

SS01 Foster people's equality, diversity and rights

OVERVIEW

This standard is about acknowledging the equality and diversity of people and their rights and responsibilities. Because of the often sensitive nature of the information about people with which the sector deals, the maintenance of confidentiality is also included. Whilst it is recognised that you are not always in a position to change and influence structures directly, you are expected to be proactive against discrimination. You must be able to handle a number of competing tensions: within people themselves and between different people. Discrimination against people may occur for a wide range of reasons such as: differing abilities, age, class, caste, creed, culture, gender, health status, relationship status, mental health, offending background, place of origin, political beliefs, race, responsibility for dependants, religion, sexuality. The term 'people' is used broadly to cover individuals, families, groups, communities and organisations. The people may be clients, colleagues or anyone else with whom you come into contact. Users of this standard will need to ensure that practice reflects up to date information and policies. Version No 1

KNOWLEDGE AND UNDERSTANDING

You will need to know and understand:

- 1.what is meant by the rights of people and those rights which the care sector has a particular responsibility to promote
- 2.the responsibilities which people have to those with whom they live, work and directly interact, and to the wider community
- 3.the tensions which people experience between their own rights and responsibilities
- 4.the tensions which there are between different people's rights and responsibilities
- 5.the relationship of confidentiality to individual rights (for example, why individual choice regarding the confidentiality of information should be respected as far as is possible and the circumstances which over-ride individual choice e.g. statutory obligations)
- 6.current legislation in relation to rights and responsibilities (including the recognition of personal beliefs)
- 7.the legal framework in which access to, and transmission of, information is set and how this may differ for different individuals and in different settings
- 8.the particular rights and restrictions under legislation related to people with whom, and settings with which, you are involved (e.g. Mental Health Act, Children Act)
- 9.moral rights which are not recognised in law but which are broadly accepted within a democratic society (this will include, for example, the moral implications of your action)

- on individuals such as achieving the best balance between privacy and association with others, freedom from harassment, equity of treatment within an overall group)
- 10.the public charters and policies which relate to the people or settings in which you work
 - 11.organisational policies (of the organisation which employs or contracts you) relating to rights and responsibilities
 - 12.relevant complaints systems and methods of accessing these
 - 13.the differing policies which organisations may have to the confidentiality, access and transmission of information and the effect which this has your role
 - 14.your role in the setting, the limits which are set on the actions which they may take and their relationship to other members of the work team
 - 15.the records which you are responsible for completing in relation to rights and responsibilities
 - 16.the information which you are required to share with others (such as someone intends to commit suicide, someone is taking drugs which may affect their actions) and the organisation's policy on handling the confidentiality of such information
 - 17.the sources of information which may be available to you or which may have a bearing on their behaviour, such as guidelines, policy and law
 - 18.the support services available to you
 - 19.how personal beliefs and preferences (including your own) may affect the way in which people interact with others (e.g. the inappropriate use of the term 'Christian name' to those who are not of the Christian faith rather than using 'first name')
 - 20.the effect which beliefs and preferences may have on aspects of daily living (such as diet, clothing, transport, worship and access to others)
 - 21.the effects which your own beliefs may have on their behaviour and the methods which they can use to identify their own prejudice and challenge it
 - 22.the limits which various environments impose on behaviour and the particular limits which are imposed in your environment
 - 23.the diverse experiences and perspectives which people bring to any interactions and the benefits of diversity in a multi-cultural society
 - 24.the assumptions and oppressions which surround different groups (such as sexism, ageism, heterosexism, discrimination against those with mental health problems, learning disabilities and physical disabilities)
 - 25.the forms which discrimination may take, the behaviour which may be expressions of these and how they may differ between different groups and in different settings
 - 26.the possible effects of stereotyping, prejudice and labelling on people
 - 27.the grey areas surrounding confidentiality and the tensions which there may be in maintaining confidentiality
 - 28.the particular aspects which have to be taken into account regarding how information is transmitted
 - 29.the reasons why some people may claim they have the right or the need to know information (e.g. where the request is based on genuine or false information such as the risks of transmission of particular diseases)
 - 30.the ways in which you can best promote people's rights and how you can best handle the tensions which they may feel between their values and beliefs and those of the people with whom they work
 - 31.how to recognise when people are not able to exercise their rights personally and methods of enabling people to exercise their rights effectively – themselves, through you or through seeking help from someone else
 - 32.how best to challenge people when their choices or actions infringe the rights of others
 - 33.what acceptable proof of identity is, the different forms which this may take and how

proof of identity may be obtained from various sources

34.methods for maintaining confidentiality in relating to who might be able to overhear or oversee information or those who might access it and how confidentiality may be inadvertently breached

PERFORMANCE CRITERIA

You must be able to do the following:

1. recognise people's right to make their own decisions and acknowledge their responsibilities
- 2.ensure that your actions in interpreting the meaning of rights and responsibilities are consistent with existing legislative frameworks and organisational policy
- 3.provide information which is up-to-date and takes account of the complexity of the decisions which people may need to make
- 4.give appropriate help to people who are unable to exercise their rights personally
- 5.acknowledge tensions between rights and responsibilities and provide appropriate support towards their resolution
- 6.ensure the necessary records relating to the promotion of rights and responsibilities are accurate, legible and complete
- 7.provide the necessary information to people who wish to make a complaint about an infringement of their rights
- 8.offer appropriate support to any others involved in the incident once any initial danger has passed
- 9.keep records of incidents that are accurate, legible and complete
- 10.ensure your actions are consistent with people's expressed beliefs and views and acknowledge the benefits of diversity
- 11.promote anti-discriminatory practice in ways which are consistent with legislative frameworks and organisational policy
- 12.take appropriate action to minimise the impact of discrimination and oppression on people
- 13.seek advice and guidance when you have difficulty promoting equality and diversity
- 14.record information which is consistent with the promotion of equality and diversity
- 15.ensure that information stored in, and retrieved from, recording systems is consistent with the requirements of legislation and organisational policy
- 16.maintain records which are accurate and legible and contain only the information necessary for the record's purpose
- 17.disclose information only to those who have the right and need to know once proof of identity has been obtained
- 18.take appropriate precautions when communicating confidential or sensitive information to those who have the right and need to know it
- 19.inform people in a clear and appropriate manner that information will be shared with others when they tell you something that you are required to share with others
- 20.handle confidential records securely and store them in the correct place

ADDITIONAL INFORMATION

This National Occupational Standard was developed by Skills for Health. This standard links with the following dimension within the NHS Knowledge and Skills Framework (October 2004): Dimension: Core 6 Equality and diversity