

Learning Aim C: Investigate the influence of health and safety legislation and policies in health and social care settings

Learning Purpose

By the end of this lesson I will...

- Be able to compare the influence of different health and safety laws or policies on health and social care practice in a selected setting. (P)
- Analyse how health and safety legislation or policies influence safe practice in a selected health or social care setting. (M)
- Justify the effectiveness of health and safety legislation, policies and procedures in maintaining health and safety in a selected health or social care setting. (D)

Links to prior learning-

Justify procedures for responding to concerns about abuse and neglect in the selected health or social care setting.

Links to future learning-

Explore procedures to maintain health and safety and respond to accidents and emergencies in health and social care settings

Key words-

Legislation, disclosure and barring service (DBS), equality

Referring to the case study used for task 1, produce an **information pack** which:

- **Justify the effectiveness of two pieces of health and social care legislation and two policies relevant to the setting**
 - **Evaluate the importance of safe practice principles in maintaining and promoting the health, safety and welfare of the user of the service**
 - **Analyse how either your selected legislation or policies influence safe practice in the setting**
- Task 2
- **Analyse how the setting's health, safety and emergency procedures and also the responsibilities of key staff, contribute to safe practice**
 - **Compare the influence of your selected health and social care legislation and policies, on the practices in the setting**
 - **Explain how three different procedures maintain health and safety in the setting**
 - **Explain the health and safety responsibilities of the employer, employees and other adults in the setting.**

Criteria covered by this task:

Unit/Criteria reference	To achieve the criteria you must show that you are able to:
7/CD.D3	Justify the effectiveness of health and safety legislation, policies and procedures in maintaining health and safety in a selected health or social care setting.
7/CD.D4	Evaluate the importance of safe practice principles in maintaining and promoting the health, safety and welfare of service users in a selected health or social care setting.
7/C.M3	Analyse how health and safety legislation or policies influence safe practice in a selected health or social care setting.
7/D.M4	Analyse how individual responsibilities and health, safety and emergency procedures contribute to safe practice in a selected health or social care setting
7/C.P6	Compare the influence of different health and safety laws or policies on health and social care practice in a selected setting.
7/D.P7	Explain how different procedures maintain health and safety in a selected health or social care
7/D.P8	Explain the health and safety responsibilities of employers, employees and others in a selected health or social care setting.

Health and safety legislation and policies in health and social care

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013

Health and Safety at Work etc Act 1974

Control of Substances Hazardous to Health (COSHH) 2002

Disclosure and Barring Service (DBS) checks

Care Quality Commission Standards

The Equality Act 2010

The Food Hygiene (England) Regulations 2006

GDPR (2018)

Care Standards Act 2000

The Manual Handling Operations Regulations (MHOR) 2002

The Care Act 2014

P6 Compare the influence of different health and safety laws or policies on health and social care practice in a selected setting.

- Health and Safety at Work etc Act 1974
- The Manual Handling Operations Regulations (MHOR) 2002
- The Food Hygiene (England) Regulations 2006
- Control of Substances Hazardous to Health (COSHH) 2002
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- GDPR (2018)
- Care Standards Act 2000
- The Equality Act 2010
- The Care Act 2014
- Care Quality Commission Standards
- Disclosure and Barring Service (DBS) checks

Task

Choose two laws and two policies. Explain in depth how they effect HSC practice.

Link them to your case study and compare the influence of the laws or policies in your case study.

What are the impact of these? What are the similarities and differences?

Influence of legislation and policies on health and social care practice

Safeguarding vulnerable adults, children and young people

The service user's welfare is the most important aspect of care. Your service user has a right to feel safe and secure in your care. However, an important and often overlooked role of safeguarding legislation is to protect you, the care giver, from allegations of improper or unprofessional behaviour. You are responsible for your own behaviour and should avoid putting yourself in situations that would lead any reasonable person to question your motives.

