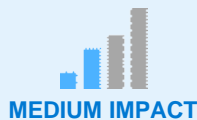




Review Sheet

Last Reviewed
01 Aug '24Last Amended
01 Aug '24Next 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 relates to dignity, respect, choice and their essential place within care provision. The policy has been reviewed with some content additions: section 5.7 Warmth and Kindness, 5.9 Dignity Champions, 5.10 Responsibility. Underpinning Knowledge and Further Reading links have also been checked and updated 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: 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: 1/8/2024]
- Author: Skills for Care, (2015), *The Care Certificate - Work in a Person-Centred Way - What you need to know - Standard 5*. [Online] Available from: <https://www.skillsforcare.org.uk/Documents/Learning-and-development/Care-Certificate/Standard-5.pdf> [Accessed: 1/8/2024]
- Author: CQC, (2023), *Regulation 10: Dignity and respect*. [Online] Available from: <https://www.cqc.org.uk/guidance-providers/regulations/regulation-10-dignity-respect#:~:text=When%20people%20receive%20care%20and,using%20services%20must%20be%20respectful.&text=Staff%20must%20respect%20people's%20personal%20preferences%2C%20lifestyle%20and%20care%20choices>. [Accessed: 1/8/2024]
- Author: NHS England, (2024), *Accessible Information Standard*. [Online] Available from: <https://www.england.nhs.uk/ourwork/accessibleinfo/> [Accessed: 1/8/2024]
- Author: Social Care Institute for Excellence (SCIE), (2024), *Defining Dignity in care*. [Online] Available from: <https://www.scie.org.uk/providing-care/dignity-in-care/defining/> [Accessed: 1/8/2024]
- Author: Department of Health and Social Care, (2024), *Care and support statutory guidance (Currently under review July 2024)*. [Online] Available from: <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance> [Accessed: 1/8/2024]
- Author: Age UK, (2017), *Our Rights Our Voices*. [Online] Available from: <https://www.ageuk.org.uk/our-impact/campaigning/campaigning-guide/our-rights-our-voices/> [Accessed: 1/8/2024]
- Author: Care Quality Commission, (2024), *Regulations for service providers and managers*. [Online] Available from: <https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulations-service-providers-managers> [Accessed: 1/8/2024]



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Suggested action:	<ul style="list-style-type: none">• 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 Medcom Personnel Ltd that empowers Service Users' choice, independence, dignity, respect and control in line with legislation, rights and guidance.

1.2 To support Medcom Personnel Ltd in meeting the following Key Lines of Enquiry/Quality Statements (New):

Key Question	Key Lines of Enquiry	Quality Statements (New)
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?	QSC2: Treating people as individuals
EFFECTIVE	E2: How does the service make sure that staff have the skills, knowledge and experience to deliver effective care and support?	QSE2: Delivering evidence-based care & treatment QSE3: How staff, teams & services work together
EFFECTIVE	E7: Is consent to care and treatment always sought in line with legislation and guidance?	QSE6: Consent to care and treatment
RESPONSIVE	R1: How do people receive personalised care that is responsive to their needs?	QSR1: Person-centred care
SAFE	S1: How do systems, processes and practices keep people safe and safeguarded from abuse?	QSS3: Safeguarding
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?	QSW1: Shared direction and culture QSW2: Capable, compassionate and inclusive leaders
CARING	No equivalent KLOE	QSC4: Responding to people's immediate needs

1.3 To meet the legal requirements of the regulated activities that Medcom Personnel Ltd 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, dignity, respect, choice 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** Medcom Personnel Ltd 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 Medcom Personnel Ltd.
- 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** Mrs Irene Mtisi 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 Policy

The Care Act 2014 sets out some 'Key Principles' on how staff must work with Service Users. Staff at Medcom Personnel Ltd will familiarise themselves with these principles and abide by them. These principles are:

- | The Service Users knows best
- | The Service Users's views, wishes, feelings and beliefs must always be considered
- | The main staff focus must be on the Service Users's wellbeing, on reducing the need for Care, 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 Users'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 affects their rights and freedom as little as possible

It is vital that Mrs Irene Mtisi promotes a culture that abides by these key principles which supports Service Users well-being, 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 Users to ensure that their needs can be met by Medcom Personnel Ltd. This will enable staff to:

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

The Care Worker will take the time to understand and get to know the Service Users, their previous life and past achievements, as well as any goals or aspirations that they have.

To help gather information, Medcom Personnel Ltd will promote the use of a personal history document to capture information. This will be completed by the Service Users and/or by the Service Users'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 Medcom Personnel Ltd 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 Care, 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 Users'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



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unwise

- | Medcom Personnel Ltd will at every opportunity record choice, control and consent in daily Care records to evidence that these aspects are being met

5.4 Financial Control

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

5.5 Community Links

- | Where possible, and at every opportunity, Medcom Personnel Ltd will encourage and support people to participate in the wider community
- | Medcom Personnel Ltd 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

Medcom Personnel Ltd will ensure that the Service Users 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.

