



Review Sheet

Last Reviewed
28 Jan '21Last Amended
28 Jan '21Next Planned Review in 12 months, or
sooner as required.

Business impact



Changes are important, but urgent implementation is not required, incorporate into your existing workflow.

Reason for this review

Scheduled review

Were changes made?

Yes

Summary:

This policy will support to maintain a person's dignity, respect and choice whilst undertaking a service. It has been reviewed and updated with more reference to dignity and respect. An additional policy statement and procedural section are now included. Definitions have also been added. The title of the policy has also changed from 'Choice Policy and Procedure' to 'Dignity, Respect and Choice Policy and Procedure'. References have also been checked to ensure they remain current.

Relevant legislation:

- The Care Act 2014
- Equality Act 2010
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Human Rights Act 1998
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice

Underpinning knowledge - What have we used to ensure that the policy is current:

- Author: Age UK, (2011), *Our Rights Our Voices*. [Online] Available from: <https://www.ageuk.org.uk/our-impact/campaigning/campaigning-guide/our-rights-our-voices/> [Accessed: 28/1/2021]
- Author: Department of Health and Social Care, (2020), *Care and support statutory guidance*. [Online] Available from: <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance> [Accessed: 28/1/2021]
- Author: Care Quality Commission, (2017), *Regulations for service providers and managers*. [Online] Available from: <https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulations-service-providers-managers> [Accessed: 28/1/2021]
- Author: NHS England, (2016), *Accessible Information Standard*. [Online] Available from: <https://www.england.nhs.uk/ourwork/accessibleinfo/> [Accessed: 28/1/2021]
- Author: Department of Health, (2007), *Independence, choice and risk: a guide to best practice in supported decision making*. [Online] Available from: https://webarchive.nationalarchives.gov.uk/20130105035347/http://www.dh.gov.uk/prod_cor [Accessed: 28/1/2021]
- Author: Social Care Institute for Excellence (SCIE), (2021), *Dignity in care*. [Online] Available from: <https://www.scie.org.uk/dignity/care> [Accessed: 28/1/2021]
- Author: Skills for Care, (2015), *The Care Certificate - Work in a Person-Centred Way - Standard 5*. [Online] Available from: <https://www.skillsforcare.org.uk/Documents/Learning-and-development/Care-Certificate/Standard-5.pdf> [Accessed: 28/1/2021]

Suggested action:

- Encourage sharing the policy through the use of the QCS App
- Share 'Key Facts' with all staff
- Ensure relevant staff are aware of the content of the whole policy



Equality Impact Assessment:

QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



1. Purpose

1.1 To establish a framework of good practice for implementing core standards and promoting a culture within Inspiring Aspirations Plus Ltd T/A Inspiring Support that empowers Service Users' choice, independence, dignity, respect and control in line with legislation, rights and guidance.

1.2 To support Inspiring Aspirations Plus Ltd T/A Inspiring Support in meeting the following Key Lines of Enquiry:

Key Question	Key Lines of Enquiry
CARING	C2: How does the service support people to express their views and be actively involved in making decisions about their care, support and treatment as far as possible?
EFFECTIVE	E2: How does the service make sure that staff have the skills, knowledge and experience to deliver effective care and support?
EFFECTIVE	E7: Is consent to care and treatment always sought in line with legislation and guidance?
RESPONSIVE	R1: How do people receive personalised care that is responsive to their needs?
SAFE	S1: How do systems, processes and practices keep people safe and safeguarded from abuse?
WELL-LED	W1: Is there a clear vision and credible strategy to deliver high-quality care and support, and promote a positive culture that is person-centred, open, inclusive and empowering, which achieves good outcomes for people?

1.3 To meet the legal requirements of the regulated activities that {Inspiring Aspirations Plus Ltd T/A Inspiring Support} is registered to provide:

- | The Care Act 2014
- | Equality Act 2010
- | The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- | Human Rights Act 1998
- | Mental Capacity Act 2005
- | Mental Capacity Act Code of Practice



2. Scope

2.1 The following roles may be affected by this policy:

- | All staff

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
- | Advocates
- | Representatives
- | Commissioners



3. Objectives

3.1 To raise awareness and understanding of legal obligations in ensuring that control, choice, dignity, respect and empowerment are promoted by staff.

3.2 To provide a set of practical standards that will enable staff to work within an expected culture that is offering choice, dignity and respect at every opportunity.



4. Policy

4.1 Inspiring Aspirations Plus Ltd T/A Inspiring Support actively seeks to enable Service Users to exercise as much choice as possible in their lives.

4.2 Staff will ensure that Service Users are supported to make their own decisions as far as they are able.

4.3 Service Users will be treated with dignity and respect which is embodied throughout the policies and procedures at Inspiring Aspirations Plus Ltd T/A Inspiring Support.

