



Module Specification

Best Interest Assessment

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Part 1: Information

Module title: Best Interest Assessment

Module code: UZVSBP-30-3

Level: Level 6

For implementation from: 2023-24

UWE credit rating: 30

ECTS credit rating: 15

Faculty: Faculty of Health & Applied Sciences

Department: HAS Dept of Social Sciences

Partner institutions: None

Field: Health, Community and Policy Studies

Module type: Module

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: Yes

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview: Pre-requisites: Students must be selected and supported by a supervisory body.

Features: Module Entry Requirements: Students must be selected and supported by a local authority DoLS supervisory body. Only qualified and registered social workers, nurses, occupational therapists and psychologists can study this module, as set out in regulations for the Best Interests Assessor (BIA) role within the

Deprivation of Liberty Safeguards (DoLS) (2009) amendment to the Mental Capacity Act 2005.

Educational aims: This module aims to equip experienced health and social care professionals with the skills and knowledge required for ethical human rights based, mental capacity practice within the statutory legal role of the Best Interests Assessor. See learning outcomes.

Outline syllabus: This 30 credit module can be studied at either Level 3 or M and is designed to prepare qualified, registered and experienced health and social care professionals for qualified practice as Best Interests Assessors (BIAs) as set out in regulations for Best Interests Assessor (BIA) role within the Deprivation of Liberty Safeguards (2009) amendment to the Mental Capacity Act 2005. This module will be designed to meet the requirements of the Department of Health and Social Care for an accredited qualifying BIA module so that successful students can apply for annotation as a BIA on the Social Work England register, where relevant. Local authorities have an obligation, as supervisory bodies within the DoLS legal framework, to ensure they have sufficient professional staff qualified in this essential safeguarding role.

Within taught days and structured online learning, students will learn about the challenges and complexities of applying mental capacity and human rights law and policy to practice in the health and social care context with input from experienced practitioners such as lawyers, advocates, supervisory body leads and experienced professionals. Ethical and values informed approaches to contested professional decision making in the context of restrictive care that may necessitate depriving the person of their Article 5 human right to liberty will be explored in large and small group discussions, using case examples drawn from practice and key case law.

Students will draw on their professional practice backgrounds and experience to develop their understanding of safeguarding the human rights of those who lack mental capacity in health and social care planning in a range of settings, including institutional and domestic, and interprofessional decision-making practice contexts. Students will draw on relevant theory, research and the philosophies of ethics and rights to gain critical expertise in the assessment, decision-making, communication

and recording required for the BIA role as well as considering how to ensure the rights of people with limited mental capacity can be centred in assessment and decision making about their rights and what is necessary and proportionate to safeguarding them from the risk of harm.

A key element of the module will involve students shadowing and reflecting on the professional practice of those conducting the BIA role with adults subject to DoLS and using these experiences for critical reflection in the module's assessment. This element relies on the support of local authority supervisory bodies to offer these opportunities which must be verified by students on application for the module. Alternative approaches are available for BIA shadowing while access to relevant care settings are restricted due to national public health measures. Students will also participate in a group formative learning experience related to DoLS assessment documentation and decision-making and will receive critique from experienced practitioners which offers the opportunity for peer learning and critical reflection on practice.

Part 3: Teaching and learning methods

Teaching and learning methods: A variety of approaches will be used including formal lectures, interactive workshops including case study activities, small group discussions and peer-led applied learning building to a presentation with expert feedback. Learning will be a mixture of face-to-face and online in recognition that many students travel some distance to attend teaching.

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1 Critically evaluate the statutory and professional requirements and challenges of applying the Mental Capacity Act 2005, as amended in 2009, other relevant legal frameworks and case law to practice as a Best Interests Assessor (BIA)

MO2 Critically analyse the theoretical and research evidence base for professional practice in the BIA role, including maintaining personhood in care,

working with other professional perspectives and advocacy, contested decision making and ethical and values based practice

MO3 Explore the interpersonal skills required for BIA practice, including engaging people with communication and capacity issues, promoting the assessed person's rights and informing the assessed adult and other lay people of the nature of the BIA role and DoLS in a manner that supports effective ethical, person-centred practice

MO4 Identify how discrimination and oppression can affect decision making with diverse people who may lack mental capacity to make decisions and need restrictive care to keep themselves safe and explore strategies for ensuring that the principles of best interests and less restrictive decision making are kept at the heart of BIA practice

MO5 Evidence professional autonomy and the development of evidence informed arguments in decision-making and writing required assessments and reports in the formation of an appropriately assertive professional BIA identity, at an interprofessional and organisational level

Hours to be allocated: 300

Contact hours:

Independent study/self-guided study = 228 hours

Face-to-face learning = 72 hours

Total = 300

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://rl.talis.com/3/uwe/lists/81CA23A5-897B-DFED-B5CC-A3D5ECF24DF1.html?lang=en-GB&login=1) via the following link <https://rl.talis.com/3/uwe/lists/81CA23A5-897B-DFED-B5CC-A3D5ECF24DF1.html?lang=en-GB&login=1>

Part 4: Assessment

Assessment strategy: Assessment Task 1 is a 15 minute presentation, with 10 minutes for questions, under controlled conditions on a key area of BIA practice prompted by the module teaching, observed BIA practice/BIA interview or both.

Assessment Task 2 is a 3000 word critically reflective written assignment considering the law, ethics and practice required for BIA practice with reference to an Appendix on either one observed BIA assessment, supported by a description of the observed BIA practice as verified by the student's supporting agency, or where BIA practice cannot be observed, an interview with a qualified and practising BIA as verified by the BIA.

By linking the assessments to both the teaching and observed practice, students will have the opportunity to evidence their ability to link their learning to the practice that the role demands and receive detailed academic feedback. The ability to explain the complex BIA role to the assessed person, their carers and other people working with the assessed person in an understandable manner and allowing access to the person's rights, including representation, is a key element of the BIA role which makes an oral element to the assessment a valuable assessment of the student's capability.

Formative assessment includes in-class feedback and peer and tutor feedback on group presentation.

Assessment tasks:

Presentation (First Sit)

Description: Oral assessment (15 mins plus 10 mins Q&A)

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5

Written Assignment (First Sit)

Description: 3000 word assignment based on observed practice

Weighting: 50 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO4, MO5

Presentation (Resit)

Description: Oral assessment (15 mins plus 10 mins Q&A)

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5

Written Assignment (Resit)

Description: 3000 word assignment based on observed practice

Weighting: 50 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO4, MO5

Part 5: Contributes towards

This module contributes towards the following programmes of study: