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THIS POLICY IS FOR:	All Staff including Agency Workers (temporary workers), Commissioners and Service Users

EQUALITY, DIVERSITY, INCLUSION AND HUMAN RIGHTS

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The aim of this policy is to ensure that Nursing Direct Healthcare Limited (hereinafter referred to as 'Nursing Direct') complies with its legal and ethical responsibilities as a care provider. This applies to all individuals within its service, including all staff including Agency Workers, service users and other relevant stakeholders. This policy promotes a positive sense of belonging and ensures equal treatment with respect, regardless of background, identity, abilities, lifestyle, or visible and invisible differences.

Nursing Direct values each person as a unique individual and recognises that some people may be more vulnerable to discrimination. No individual will receive less favourable treatment based on the nine protected characteristics outlined in the Equality Act 2010, including race or ethnicity, age, disability, sex, gender reassignment, sexual orientation, religion or belief, marriage and civil partnerships, and pregnancy and maternity. These characteristics will not affect the quality of care provided. However, we acknowledge the importance of adapting care to meet the specific needs of each individual and understand how diversity influences the type of care or service offered.

Nursing Direct adheres to Human Rights, Anti-Discriminatory, and Anti-Oppressive best practice guidelines. Nursing Direct is committed to removing barriers that hinder diversity and equal access, ensuring that inclusive practices are embedded throughout its operations. To achieve this, Nursing Direct draws insights from various laws and enactments, including the Human Rights Act 1998, the Convention on the Rights of Persons with Disabilities, the Mental Capacity Act 2005, and the Equality Act 2010. Additionally, Nursing Direct takes an intersectional approach to equality, ensuring that its practices support staff including Agency Workers, service users, and other stakeholders holistically.

Nursing Direct strictly prohibits inhuman or degrading treatment and establishes clear boundaries on when an individual's rights to liberty, privacy, or family life (whether a service user, stakeholder, or staff including Agency Worker) may be breached. By using human rights as the framework for this policy, the risk of cruelty, neglect, or thoughtless behaviour is significantly reduced, particularly for vulnerable individuals with disabilities who require substantial care, support, and reasonable adjustments.

1. PURPOSE

1.1 This policy:

- 1.1.1 Promotes equality, diversity, inclusion, and human rights for both Service Users and staff, including Agency Workers, by actively encouraging diversity and fostering an inclusive environment.
- 1.1.2 Emphasises anti-discriminatory and anti-oppressive practices in staffing solutions, while actively promoting the recruitment and onboarding of individuals and Service Users from diverse backgrounds.
- 1.1.3 Applies to all aspects of employment at Nursing Direct, including recruitment, pay and conditions, training, appraisals, promotions, workplace conduct, disciplinary and grievance procedures, business trips, work-related events or social functions, and termination of employment.

1.2 Nursing Direct aim to meet the legal requirements for promoting and of equality, diversity, inclusion whilst protecting human rights of all applicants/candidates, staff including Agency Workers and service users including any reasonable adjustments that might be needed.

1.3 Nursing Direct is committed to ensuring that all applicants/candidates, staff including Agency Workers and service users receive equal treatment, regardless of their Protected Characteristics. In doing so, Nursing Direct:

- 1.3.1 Ensure that all staff including Agency Workers work in an environment that is free from any harassment or discrimination
- 1.3.2 Ensure that service users and their families live in an environment that is free from any harassment or discrimination

1.4 Nursing Direct is committed to promoting the autonomy, wellbeing, and independence of all applicants/candidates, staff including Agency Workers and service users by respecting and upholding their human rights.

1.5 Nursing Direct recognises the importance of having policies and procedures in place to meet the regulatory requirements of the CQC's Key Lines of Enquiry (KLOE) and Quality Statements, specifically those related to being Caring, Effective, Responsive, Safe, and Well-led. This ensures that the organisation upholds its obligations concerning Equality, Diversity, Inclusion, and Human Rights.

1.6 **Relevant Legislations, Rules, and Regulations:**

To meet the legal requirements of the regulated activities that Nursing Direct has undertaken, it has taken into consideration the following legislations when complying with its role and duty as a care provider;

- Health and Social Care Act 2012 Section 250 (Information Standards)
- Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012 (Amendment to Parts 4 & 5)
- Care Quality Commission (Registration) and (Additional Functions)
- Care Quality Commission (Registration) Regulations 2009
- The Care Act 2014
- Equality Act 2010
- Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)
- Human Rights Act 1998
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Gender Recognition Act 2004
- Data Protection Act 2018
- UK GDPR

2. SCOPE

2.1 The following roles may be affected by this policy:

- Applicants/Candidates
- All staff including Agency Workers

2.2 The following Service Users may be affected by this policy:

- Service Users

2.3 The following stakeholders may be affected by this policy:

- Family/Next of Kin
- Advocates/ Representatives
- Commissioners/ Local Authority/ NHS
- External health professionals
- Other relevant stakeholders

3. OBJECTIVES

Objectives regarding service users

- 3.1 To have a clear and ongoing commitment to promoting and respecting the rights of all individual, regardless of their situation and protected characteristics as stipulated in the Equality Act 2010. Nursing Direct care fairly and indiscriminately by ensuring that each Service User is treated as an individual and Care is tailored specifically to meet their individual needs.
- 3.2 To ensure that service users are honoured in all their uniqueness and diversity, and their rights to live as they choose are not restricted, except where this is strictly both necessary and proportionate, and in accordance with this policy.
- 3.3 To ensure that Care Plans are created individually and show ongoing commitment to respecting and promoting the human rights of Service Users:
- Through demonstrating knowledge of the person's wishes and feelings
 - Making these the framework for the way services are provided
 - Ensuring any reasonable adjustments are in place
- 3.4 To foster a commitment to equality and diversity by empowering Service Users to sustain or develop hobbies, interests, community connections, friendships, and memberships in religious or community organisations.
- 3.5 To promote inclusion and ensure that Service Users feel connected to those who share their culture or background, Nursing Direct reflects the cultural, religious, and social composition of the local community through its staff, including Agency Workers, and through proactive community engagement.
- 3.6 Nursing Direct will follow the five steps outlined by the Accessible Information Standard (Ask, Record, Highlight, Share, Act). The Accessible Information Standard (AIS) says that people who have a disability, or sensory loss should get information in a way they can access and understand.

OBJECTIVES REGARDING STAFF INCLUDING AGENCY WORKERS

- 3.7 To ensure that Nursing Direct has an open and transparent approach to all aspects of employment, free from discrimination.
- 3.8 To ensure that all staff including Agency Workers are able to thrive in an inclusive environment.
- 3.9 To create a positive working environment which enables all staff including Agency Workers to work to the best of their skills and abilities without the threat of discrimination or harassment in the workplace.
- 3.10 To set out the zero-tolerance approach of Nursing Direct to discourage and penalise the perpetrators of discrimination in the workplace and to set out the approach of Nursing Direct to encourage and support diversity, equity, and inclusion.

4. POLICY

- 4.1 The Registered Manager and the Nominated Individual of Nursing Direct have overall management responsibility for this policy and procedure
- 4.2 This policy applies not only in the workplace but also in community settings where Nursing Direct provide services, such as activity centres, work-related trips, events including social events, alongside other providers and stakeholders, or third-party suppliers whom we associate with. It also extends to any situation where staff, including Agency Workers, are representing the organisation by wearing a uniform or identity badge.
- 4.3 This policy not only applies to staff including Agency Workers, but also Service Users, their families, all professionals, and decision makers at every level of Nursing Directs organisation.
- 4.4 Any data collected as part of this policy will be processed in accordance with UK GDPR, data protection legislation, and the Data Security and Data Retention Policy and Procedure of Nursing Direct. Nursing Direct appreciates that certain health data and medical reports will be special category data and Nursing Direct will process this data sensitively according to the laws.
- 4.5 This policy applies to all aspects of employment with Nursing Direct including selection, recruitment, performance, contractual terms including pay, benefits and conditions, flexible working and leave, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 4.6 Nursing Direct recognises that all individuals within the service should be treated equally and any forms of discrimination are unlawful and prohibited under this policy. In this respect, all actions and decisions that affect Service Users and staff including Agency Workers are to be compliant with relevant human rights laws and other laws detailed within this policy. This includes the Human Rights Act 1998, the

Equality Act 2010, and, where Service Users aged 16 or over may lack mental capacity, the Mental Capacity Act 2005 (this list is not exhaustive).

