

Intervention and Self-Regulation

Code: 101837
ECTS Credits: 6

Degree	Type	Year	Semester
2502501 Prevention and Integral Safety and Security	OB	2	1

Contact

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Use of Languages

Principal working language: catalan (cat)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: No

Prerequisites

This subject does not have any pre-requiemment

Objectives and Contextualisation

It is about showing different aspects of security from the point of view of the administrative intervention, whether regulated or self-regulated, in order to prevent risks or dangers to achieve comprehensive prevention. Sectors such as domicile, public domain, workplace, public and private transport, hospitality, etc. are selected. and analyzes the regulations, the legal instruments and the obligations of the citizens so that our specialists in prevention are prepared to meet the requirements of the Public Administrations.

The concepts of worker, labor contract, trader, entrepreneur, mercantile societies, etc. are studied. in order to find solutions that are suitable for open administrative procedures.

At the same time, the new rights that cover each situation will be explained: women, environmental, minorities, road safety, prevention of occupational hazards, food safety, health, anti-smoking, etc. appropriate to the new risk society model.

We will see in each session how to guarantee a right (in life, health, security, etc.) through the analysis of a specific sector or in a specific area where human beings develop: the address, the university, the place of work, the means of transport, the hotels, the shows, etc.

We will study the administrative intervention in the management of office hours, and the cooperation between the police and guard courts.

An exhaustive study of the prevention of violence will be carried out through the regulation of firearms. We will discuss how different security models are based on the restriction or freedom granted to the citizen in terms of the possession of weapons. We will analyze the American model of freedom and promotion of the armed individual to achieve a State where the citizen obtains or not his self-protection. At the same time, a comparison will be made with the European security model in which the possession of weapons for the defense of the citizen is a monopoly of the security forces and bodies. Once exposed the two most representative models, it will be evaluated which system offers more integral security.

Training objectives

- Understand the different aspects of security from the point of view of regulated or self-regulated administrative intervention.
- Apply correctly the current legal framework to apply prevention and comprehensive security in each area of life in society.
- Know how to plan the management of the forecast

Competences

- Act with ethical responsibility and respect for fundamental rights and duties, diversity and democratic values.
- Be able to adapt to unexpected situations.
- Contribute to decisions on investment in prevention and security.
- Maintain a positive attitude with respect to professional and personal growth.
- Respond to problems applying knowledge to practice.
- Show respect for diversity and the plurality of ideas, people and situations.
- Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
- Students must be capable of collecting and interpreting relevant data (usually within their area of study) in order to make statements that reflect social, scientific or ethical relevant issues.
- Students must be capable of communicating information, ideas, problems and solutions to both specialised and non-specialised audiences.
- Students must develop the necessary learning skills to undertake further training with a high degree of autonomy.
- Students must have and understand knowledge of an area of study built on the basis of general secondary education, and while it relies on some advanced textbooks it also includes some aspects coming from the forefront of its field of study.
- Take sex- or gender-based inequalities into consideration when operating within one's own area of knowledge.
- Use the capacity for analysis and synthesis to solve problems.

Learning Outcomes

1. Analyse the sex- or gender-based inequalities and the gender biases present in one's own area of knowledge.
2. Apply the basis of statistics, economics and finance, in the applicable legal framework and the informatics necessary to undertake prevention and security.
3. Be able to adapt to unexpected situations.
4. Communicate using language that is not sexist or discriminatory.
5. Critically analyse the principles, values and procedures that govern professional practice.
6. Evaluate how gender stereotypes and roles affect professional practice.
7. Maintain a positive attitude with respect to professional and personal growth.
8. Respond to problems applying knowledge to practice.
9. Show respect for diversity and the plurality of ideas, people and situations.
10. Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
11. Students must be capable of collecting and interpreting relevant data (usually within their area of study) in order to make statements that reflect social, scientific or ethical relevant issues.
12. Students must be capable of communicating information, ideas, problems and solutions to both specialised and non-specialised audiences.
13. Students must develop the necessary learning skills to undertake further training with a high degree of autonomy.
14. Students must have and understand knowledge of an area of study built on the basis of general secondary education, and while it relies on some advanced textbooks it also includes some aspects coming from the forefront of its field of study.
15. Use the capacity for analysis and synthesis to solve problems.

Content

Topic 1. Introduction to the Administrative Intervention and Self-Regulation. Administrative activities

Topic 2. The administrative intervention to prevent and manage the risks.

Topic 3. The statute of workers. The work contract and its classes. The powers of business control. The termination of the work contract. The dismissal, classes and effects. Pacts of non-contractual concurrence.

Special analysis on the termination of the contract at the worker's request: assumptions. Special consideration is the harassment of labor and its evidence. Work process Basic procedural scheme. Specificities in the field of test means. Resources and evidence on appeal.

Topic 4. The individual merchant: Legal concept. Legal capacity to engage in trade.

The mercantile societies .. Constitution, requirements, government, obligations. Joint-stock company. Limited society. Other corporate forms.

The administration of mercantile societies. Obligations and civil and criminal liability. The figure of the administrator in fact. The succession of societies. Covert succession and extension of responsibility. The doctrine of lifting the veil. Criminal liability of legal entities: Assumptions. The Commercial Registry. Functions Formal advertising Books of trade and their classes.

