

IT'S YOUR LIFE. IT'S YOUR CHOICE.



Legislation Awareness Briefing

Margaret Harding 2009

IT'S YOUR LIFE. IT'S YOUR CHOICE.



Law and Legislation

Once in place laws and legislation are the
main driving force



Represented
by the engine

IT'S YOUR LIFE. IT'S YOUR CHOICE.



Government Policy

- Government policy is the chassis and bodywork.



IT'S YOUR LIFE. IT'S YOUR CHOICE.



Organisational Policy

The cabin
within which
the driver and
passengers sit



Organisational Policies

- Valuing Diversity
- Accessing Services
- Involving People
- Managing Resources
- Managing Information and Knowledge
- Managing Health, Safety and Risk

Organisational Policies

- Managing Significant Events
- Managing Human Resources

Valuing Diversity

- Race Relations Act 1976, Amendment 2000
- Sex Discrimination Act 1975, Amendment 2000
- Disability Discrimination Act 2005
- The Equality Act 2006
- The Human Rights Act 1998

Our Responsibilities

- Nobody should be treated less favourably on the grounds of race, disability, gender, sexual orientation, religion or belief, or age.
- Proper attention must be paid to people's rights when decisions are being made about them.

Our Responsibilities continued

- Individuals and groups feeling they are treated with consideration and respect for their needs.
- People who use services and their carers gaining the highest level of independence possible.
- To be aware of and committed to the principles of E&D and aware of different religious and cultural needs and always open to dialogue and continual learning

Accessing Services

- Equality Legislation (various)
- Our Health, Our Care, Our Say White paper 2006
- NHS and Community Care Act 1990
- Carers (Equal Opportunities Act) 2004
- Fair Access to Care Services- DOH 2002

Our Responsibilities

- 'Fair Access to Care Services' understood, applied consistently and appropriately.
- Direct Payments and Personal Budgets used appropriately for people who use services.
- Promotion of Independence
- Ensuring that Carers are aware of their right to assessment

Involving People

- **NHS and Community Care Act 1990**

The LA has a duty to carry out assessment of an individual's care needs.

- **Our Health, Our Care, Our Say White paper 2006**

Aims to give more choice and a louder voice to service users and carers

Our Responsibilities

- Barriers preventing people from being involved need to be identified and removed.
- To involve people in all aspects of our work, including assessment of their individual needs and all decisions about how those needs will be met.
- To be aware of and committed to the principles of involvement.

Managing Information and Knowledge

- **Data Protection Act 1998**
- **Human Rights Act 1998**
- **(Freedom of Information Act 2000)**

Our Responsibilities

- To ensure personal information is accurate and up to date.
- Personal information limited to those with a strict need to know.
- Information held securely whether on paper or on computer

Managing Health Safety and Risk

- Health and Safety at Work Act 1974
- Independence, Choice and Risk – a guide to best practice in supported decision making- DOH 2007

Our Responsibilities

- To comply with legislation and ensure that our actions do not adversely affect others
- Take reasonable care for own safety and that of others
- Co-operate with the employer in respect of health and safety matters
- Not intentionally damage any health and safety equipment or material provided by the employer

Care Standards Act 2000

The Act has two fundamental aims.

- To protect vulnerable people from abuse and neglect.
- To promote the highest standards of quality in the care that people receive.

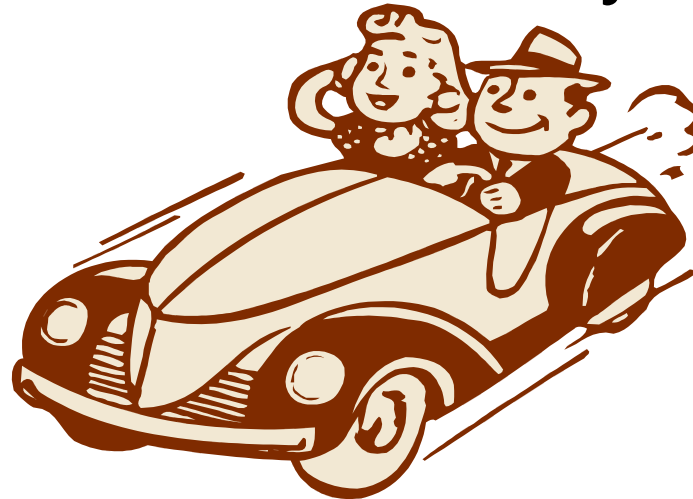
General Social Care Council (GSCC)

The GSCC has three main functions

- To establish codes of practice for social care workers and employers
- To set up a register of social care workers in England
- To regulate social work education and training

Summary

- Service users in the driving seat getting to where they want to be with your support!



Useful Web addresses

- www.hmso.gov.uk
- www.yourrights.org.uk
- www.gsccl.org.uk
- www.safetymatters.org
- www.hse.gov.uk
- www.cqc.org.uk
- www.opsi.gov.uk/legislation