



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN



Review Sheet



Last
Reviewed
18 May 2026

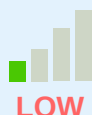


Last
Amended
18 May 2026



This policy will be reviewed as needs require or at the following interval:
Annual

Business Impact:



Minimal action required. Circulate information amongst relevant parties.

Reason for this Review:

Best practice

Changes Made:

Yes

Summary:

This Equality, Diversity and Human Rights Policy and Procedure provides guidance on how Nema Homecare Limited promotes and demonstrates compliance with equality, diversity, and human rights. It has been reviewed with minor updates to wording across the policy. Underpinning Knowledge references and Further Reading links have also been checked and updated.

Relevant Legislation:

- 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
- UK GDPR
- Health and Social Care Act 2012 Section 250 (Information Standards)
- Data Protection Act 2018
- Data (Use and Access) Act 2025

- Author: Equality and Human Rights Commission, (2025), Equality and Human Rights in Social Care [Online] Available from: <https://www.equalityhumanrights.com/our-work/inquiries-and-investigations/adult-social-care-inquiry/equality-and-human-rights-social?return-url=https%3A%2F%2Fwww.equalityhumanrights.com%2Fsearch%3Fkeys%3DEquality%2Band%2BHuman%2BRights%2Bin%2BSocial%2BCare> [Accessed: 18/05/2026]
- Author: HM Government, (2020), Mental Capacity Act Code of Practice [Online] Available from: <https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice> [Accessed: 18/05/2026]

**Nema Homecare Limited**

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Underpinning Knowledge:	• Author: Equality and Human Rights Commission, (2019), What is Reasonable? [Online] Available from: https://www.equalityhumanrights.com/guidance/business/employing-people-workplace-adjustments/what-do-we-mean-reasonable [Accessed: 18/05/2026] • Author: Equality and Human Rights Commission, (2020), The United Nations Convention on the Rights of People with Disabilities [Online] Available from: https://www.equalityhumanrights.com/sites/default/files/uncrpdguide_0.pdf [Accessed: 18/05/2026] • Author: CQC, (2023), Our Updated Human Rights Approach [Online] Available from: https://www.cqc.org.uk/about-us/our-updated-human-rights-approach#:~:text=As%20a%20human%20rights%2Dfocused,rights%20issues%20that%20we%20find. [Accessed: 18/05/2026] • Author: The British Institute of Human Rights, (2025), Organisations' Duties - Health, Care & Social Work [Online] Available from: https://www.bih.org.uk/get-informed/where-do-organisations-duties-apply/health-care-social-work [Accessed: 18/05/2026] • Author: NHS England, (2025), Accessible Information Standard [Online] Available from: https://www.england.nhs.uk/long-read/accessible-information-standard-requirements-dapb1605/ [Accessed: 18/05/2026]
Suggested Action:	• Encourage sharing the policy through the use of the QCS App • Ensure policy is on the agenda for all supervisions • Ensure all staff know about the policy changes
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 About Nema Homecare Limited

Nema Home Care Limited was established as a private limited liability company in London, United Kingdom in May 2016.

Nema Home Care Limited is a company with distinction in UK care industry having positioned ourselves in a strategic location at the London and Essex County Council to carry on the business of care that we specialised in and trained for. The wellbeing of all our adults is our priority. The management of Nema Home Care Limited is in the safe hands of trained, tested and approved Registered Managers. We are innovative and season organisation which technology is at the centre and we ensure that our adults receive, safe, effectice, caring and responsive service.

What are the values of Nema Homecare Limited?

The Agency aims to: *Offer skilled care to enable people supported by us to achieve their optimum state of health and well-being. *Treat all people supported by us and all people who work here with respect at all times. *Uphold the human and citizenship rights of all who work and visit here and of all Service Users. *Support individual choice and personal decision-making as the right of all Service Users. *Respect and encourage the right of independence of all Service Users. *Recognise the individual uniqueness of Service Users, staff and visitors, and treat them with dignity and respect at all times. *Respect individual requirement for privacy at all times and treat all information relating to individuals in a confidential manner. *Recognise the individual need for personal fulfilment and offer individualised programmes of meaningful activity to satisfy that need of Service Users and staff.

What are the Aims and Objectives of Nema Homecare Limited?

- . Delivering of high quality care service and support to all our Service Users. The service which is tailor-made is designed to meet their needs and preferences. In doing so we shall be flexible at all times.
- . Treating our Service Users with dignity and respect at all times. Ensuring our Service users is treated equally. Allowing them to have their privacy, also to encourage and support our Service Users to remain independent in their home environment and community
- . Guaranteeing our Service Users is actively involved in the care and support given to them. Our Service User must give us their consent before any re or treatment is given to them. Also ensuring that confidential information is protected at all times and only shared with others strictly in accordance with its policy on confidentiality
- . To provide the service based on the thorough needs assessment and risk assessment which will ensure that our Service User are safe in their own home and environment.
- . Working in partnership with all stakeholders within Health and Social Care sector who may be involved in some individual cases.
- . Make sure we maintain suitably qualified, competent and experienced staff strength to deliver the required standard service accordingly.

1.2 To promote equality, diversity, and human rights for all Adults, to ensure that care and support is delivered in a person-centred way which respects individual choices, preferences, dignity, and privacy, regardless of background, identity, belief, ability or circumstance.

This policy supports staff to provide care and support that is safe, effective, caring, responsive, and well-led, in line with CQC fundamental standards and quality statements,

**Nema Homecare Limited**

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

and ensures compliance with relevant legislation, including the Equality Act 2010 and the Human Rights Act 1998.

(Equality and human rights for staff are not addressed in this policy - please refer to the Equality and Diversity Policy and Procedure)

1.3 To enable Nema Home Care Limited to meet the legal requirements to promote and protect the equality and human rights of Adults, including any reasonable adjustments that might be needed to provide inclusive care and support.

1.4 This policy should be read alongside:

- Service User Bullying Policy and Procedure
- Consent to Care, Support and Treatment Policy and Procedure
- Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure
- Closed Cultures Policy and Procedure

1.5

Key Question	Quality Statements
CARING	QSC1: Kindness, compassion and dignity QSC3: Independence, choice and control
EFFECTIVE	QSE6: Consent to care and treatment
SAFE	QSS4: Involving people to manage risks QSS5: Safe environments
WELL-LED	QSW1: Shared direction and culture QSW2: Capable, compassionate and inclusive leaders

1.6 Relevant Legislation

- 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
- UK GDPR
- Health and Social Care Act 2012 Section 250 (Information Standards)
- Data Protection Act 2018
- Data (Use and Access) Act 2025

**2. Scope**



2.1 Roles Affected:

- All Staff
- Volunteers

2.2 People Affected:

- Adults

2.3 Stakeholders Affected:

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS



3. Objectives

3.1 Respecting Rights

Nema Homecare Limited has a clear and ongoing commitment to promoting and respecting the rights of all Adults, regardless of their situation and protected characteristics.

Nema Homecare Limited provides Care fairly and indiscriminately by ensuring that each Adult is treated as a unique person, and Care is tailored specifically to meet their distinctive needs.

Equality, diversity and human rights are embedded in the delivery of services - in the way they are designed, delivered, governed, reviewed and improved.

3.2 Honouring Diversity

Adults are honoured in all their uniqueness and diversity, and their rights to live as they choose are not restricted, except where strictly necessary and in accordance with this policy. Any necessary restriction of rights will be lawful, proportionate, individualised, time-limited and subject to regular review.

3.3 Planning of Care and Support

Human-rights-based decision making is embedded in care planning, risk assessment and safeguarding practice. Care Plans are created individually and show ongoing commitment to respecting and promoting the human rights of each Adult:

- 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 Enablement

Through their actions, staff show a commitment to equality and diversity, by actively enabling Adults to maintain or create hobbies and interests, community links, friendships and memberships of religious or community organisations.

**Nema Homecare Limited**

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Staff promote inclusion, challenge discrimination, and support participation. The voices and choices of all Adults are consistently acknowledged and fully respected.

3.5 Inclusion

Nema Homecare Limited reflects, through staff, volunteers or proactive community involvement, the cultural, religious and social make-up of the local community, so that Adults do not feel distanced from those who share their culture or background.

Staff actively work to remove barriers to inclusion and participation, particularly for those at risk of marginalisation or exclusion.

3.6 Accessing Information

Nema Homecare Limited is committed to ensuring that everyone can access information in a way that meets their individual communication needs in line with the Accessible Information Standard.

To ensure that the six outcomes (listed below) of the Accessible Information Standard are met.

- **Identifying needs**
- **Recording needs**
- **Flagging needs**
- **Sharing needs**
- **Meeting needs**
- **Reviewing needs**

Staff at Nema Homecare Limited understand these outcomes and there are processes in place to ensure these are met.

Accessible communication is embedded into governance, quality assurance, training and service development systems.

**4. Policy****4.1 CQC Regulated Activities, Service Types and Service User Bands**

Where required, Nema Homecare Limited will be registered with the CQC for regulated activities, service types and service user bands as defined in the CQC Statement of Purpose.

This will ensure that Nema Homecare Limited provides services that are safe, effective, caring, responsive and well-led in line with the CQC's published quality statements, regulatory framework and associated best practice guidance.

Nema Homecare Limited is registered to provide the following regulated activities:

Personal Care

Nema Homecare Limited is registered to provide the following service types:

Domiciliary care service (DCC), Supported living service (SLS)



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Nema Homecare Limited is registered to support the following service user bands:

Adults aged 18 - 65, Dementia, Learning difficulties or autistic disorder, Mental health, Older people (Aged 65+), People with an eating disorder, Physical disability, Sensory impairment

4.2 Care and Support at Nema Homecare Limited

Nema Homecare Limited provides care and support to Adults with a range of needs in a person-centred, safe, and lawful way.

All staff must follow the guidance within this policy and the Adult's Care Plan, ensuring that assessed needs, reasonable adjustments and individual preferences are met.

- Every Adult is treated equally and with dignity and respect
- Care and support are tailored to individual needs, preferences and desired outcomes
- Staff follow legal, regulatory, and professional guidance at all times
- Person-centred approaches are used to promote independence, choice, and wellbeing

To support this approach, staff will also follow the policies and procedures below where applicable:

- Person-Centred Care and Supporting Planning
- Safeguarding Adults
- Raising Concerns, Freedom to Speak Up and Whistleblowing
- Mental Capacity Act (MCA) 2005
- Deprivation Of Liberty in Community Settings
- Consent to Care, Support and Treatment
- Equality, Diversity and Human Rights
- Overarching Medicines Management
- Positive Behaviour Support Including Challenging Behaviour
- Restrictive Practices Including Restraint and Physical Interventions
- Sex, Sexuality and Relationships

This list is not exhaustive and there will be additional policies and procedures in place to support specific Adult needs. Staff must seek clarification from their line manager or the Registered Home Care Manager, Mr Olasunkanmi Adewusi, if there is any uncertainty.

Staff supporting any specialist area of need will receive appropriate induction and training. They will complete competency assessments, where required, to meet the needs of Adults as outlined in the Training Policy and Procedure at Nema Homecare Limited.

To ensure Adults receive person-centred care and support from Nema Homecare Limited, staff must adhere to the following **Supporting People with a Learning Disability**

Staff must support people with a learning disability in line with this policy and the individual care and support plan. Staff must follow any assessed needs, reasonable adjustments, and personal preferences, which include:

- Communicating in ways the person understands
- Supporting choice, dignity and independence
- Ensuring care and support are compassionate and outcome focused



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

In addition, staff will also follow these policies:

- Access to NHS Services
- Advocacy
- Co-Production
- Specialist Needs
- Supporting those with a Learning Disability
- Supporting Communication and Sensory Needs
- Positive Risk Taking
- Trauma Informed Care and Support

Supporting People with Mental Health Needs

Staff must support individuals with mental health needs safely, respectfully, and in line with their care and support plan which should include information that enables staff to know, understand and follow:

- The promotion of recovery and wellbeing
- Any crisis or relapse prevention plans
- The process for recording and reporting any changes in mood or behaviour
- Any individualised risk assessments completed

In addition, staff will also follow these policies:

- Access to NHS Services
- Community Treatment Orders
- Mental Health Act 1983 and Regulations 2008
- Prevention and Management of Self-harm and Suicide
- Safe and Supportive Observations
- Supporting Mental Health Conditions
- Trauma Informed Care and Support

Supporting People Living with Dementia

Staff will provide compassionate and person-centred care and support for individuals living with dementia, following both this policy and their care and support plan which should include:

- Using calm, reassuring communication
- Supporting orientation and familiar routines
- Information about providing stimulating and engaging environments
- Meaningful activities and engagement
- Respecting life history and personal preferences.

In addition, staff will also follow these policies:

- Dementia
- Dignity, Respect and Choice
- Specialist Needs



- Supporting Communication and Sensory Needs

Supporting People with Autism

Staff will ensure that individuals with autism are supported according to their care and support plan, respecting their sensory, communication, and social needs. This includes:

- Following individual communication and sensory care and support profiles
- Maintaining structure and predictability
- Involving and including people important to the individual
- Making any reasonable adjustments in line with the Equality Act 2010

In addition, staff will also follow these policies:

- Access to NHS Services
- Adults with Autism
- Advocacy
- Co-Production
- Specialist Needs
- Supporting Communication and Sensory Needs
- Positive Risk Taking
- Trauma Informed Care and Support

Supporting People with Sensory Impairments

Staff will support people with visual, hearing, or dual sensory impairments as detailed in their care and support plan which should also include:

- Using agreed communication methods (e.g. sign language, large print)
- Ensuring the environment supports safe access and orientation
- Providing specialist equipment or aids as assessed

In addition, staff will also follow these policies:

- Specialist Needs
- Supporting Communication and Sensory Needs

Supporting People with Physical Disabilities

Staff will provide support that promotes independence, dignity, and safety in line with the individual care and support plan which should also include:

- The use of correct moving and handling techniques
- Supporting access to equipment or adaptations
- Encouraging choice and autonomy

In addition, staff will also follow these policies:

- Access to NHS Services
- Specialist Needs
- Mobility



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Supporting People who Misuse Drugs or Alcohol

Staff will offer non-judgmental, person-centred support to individuals affected by drug or alcohol misuse, following their care and support plan which should include information regarding:

- The promotion of harm reduction and recovery
- Following any risk or relapse management plan
- Working closely with healthcare or addiction services

In addition, staff will also follow these policies:

- Access to NHS Services
- Community Treatment Orders
- Consumption of Alcohol
- Illegal Possession of Drugs on Premises
- Mental Health Act 1983 and Regulations 2008
- Safe and Supportive Observations
- Substance Abuse
- Supporting Mental Health Conditions
- Trauma Informed Care and Support

Supporting People with an Eating Disorder

Staff will support individuals with eating disorders safely and sensitively, following guidance in their care and support plan. Staff must:

- Follow care and meal support plans closely
- Monitor and report any physical or behavioural changes
- Work with health professionals and families where appropriate

In addition, staff will also follow these policies:

- Access to NHS Services
- Nutrition and Hydration
- Prevention and Management of Self-harm and Suicide
- Safe and Supportive Observations
- Supporting Mental Health Conditions
- Trauma Informed Care and Support

:

4.3 Registration, governance and service delivery arrangements reflect the principles of equality, inclusion, human rights and equity of access and outcomes.