The CQC says the following about dignity and respect in Regulation 10:

Service Users must be treated with dignity and respect:

- | When Service Users receive care and treatment, all staff must treat them with dignity and respect at all times. This includes staff treating them in a caring and compassionate way
- | All communication with Service Users using services must be respectful. This includes using or facilitating the most suitable means of communication and respecting a person's right to engage or not to engage in communication
- | Staff must respect the Service Users's personal preferences, lifestyle and care choices
- | When providing intimate or personal care, Medcom Personnel Ltd must make every reasonable effort to make sure that they respect the Service Users's preferences about who delivers their care and treatment, such as requesting staff of a specified gender
- | Service Users at Medcom Personnel Ltd should be addressed in the way they prefer
- | Service Users at Medcom Personnel Ltd must not be neglected or left in undignified situations

5.7 Warmth and Kindness

SCIE state that 'People feel their dignity is respected when the care they receive is delivered with human warmth and empathy. They are not: objects, burdens, numbers or aliens. They are us – cared for with kindness.' 2024

5.8 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 Users 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 the Advocacy Policy and Procedure at Medcom Personnel Ltd for further guidance and information.

Medcom Personnel Ltd will work to ensure that local advocacy services are available to access and will raise general awareness of their services.

5.9 Dignity Champions

A dignity champion is someone who believes passionately that being treated with dignity is a basic human right, not an optional extra. They believe that care services must be compassionate, person-centred, as well as efficient, and are willing to try to do something to achieve this. Dignity champions pledge to challenge poor care, to act as good role models and, through specific guidelines issued by the National



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Dignity Council on Becoming a dignity champion, to educate and inform all those working around them. Medcom Personnel Ltd will have dignity champions in place where possible and support them in the role.

5.10 Everyone's Responsibility

All staff:

- | Must take personal responsibility for putting the Service Users receiving care first
- | Are required to challenge poor care, they should do so as soon as they see any shortcomings and must be given the training and support to help them to do so

The Registered Manager must:

- | Introduce facilitated, practice-based development programmes, to ensure that staff caring for Service Users have the confidence, support and skills to do the right thing for those in their care
- | Recruit staff to work with Service Users who demonstrate the compassionate values and behaviours needed for dignified care. This should be considered a core attribute, carrying equal weight with clinical and technical skill
- | Regularly appraise staff as an essential part of staff development and quality improvement. Appraisals should incorporate feedback from Service Users, relatives, carers and independent advocates, as well as peers and managers
- | Be involved in the care of Service Users who may have dementia and will need to have the necessary skills to provide them with dignified care, developed through basic training and continuous professional and vocational development in dementia. All staff must have basic skills in communicating with a Service User with dementia, including how to demonstrate warmth and kindness
- | Have responsibility for care standards, care continuity, dignity, wellbeing and safeguarding, must expect to be held accountable for them and must take the actions they deem necessary in the interests of the Service Users
- | Gain feedback from Service Users and their families, carers and advocates. The feedback must be discussed and responded to every day, such as during the handover between shifts
- | Routinely give staff time and space to reflect on the care they provide and how this could be improved
- | Invest in greater use of technology to improve the quality of Care
- | Involve Service Users in how decisions are made
- | Ensure that the Care Plan is person-centred and reflects what the Service Users would like to do for themselves. It identifies their own wishes, preferences and priorities, and addresses the support they need to retain and develop their sense of dignity and personal identity

5.11 Training

Medcom Personnel Ltd 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
- | An understanding of what privacy and dignity are and how they can be implemented in the Service Users's home
- | 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 its completion.

5.12 Breaches in Choice of the Service Users

Medcom Personnel Ltd 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 Medcom Personnel Ltd.



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 provide support 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 Care is agreed. The assessment ensures that the Care needs of the Service Users can be met. This allows for a person-centred approach to the planning and delivery of Care

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 Users 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 supporting you will make every effort to get to know you, your wishes, your 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 Medcom Personnel Ltd. Staff will support you where you may need help to do this
- | 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



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:

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

National Dignity Council - Getting the Basics Right:

https://www.dignityincare.org.uk/Resources/Useful_resources_for_Dignity_Champions/Dignity_Map/getting_the_basi

National Dignity Council - Privacy:

https://www.dignityincare.org.uk/Resources/Respecting_dignity/Privacy/



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 Medcom Personnel Ltd
- | Service Users records evidence their input in care reviews, risk assessments and any other plans of care to show that choice is maintained
- | The wide understanding of the policy is enabled by proactive use of the QCS App
- | Staff have successfully integrated many aspects of community life within Medcom Personnel Ltd 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.