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| Title | Demonstrate knowledge of law related to support work in mental health and addiction services | | |
| Level | 4 | Credits | 5 |

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| Purpose | People credited with this unit standard are able to describe statutes and regulations that underpin the practice of support workers, and explain a statute specific to own area of practice as a support worker, in mental health and addiction services. |
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| Classification | Health, Disability, and Aged Support > Mental Health and Addiction Support |
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| Available grade | Achieved |
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Guidance Information

- 1 Legislation and codes relevant to this unit standard include but are not limited to:
 - Crimes Act 1961;
 - Criminal Procedure Act 2011;
 - Criminal Procedure (Mentally Impaired Persons) Act 2003;
 - Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996;
 - Human Rights Act 1993;
 - Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003;
 - Land Transport Act 1998;
 - Medicines Act 1981;
 - Medicines Regulations 1984;
 - Mental Health (Compulsory Assessment and Treatment) Act 1992;
 - Misuse of Drugs Act 1975;
 - Oranga Tamariki Act 1989 (Children's and Young People's Well-being Act 1989);
 - Privacy Act 1993;
 - Protection of Personal and Property Rights Act 1988;
 - Substance Addiction (Compulsory Assessment and Treatment) Act 2017;
 - Victims' Rights Act 2002.

- 2 References:
 - American Psychiatric Association. (2013). *Diagnostic and statistical manual of mental disorders* (5th ed.). Washington DC: American Psychiatric Association. Available at: <https://www.psychiatry.org/psychiatrists/practice/dsm>.
 - Bell, S.A., & Brookbanks, W.J. (2017). *Mental health law in New Zealand* (3rd ed.). Wellington: Thomson Reuters.
 - Mackenzie, S., & Shirlaw, N. (2002). *Mental health and the law: A legal resource for people who experience mental illness*. Wellington: Wellington Community Law Centre.

- Mental Health Commission – Te Kaitātaki Oranga; Ministry of Health. (1998). *Guidelines for Clinical Risk Assessment and Management in Mental Health Services*. Wellington: Ministry of Health in partnership with the Health Funding Authority. Available at: [https://www.moh.govt.nz/notebook/nbbooks.nsf/0/2FE380C25ED2F1B34C25668600741EBA/\\$file/mentalra.pdf](https://www.moh.govt.nz/notebook/nbbooks.nsf/0/2FE380C25ED2F1B34C25668600741EBA/$file/mentalra.pdf).
- Le Va, Pasifika within Te Pou, The National Centre of Mental Health Research, Information and Workplace Development. (2009). *Real Skills plus Seitapu – Working with Pacific Peoples*. Auckland: Le Va. Available at: <https://www.leva.co.nz/resources/lets-get-real---real-skills-plus-seitapu---working-with-pacific-peoples-le-va>.
- Te Pou o te Whakaaro Nui & Ministry of Health. (2018). *Let's get real: Real Skills for people and whānau with mental health and addiction needs*. Auckland: Te Pou o te Whakaaro Nui. Available at: <https://www.tepou.co.nz/initiatives/lets-get-real/107>.
- The Werry Centre. (2014). *Real Skills Plus ICAMH/AOD, 2014. A competency framework for the infant, child and youth mental health and alcohol and other drug workforce*. Auckland: The Werry Centre for Child & Adolescent Mental Health Workforce Development. Available at: <https://www.werryworkforce.org/sites/default/files/pdfs/Real%20Skills%20Plus%200Dec%202014%20170315.pdf>.
- UN General Assembly. *Convention on the Rights of Persons with Disabilities: resolution / adopted by the General Assembly, 24 January 2007. A/RES/61/106/*. Available at: <https://www.refworld.org/docid/45f973632.html>.

3 Definition:

- *Key requirements of statutes and regulations* are those principal parts, sections, or elements of relevant legislation that apply specifically to the role or practice of support workers in mental health and addiction services.

Outcomes and performance criteria

Outcome 1

Describe statutes and regulations that underpin the practice of support workers in mental health and addiction services.

Performance criteria

- 1.1 Statutes and regulations that underpin the practice of support workers in mental health and addiction services are described in relation to their key purpose.

Range statutes and regulations may include but are not limited to – Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996, Human Rights Act 1993, Privacy Act 1993.

1.2 Statutes and regulations that underpin the practice of support workers in mental health and addiction services are described in terms of their key requirements.

Range statutes and regulations may include but are not limited to – Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996, Human Rights Act 1993, Privacy Act 1993; evidence is required of one key requirement from each.

1.3 The role of and restrictions on support workers in mental health and addiction services in relation to medication are described in terms of statutes, regulations, and standards related to medication.

Range statutes, regulations and standards may include but are not limited to – Medicines Act 1981, Medicines Regulations 1984, Mental Health (Compulsory Assessment and Treatment) Act 1992, Misuse of Drugs Act 1975, Misuse of Drugs Regulations 1977, and NZS 8134.0:2008 *Health and disability services Standards*; evidence is required of one statute, regulation, or standard related to each of prescribing, dispensing, and administration of medication.

Outcome 2

Explain a statute specific to own area of practice as a support worker in mental health and addiction services.

Range statute specific to own area of practice may include but is not limited to: Substance Addiction (Compulsory Assessment and Treatment) Act 2017; Oranga Tamariki Act 1989 (Children’s and Young People’s Well-being Act 1989); Crimes Act 1961, s. 23; Criminal Procedure Act 2011; Criminal Procedure (Mentally Impaired Persons) Act 2003; Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003; Land Transport Act 1998, s.19; Mental Health (Compulsory Assessment and Treatment) Act 1992, ss. 45 and 46; Misuse of Drugs Act 1975, s. 24; Protection of Personal and Property Rights Act 1988; Victims' Rights Act 2002, s. 37; evidence is required of a minimum of one statute or particular provision(s) within a statute specific to own area of practice.

Performance criteria

2.1 A statute specific to own area of practice as a support worker in mental health and addiction services is explained in relation to its purpose.

2.2 A statute specific to own area of practice as a support worker in mental health and addiction services is explained in terms of the key requirements of the legislation.

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| Planned review date | 31 December 2024 |
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Status information and last date for assessment for superseded versions

| Process | Version | Date | Last Date for Assessment |
|--------------|---------|---------------|--------------------------|
| Registration | 1 | 18 March 2011 | 31 December 2021 |
| Revision | 2 | 17 May 2012 | 31 December 2021 |
| Review | 3 | 28 May 2020 | N/A |

Consent and Moderation Requirements (CMR) reference

0024

This CMR can be accessed at <https://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact Careerforce info@careerforce.org.nz if you wish to suggest changes to the content of this unit standard.