4.4 Nema Homecare Limited Responsibilities and Representatives

The Registered Home Care Manager, and nominated individual of Nema Homecare Limited, have overall management responsibility for this policy and procedure and for ensuring the proper governance of Nema Homecare Limited.



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

The Registered Home Care Manager role is held by: Mr Olasunkanmi Adewusi

The nominated individual role is held by: Olasunkanmi Adewusi

We recognise that dual roles of registered manager and nominated individual are not considered best practice. At times, the responsibilities of these roles may conflict or create risk. To address potential conflicts and ensure impartiality and accountability, we have implemented measures to mitigate risks and maintain a high-quality, compliant service, including:

- A peer-to-peer agreement with a local registered provider to support governance evaluation.
- We will commission experienced social care professionals for audits and quality assurance when needed.
- Supervision via peer support from a local registered provider, social care professional. Both roles require ongoing professional development to enhance knowledge, promote best practice, and expand skills.

The registered manager is professionally and operationally accountable for the day-to-day management and regulatory compliance of the service.

The nominated individual is responsible for supervising the regulated activity, ensuring a high-quality, compliant service.

Both roles are required to undertake regular continuing professional development to enhance knowledge, promote best practice and expand their skill set.

Nema Homecare Limited will ensure that at all times:

- The organisation is managed and governed appropriately
- Suitable systems are in place to effectively assess, monitor and improve the service
- Records are completed accurately and stored safely and securely
- That the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 are met
- Care and support delivered is consistent, safe and of high-quality

4.5

This is also in line with the Policy Management Policy and Procedure at Nema Homecare Limited and includes accountability for embedding equality, diversity, inclusion and human rights into:

- Leadership practice
- Governance systems
- Quality assurance
- Risk management
- Service improvement

4.6 Nema Homecare Limited is committed to upholding equality, diversity, and human rights in line with legislation and underpinned by the following principles:

- **Equality:** Discrimination is prevented across all protected characteristics. All Adults are treated fairly and without discrimination, regardless of age, disability, gender, gender reassignment, race, religion or belief, sexual orientation, pregnancy/maternity, or marital/civil partnership status
- **Diversity:** Nema Homecare Limited recognises and values individual differences, adapting Care to meet cultural, religious, and personal needs
- **Human Rights:** Nema Homecare Limited respects the fundamental rights of all individuals and Care is delivered in a safe way that respects privacy, dignity, autonomy, and freedom from abuse or degrading treatment



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- **Inclusion:** The services delivered by Nema Homecare Limited are accessible to all, with reasonable adjustments made where necessary to remove barriers. Information is provided in accessible formats to meet individual communication needs
- **Person-Centred Care:** Specific preferences, choices, and needs are central to service planning, delivery, and review
- **Safeguarding:** Vulnerable adults are protected from harm and their rights promoted, in line with safeguarding legislation and CQC standards
- **Data Protection:** Personal information is collected, stored, shared, and disposed of lawfully and securely, following the UK GDPR, the Data Protection Act 2018, and information standards
- **Equity:** Inequalities in access, experience and outcomes are actively identified, monitored and addressed
- **Participation:** Adults are supported to have voice, choice, influence and control, including access to advocacy as required
- **Governance:** Equality, diversity and human rights are embedded into organisational governance, assurance and improvement systems

Compliance is monitored through audits, staff training, and regular policy reviews, with corrective action taken promptly when needed.

Learning from incidents, complaints, safeguarding concerns and feedback is used to strengthen equality and human rights practice.

4.7 Actions and decisions that affect Adults are compliant with relevant human rights law, that is, the Human Rights Act 1998, the Equality Act 2010, and, where Adults aged 16 or over may lack mental capacity, the Mental Capacity Act 2005.

All decision-making is rights-based, evidence-informed and proportionate.

4.8 Person-Centred Care

Care Plans demonstrate the importance that Nema Home Care Limited gives to protecting the human rights of Adults, by being clearly person-centred and celebrating uniqueness in their approach, and reflecting deep commitment to people's rights to live as they choose.

All interventions planned reflect co-production with Adults, shared decision-making and supported autonomy. Where the Adult lacks capacity, decisions will be made in their best interests, with appropriate consultation and advocacy, and in line with relevant legal frameworks.

4.9 Reasonable Adjustments

Where Adults require reasonable adjustments under the Equality Act 2010, Nema Homecare Limited will ensure these are reviewed on an individual basis and detailed within the Adult's Care Plan.

Reasonable adjustments are anticipated, planned, implemented and reviewed proactively and not solely in response to identified difficulties.

4.10 Rights Promoting Tailored Care

Nema Home Care Limited is committed to identifying and removing any 'blanket rules' governing how Adults live, demonstrating this by person-centred planning that enables, for example, specific religious or cultural practices that are important to each person.

Any restrictions on rights are lawful, necessary, proportionate, individualised, time-limited and regularly reviewed.



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

4.11 The Importance of Communities

Nema Homecare Limited operates a continuous commitment to equal opportunities, diversity and human rights by proactively ensuring that Adults have access to, and engagement with, their communities, health providers and other important professionals, coordinated around each Adult.

Nema Homecare Limited recognises the importance of providing opportunities for Adults to connect with their relatable community.

Barriers to community participation and inclusion are actively identified and removed.

4.12 Protected Characteristics

Nema Homecare Limited recognises that everyone is different and wants to make sure its service practices respect, promote and celebrate these differences. It will not tolerate unlawful discrimination, victimisation, bullying or harassment of any kind and this includes 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

Any combined impact of different personal characteristics on disadvantage and exclusion is recognised and addressed.

4.13 Partnership/Co-production Working

Co-production is embedded as a core operational principle in service design, delivery, review and improvement at Nema Homecare Limited.

Nema Homecare Limited provides its services in a way that supports each Adult to live the life they choose. To ensure that this is successful and meaningful, means a transparent working partnership/co-production with Adults, families, legal representatives and other professionals to ensure the best unique outcomes for each Adult.

4.14 Policy Accessibility

Nema Homecare Limited will uphold the Adult's right to be involved in all decisions about their care, support and treatment. This means that Nema Homecare Limited provides information in an easy to understand and accessible way that reflects the unique needs of the Adult.

Nema Homecare Limited also understands that people may take in and retain information in different ways. To support full understanding and engagement, this policy is available in accessible formats. The ReciteMe tool has various ways of making this policy accessible by providing this policy in:

- Audio
- Large print
- Multiple languages



This policy can also be made available in:

- Easy-read versions
- Simple-policy view to reduce navigation and complexity

These options are in place to help Adults to understand and engage with this policy more easily.



5. Procedure

5.1 Protecting Human Rights

Nema Homecare Limited recognises that good quality care and support must respect and protect the human rights of Adults.

'Care that respects people's rights is 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.' (CQC, 2023)

Nema Homecare Limited seeks, therefore, to uphold dignity, choice, equality, and autonomy in all aspects of care and support, and actively promotes a culture where human rights are understood, embedded in practice, and consistently safeguarded.

Nema Homecare Limited understands that people's human rights need particular protection when they are most dependent on others for their basic needs:

'Our human rights need protecting most when we feel the least powerful and are relying on others for our basic needs – including when we are using health and care services.' (CQC, 2023)

Nema Homecare Limited recognises Adults may be vulnerable to epistemic injustice, where their knowledge, experiences, or views are dismissed or undervalued, and commits to listening to, and acting on, the perspectives of all, to ensure care and support is person-centred and rights-respecting.

5.2 Person Centred Approach

Nema Homecare Limited provides all Adults' Care using a person-centred approach, respecting the unique needs, wishes and capabilities of the Adult and promoting their human rights.

This is reflected in the company values that support an open and transparent culture, which is dedicated to cultivating rights-respected, person-centred care and support.

5.3 Preventing Discrimination and Promoting Fairness

Nema Homecare Limited will continually seek to identify and mitigate systemic factors and power imbalances that may lead to discrimination. This includes monitoring outcomes, using audits and incident reviews, encouraging Adult, family and staff feedback, and providing training on unconscious bias and human rights.

Nema Homecare Limited ensures equality and fairness in the following ways:

Service Delivery



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- Support/care is tailored to meet unique needs, respecting differences in age, gender, race, religion, sexual orientation, disability, or other protected characteristics
- Any form of harassment, bullying, or discriminatory behaviour is not tolerated

Policies and Procedures

- Clear policies outline expectations for staff behaviour, complaints, and safeguarding, ensuring fair treatment for all Adults and staff

Recruitment and Employment

- Job advertisements, recruitment, and promotion processes are free from bias
- Decisions are based solely on skills, experience, and suitability for the role

Training and Development

- All staff receive regular training on equality, diversity, and human rights
- Through training and supervision, staff are supported to recognise unconscious bias and apply inclusive practices in their work
- Staff are supported to understand and respect protected characteristics in their work

Monitoring and Feedback

- Equality and diversity are monitored through audits, feedback, and complaints to identify and address any inequalities
- Adults and staff are encouraged to report concerns, which are acted upon promptly

5.4 Understanding and Respecting Needs

Nema Homecare Limited is committed to understanding and respecting the personal, cultural, social, and religious needs of all Adults.

Assessing Needs

- Staff consider how personal, cultural, social, and religious needs may influence Care needs, choices, and daily routines
- Staff assess each Adult's personal preferences, cultural practices, social interests, and religious beliefs as part of care and support planning
- Information is recorded in Care Plans and regularly reviewed to reflect any changes

Delivering Support/Care Respectfully

- Staff ensure that Care Plans and day-to-day support explicitly reflect how each Adult's needs relate to Care delivery
- Decisions about Care and activities are informed by that Adult's values, preferences, cultural and/or religious practices
- Support/care is tailored to these unique needs, respecting personal, cultural, and religious preferences
- Staff consider these needs throughout all interactions, including (but not limited to) providing daily Care, meals, activities, and end-of-life support

Staff Training and Awareness

- Staff are trained to recognise when personal, cultural, social, or religious needs may affect Care, and how to respond appropriately
- All staff receive training on cultural competence, diversity, and person-centred Care (see 5.8)
- Staff are encouraged to ask and listen to Adults to ensure Care and their relationships with professional caregivers align with their values and preferences

Continuous Review



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- Regular checks ensure that Care delivery remains aligned with each person's unique needs, and any changes are documented and communicated to relevant staff
- Feedback from Adults, their families and representatives, and staff is actively sought to ensure needs are met and respected
- Adjustments are made promptly when new needs are identified or preferences change

5.5 Reasonable Adjustments

Nema Homecare Limited is committed to ensuring that people with disabilities can access and use its services on an equal basis with others.

As part of the Care Plan process, reasonable adjustments are considered for all Adults and documented within their bespoke Care Plan.

Identifying Needs

- Individual needs are assessed prior to, and on, service commencement, and throughout service provision to determine any adjustments required
- Staff are trained to recognise physical, sensory, communication, and cognitive barriers and respond to specific accessibility and communication needs
- Any identified need for reasonable adjustments is discussed with Mr Olasunkanmi Adewusi and recorded in the Care Plan
- Needs are recorded in the individual Care Plan and communicated to relevant staff
- Staff actively involve Adults and their representatives in identifying potential barriers and adjustments
- Assessments explicitly consider how personal, cultural, social, and religious needs intersect with disability and accessibility requirements

Making Reasonable Adjustments

Nema Homecare Limited ensures that reasonable adjustments are made to allow Adults to access and use services equally, including:

Physical Access

Through the provision of:

- Ramps
- Handrails
- Accessible toilets
- Appropriate signage
- Appropriate furniture arrangements

Communication

Through the provision of:

- Large print
- Braille
- Easy-read documents
- Hearing loops
- Interpreters
- Advocacy support

**Nema Homecare Limited**

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Technology

Nema Homecare Limited ensures Adult access, as required, to user-friendly, accessible:

- **Telephone systems** with large buttons, clear displays, and good sound quality, with adjustable volume. Speed-dial and one-touch call options are available where needed. Staff support and alternative methods of communication are offered for those who cannot use standard telephones
- **Alternative methods of communication** are offered for those who cannot use standard phones, such as video calls with staff support, written communication, text messaging, email, use of communication aids
- **Websites and digital services** are designed to be simple, intuitive, and easy to navigate, using plain language and clear layouts. Text size, contrast, and display settings can be adjusted to support people with visual impairment
- **Call systems** (where applicable) are clearly labelled, easy to reach, and simple to activate, requiring minimal physical effort. Systems provide clear visual and/or audible confirmation that a call has been made
- Staff ensure Adults understand how to use any Telecare/call systems where applicable, and regularly check that these continue to meet their needs
- Feedback mechanisms are in place to identify and resolve accessibility issues

Examples of Adjustments:

- Providing enlarged or easy-read Care Plans and service information
- Installing text phones or hearing loop devices for telephone communication
- Adjusting times, locations, or consultation formats to suit individual needs
- Offering online services with accessible interfaces that are compatible with screen readers and other assistive technologies
- Arranging for an advocate or communication support to assist Adults in understanding and making decisions about their care and support

Adjustments are personalised and reviewed to ensure they support meaningful engagement in all aspects of service use. Staff receive guidance on how to adapt communication or physical access in response to changing needs.

Review and Monitoring

Reasonable adjustments are regularly reviewed and updated based on feedback from Adults, their families, representatives or advocates, and staff.

All actions in relation to reasonable adjustments are clearly documented within the Care planning process.

Adjustments are monitored to ensure they remain effective, practical, and continue to meet the person's needs.

Considerations when Implementing Adjustments

When deciding whether an adjustment is reasonable, Nema Homecare Limited will consider:

- How effective the adjustment will be in removing or reducing any disadvantage
- Practicality and feasibility of implementation
- Associated costs and resource implications
- The size, structure, and resources of Nema Homecare Limited
- Availability of financial or other support to facilitate the adjustment



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Evaluation and Review

Effectiveness of adjustments is evaluated through direct feedback from Adults and through observation of outcomes in practice.

Records of adjustments include the rationale for decisions and any review outcomes, ensuring accountability and continuous improvement.

5.6 Accessible Information Standard

Nema Homecare Limited recognises the importance of sharing information in a way that is accessible and that people understand.

- Nema Homecare Limited ensures that information is provided in a timely manner and in formats that the Adult can understand, including verbal, written, visual, and digital forms as appropriate.
- Nema Homecare Limited ensures that, as part of each Adult's Care Plan, their communication needs are assessed and discussed. Staff can refer to the Accessible Information Standard (AIS) Policy and Procedure for further detail
- Staff actively check understanding by asking Adults to confirm or explain information in their own words, ensuring effective communication
- Nema Homecare Limited takes a proactive approach and ensures that there are consistent methods in place for identifying, recording, flagging, sharing, meeting and reviewing the information and communication support needs of Adults and carers as well as any changing needs
- Information and communication needs are regularly reviewed and updated to reflect changes in health, cognitive ability, or preferences. Staff are trained to recognise when Adults may experience communication barriers due to language, sensory loss, cognitive impairment, or health conditions, and take steps to address these proactively
- Staff are trained in the Accessible Information Standard through induction, the Care Certificate, in-house training and continual learning in relation to communication. This will form part of supervisions and appraisals and is continually monitored via the compliance process at Nema Homecare Limited

For more information, please refer to the Accessible Information Standard (AIS) Policy and Procedure and Supporting Communication and Sensory Needs Policy and Procedure at Nema Homecare Limited.

5.7 Information Sharing and Management

Sharing Information:

- Information about Adults is shared only when necessary to provide safe, effective care and support or when required by law
- Sharing is limited to relevant staff, services, or providers involved in supporting the Adult
- Where appropriate, Adults and their representatives are informed about what information is shared, with whom, and why
- All information sharing respects confidentiality and data protection legislation (UK GDPR, Data Protection Act 2018)
- Information is shared promptly to support timely decision-making and safe, person-centred care

Consent:

- Consent is obtained from Adults before information is shared, wherever possible



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- If Adults lack capacity, information may be shared in their best interests, in line with the Mental Capacity Act 2005
- Staff record decisions about consent and any restrictions on information sharing

Recording Information:

- Accurate, complete, and up-to-date records are maintained for all Adults
- Records include assessments, Care Plans, communications, and any decisions affecting the Adult's care and support
- Records support transparency and accountability by including the rationale for decisions, including any risks, benefits, and alternatives considered
- All records are stored securely, with access limited to authorised staff

Monitoring and Review:

- Information sharing practices are regularly reviewed to ensure compliance with legislation, best practice, and in line with the policies of Nema Homecare Limited
- Audits and feedback are used to identify gaps in practice, including delayed, incomplete, or inappropriate sharing of information.
- Identified improvements are implemented promptly
- Staff are supported to understand the importance of information sharing in safeguarding, human rights, and person-centred care
- Staff are trained in data protection, confidentiality, and the correct procedures for sharing information (see 5.8)

5.8 Staff Training, Assessment, and Reinforcement

Training

Nema Homecare Limited places significant value in training staff to ensure that they understand the principles and practices of equality, diversity, and human rights.

Training content is updated regularly to reflect current CQC guidance, regulatory changes, and emerging best practice.

- All staff receive induction training on the Equality, Diversity, and Human Rights Policy and associated procedures

Staff are provided with induction and ongoing training, including:

- Principles of equality, diversity, and inclusion
- Human rights and dignity in care
- Cultural competence and bias training
- Anti-discrimination, bullying, and harassment
- Reasonable adjustments and accessibility requirements
- Relevant legislation, including the Equality Act 2010, Human Rights Act 1998, and Mental Capacity Act 2005
- Acceptable behaviour

Assessment

Assessment focuses on knowledge and practical application, including ability to deliver person-centred, rights-respecting Care, make reasonable adjustments, and respond appropriately to diverse communication and cultural needs.

Supervision and reflective practice explicitly review how staff uphold human rights, respect personal preferences, and apply learning to real Care situations

Understanding is therefore assessed through:



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- Supervision, reflective logs and reflective discussions with line managers
- Knowledge checks (e.g. post-training questionnaires, case studies, scenario-based exercises)
- Observation of practice during day-to-day Care delivery
- Performance review
- Peer review
- Refresher training
- Team discussions
- Feedback mechanisms

These assessment methods help reinforce learning and contribute to the consistent application of the principles of equality, diversity, and human rights.

Reinforcement:

- Refresher training is provided regularly and when policies are updated or new guidance emerges
- Staff meetings and supervision sessions reinforce key principles and allow discussion of practical scenarios
- Performance reviews include assessment of adherence to equality, diversity, and human rights standards
- Feedback mechanisms allow staff to ask questions and raise concerns about policy implementation

5.9 Addressing Unacceptable Behaviour

Nema Homecare Limited is committed to promoting a safe, respectful, and inclusive environment for all Adults, staff and visitors. Unacceptable behaviour, including bullying, harassment, intimidation, or discrimination, will not be tolerated.

Reporting and Procedures:

- Staff are encouraged to recognise and report not only overt incidents, but also subtle behaviours, systemic issues, or suspected power imbalances that may contribute to a rights-rejecting culture
- Any incidents of unacceptable behaviour should be promptly raised with a line manager, supervisor, or Mr Olasunkanmi Adewusi
- Reports can be made verbally or in writing, and staff are encouraged to report concerns without fear of reprisal
- All reports will be investigated thoroughly, confidentially, and in a timely manner
- Appropriate action will be taken following investigation, which may include mediation, formal warnings, disciplinary action, or safeguarding procedures if required

Training and Awareness:

- All staff receive training on recognising and responding to bullying, harassment, and other unacceptable behaviours
- Training includes recognising the impact of unconscious bias, epistemic injustice and organisational culture on staff behaviour and service quality
- Training includes guidance on how to respond to, and report, incidents, and the responsibilities of each member of staff to uphold a respectful, rights-respecting culture
- Refresher training is provided regularly to ensure awareness and understanding of organisational expectations and is recorded on the training matrix



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

Monitoring and Review:

- Incidents of unacceptable behaviour are recorded and monitored to identify trends and inform improvements in practice
- Feedback from staff, Adults and stakeholders is used to continuously strengthen policies and procedures

5.10 Article 1 - The right to peaceful enjoyment of possessions

Nema Homecare Limited must ensure all staff approach service delivery with the utmost respect for Adults' property and possessions, as 'working guests', there to support Adults to live and enjoy their lives in the way that they choose.

Staff do not touch, move or use Adults' belongings without their knowledge and consent, unless there is an immediate risk to safety.

Staff knock and wait for permission before entering private spaces, and explain the reason for their attendance. Adults retain control over their personal property, including clothing, money and meaningful items, and are supported to manage these independently where possible, or with appropriate, personalised support. Any temporary handling of belongings for safety or Care purposes is proportionate, clearly explained, and kept to a minimum.

Staff are trained to recognise subtle breaches of property rights, including implicit assumptions or inconsistent practice that could undermine dignity and autonomy.

5.11 Article 2 - Right to life

Everyone has the right to life. Nema Homecare Limited takes reasonable steps to protect and maintain the Adult's life except in circumstances where it is reaching its inevitable and natural close.

Nema Homecare Limited has clear policies and procedures on supporting each Adult's end of life wishes and their Care provision, which includes:

- Advance decisions to refuse treatment
- Powers given by the Adult by way of lasting power of attorney for health and welfare to a trusted relative or friend, to consent to, or refuse, life-sustaining treatment in the person's best interests, and
- 'Do Not Attempt Cardiopulmonary Resuscitation' (DNACPR) recommendations

Please see the Advance Decisions to Refuse Treatment and Advance Statements Policy and Procedure at Nema Homecare Limited for further information.

All Care Plans consider individual preferences for end-of-life care, including cultural, religious, and personal values, to ensure Care is rights-respecting and person-centred.

Staff are encouraged to recognise and mitigate any unconscious bias that could affect decisions around life-sustaining treatment.

5.12 Article 3 - Freedom from torture and inhuman or degrading treatment

This right underpins all Care commitments. It is essential that the right to protection from torture and inhumane and degrading treatment must **never** be breached.

Staff receive formal training on how to deliver respectful Care that enhances Adults' dignity. Formal training is reinforced on a daily basis by adhering to the company values, as well as being a focus in team meetings and supervision. Examples of breaches of Article 3 are:

- Physical or mental abuse, including but not limited to the following examples:
 - Failure to promptly, sensitively, and discreetly address the physical and emotional impacts of incontinence, including offering timely assistance with



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

personal hygiene, replacing wet/soiled clothing or bedding, and providing reassurance in a respectful, non-judgemental manner that upholds Adult dignity

- Not assisting the Adult to eat or drink, when they are no longer independent to do so
- Any disproportionate, unnecessary or inappropriate force to restrain Adults
- Carrying out Care tasks, such as assisting Adults to wash and dress, without full and ongoing regard to their feelings, individuality, self-esteem and dignity

Regular monitoring and reflective practice sessions are conducted to identify systemic issues or patterns that could lead to inhumane treatment.

Feedback mechanisms include encouraging Adults and families to report any concerns regarding dignity and respect.

5.13 Article 5 - Right to liberty

Everyone has the right to liberty. Nema Homecare Limited ensures that the principles of the Mental Capacity Act (MCA) 2005 are followed and that Adults receive Care in the least restrictive way.

Nema Homecare Limited promotes empowerment and independence and supports Adults' decisions to live their lives in the way they choose. Examples of ways this is achieved include (but are not limited to):

- Supporting choice and control over daily routines, including when to get up, go to bed, take meals, and engage in activities
- Supporting Adults to make choices that matter to them while managing risks in a proportionate, person-centred way, and recognising that positive risk is part of living a meaningful life
- Supporting freedom of movement, enabling Adults to move around and access outdoor spaces freely (unless there is a lawful, individually assessed reason to restrict this)
- Any lawful restrictions in place are reviewed regularly to ensure they remain necessary, proportionate, and the least restrictive option, with input from Adults, families, and advocates where appropriate
- Supporting Adults to leave the service, go for walks, attend appointments, visit family or participate in community activities, with supports where required

Please see the Deprivation Of Liberty in Community Settings Policy and Procedure for Nema Homecare Limited and the Mental Capacity Act (MCA) 2005 Policy and Procedure at Nema Homecare Limited for further information.

5.14 Article 8 - Right to respect for private and family life

Nema Homecare Limited will ensure:

- Contact with family and people important to Adults is supported
- Personal choices, routines, beliefs, and identity are respected
- Privacy during personal care is respected
- Personal and health information is kept confidential
- Adults' personal belongings are treated with respect, reflecting their personal tastes and choices

Adults' rights to maintain contact with their families and friends are supported and never breached, except where this is unavoidable to protect the health of the Adult or others.



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

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 Adult's right to sexual and other relationships.

It is the right of the Adult to make their own decisions about the level of contact, if any, with their personal network where they have capacity to do so.

Where the Adult lacks capacity to decide about contact with their personal network, any decision will be made in accordance with the Mental Capacity Act 2005 and in their best interests. This will include consideration of the Adult's past and present wishes, beliefs and values, and consultation with relevant family members, friends, advocates and professionals.

Where restricting contact with a relative or friend is being considered, (for example, where a safeguarding concern exists) the decision will be made in accordance with safeguarding procedures, the Mental Capacity Act 2005 and the Adult's rights under the Human Rights Act 1998, ensuring any restriction is necessary, proportionate and the least restrictive option. Nema Homecare Limited will not make blanket or restrictive decisions lightly, but will seek legal advice, and court authorisation where required, before any such decision is implemented.

Staff are encouraged to recognise and report when routines, rules, or assumptions might unintentionally restrict a service user's contact with family or friends, and to take action to ensure that contact is supported wherever possible, unless there is a lawful or safety reason to limit it.

5.15 Article 8 - CCTV

Article 8 - Monitoring by CCTV or other surveillance techniques may breach Article 8 (rights to privacy). The use of such recordings will adhere to the CQC guidance on surveillance, a link to which can be found in the Further Reading section.

Clear, visible signage is displayed at entrances and within the service to inform Adults, staff and visitors that CCTV is in use.

Signage explains:

- That CCTV is operating
- The purpose (i.e. safety and security)
- Who is responsible for the system

Nema Homecare Limited never uses CCTV in private areas such as bedrooms, bathrooms or toilets, unless exceptional and lawful circumstances apply (with explicit consent and best interest decision-making).

Use of CCTV complies with:

- UK GDPR
- The Data Protection Act 2018

Access to footage is:

- Restricted
- Logged
- Time-limited

Footage is retained only for a defined period and then securely deleted.

Regular review of CCTV use at Nema Homecare Limited ensures surveillance remains proportionate, lawful, and respectful of Adults' privacy. Further information is available in



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

the CCTV and Use of Hidden Cameras Policy and Procedure.

5.16 Article 9 – Freedom of thought, conscience and religion

Nema Homecare Limited respects the right of every Adult to hold and practise their own beliefs, thoughts, and religion.

Staff will support Adults to observe religious or spiritual practices, including dietary requirements, dress, worship, and participation in cultural or faith-based activities, in a manner that is safe, inclusive, and person-centred.

5.17 Article 10 – Freedom of expression

Nema Homecare Limited recognises the right of individuals to express their opinions, preferences, and personal identity freely. Staff encourage open communication, which involves listening to, and valuing, Adults' views, while ensuring that expression is exercised respectfully and without causing distress to others.

5.18 Article 14 - The right to be free from discrimination

Nema Homecare Limited promotes opportunities for all and provides Care in a non-discriminatory manner, respecting and treating everyone as unique.

This is achieved through a person-centred approach, including:

- Having in place Care Plans and support tailored to individual preferences, culture, and abilities
- Supporting Adults to access activities and services equally, with adjustments to remove barriers made where needed

5.19 Record Keeping

Nema Homecare Limited uses a digital record keeping system which enables it to share appropriate information with other services and professionals (with consent) efficiently.

Nema Homecare Limited has rigorous record-keeping protocols which ensure that daily Care notes are accurate, transparent and reflect the bespoke, person-centred Care provided in real time. Daily Care notes for each interaction are recorded for each Adult, which outline the person-centred Care delivered.

Nema Homecare Limited is able to share records appropriately (with consent) with other professionals as and when necessary to ensure the best interests of each Adult. There is also a clear ethos of partnership working throughout the organisation. For more information on when to share information with others, staff can refer to the suite of data protection and UK GDPR policies and procedures.

Supporting Continuous Improvement

Records also document actions taken to address any systemic issues or rights-rejecting practices identified.

Staff can refer to the Cooperating with Other Providers Policy and Procedure, Record Keeping Policy and Procedure and Consent Authorisation Policy and Procedure for more detailed information on these areas.

5.20 Challenging Discrimination, Bullying and Harassment

As part of formal training, all staff will receive an education on the following topics:

- Equality, Diversity and Inclusion



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- Safeguarding Adults
- Whistleblowing
- Bullying and Harassment

Nema Homecare Limited ensures staff understand and can recognise discrimination, abuse, and behaviours that may undermine people's rights.

Staff must follow procedures outlined in the Raising Concerns, Freedom to Speak Up and Whistleblowing Policy and Procedure. Concerns must be raised promptly, and support sought from the Registered Home Care Manager immediately.

To help prevent inadvertent discrimination and minimise bias, training will also be provided to ensure staff understand Adults' personal, cultural, social, spiritual, and religious needs, including how these may influence their Care.

Staff will receive training on recognising and addressing both conscious and unconscious bias, to ensure that all Adults are treated fairly and equitably, and that care and support decisions are made without prejudice.

Staff will be guided on how to take Adults' individual needs and preferences into account, and how to accurately record and appropriately share this information with other services or providers involved in their Care.

5.21 Partnership/Co-production Working

- Nema Homecare Limited works in partnership/co-production with Adults, families, advocates, commissioners, and external professionals to promote equality, protect human rights, and improve the quality and accessibility of care and support
- Partnership working supports shared decision-making, timely information sharing (with appropriate consent), coordinated Care planning, and access to specialist advice and support
- Feedback from partners is used to identify and mitigate systemic issues or power imbalances that could compromise human rights or equality in Care. This informs service development, helps ensure reasonable adjustments are effective, and promotes a rights-respecting culture

5.22 Review and Update

Nema Homecare Limited will regularly review and update equality, diversity, and human rights practices to ensure ongoing compliance with current legislation, regulatory requirements, and best practice guidance.

Such review processes will explicitly include assessing for:

- Systemic factors
- Rights-rejecting practices
- Barriers to participation in care and support decisions

Reviews will take place at least annually, or sooner where changes in law, guidance, or service delivery occur.

Review will be a structured process that includes monitoring legislation and regulatory guidance, reviewing incident reports, complaints, safeguarding concerns, and audit findings, and analysing feedback from Adults and staff.

Feedback from Adults, their families, representatives and staff will be actively sought and used to inform improvements, ensuring that the policy remains effective, relevant, and embedded in everyday practice.

Feedback will be gathered through:



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- Surveys
- Suggestion boxes
- Digital feedback tools
- Adult, family and staff meetings
- Complaints, compliments, and comments processes
- Incident and safeguarding reviews
- Audits and quality monitoring activities
- Direct observation of staff practice
- Staff supervision

Findings from reviews will be discussed by senior management, actions agreed, and changes implemented where required.

Updates to practice will be communicated to staff through training, supervision, and policy updates to ensure continuous improvement and compliance.



6. Definitions

6.1 Mental Capacity Act 2005 (MCA)

- In England and Wales, the MCA defines capacity as the ability to make a specific decision at the time it needs to be made
- Everyone aged 16 or over is presumed to have this capacity unless there are reasons to question it, in which case the person's capacity should be assessed in the way described in the MCA and its code of practice
- The MCA balances the rights of Adults to live as they choose, express their wishes and make their own decisions as long as they are not harming others, against the requirement to protect people who lack mental capacity, by finding the least restrictive options to meet identified needs in the best interests of the person

6.2 'Acid Test' for Identifying Deprivation of Liberty

- It can be lawful under human rights and mental capacity law to deprive a person aged 16 and over of their liberty in order to give them necessary care or treatment, provided that the person lacks capacity to consent to the necessary arrangements to give them such care or treatment, and that this is authorised. The 'acid test' clarifies that a person lacking capacity to consent to arrangements to give them necessary care or treatment is deprived of their liberty if they are both:
 - Not free to leave (meaning, even though they may go out accompanied, they must return) and
 - Under continuous supervision and control (meaning, that staff always know approximately where they are and what they are doing)
- This relates to Article 5 in health and care settings

6.3 Human Rights Act 1998: Article 8

- Everyone has the right to live as they choose, and for the State not to interfere in their private life
- This includes the right to have contact with relatives and friends and to have privacy during those contacts, whether face to face, by letter, phone, or over the internet
- These rights can be breached if the breach is necessary and proportionate to prevent harm to the person or to protect public health, for example, by preventing



the spread of infection.

- However, in health and social care settings, interference with this right should usually be extremely rare, and always proportionate to the risk and likelihood of harm if no action is taken
- Where it is unavoidable, the effects on the person must be recognised and mitigated as far as possible

6.4 Human Rights Protected by the Human Rights Act

- Human rights are the basic rights and freedoms that belong to every person in the world. In the UK, human rights are protected by the Human Rights Act 1998
- The Human Rights Act 1998 incorporates into UK law the European Convention on Human Rights, and makes it unlawful for a public body, or anyone acting on behalf of a public body, to behave in a way that is incompatible with the Convention. The rights most likely to be relevant in health and social care are Article 3, Article 5, and Article 8. All the rights protected by the Convention are listed below, with some of their implications for adult social care
- **Article 2 (Article 1 is just the preamble): The right to life.** 'Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally, save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law'
 - Note that this makes so-called 'mercy killing' unlawful, though it is lawful and good practice sometimes to recognise when treatment should be withdrawn or not started in circumstances when it would lead to pain or distress without prolonging life
 - In addition, any adult can lawfully make advance decisions to refuse treatment under the Mental Capacity Act; these will then apply when the person has lost capacity to make their own decision to accept or refuse treatment
- **Article 3: The complete prohibition of torture under any circumstances.** 'No one shall be subjected to torture or to inhuman or degrading treatment or punishment'
 - It is a tragic fact that some so-called 'care' can include inhuman or degrading treatment or punishment; there is no place for this in care services, and any tendency, however slight, to bully, punish or degrade Adults must be rooted out
- **Article 4: Prohibition of slavery and forced labour**
 - 'No one shall be held in slavery or servitude
 - No one shall be required to perform forced or compulsory labour'
- This is now strengthened by the Modern Slavery Act 2015, which forbids slavery or forced labour, and includes trafficking. Nema Home Care Limited must ensure that it is not, even unwittingly, employing people who do not enjoy the rights available to other staff due to being trafficked or forced to pass on their pay to a trafficker
- **Article 5: Right to liberty and security of person.** This is not an absolute right but no one shall be deprived of his liberty except in certain circumstances, which includes Article 5(1)(e) - 'the lawful detention of persons...of unsound mind'. If someone is to be deprived of their liberty, it must be 'in accordance with a procedure laid down in law' and Article 5(4) - 'Everyone who is deprived of his liberty...shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful'
 - This is why the deprivation of liberty safeguards (DoLS) were created, to ensure there is a framework to protect people lacking capacity. Before DoLS,

**Nema Homecare Limited**

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

this vulnerable group of people could be deprived of their liberty on the say-so of a doctor, for example, without any clear way of asking a court whether this was legal or not. DoLS can only be used in hospitals and care homes, to protect the rights of people aged 18 and over, who lack capacity to make relevant decisions

