

Module Guide

BSc (Hons) Health and Social Care:
Administration and Management

Ethics and Law

HSC_4_005

School of Health and Social Care-Institute
of Vocational Learning

Level 4

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1. MODULE DETAILS

Module Title:	Ethics and Law
Module Level:	Level 4
Module Reference Number:	HSC_4_005
Credit Value:	20 credits
Student Study Hours:	200
Contact Hours:	39
Private Study Hours:	161
Pre-requisite Learning (If applicable):	Not applicable
Co-requisite Modules (If applicable):	Not applicable
Course(s):	BSC (Hons) Health and Social Care: Administration and Management
Year and Semester	Year 1 Semester 2
Module Coordinator:	Sarah Houghton
MC Contact Details (Tel, Email, Room)	K2 room V503 houghts2@lsbu.ac.uk 0207 815 8124
Teaching Team & Contact Details (If applicable):	Richard Johnson (Course Director) Johnsr19@lsbu.ac.uk 0207 815 8372 Gavin Walker Walkerg8@lsbu.ac.uk 0207 815 8463 Rob Waterson Watersr2@lsbu.ac.uk 0207 815 4722

Subject Area:	Ethics and law
Summary of Assessment Method:	Case Study
External Examiner appointed for module:	Jo Lay Senior Lecturer, University of Leeds

2. SHORT DESCRIPTION

This module is designed to ensure students develop an understanding of professional, ethical and legal responsibilities. The focus is on developing an appreciation of the professional codes, ethical values and legal frameworks which underpins health and social care practice. Emphasis will be placed upon understanding the need to use up-to-date knowledge to assess, plan, deliver and evaluate service delivery, communicate findings, and promote best practice.

3. AIMS OF THE MODULE

This module aims to ensure students understand their ethical and legal responsibilities. It will ensure students understand the need to practice in an inclusive manner.

4. LEARNING OUTCOMES

4.1 Knowledge and Understanding

- Explain the various codes of conduct that are in place within the health and social care sectors, including the NHS Constitution
- Describe legal responsibilities of health and social care workers and professionals

- Develop knowledge, understanding and respect for different cultures, values, views and beliefs
- Explain the ethical frameworks that underpin service needs and delivery

4.2 Transferable Skills

- Use professional codes, ethical and legal principles in their own practice.

5. ASSESSMENT OF THE MODULE

Formative Assessment:

Student will be asked to review a case study in groups against an ethical and legal framework.

Summative Assessment:

The assessment will consist of a case study review from the public domain against an ethical and legal framework. (3000 words) One element of assessment with 100% weighting and 40% pass mark

Work must be submitted through the Moodle site, the deadline for submission is 13.00hrs.

6. FEEDBACK

Feedback will normally be given to students 15 working days after the final submission of an assignment or as advised by their module leader.

General feedback, applying to all students, will also be placed on the module VLE site within 15 working days.

7. INTRODUCTION TO STUDYING THE MODULE

7.1 Overview of the Main Content

- Professional values and codes of conduct
- NHS Constitution and organisational values
- The law relating to health and social care
- Statute and case law affecting health and social care
- Cultures, values, views and beliefs
- Ethical frameworks used in health and social care
- Scenarios based on ethical frameworks

7.2 Overview of Types of Classes

A range of teaching and learning strategies will be used through the module including lectures, discussions, debates, small and large group problem solving and student presentations.

All learning and teaching materials will be made available to students via Moodle. Students will be required to complete the e learning activities on a regular basis, which may include: quizzes, on line discussion boards, guided reading and video clips.

7.3 Importance of Student Self-Managed Learning Time

Student responsibility in the learning and development process will be emphasised. Students are required to undertake directed self-study and prepare solutions/discussions to questions relative to various topic areas. Students will be encouraged to identify for themselves particular problems of difficulty and to use seminar discussions, where appropriate, for the resolution of these.

Students must regularly access the Moodle site for this module. They should download the class/lecture material from the Moodle site, and do the recommended reading, before each lecture/class.

Where appropriate, students are also expected to download the relevant seminar questions and study them in advance of each seminar, in order to derive maximum benefit from seminar time. The programme of teaching, learning and assessment gives guidance on the textbook reading required for each week, the purpose of which is to encourage further reading both on and around the topic.

7.4 Employability

This module is designed to provide students with a detailed understanding of the law and ethics needed by staff working within health and social care services. It links theory with practice, thus providing the students with practical knowledge and key employability qualities.

8. THE PROGRAMME OF TEACHING, LEARNING AND ASSESSMENT

Each week there will be a brief discussion at the beginning of the session on ethical/legal issues arising that week in the news. As knowledge increases students will be encouraged to apply ethical frameworks to the issues arising. Students will be advised of blended learning activities each week which will be put on moodle with the power point slides and any additional information. The order of weeks 8 – 11 may be subject to change in which case students will be advised.

WEEK	TOPIC	READING (CORE TEXT)
1. 30th January 2018	Introduction to the module Introduction to Law By the end of the session the learner will be able to: <ul style="list-style-type: none">• Compare and describe definitions of law• Explain why laws are important in society	Harris, P. (2007) <i>An Introduction to Law</i> (seventh edition) Cambridge: Cambridge University Press – E book

	<ul style="list-style-type: none"> • Outline the structure of the English Legal System • Describe how laws are made • Be able to differentiate between Case law, Acts of Parliament (statute), common law, public and private law 	and hard copy available from LSBU Library
<p>2. 6th February 2018</p>	<p>Legal Concepts, Negligence and Legal Duty of Care</p> <p>By the end of the session learner will be able to:</p> <ul style="list-style-type: none"> • Define what is meant by vicarious liability and be able to explain the implications for practice • Understand what is meant by the legal term 'duty of care' • Identify the three criteria required to determine the tort of negligence • State what is meant by the 'Bolam Test' • Discuss case law relevant to professional practice • Compare civil and criminal interpretations of negligence 	<p>Harris, P. (2007) <i>An Introduction to Law</i> (seventh edition) Cambridge: Cambridge University Press – E book and hard copy available from LSBU Library</p>
<p>3 13th February 2018</p>	<p>Introduction to Ethics</p> <p>By the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Define the meaning of ethics • Compare and contrast different branches of ethics • Explain why ethics is important in health and social care • Explore concepts of morality and personal and professional values • Demonstrate a basic understanding of ethical theory 	<p>Veatch, R.M. (2016) <i>The Basics of Bio Ethics</i> London: Routledge</p>
<p>4 20th February 2018</p>	<p>The Importance of Ethics in Professional Practice</p> <p>By the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Explain the various codes of conduct that are in place within the health and social care sectors, including the NHS constitution • Understand the professional duty to act ethically, including professional boundaries. • Have the opportunity to explore how ethics defines relationships with other professionals 	<p>The Nursing Times (2011) The NMC Code: conduct, performance and ethics. https://www.nursingtimes.net/clinical-archive/the-nmc-code-conduct-performance-and-ethics/5035067.article (accessed 15.01.2018)</p> <p>See list of electronic resources on professional standards in list below</p>

<p>5 27th February 2018</p>	<p>Ethical Principles</p> <p>At the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Explore what is meant by the term 'ethical principle' • Identify Beauchamp & Childress' 'Four principles approach' • Apply the ethical principles of autonomy, non-maleficence, beneficence and justice to a range of case studies • Understand the principles and importance of ethics in research 	<p>Beauchamp, T. L. and Childress, J. F. (2013) <i>Principles of Biomedical Ethics</i> (seventh edition) Oxford: Oxford Policy Press</p>
<p>6 6th March 2018</p>	<p>Ethical Issues and Dilemmas in Health and Social Care Practice</p> <p>At the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Describe an ethical dilemma • Use ethical frameworks in decision making • Debate and recognise ethical dilemmas arising from contentious issues:- • <p>Types of issues to be discussed and debated:-</p> <ul style="list-style-type: none"> - Treatment for non-emergency reasons eg male circumcision, fertility, cosmetic surgery/procedures - When a person contributes to their own condition eg smoking, obesity - Social housing, benefits – what is the professionals role? - Euthanasia - Reporting of contagious diseases and sexual health tracing - Female genital mutilation and other cultural practices eg physically punishing children, belief by some men that they have the right to harm women if they do not obey them - Can a woman be raped if married to the abuser/perpetrator? Is the law right? - Eligibility for treatment in the UK v. Duty of care to treat - Health care tourists 	<p>Laurie. G.T, Harman, S.H.E. Porter, G. (2016) <i>Law and Medical Ethics</i> (10th edition) Oxford: Oxford University Press – E Book and hard copy available from LSBU library</p> <p>Banks, S. and Gallager, A. (2008) <i>Ethics in Professional Life, Values for health and social care</i> London: Palgrave Macmillan</p> <p>Leathard, A. and McLaren, S (2007) <i>Ethics: Contemporary Challenges in Health and Social Care</i> (editorial) Bristol: Policy Press – E book and hard copy available from LSBU Library</p> <p>Stauch, M. Wheat, K. and Tingle, J. (2012) <i>Text, cases and materials on medical law and ethics</i>. Abingdon, Oxon: Routledge</p>
<p>7 13th March 2018</p>	<p>Human Rights and Equality</p> <p>By the end of the session learner will be able to:</p> <ul style="list-style-type: none"> • Explore the significance of the European Parliament and European Convention on 	<p>Human Rights Act 1988 http://www.legislation.gov.uk/ukpga/1998/42/content (accessed on 15.01.2018)</p>

	<p>Human Rights for English law</p> <ul style="list-style-type: none"> • Discuss obligations created by the Human Rights Act 1988 and the three categories of rights • Explore Human Rights and Equality • Identify the protected characteristics under the Equality Act 2010 • Understand the impact of stereotyping on professional practice • Debate recent cases arising from the Equality Act 	<p>Equality Act 2010 https://www.equalityhumanrights.com/en/equality-act-2010/what-equality-act (accessed on 15.01.2018)</p> <p>https://www.gov.uk/guidance/equality-act-2010-guidance (accessed on 15.01.2018)</p>
14th March 2018	Visit to Houses of Parliament – Morning visit	
8 20th March 2018	<p>The Law and Mental Capacity</p> <p>By the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Define mental capacity • Describe the key legal principles of the Mental Capacity Act (2005) • Understand the law and ethical dilemmas around consent and giving information • State what is meant by the terms ‘advance directive’ and ‘advance decision’ • Explain the term ‘DNAR’ order and identify the circumstances in which it may be applicable 	<p>Mental Capacity Act 2005 http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpga_20050009_en.pdf (accessed 15.01.2018)</p> <p>NHS Choices (2016) <i>What is the Mental Capacity Act?</i> Available from: http://www.nhs.uk/conditions/social-care-and-support-guide/pages/mental-capacity.aspx [Accessed 15.01.2018].</p> <p>See list below of electronic resources for the session</p>
9 17th April 2018	<p>Law and Ethics in Relation to Safeguarding Adults and Children</p> <p>By the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Describe the key legislation in relation to safeguarding both adults and children • Identify the key indicators of abuse • Understand the procedures for making a referral when concerns have been raised • Discuss lessons learnt from serious case reviews 	<p>Dickens, J. (2013) <i>Social Work, Law and Ethics</i>. London, New York, NY: Routledge – E book and hard copy available from LSBU Library</p> <p>http://www.chscb.org.uk/e-learning-tools/ - City and Hackney Safeguarding Children’s Board Learning Tools (accessed 15.01.2018)</p> <p>www.gov.uk. (2015) <i>Working Together to</i></p>