4.7 Nursing Direct recognises that everyone is different and wants to make sure that the service practices, respects, promotes and celebrates these differences. Nursing Direct will not tolerate unlawful discrimination, victimisation, bullying or harassment of any kind, including the protected characteristics outlined in the Equality Act 2010:

- Age
- Disability
- Gender reassignment or self-identification
- Marriage and civil partnership
- Pregnancy and maternity
- Race (this includes ethnic or national origins, colour, or nationality)
- Religion or belief (this includes lack of belief)
- Sex (male and female)
- Sexual orientation

4.8 In accordance with the above, Equality, Diversity, Inclusion and Human Rights are considered in all aspects within the service. The wishes and feelings of individual Service Users and staff including Agency Workers are also taken into consideration. These aspects are supported through rigorous training, access to policies and ongoing monitoring is carried out through Nursing Direct's HR, governance systems, complaints management system, whistleblowing procedure and the discipline and grievance procedures. On a day-to-day basis these are put into practice through a person-centred care approach, regular service calls, team meetings, supervisions, appraisals, and feedback, as well as through our governance and quality assurance procedures that are in place within Nursing Direct.

4.9 Reasonable Adjustments

Where Service Users and staff including Agency Workers require reasonable adjustments under the Equality Act 2010, Nursing Direct will ensure that these are considered, implemented, and reviewed on an individual basis.

REGARDING SERVICE USERS

4.10 Person-Centred Care

4.10.1 Care plans at Nursing Direct emphasise our commitment as an organisation to protecting the human rights of service users by being person-centred and individualised. These plans reflect a dedication to ensuring that individuals can live according to their own choices.

4.10.2 Nursing Direct is committed to identify and remove any 'blanket rules' governing how Service Users live. This commitment is exemplified through person-centred planning that accommodates specific religious or cultural practices significant to each individual.

4.10.3 Customised treatments at Nursing Direct are designed to respond to what is in the best interests of each individual. By creating tailored care plans, Nursing Direct addresses the unique needs and expectations of service users while also appreciating the diverse backgrounds of those receiving care.

4.11 The Importance of Communities

Nursing Direct operates a continuous commitment to equal opportunities, diversity, inclusion, and human rights, by proactively ensuring that Service Users have access to, and engagement with, their communities, health providers and other important professionals, coordinated around the individual Service User. Nursing Direct recognises the importance of providing opportunities for Service Users to connect with their individual community.

4.12 Partnership Working

Nursing Direct provides its Care to support individual Service Users to live the life they choose. In order to ensure that this is successful and meaningful, this means a transparent working partnership with other professionals to ensure the best individual outcomes for individual Service Users.

REGARDING STAFF INCLUDING AGENCY WORKERS

4.13 Zero-tolerance approach Nursing Direct takes a zero-tolerance approach to any type of discrimination, bullying, harassment and/or victimisation which one member of staff including Agency Workers may perpetrate against another and/or against any other person, including but not limited to applicants/ candidates, all staff including agency workers, Service Users, and any other stakeholders.

4.14 Training

To sustain an inclusive workplace, regular refresher training should be conducted for all staff including Agency Workers, to reflect the evolving understanding of equality and diversity. Additionally, it is essential to actively respond to feedback and foster open communication to enhance inclusivity continuously.

4.15 It is essential for all staff including Agency Workers, to understand the concepts of human rights, equality, diversity, and inclusion. They must recognise the importance of equal treatment from the moment they join Nursing Direct. This understanding should be reinforced through regular training, access to the relevant policies and the underlying principles, as well as the applicable laws. It is vital to ensure that staff including Agency Workers do not just read this policy but understand it and be committed to it.

5. PROCEDURE

5.1 Nursing Direct acknowledge the CQC statement which reflects as 'Care that respects people's rights are good care – we call this 'rights-respecting care'. Where there is good care there are 'rights-respecting cultures', but where there is poor care, the opposite is true, and we can describe these as 'rights-rejecting cultures. (The CQC 2023)

5.2 Nursing Direct's values promote an open, transparent culture focused on rights-respected care, fostering trust through honesty, reliability, and transparency.

5.3 Record Keeping

5.3.1 Nursing Direct has rigorous record keeping protocols which ensure that daily care notes are accurate, transparent and reflect the individual person-centred Care provided in real time.

- 5.3.2 Nursing Direct is able to share records appropriately (with consent) with other professionals as and when necessary to ensure the best interests of each Service User. There is also a clear ethos of partnership working throughout the organisation. For more information on when to share information with other staff including Agency Workers can refer to the Data Protection and UK GDPR Policies and Procedures.
- 5.3.3 Nursing Direct recognises the importance of sharing information in a way that is accessible, and that people understand. Nursing Direct has a clear policy in place to ensure that, as part of the individual Service User Care Plan process, Service Users' communication needs are assessed and discussed.
- 5.3.4 Following this, Nursing Direct takes a proactive approach and ensures that there are consistent methods in place for recording, flagging, sharing, and meeting the information and communication support needs of Service Users and carers as well as any changing needs.
- 5.3.5 Staff including Agency Workers are trained in the Accessible Information Standard through induction, the Care Certificate and continual learning in relation to communication.
- 5.3.6 This will form part of supervisions and appraisals and continually monitored via the compliance process at Nursing Direct

REGARDING SERVICE USERS

- 5.4 Nursing Direct provides all care using a person-centred approach, respecting the individual needs, wishes and capabilities of the Service User and promoting their human rights. Person-centred approaches that support equality and diversity involve valuing everyone's perspectives, listening with empathy, and recognising each person as an individual. This approach ensures that everyone is treated with respect, and their unique needs are acknowledged and addressed.
- 5.5 **Right to Life**
Human Rights Act 1998, Article 2: Everyone has the right to life. Nursing Direct takes reasonable steps to protect and maintain a Service User's life except in circumstances where it is reaching its inevitable and natural close. Nursing Direct has clear policies and procedures on supporting individual Service Users' end of life wishes and their Care provision, which includes advanced decisions to refuse treatment, lasting power of attorney for health and welfare given to a trusted relative or friend and Do Not Attempt Cardiopulmonary Resuscitation (DNRCPR).
- 5.6 **Freedom from Torture and Inhuman or Degrading Treatment**
Human Rights Act 1998, Article 3: The right to protection from torture, inhumane, and degrading treatment must never be violated. Staff, including Agency Workers, receive regular training on Equality, Diversity, Human Rights, as well as Privacy and Dignity in Care, to guide their roles. This training is reinforced through adherence to company values during working hours and remains a key focus in team meetings and supervision. Examples of breaches of Article 3 are:
- Physical or mental abuse
 - Failure to address, swiftly and discreetly, the physical and emotional results of incontinence (for example, by replacing soiled linen or clothing in a non-judgmental way)
 - Leaving food or drinks without helping the Service User to eat or drink, when they are too frail or forgetful to feed themselves
 - Any disproportionate, unnecessary, or inappropriate force to restrain Service Users
 - Carrying out care tasks, such as washing or dressing Service Users, without full and ongoing regard to their feelings, individuality, self-esteem, and dignity
- 5.7 **Respect for your private and family life**
Human Rights Act 1998, Article 8:
- Service Users' rights to maintain contact with their families and friends under Article 8 are supported and never breached, except where this is unavoidable to protect the health of the Service User or others. It is the right of a Service User with the capacity to do so, to make their own decisions about the level of contact, if any, with their personal network.
 - Except as restricted for public health reasons, rights to a private and family life are proactively respected and enabled, for example, by providing privacy and a pleasant environment for visits, and respecting the Service User's right to sexual and other relationships.
 - Should a decision that any Service User should cease contact by all available means with a relative or friend, Nursing Direct would request any legal documentation which evidences this. However, should Nursing Direct have any concerns regarding contact with a relative or friend, this will be escalated to the relevant healthcare professionals involved.
 - Monitoring by CCTV or other surveillance techniques may breach Article 8 (rights to privacy). The use of such recordings must adhere to the CQC guidance on surveillance.
- 5.8 **Reasonable Adjustments**
- 5.8.1 As part of the Care Plan process, Nursing Direct will identify and document reasonable adjustments for each Service User. These adjustments will be discussed with the service user by the allocated clinical lead and implemented where necessary, with all actions clearly recorded in the Care Plan and Risk Assessment.
- 5.8.2 When determining whether an adjustment is reasonable, Nursing Direct will consider several factors, including the specific needs of the Service User, the practicality and feasibility of the adjustment, and the cost and available resources. Additionally, the potential impact on the quality of care for both the individual and other Service Users will be assessed, alongside legal obligations under equality and human rights laws. The effectiveness of the adjustment in addressing the intended needs is also a crucial consideration.
- 5.9 **Challenging Discrimination**
- 5.9.1 As part of formal training, all staff including Agency Workers will receive an education on Equality, Diversity and Inclusion, Safeguarding Adults and Children, as well as Whistleblowing.
- 5.9.2 Training will also be in place to support understanding for staff including Agency Workers of the personal, cultural, social and religious needs of service users, including how these needs may relate to their Care needs, how they can take these into account when delivering services, how this information should be recorded and shared with other services or providers.
- 5.9.3 Nursing Direct ensures that staff including Agency Workers have a clear understanding and sound knowledge base for recognising the traits of discrimination and abuse and what to do about it.
- 5.9.4 Staff including Agency Workers must follow the procedure outlined in the Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure and raise any concerns, seeking support from the Registered Manager immediately

REGARDING STAFF INCLUDING AGENCY WORKERS

5.10 Recruitment and Selection

- 5.10.1 Any selection exercises including recruitment and selection will be carried out with regard to objective criteria which specifically avoid any issues of discrimination. Similarly, where possible, Nursing Direct will ensure that such exercises are carried out by more than one person.
- 5.10.2 Any vacancies will be advertised to as wide and diverse an audience as possible. Such advertisements will not discourage any individual or group from applying.
- 5.10.3 Job applicants will not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic.
- 5.10.4 Job applicants will not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law, for example, to check that the applicant could perform an intrinsic part of the role, for example, heavy lifting (taking account of any reasonable adjustments), or to see if any reasonable adjustments may be required at an interview.
- 5.10.5 Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in interview forms/ equal opportunities monitoring forms and can be discussed in detail at interviews.; and may be considered and used for selection or decision-making purposes.

5.11 Training

- 5.11.1 Staff including Agency Workers will receive appropriate training to ensure they understand the Articles of the Human Rights Act 1998 and can identify when any are at risk of being breached during the provision of care. Nursing Direct is dedicated to delivering care and support in a manner that upholds and promotes the human rights of all individuals
- 5.11.2 Training needs will be identified through regular supervisions and appraisals with appropriate actions taken accordingly. Staff including Agency Workers will be provided with access to regular training refreshers to support their professional development.
- 5.11.3 Nursing Direct will promote awareness and provide appropriate training on recognising and avoiding discrimination, harassment, victimisation and promoting equal opportunities and diversity in the areas of recruitment, development, and promotion.

5.12 Discrimination

Staff including Agency Workers must not unlawfully discriminate against or harass other people, including current and former job applicants, service users, family members, healthcare professionals, suppliers, or visitors. This applies in the workplace as well as outside the workplace on work-related trips or events including social events.

Direct Discrimination, Indirect Discrimination, Harassment, Victimisation and Disability Discrimination are prohibited under this policy and are unlawful.

5.13 Disabilities

- 5.13.1 Nursing Direct is committed to ensuring that all staff including Agency Workers have the ability to thrive in their careers. If staff including Agency Workers who are disabled or become disabled, whether visibly or not, are encouraged to inform Nursing Direct so that appropriate reasonable adjustments and support can be arranged.
- 5.13.2 Nursing Direct may consult with staff including Agency Workers and request a medical report to assess possible workplace adjustments. The company will carefully consider and accommodate needs where reasonable. If an adjustment is deemed unreasonable, Nursing Direct will explain the reasons and seek alternative solutions where possible.
- 5.13.3 Nursing Direct will monitor premises and health and safety conditions to ensure they do not disadvantage individuals with disabilities. Where necessary, reasonable steps will be taken to improve access and safety for staff including Agency Workers.
- 5.13.4 All staff including Agency Workers are expected to show consideration and refrain from discriminating against disabled colleagues, a responsibility that is taken seriously. Understanding and commitment to this policy will be reinforced during supervision and appraisals and regularly reviewed by Nursing Direct's HR department and senior management.