- The Article 5 rights of people who lack capacity in community settings (such as supported living or shared lives) or in their own homes, or of young people aged 16 or 17 in any setting, who are deprived of their liberty in their best interests, can at this time only be protected by application to the Court of Protection. This is usually arranged by the commissioner or the Local Authority
- **Article 6: Right to a fair trial.** This includes being presumed innocent until there is evidence of guilt
- **Article 7: No punishment without law.** Nobody can be found guilty of something which was not a crime at the time it was committed
- **Article 9: Freedom of thought, conscience and religion.** This is not an absolute right but can only be limited when necessary in a democracy, 'in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.' It includes the right to decide to change one's religion
- **Article 10: Freedom of expression.** This is not an absolute right and carries with it duties and responsibilities. It can be limited, where necessary, in a democracy, in a range of circumstances, including 'for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the reputation or rights of others'
- **Article 11: Freedom of peaceful assembly with others.** This is the right to meet up with other people and, for example, join a trade union. This is not an absolute right, and can be limited, where necessary in a democracy, for public safety or protection or the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights of others. States have the right to restrict this right among armed forces, the police, and other areas of public administration
- **Article 12: The right to marry.** Men and women of marriageable age can marry and found a family in accordance with national laws. Together with Article 8, this protects the rights of people with learning disabilities who have the capacity to consent to marriage, to enter into a marriage and have children
- **Article 14: Prohibition of discrimination.** This is an absolute right. 'The enjoyment of the rights and freedoms set forth in this convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.' This phrase 'other status' includes people choosing to express a different gender identity from the one they had at birth, or living with certain diagnoses (such as dementia or learning disability), or lacking mental capacity to make their own decisions, and highlights that human rights are for everyone

6.5 Convention on the Rights of Persons with Disabilities (CRPD)

- The UK is a signatory to the CRPD, and bound to work within it
- The CRPD aims to wipe out all discrimination and barriers to inclusion that face people with disabilities. This means the UK must develop and carry out policies and laws that secure the rights recognised in the Human Rights Act 1998, and abolish laws, regulations, customs and practices that constitute discrimination (Article 4)



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- The UK is also committed to combatting stereotypes and prejudices, and promoting awareness of the capabilities of people with disabilities (Article 8)
- The CRPD demands guarantees that people with disabilities enjoy their inherent right to life on an equal basis with others (Article 10), ensures the equal rights and advancement of women and girls with disabilities (Article 6) and protects children with disabilities (Article 7)

6.6 Deprivation of Liberty Safeguards (DoLS)

- Deprivation of Liberty Safeguards (DoLS) are the legal protections under the Mental Capacity Act 2005 that apply where a person lacks capacity to consent to their care or treatment arrangements and those arrangements amount to a deprivation of their liberty, as defined by the Supreme Court "acid test"
- In residential and nursing homes, deprivation of liberty is authorised under the DoLS framework by the relevant Supervisory Body
- In community settings, including domiciliary care and supported living, any deprivation of liberty must be authorised by the Court of Protection
- Any restrictions must be necessary, proportionate, and the least restrictive option, and individuals and their representatives must be supported to understand and exercise their rights

6.7 The Equality Act 2010

- This Act makes it unlawful to discriminate against people, both in the workplace and in wider society
- It combines several earlier pieces of legislation, such as the Sex Discrimination Act 1975, the Race Relations Act 1976, and the Disability Discrimination Act 1995
- 'Protected Characteristics', that people must not be subjected to discrimination on the basis of, are laid out in Section 4. They are:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation

6.8 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'

6.9 Reasonable Adjustment

- As part of the Equality Act 2010, Nema Homecare Limited must ensure reasonable adjustments are in place to meet the needs of disabled people where required
- Examples of reasonable adjustments include
 - Making a building or environment accessible for a disabled person, such as ramps and technological aids
 - Providing information in a format that supports the person, for example, audio, large print or offering clear written information



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

- Adjusting the timing of meetings to a time of day that suits the person, such as a Care Plan review in the afternoon rather than the morning
- Arranging for an advocate to support the Adult where required

6.10 Epistemic Injustice

- When a person's knowledge or experience is unfairly ignored or discredited. Can occur when a person's knowledge, experiences, or concerns are not taken seriously, or are dismissed



7. Key Facts - Professionals

Professionals providing this service should be aware of the following:

- The Human Rights Act 1998, and, where relevant, the Mental Capacity Act 2005, provide the essential framework for decisions and actions in health and social care
- Rights can be absolute (such as Article 3, the complete prohibition of inhuman or degrading treatment) or qualified (such as Article 5, the right to liberty, and Article 8, the right to a private and family life) but are the starting point for good care and support and must be actively considered in all aspects of service delivery
- The Mental Capacity Act 2005 and its code of practice provide detailed guidance on human rights for people who lack mental capacity
- Any breach of a person's human rights is a serious matter and all attempts must be made to avoid it or minimise its extent and effects on the person. This includes monitoring for subtle restrictions, power imbalances, or barriers to family and social contact
- We all have assumptions and attitudes that can influence our decisions and interactions without us realising it. Awareness of bias is essential to ensure fair, respectful, and equitable care and support for all Adults. Staff must be trained to recognise and act on these biases



8. Key Facts - People Affected by The Service

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

- You can expect to receive indiscriminate Care that reflects your unique needs
- You have the right to receive Care that is free from discrimination, bias, or unfair assumptions
- You have the right to equal access to services and support, including reasonable adjustments if you have a disability
- You have the right to practise your beliefs and make choices about your Care in line with them
- You have legal rights under the Human Rights Act 1998 and, where relevant, the Mental Capacity Act 2005
- You have the right to raise concerns, complaints, or safeguarding issues without fear of reprisal
- You have the right to have any barriers to your choices, relationships, or daily



routines identified and addressed promptly

- Any interference by a public authority (or anyone commissioned by it) in someone's rights must be the least restrictive option that can be found and can be challenged in court
- Some rights can never be taken away or lessened; these include a person's right never to be tortured or treated in a way that is degrading or inhuman. This is explained in the Human Rights Act, Article 3
- Some rights can be restricted, but only if it is in your best interests (or those of your relatives or friends who receive services) or to protect public health. These are your rights to liberty (Article 5) and your right to live as you choose, including free contact with those you care about (Article 8)
- Any restrictions on your liberty or Care must be lawful, proportionate, and in your best interests, and can be challenged if necessary



Further Reading

Skills for Care - The Care Certificate Standard 4 - Equality and Diversity

<https://www.skillsforcare.org.uk/resources/documents/Developing-your-workforce/Care-Certificate/Care-Certificate-Standards/Standard-4.pdf>

Healthwatch - The Updated Accessible Information Standard is Now Available:

<https://www.healthwatch.co.uk/news/2025-07-18/updated-accessible-information-standard-now-available>

CQC - Using Surveillance in your Care Service

<https://www.cqc.org.uk/guidance-providers/all-services/using-surveillance-your-care-service>



Outstanding Practice

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

- Adults' human rights, dignity, and autonomy are central to all care and support. Staff actively promote a rights-respecting culture
- All Adults are treated fairly and equitably, with reasonable adjustments made to ensure equal access to services
- Information, communication, and digital services are accessible and easy to use, supporting inclusion for all
- 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 Adult
- Feedback from Adults, families, and staff is actively gathered, acted upon, and used to improve equality, diversity, and rights practices
- Human rights values are central to all decisions made for, or on behalf of, Adults who lack capacity to make decisions for themselves. Every practicable effort is



Nema Homecare Limited

Nema Home Care Limited 48 Station Way Buckhurst Hill Essex IG9 6LN

made to support the person to make the decision before any decision is made on their behalf

- Staff know about, and can discuss, the human rights that are at risk of being breached in health and social care
- Staff receive training on unconscious bias and reflect on their own assumptions to ensure decision-making and interactions are fair and impartial
- The Adult'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
- 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
- Decisions affecting Adults' contact, freedom, or rights follow the Mental Capacity Act 2005, safeguarding procedures, and human rights principles, with legal advice sought as required
- The wide understanding of the policy is enabled by proactive use of the QCS App

Quality Compliance Systems Ltd
Nema Homecare Limited
Downloaded: 1 June 2025
Temitope Oyebola