Influence of legislation and policies on health and social care practice

Protection from accidents, injuries and illness, including infection control, food preparation, hazardous substances

The Health and Safety at Work etc Act (1974) requires employers to ensure the health and safety of all employees and anyone else affected by the work of the organisation, as far as is reasonably possible. Employees have a duty not to put themselves or others in danger. Employees are required to use any safety equipment provided and must be trained to do so.

Influence of legislation and policies on health and social care practice

Managing risk assessments and maintaining a safe working environment, including safe moving and handling

Before starting any task remember ELITE:

E - environment, is the environment dark, cluttered with trip hazards or is the floor surface uneven? L- load, is the load stable, slippery or awkward? How can you stabilise the load?

I -individual capability, are you equal to the task? Has your individual capability changed for any reason, for example because you have a sprained wrist or are pregnant?

T- task, is it possible to break down one large task into a couple of smaller ones? For example, could you make two trips with half a bale of sheets rather than one trip with a large bale?

E- equipment, is it designed for the task you want to use it for? Has it been safety checked?

Influence of legislation and policies on health and social care practice

Promoting health and wellbeing, including handling medication

You should encourage your service users to make informed choices about their health and wellbeing.

Handling medication safely is important when working in health and social care settings. You must never handle medication until you are trained to do so.

Before administering medication to a service user, you need to know:

- whether it is a repeat prescription, a new prescription or an over-the-counter drug
- how the drug is to be administered
- how to store the medicine safely
- should it be refrigerated or kept somewhere dry
- how to complete records of the administration of medicines so that the service user is not given two doses by mistake

Influence of legislation and policies on health and social care practice

Providing confidence and reassurance for families and other carers

Service users and their families will have expectations about your conduct and performance as a carer. They will often need reassurance.

It is always important to act professionally when providing care.

It is important that service users have confidence in your competence and understanding of the principles of care-giving.

You should always strive to maintain your professionalism so that your colleagues can also have confidence in your competence.

Influence of legislation and policies on health and social care practice

Meeting legal and regulatory requirements, including record keeping

In health and social care work, accurate record keeping is vital for effective continuity of care. If a service user requires the input of a number of carers or services, it is important that each service knows what the other has done.

Your employer will have regulations covering clear and accurate record keeping and it is important that you follow these procedures.

Remember the care setting is your workplace and you have to abide by the Health and Safety at Work etc Act (1974). You have a duty to maintain a safe environment and report incidents and accidents that could endanger others and to see that this information is recorded.

As a carer, you may be required to follow a care plan and to sign a log of the tasks you have performed. You are accountable for the care you give and should be able to show a record of the care you delivered and when, should the CQC inspect the establishment where you work.

Recruitment of staff in health and social care



M3 Analyse how health and safety legislation or policies influence safe practice in a selected health or social care setting. **Analyse how your selected legislation or policies influence safe practice in the setting**

D3 Justify the effectiveness of health and safety legislation, policies and procedures in maintaining health and safety in a selected health or social care setting. **Justify the effectiveness of two pieces of health and social care legislation and two policies relevant to the setting**

You need to analyse and justify the influence of your chosen legislation in P6, showing how each one effects safe practice and **what should be done in your chosen setting.**

This could be linked to the following areas:

- Safeguarding vulnerable adults, children and young people
- Protection from accidents, injuries and illness
- Managing risk assessments and maintaining a safe working environment, including safe moving and handling
- Promoting health and wellbeing, including handling medication
- Providing confidence and reassurance for families and other carers
- Meeting legal and regulatory requirements, including record keeping
- Recruitment of staff in health and social care

- Health and Safety at Work etc Act 1974
- The Manual Handling Operations Regulations (MHOR) 2002
- The Food Hygiene (England) Regulations 2006
- Control of Substances Hazardous to Health (COSHH) 2002
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- GDPR 2018
- Care Standards Act 2000
- The Equality Act 2010
- The Care Act 2014
- Care Quality Commission Standards
- Disclosure and Barring Service (DBS) checks

Start by...