5.14 Immigration Status

Nursing Direct will not make any assumptions about immigration status based on appearance or apparent nationality. However, Nursing Direct is required by law to ensure that all of its staff including Agency Workers are entitled to work in the UK. Therefore, all prospective staff including Agency Workers, regardless of nationality, must be able to prove their right to work in the UK before their employment begins, with ongoing checks conducted in line with relevant laws.

5.15 Zero Hour Contract Work

Zero-hour contract staff including Agency workers should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

5.16 Neurodiversity

Neurodiversity refers to the wide range of ways the human brain can function, commonly associated with conditions like autism, ADHD, dyslexia, dyscalculia, and dyspraxia. Nursing Direct values neurodiversity in the workplace and ensures that neurodivergent staff, including Agency Workers, are treated fairly and without detriment. Staff including Agency Workers with neurodiverse conditions are encouraged to inform management confidentially. If necessary, a "needs assessment" may be conducted to identify appropriate workplace adjustments to support them in their role. All disclosures will be handled sensitively and in line with data protection requirements.

5.17 Termination of Employment

Nursing Direct will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory. Nursing Direct will also ensure that suspensions, disciplinary procedures, and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal, or other disciplinary action. Other justified terminations are considered as per the relevant Employment Laws and contractual terms.

5.18 Disciplinary Procedure

Nursing Direct takes a strict approach if any one breaches this policy. If any staff including Agency Workers are found to be in breach of this policy will be subject to disciplinary action. Serious cases of deliberate discrimination may amount to gross misconduct, resulting in dismissal. Please see the Discipline Policy and Procedure for further information.

5.19 **Grievance Procedure**

If a member of staff including Agency Workers believes that they have suffered discrimination, then they should raise these issues through the Grievances Policy and Procedure and/or the Anti-Bullying Policy and Procedure and the Harassment Policy and Procedure at Nursing Direct. A member of staff including Agency Workers will not be bullied or victimised for raising issues under this policy. However, if a complaint is made in bad faith and/or is knowingly false, the member of staff including Agency Workers may be subject to the Discipline Policy and Procedure of Nursing Direct.

6. **DEFINITIONS**

6.1 **Staff including Agency Workers**

6.1.1 **Staff**

Denotes the employees of Nursing Direct Healthcare Limited.

6.1.2 **Agency Workers**

Refers to individuals who are contracted with Nursdoc Limited or another employment business as an Agency Worker (temporary worker) provided to Nursing Direct Healthcare Limited to perform care services under the direction of Nursing Direct.

6.2 **Nursing Direct**

Nursing Direct, also known as Nursing Direct Healthcare Limited, is the entity regulated by the CQC (Care Quality Commission) and responsible for the care service provision, contracted to provide homecare services to service users in their homes, in placements, essential healthcare facilities and in the community.

6.3 **Nursdoc Limited**

As the sister company to Nursing Direct Healthcare Limited, Nursdoc Limited acts as an employment business, specialising in providing staffing solutions to the healthcare sector.

6.4 **CQC (Care Quality Commission)**

CQC throughout this policy, the term "CQC" refers to the Care Quality Commission (CQC) which is the independent regulator of health and social care in England. Mental Capacity Act 2005 (MCA)

Defines capacity as the ability to make a specific decision at the time required. Individuals 16+ are presumed to have capacity unless assessed otherwise. The MCA balances the rights of service users to make their own choices while protecting those who lack capacity with the least restrictive measures.

6.5 **Human Rights Act 1998 (Article 8)**

Guarantees the right to a private life, including the freedom to maintain relationships. Breaches are only allowed if necessary and proportionate, such as to prevent harm or infection spread. Human Rights Act Articles:

- Article 2 protects the right to life
- Article 3 prohibits torture or degrading treatment
- Article 4 forbids slavery and forced labour
- Article 5 ensures the right to liberty and security, including deprivation safeguards
- Article 6 guarantees a fair trial
- Article 7 prevents retroactive punishment
- Article 9 allows freedom of thought and religion
- Articles 10 and 11 protect expression and peaceful assembly
- Article 12 covers the right to marry.
- Article 14 prohibits discrimination in any form.

