Care (Mandatory unit)</b>
<b>Level: 2</b>
<b>Credit Value: 1</b>
<b>Guided Learning Hours: 7</b>

**Unit Brief**

This unit covers the knowledge required to understand Duty of Care and own role in this.

This session is designed to cover the following learning aims:

<b>You will:</b>	<b>You can:</b>
1 Understand the implications of duty of care.	1.1 Define the term 'duty of care'. 1.2 Describe how duty of care relates to duty of candour. 1.3 Describe how the duty of care affects own work role.
2 Understand support available for addressing dilemmas that may arise about duty of care.	2.1 Describe dilemmas that may arise between the duty of care and an individual's rights. 2.2 Explain where to get additional support and advice about how to resolve such dilemmas.
3 Know how to respond to complaints.	3.1 Describe the process to follow when responding to complaints. 3.2 Identify the main points of agreed procedures for handling complaints.

Mapping Matrix

Task	1.1	1.2	1.3	2.1	2.2	3.1	3.2
Session Activity	X	X	X	X		X	X
Activity 1					X		

SAMPLE

## Francis Report

The Francis Report was made available to the public domain on the 6<sup>th</sup> February 2013. It looked at the failings of care at Mid Staffordshire NHS Foundation Trust between the years 2005-2009. The report has many recommendations such as:

- To be open, have transparency and candour throughout the health care system; a statutory duty of candour is an essential standard for all health care providers.
- Improved support and a high standard of care and being committed to providing a high standard of care and stronger leadership.

In 2007 there were many concerns raised regarding the mortality rate compared with other Trusts. In April 2008, the Health Complaints Commissioner (HCC) started an investigation into the Trust, following a concern about the mortality statistics and a growing number of complaints. In March 2009, it published a report which was highly critical of the acute care provided by the Trust. Whilst the investigation was taking place, there was an increased public outcry by patients and relatives who had experienced poor care from Mid Staffordshire Trust. The group called Cure the NHS (CURE), was led by Julie Bailey, who was the daughter of Isabella Bailey, an elderly patient who died in Mid Staffordshire hospital. CURE ensured that the standard of care given by the Trust remained in the public domain and Julie demanded a public inquiry into the failings in the Trust.

### Following the Report

There were recommendations that the Care Quality Commission (CQC) needs to have a tougher inspection regime, including the need to promote openness and national initiatives. Whilst there have been some changes, the Francis Report states that 'we should not become complacent and must ensure that all achievements and improvements that have been made should be sustained and implemented in the future'.

The Speak Up and Review Report 2015 recommended that there should be a procedure that ensures all healthcare workers can speak up about patient safety concerns. It has 20 values and aims to help health care workers to speak out without fear of recriminations. This will help to create an open and honest reporting culture within the health service.

In 2013 the government had responded to the recommendations from the Francis Inquiry by publishing 'Hard Truths: the journey of putting patients first'. It makes recommendations for improving patient involvement in their care, increased transparency and changes to regulation and inspection.

The government responded to the Health Select Committee after the Francis Report and to the findings from the six review groups which were set up to look at the issues that the Francis Report raised. The group reports are:

- **A promise to learn - a commitment to act: improving the safety of patients in England** - identifies the main issues affecting patient safety.
- **Valuing and supporting healthcare assistants** - makes recommendations on how improving the training for healthcare assistants helps to ensure they provide the highest standard of care.
- **A review of the care and treatment provided by 14 Trusts in England** - examines the quality of care where mortality is higher than it should be.

- **A review of the NHS complaints system: putting patients back in the picture** - looks at how complaints are handled and how the Trusts act on these complaints.
- **Reducing the bureaucratic and regulation burden on the NHS** - looks at the structure of the NHS and with a focus on the national bodies.
- **The report of the Children and Young People's Health Outcome forum** - looks at the outcomes that matter for children and young people and identifies the contribution needed in the new health system to make sure that these health outcomes are met.

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**Activity 1 – Support and Advice (AC 2.2)**

In health and adult care settings it is important that we provide a good standard of care to all service users. However, when we have concerns regarding duty of care we need to know how to access support and advice regarding this.

Complete the activity below on support and advice on duty of care.

- 1. In the space below, explain where to get additional support and advice about how to resolve such dilemmas around duty of care.**

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