Topic 5. Money and other means of payment. The measures of protection of the credit. The securities-securities. Fundamental commercial contracts: Contract of sale, contract of commercial loan, contract of insurance. The simulation of contracts. The crisis of the entrepreneur. The contest. The intellectual property. Concept and legal figures. Intellectual property rights. Actions in the field of intellectual property. Industrial property Patents, trademarks and other legal entities. The protection of industrial property. Actions. Procedural specificities. The protection of competition. The Unfair Competition Law. Assumptions of unfair competition. Actions. Procedural specificities.

Topic 6. Management of security in mass transport companies: The case of TMB. The management model of security: private management, public management, mixed management. The global and integral vision of transport management.

Topic 7. Security in hotel establishments. Types of tourist accommodation: hotels, campsites, tourist apartments, tourist homes, rural tourism, etc ... Security management. Tourist security. Management tools The risks to the tourist activity. Global vision of prevention and safety in the sector.

Topic 8. Administrative intervention and civil protection. Definition The role of volunteering. The civil protection plans of Catalonia. Civil defense The prevention of fires.

Topic 9. Prevention of violence through the regulation of firearms. Security models based on the restriction or freedom granted to the citizen in regard to the possession of weapons. The American model of freedom and promotion of the armed individual. The European model of security in which the possession of weapons for the defense of the citizen is a monopoly of the security forces and bodies.

Methodology

Theoretical classes in the classroom will combine the master classes and the development and resolution of work exercises, usually individual or in pairs.

The practical classes in the classroom will consist of the development of exercises and group work, in which some of the concepts presented in the theoretical classes will be applied in practice. Subsequently a joint venture will be held from which the corresponding academic conclusions will be deferred.

The autonomous activities will correspond to both the personal study and the resolution of the exercises and works proposed by the teacher. Each student will have to look up documentation of subjects related to the subject matter of study and personal consolidation work about what has been exposed in class (programmed readings, individual exercises). In addition you will have to follow up and study different exercises and practical cases.

The assessment activities will evaluate the knowledge and competences acquired by the students, in accordance with the criteria presented in the following section.

Tutorials with the teaching staff will be arranged by email

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Class	40	1.6	3, 5, 1, 2, 4, 8, 7, 14, 13, 12, 10, 11, 9, 15, 6

Evaluation	4	0.16	3, 5, 1, 2, 4, 8, 7, 14, 13, 12, 10, 11, 9, 15, 6
Type: Supervised			
Debates in class	12	0.48	3, 5, 1, 2, 4, 8, 7, 14, 13, 12, 10, 11, 9, 15, 6
Type: Autonomous			
Individual study	94	3.76	3, 5, 1, 2, 4, 8, 7, 14, 13, 12, 10, 11, 15, 6

Assessment

The exams will be done either orally or in writing at the teacher's discretion

The teacher will present the evaluation system for each session and the theoretical and practical tests that will be required to be achieved.

Throughout the course, a series of individual exercises will be proposed to be delivered and which will be scored in the final grade. These exercises will be proposed during lectures in the classroom and may be associated to different programmed readings and / or information search. On some occasions, these exercises can be done in groups at the teacher's discretion.

Likewise, it will work in groups of between 3 and 4 students and will showcase the practical cases or the subjects prepared individually in an oral way. It will be valued deepening the discussions on issues raised in the syllabus.

The use of a laptop in classrooms will be allowed in certain sessions (the teacher will inform when its use is possible and / or recommended).

There will be a final test of recapitulation that will count 40% of the final mark.

The test will consist of a series of questions about the different subjects exposed and worked during the course. Specifically, there will be 5 questions to be developed and a final reflection.

Notwithstanding other disciplinary measures deemed appropriate, and in accordance with the current academic regulations, irregularities committed by a student that may lead to a variation of the qualification will be classified by zero (0). For example, plagiarizing, copying, copying ..., an evaluation activity, will imply suspending this evaluation activity with zero (0). Assessment activities qualified in this way and by this procedure will not be recoverable. If it is necessary to pass any of these assessment activities to pass the subject, this subject will be suspended directly, without opportunity to recover it in the same course.

If you do not pass the subject in accordance with the aforementioned criteria (continuous assessment), you can do a recovery test on the scheduled date in the schedule, and that will cover all the contents of the program.

To participate in the recovery students must have been previously evaluated in a set of activities, the weight of which is equivalent to a minimum of two thirds of the total grade of the subject. However, the qualification that will appear on the student's file is of a maximum of 5-Approved.

Students who need to change an evaluation date must submit the application by filling in the document that will be found in the EPSI Tutorials moodle.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Continuous evaluation assessments	50%	0	0	3, 5, 1, 2, 4, 8, 7, 14, 13, 12, 10, 11, 9, 15, 6
Exams	50%	0	0	3, 5, 1, 2, 4, 8, 7, 14, 13, 12, 10, 11, 9, 15, 6

Bibliography

Ballbé, M., Martínez, R., "Law and Globalization: Between the United States and Europe", en *Global Administrative law*, Robalino-Orellana i Rodríguez Arana (ed.), Cameron May, 2010.

Broseta Pont, M., Martínez Sanz, F., *Manual de Derecho Mercantil*, Vol I y II, Tecnos, 2014.

Cruz Villalon, J., *Compendio de Derecho del Trabajo*, Tecnos, 2019.

Esteve Pardo, J., *Lecciones de Derecho Administrativo*, Marcial Pons, 2019.

Martínez Quirante, R. , *Armas: ¿Libertad Americana o Prevención Europea?*, Editorial Académica Española, 2019.

Trayter Jiménez, J.M., *Derecho administrativo. Parte general*, Atelier, 2019.

Software

This subject will use the basic software of the Office 365 package.