6.6 **Convention on the Rights of Persons with Disabilities (CRPD)**

Commits the UK to eliminate discrimination and barriers for people with disabilities, promote awareness, and secure equal rights for women, girls, and children with disabilities.

6.7 **The Equality Act 2010**

Prohibits workplace discrimination based on protected characteristics such as age, disability, gender reassignment, marriage, pregnancy, race, religion, sex, and sexual orientation. Disability is defined as a long-term impairment affecting day-to-day activities.

6.8 **Disability**

A physical or mental impairment which has a substantial and long-term adverse effect on an individual's ability to carry out normal day-to-day activities. The effect must have lasted for 12 months or be likely to last 12 months. An effect that is likely to recur is treated as continuing for this purpose

6.9 **Deprivation of Liberty Safeguards DoLS: Human rights protection**

Protects the liberty of individuals lacking capacity in care settings through a lawful process, ensuring their rights are upheld with regular assessments.

6.10 **Equality**

The Equality and Human Rights Commission defines 'equality' as 'ensuring that every individual has an equal opportunity to make the most of their lives and talents and believing that no one should have poorer life chances because of where, what or to whom they were born or because of other characteristics'

6.11 **Reasonable Adjustment**


Nursing Direct is required by the Equality Act 2010 to make adjustments for disabled service users or staff. Examples include accessible environments, alternate formats for information, and scheduling flexibility.

- 6.12 **Special Category Data**
Sensitive data, such as health or genetic information, must be protected and handled carefully in compliance with data protection laws.
- 6.13 **Direct Discrimination**
Treating someone less favourably because of a protected characteristic, for example, rejecting a job applicant because of their religious views or because of their sexuality. Direct discrimination can include associative discrimination, where a person is treated less favourably because of their association with an individual with a Protected Characteristic, and perception discrimination, where a person is treated less favourably because of the mistaken belief that they possess a Protected Characteristic.
- 6.14 **Indirect Discrimination**
A provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others and is not justified. For example, requiring a job to be done full-time rather than part-time may adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified
- 6.15 **Harassment**
This includes sexual harassment and other unwanted conduct related to a protected characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them
- 6.16 **Victimisation**
Retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so. For example, Person A raised a complaint of being subject to discrimination, following which their manager subjected Person A to a disciplinary process
- 6.17 **Bullying**
This is categorised as offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can leave an employee feeling vulnerable, upset, humiliated, undermined, or threatened
- 6.18 **Discrimination**
The act of unjustified or prejudicial treatment towards other people based on their Protected Characteristics. There are a number of types of discrimination, including distinctions between people based on the groups, classes, or other categories to which they belong or are perceived
- 6.19 **Disability Discrimination**
This includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability

OUTSTANDING PRACTICE

To be 'outstanding' in this policy area Nursing Direct could provide evidence that:

- Human rights values are central whenever decisions are taken about or for someone lacking capacity to make a specific decision or series of linked decisions, and there is evidence of all practicable attempts being made to enable them to make these decisions for themselves
- Staff including Agency Workers know about, and can discuss, the main human rights that are at risk of being breached in health and social care
- Care Plans show that human rights are always considered in finding the least restrictive option for meeting an identified need, and this is evidenced by direct quotes from the person or those who care for them
- The Service User's rights are always discussed in team meetings and individual supervision, and evidenced by recording evidence of creative person-centred planning
- Whenever Care Plans are reviewed, records show a proactive search for ways to enhance and promote the rights of individuals to live as they wish
- There is a clear approach to partnership working with other professionals and as part of a multidisciplinary team to create the best outcomes for the Service User
- Nursing Direct provides training to all members of staff including Agency Workers on equality and diversity and keeps this training up to date
- Nursing Direct ensures that decisions for selection are always taken by more than one manager
- Nursing Direct considers taking positive action to remedy disadvantage, meet different needs or increase the participation of people who share a protected characteristic
- Nursing Direct offers training to members of staff including Agency Workers who have been absent for a period (maternity, paternity, ill-health due to a disability, etc.) to meet any need

COMPLETED DATE:	
SIGN OFF DATE:	
REVIEW DATE:	
SIGNED:	 Marc Stiff – Group Managing Director