

# Entrepreneurship Development

By René NZARAMBA

Bsc (Eco), MBA, Msc Scholar in GIS - ESD

0788457475

[rnzaramba@gmail.com](mailto:rnzaramba@gmail.com)

# **ETHICAL & LEGAL CONSIDERATIONS**



# INTRODUCTION

- Ethics = morals; a set of principles or values that influence behavior.
- Right vs. Wrong.
  - *What are some examples of your morals/values?*
- Members of a team are responsible for their actions and for conducting themselves in an ethical and legal manner.

# TEAM ETHICS

- Teams work best when the members share the same ethics.
- Team ethics are essential to bring about the best experience for all participants both on and off the field.

- Establishing a written set of guidelines is the best way to make sure expectations of conduct are understood!
- Verbal agreements do not count!
- Team members should have a:
- **Code of Ethics** = written standards for conduct, behavior, and moral philosophy.

# Breaches of Ethical Codes

- Breach = breaking a rule.
- The purpose of creating codes of ethic and regulations is so that the expectations of appropriate behavior are made clear and demonstrated by everyone involved.
- Unfortunately, not everyone plays by the rules.
- It is important to enforce all rules and report those who violate them.
- “Looking the other way” when rules are broken is not acceptable!

# Breaches of Ethical Codes

- Examples of breaches of conduct:
- An athlete that uses tobacco, alcohol, or drugs.
- These actions are a “no brainer” for breaches in conduct because it involves the safety and well-being of an athlete.
- It may be harder to report breaches of conduct if it seems as though no one is being hurt. (Gambling, hazing, etc.)



# Liability

- **Risk Management** = reduction of the potential for injury.
- **Litigation** = a lawsuit that is examined by the court of law.
- Lawsuits determine **liability**, the legal responsibility for any loss or damage that occurs as a result of a person's actions or failure to act.
- If it is decided that someone is liable for an injury, then damages (financial compensation) is awarded to the injured person.





# Liability

- **Standard of care** = the degree of care, skill, and diligence an equally qualified caregiver in the profession would provide in similar circumstances.
- Failure to provide standard of care can result in liability or negligence charges.
- **Negligence** = the failure to give reasonable care or to do what another prudent person with similar experience, knowledge, and background would have done under the same circumstances.
- **Tort** = a wrongful act resulting in injury to another person, for which the injured party is entitled to compensation.



# Negligence Torts

- **Malfeasance** = when the care provider performs an act that is not their responsibility or standard of care.
- **Misfeasance** = when the care provider commits an act that is their responsibility to perform, but used the wrong procedures.
- **Nonfeasance** = when the care provider fails to perform their legal duty of care.



# Negligence Torts

- **Gross Negligence** = when the care provider has total disregard for the safety of others.
- **Malpractice** = when the care provider commits a negligent act while delivering care.
- Professional misconduct or lack of professional skill that results in injury to the patient.
- Negligence by a professional, such as a physician, nurse, or coach.



# Negligence

- The majority of lawsuits involve claims of negligence!
- To be a legitimate claim of negligence a person's action or inaction must create an unreasonable risk or harm to others.
- One of the best ways to prevent negligence lawsuits is to avoid issues of "failure to warn."
- Failure to warn means failing to inform participants of the risks associated with the activity.



# Risk Management

- To avoid potential risk of injuries and to keep team members **S.A.F.E.**, perform the following duties daily:
- **S – Supervision:** Keep a close watch on team members before, during, and after practice, including in the locker rooms and on the field.
- **A – Aid:** Aid team members when needed, including keeping proper records of physicals, injuries, treatments, etc.
- **F – Facilities:** Must be checked daily for possible hazards.
- **E – Equipment:** Equipment in all facilities should be checked daily as well, etc.

# Risk Management



- Lawsuits are better prevented than defended.
- Litigation is time consuming and expensive.



# Discussions

- *Give 3 examples of good ethical behavior that should be exhibited from each member of any team by your choice.*
  - *Create a skit that demonstrates an ethical decision making dilemma by a member of the sports medicine team.*
- *3 groups of 6 students – Best skit earns credit cards!*