		<p><i>Safeguard Children.</i> Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf (accessed 15.01.2018)</p> <p>SCIE Adult Safeguarding Resource (2015) Available from: www.scie.org.uk/adults/safeguarding.</p>
<p>10 24th April 2018</p>	<p>Scenario based workshop with actors exploring ethical dilemmas and legal issues in practice</p> <p>Formative assignment Students will be asked to review a case study in groups against an ethical and legal framework.</p>	
<p>11 1st May 2018</p>	<p>Health and Safety at Work</p> <p>By the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Demonstrate an understanding of the UK laws in relation to Health and Safety at work • Understand the implications of EU health and safety regulations/directives on professional practice 	<p>See list below of electronic resources for the session</p>
<p>12 8th May 2018</p>	<p>Ethics and Law in Practice</p> <p>By the end of the session the learner will be able to:</p> <ul style="list-style-type: none"> • Describe professional legal and ethical responsibility in the work place • Debate who is legally responsible when things go wrong in both health and social care. • Debate whether the rise in the 'blaming culture' and medical court cases has impacted on practice • Analyse the potential conflict arising around fulfilling professional and ethical legal duties v. the right to respect for family and private life (Article 8) and the right to freedom of thought, conscience and religion (Article 9) • Recognise the ethical conflicts in balancing the needs of service users against other service users in a climate of limited 	<p>Banks, S. and Gallager, A. (2008) <i>Ethics in Professional Life, Values for health and social care</i> London: Palgrave Macmillan</p> <p>Laurie. G.T, Harman, S.H.E. Porter, G. (2016) <i>Law and Medical Ethics</i> (10th edition) Oxford: Oxford University Press – E Book and hard copy available from LSBU library</p>

	resources.	
13 15 th May 2018	<p>Revision of the Module and Assignment Workshop</p> <p>The learners will have the opportunity to:</p> <ul style="list-style-type: none"> • Explore what a case study is and why case studies are used as assessment method • Review a sample case study in relation to the legal, ethical and professional implications and practice mapping out the issues. • Discuss assignment structure and how to plan a case study review • Review a case study in groups against a professional, ethical and legal framework. <p>Module evaluation</p> <p>The learner will be able to:- Meet the University requirements to provide feedback in relation to the content and delivery of this module.</p>	<p>Stauch, M. Wheat, K. and Tingle, J. (2012) <i>Text, cases and materials on medical law and ethics</i>. Abingdon, Oxon: Routledge</p>

9. STUDENT EVALUATION

Student feedback and comments are taken seriously and where appropriate used to amend the module and its contents in order to make the learning experience as useful and valuable and current as possible. Module evaluations are therefore, carried out.

10. LEARNING RESOURCES

Electronic Resources for Session 4 (accessed on 15.01.2018)

http://www.gmc-uk.org/about/council/register_code_of_conduct.asp (standards for doctors)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/498235/C_SPL_EthicalStandards_web.pdf (standards in public life)

<https://www.gdc-uk.org/professionals/standards/team> (standards for dental practitioners) -

<http://www.hpc-uk.org/aboutregistration/standards/standardsofconductperformanceandethics/> (professionals registered with the health and social care professionals council)

<https://www.nmc.org.uk/standards/code/> (standards for nurses and midwives) -

http://www.nhsemployers.org/~media/Employers/Documents/Recruit/Code_of_conduct_for_NHS_managers_2002.pdf (code of conduct for NHS Managers)

<http://www.skillsforhealth.org.uk/images/services/code-of-conduct/Code%20of%20Conduct%20Healthcare%20Support.pdf> (code of conduct for health support workers and adult care workers)

Electronic Resources for Session 11 (accessed 15.01.2018)

COSHH www.hse.gov.uk/coshh/

Health and Safety at Work Act www.hse.gov.uk/legislation/hswa.htm

Health and Safety Executive (HSE) website. www.hse.gov.uk

LOLER <http://www.hse.gov.uk/work-equipment-machinery/loler.htm>

Manual Handling Operations Regulations www.hse.gov.uk/msd/pushpull/regulations.htm

PUWER <http://www.hse.gov.uk/work-equipment-machinery/puwer.htm>

RIDDOR www.hse.gov.uk/riddor/