4.4 Service Users who lack the capacity to make some choices may require a best interest decision in line with the Mental Capacity Act 2005 (see the Mental Capacity Act 2005 Policy and Procedure).

4.5 Jo Kerley will nurture a culture where enablement of choice is a routine, natural practice. If failings in enabling Service Users' choice do occur, these will be managed by providing staff support. However, if necessary, disciplinary action may be taken.



5. Procedure

5.1 The Key Principles of the Care Act 2014 that Underpin this Choice Policy

The Care Act 2014 sets out some 'Key Principles' on how staff must work with Service Users. Staff at Inspiring Aspirations Plus Ltd T/A Inspiring Support will familiarise themselves with these principles and abide by them. These principles are:

- | The Service User knows best
- | The Service User's views, wishes, feelings and beliefs must always be considered
- | The main staff focus must be on the Service User's wellbeing, on reducing the need for Support and on reducing the likelihood that there will be a need for care and support in the future
- | Any decisions made must take into account all relevant circumstances
- | Any decisions must be made with the Service User's involvement
- | Wellbeing must be balanced with that of any involved family and friends
- | Staff must always work to protect Service Users and other people from abuse and neglect
- | Staff must ensure that any actions taken to support or protect Service Users affect their rights and freedom as little as possible

It is vital that Jo Kerley promotes a culture that abides by these key principles and that all staff are supported to understand and develop skills in this area.

5.2 Assessment of Needs

An assessment will be completed for every new Service User to ensure that their needs can be met by Inspiring Aspirations Plus Ltd T/A Inspiring Support. This will enable staff to:

- | Develop an understanding of the Service User, their likes, dislikes and normal routines
- | Offer choice around abilities and wishes for the future
- | Ascertain ability to choose and control future Care Planning and support
- | Involve family members and others involved in Support (as agreed by the Service User)
- | Be encouraged to think about what outcomes the Service User wants to achieve in their life

The Support Worker will take the time to understand and get to know the Service User, their previous life and past achievements.

To help gather information, Inspiring Aspirations Plus Ltd T/A Inspiring Support will promote the use of a personal history document to capture information. This will be completed by the Service User (and/or by the Service User's representatives if there is an assessed lack of capacity to undertake the task, with the support they require).

5.3 Choice and Control in Daily Practice

- | All members of staff at Inspiring Aspirations Plus Ltd T/A Inspiring Support will treat people as individuals, ensuring that they remain in control of what happens to them. For those Service Users who are unable to be in control, staff will act in their best interests in accordance with the Mental Capacity Act 2005
- | Service Users will be empowered by ensuring that they have access to jargon-free information about services, when they want or need it, and staff will support Service Users to locate this information
- | Staff will ensure that Service Users are fully involved in any decision that affects their Support, including personal decisions (such as what to eat, what to wear and what time to go to bed), and wider decisions about the service where possible
- | Staff will value the time spent supporting people with decision making as much as the time spent doing other tasks
- | At every opportunity, people will be encouraged to participate as fully as they can at all levels of the service, including the day-to-day running of the service
- | Where Service Users choose not to partake in suggestions from staff, this will be respectfully accepted and staff will seek to identify and revisit the Service User's wishes
- | Service Users have the right to live their lives to the full as long as that does not stop others from doing the same



- | Where Service Users have capacity, they have the right to take risks, even if those risks appear to be unwise

5.4 Financial Control

- | It is important that the Service User has the support they need to cope with the administrative and management aspects of their finances
- | Staff can refer to AF09 - Service User's Finances Policy and Procedure for further information and guidance

5.5 Community Links

- | Where possible, and at every opportunity, Inspiring Aspirations Plus Ltd T/A Inspiring Support will encourage and support people to participate in the wider community
- | Inspiring Aspirations Plus Ltd T/A Inspiring Support will promote a culture that is involved in community activities and is able to offer services and support from groups in the local community

5.6 Dignity and Respect

- | Inspiring Aspirations Plus Ltd T/A Inspiring Support will ensure that the Service User is treated with dignity and respect at all times, in line with [Regulation 10](#) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- | Service Users will also be treated in a caring and compassionate way, whilst ensuring choice and privacy are maintained where these are required by the Service User

5.7 Advocacy

People who are unable to make choices or decisions about their care due to mental impairment are protected by the Mental Capacity Act.

Local Advocacy services must be accessed when there is a need for a Service User to receive impartial support for:

- | Protection from abuse
- | Combatting discrimination
- | Securing and exercising rights
- | Being involved in decision making
- | Being heard

Staff can refer to CR73 - Advocacy Policy and Procedure at Inspiring Aspirations Plus Ltd T/A Inspiring Support for further guidance and information.

Inspiring Aspirations Plus Ltd T/A Inspiring Support will work to ensure that local advocacy services are available to access and will raise general awareness of their services.

5.8 Breaches in Choice of the Service User

Inspiring Aspirations Plus Ltd T/A Inspiring Support will treat any allegations of Service Users not being provided with choice and control with the utmost seriousness and, where required, safeguarding and regulatory bodies will be informed in accordance with legislation. Staff found to be purposefully failing to enable choice will be managed through the disciplinary process at Inspiring Aspirations Plus Ltd T/A Inspiring Support.

5.9 Training

Inspiring Aspirations Plus Ltd T/A Inspiring Support will ensure that staff have the necessary skills to include:

- | Working with people with cognitive or communication difficulties in decision making
- | Person-centred Care Planning and outcome-based care delivery
- | Promotion of choice, independence and control versus risk management
- | A working knowledge of the underpinning rationale, legislation and content of this policy

All new Care staff will be expected to complete the Skills for Care '[Care Certificate Standards 5 - Work in a Person Centred Way](#)' or show evidence of completion.



6. Definitions

6.1 Choice

- | The right or ability to make choices at every opportunity. It is about putting people first to ensure that they maintain control of their care and any treatment that is received

6.2 Advocate

- | Health and social services staff have a duty of care to the people they work with, which means they cannot support you in doing things they think will be bad. An advocate is an independent person who will listen to Service Users and will represent their wishes without judgement or giving a personal opinion

6.3 Assessment

- | The assessment is a comprehensive needs assessment that is completed before Support is agreed. The assessment ensures that the Support needs of the Service User can be met. This allows for a person-centred approach to the planning and delivery of Support

6.4 Accessible Information

- | The Accessible Information Standard aims to ensure that people who have a disability, impairment or sensory loss are provided with information that they can easily read or understand with support, so that they can communicate effectively with services. Since 1st August 2016 onwards, all organisations that provide NHS care and/or publicly-funded adult social care are legally required to follow the Accessible Information Standard

6.5 Dignity

- | Dignity is the right for someone to be valued and respected for their own sake

6.6 Respect

- | Having due regard for a person's feelings, wishes or rights



Key Facts - Professionals

Professionals providing this service should be aware of the following:

- | Where there is a risk to health or safety, it is important to think of ways that the Service User can be supported to maintain their independence, rather than preventing them from doing the things they want or doing things for them
- | Central to the Care Act 2014 is the principle of wellbeing. At the heart of the principle of wellbeing is control by the individual over day to day life, including over care and support and the way it is provided
- | Choice and control, alongside dignity and respect, are fundamental to help people achieve the outcomes that matter to them in their lives



Key Facts - People affected by the service

People affected by this service should be aware of the following:

- | Staff will support you to be as independent as possible and ensure that you have access to community life as you wish
- | Where you are unable to make choices, decisions will be made in accordance with the law and will always be in your best interest. Advocates will also be used, where necessary, to ensure that all choices made on your behalf are the right ones that you would want
- | Staff supporting you will make efforts to get to know you, your wishes, views and choices about care to enable them to ensure these are met
- | You will be supported by staff who are trained to promote choice, control, dignity, respect and independence and you must not expect to be treated in any other way
- | You have the legal right to make choices and have control within Inspiring Aspirations Plus Ltd T/A Inspiring Support. Staff will support you where you may need help to do this



Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

Care Quality Commission - Equally outstanding - Equality and human rights - good practice resource:

https://www.cqc.org.uk/sites/default/files/20181010_equally_outstanding_ehr_resource_nov18_accessible.pdf

Age UK offers a range of resources promoting independence and choice for older people:

<https://www.ageuk.org.uk/>

Social Care Institute for Excellence (SCIE) offers a range of resources, training and information for the promotion of all aspects of social care, including dignity and choice in all environments:

<https://www.scie.org.uk/>

Dignity - Becoming a Dignity Champion:

https://www.dignityincare.org.uk/Dignity-Champions/Becoming_a_Dignity_Champion/

QCS: Dignity Audit



Outstanding Practice

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

- | Service Users are used in staff recruitment, attend staff training sessions and support staff in certain areas at Inspiring Aspirations Plus Ltd T/A Inspiring Support
- | The wide understanding of the policy is enabled by proactive use of the QCS App
- | Service User records evidence their input in care reviews, risk assessments and any other plans of care to show that choice is maintained
- | Staff have successfully integrated many aspects of community life within Inspiring Aspirations Plus Ltd T/A Inspiring Support such as hosting support groups, art therapy etc.
- | All Service Users have a personal history completed and staff are able to use this in practice to support them



Forms

Currently there is no form attached to this policy.