<u>Act</u>	<u>Explanation of the policy and how it relates to your case study</u>
Health and Safety at Work etc Act 1974	
GDPR (2018)	
Care Standards Act 2000	
The Equality Act 2010	
The Manual Handling Operations Regulations (MHOR) 2002	
Control of Substances Hazardous to Health (COSHH) 2002	
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013	
The Food Hygiene (England) Regulations 2006	
Care Quality Commission Standards	
Disclosure and Barring Service (DBS) checks	
The Care Act 2014	

Then need to go into more detail underneath the table....

- Pick one of the most relevant acts (more to talk about)
- The Health and Safety at work Act (1974), is a primary piece of legislation that covers "occupational health and safety in the United Kingdom", providing a legal framework promoting and stimulating high standards of health and safety within a work place.....
- **Relate to case study...**
- In the case study, a nurse mentions her concerns with her manager, however her manager dismissed her concern and was told not to discuss it. This shows good communication by the nurse, as she had followed the act, showing good co-operation with her manager

Example of P6/M3 continued..

- **Compare it to another act... (is it similar? Is it different?)**
- This Act compared to Food Hygiene Regulations provide different impacts on health and safety within the care setting. This is because the HSWA contains policies in relation to ensuring high standards of health and safety through training staff and by safeguarding each individual staff member whilst at work to maintain a good welfare.
- **Analyse any issues... (M3 task)**
- However, because these Acts are similar, it can create conflict. For example, in relation to my case study within the ward are service users with disabilities...
- **Also think about- how relevant is your act to your case study? Is it purposeful in relation to you case study? Do you think it is being followed? How do they contribute to health and safety?**

Example for D3- Explain the effectiveness of the policies! (try and relate this again to your case study!)

- The effectiveness of the Health and Safety at Work Act (1974) in maintaining health and safety within a health care setting is that 'employees have a general obligation under the Act to take care of others and cooperate with employer's health and safety requirements' (<https://www.scie.org.uk/publications/guides/guide15/legislation/otherlegislation/healthandsafetylegislation.asp>). This is effective because employees have a duty of care to provide effective care and treatment to their service users within the setting as well as protecting them. For example, in relation to my case study, a nurse become concerned with the number of patients becoming ill because of the food being served and spoke to her manager. This supports the effectiveness of the Act because the employee has followed the Act and took action to take care of others within the care setting.

Consider EACH piece of legislation in turn! Include examples of where it has been successful (in relation to your case study) PICK out specific parts of the legislation and comment on them. Use your opinion and justify everything you are saying!

Questions to think about when completing this section-

1. Indicate where Ward 9B is going wrong.
2. Where are they failing their service users? What part of the legislation are they not following?
3. What opportunities are they missing? Refer to specific legislation that is not evident at the centre.
4. What changes do they need to make to ensure the policy is being considered? Do they need training on specific parts of the legislation?

THEN REPEAT THE PROCESS FOR THE OTHER POLICIES YOU HAVE SPOKE ABOUT

In Summary...

Pick 2 acts-

- Explain act number 1 (PASS)
- Relate to case study (PASS)- YOU MUST DO THIS IN DEPTH! (not just a sentence)
- Explain act number 2 (PASS)
- Relate to case study (PASS)- YOU MUST DO THIS IN DEPTH! (not just a sentence)
- Compare both acts (similarities/differences/how relevant are both acts to your case study) (PASS)
- Analyse any issues (are there any problems with acts being similar/different/are they relevant to Lizzy? How do they contribute to health and safety?) (MERIT)
- Explain the effectiveness of both acts. How successful are they in your setting? CONSIDER EACH PIECE OF LEGISLATION IN TURN. PICK out specific parts of the legislation and comment on them. Use your opinion and justify everything you are saying! (DISTINCTION)

REPEAT THE ABOVE STEPS FOR 2 DIFFERENT ACTS.

Unit	Criteria reference	To achieve the criteria the evidence must show that the student is able to:
U7	P6	Compare the influence of different health and safety laws or policies on health and social care practice in a selected setting.
	M3	Analyse how health and safety legislation or policies influence safe practice in a selected health or social care setting.
	D3	Justify the effectiveness of health and safety legislation, policies and procedures in maintaining health and safety in a selected health or social care setting.

Due Monday 16th November