

<b>Sunbeam House Services Policy Document</b>	<b>Title: Human Rights Policy RRC Structure</b>
	<b>Effective Date: 01 September 2014</b>



## Document Control

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## **1.0 POLICY:**

Sunbeam House Services (SHS) will respect, protect and promote the rights of every individual with an intellectual disability to whom we provide support.

## **2.0 SCOPE:**

This policy applies to all Sunbeam House Services employees and any other person involved in supporting the rights review process, advocates, Rights Review Committee members, service users, family members etc.

Definition of Human Rights based approach

Human Rights based approach framework sets out the following five guiding principles

1. Express link to rights
2. Participation
3. Empowerment
4. Non discrimination
5. Accountability

## **3.0 ROLES & RESPONSIBILITIES:**

### **The Rights Review Committee**

Sunbeam House Services has a Rights Review Committee (RRC) that are responsible for guiding the organisation in the exercise of rights for the people it supports.

The RRC has an advisory function to the Senior Management Team on the rights promotion and protection within the organisation.

The Rights Review Committee provide a mechanism for due process

“Due Process is the guaranteed opportunity to protest, to be heard, to be informed, to consent, and to have the determination to restrict rights made by an impartial jury (C.Q.L. 1996)”

See RRC procedures attached for further information.



# **Sunbeam House Services**

## **Rights Review Committee**

### **Structure and Procedures**



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## **RIGHTS REVIEW COMMITTEE**

### **Members of the Rights Review Committee:**

- 1 x SHS Service User
- 1 x SHS Social Worker
- 1 x SHS Senior Services Manager
- 1 x SHS Secretary
- 1 x SHS Client Services Manager South Wicklow
- 3 x External Members

### **Frequency of Meetings:**

Monthly

### **Function of the Rights Review Committee:**

- Ensure that Due Process has been followed ideally before a right is restricted.
- When a restriction is in place, consider whether Due Process was followed in imposing the rights restriction and issue a recommendation after considering the facts.
- To ensure the recommendation will indicate what element of Due Process was not satisfactorily met and recommend it to be addressed.
- The Committee and its recommendations are an internal process to promote best practice and are not intended to have any legal standing.
- To carry out a yearly audit of all cases and reviews and to ensure that patterns of restrictions are closely monitored.
- To report to the Senior Services Managers meeting any issues that may need further clarification.
- To set a supportive framework for Clients and Staff regarding rights issues.
- To maintain Client and Staff confidentiality according to SHS company policy.
- To ensure that rights restrictions are reviewed regularly, at least yearly.

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## **RIGHTS REVIEW COMMITTEE**

### **Due Process:**

SHS have a duty of care to ensure that people are unharmed and may have to intervene and restrict a person's right in order to ensure his/her wellbeing, or the wellbeing of someone else. When rights need to be restricted, it is essential that fair procedures are followed, that supports are available to reduce the restriction, the least amount of restriction is used, the person is supported by ideally, an independent advocate and the decision is reviewed regularly.

Rights restrictions cannot or should not be imposed on people in the absence of safeguards to protect those rights. This does not mean that individual rights can never be restricted BUT (with the exception of real emergency situations) before the rights of a person are curtailed in any way, the following safeguards must be in place:-

### **Due Process requires the following:**

1. The people making the decision to restrict a right are not biased.
2. The person (service user) has the opportunity to be heard, and must have the assistance of a chosen family member, staff member or other independent person acting as their advocate.
3. Both the arguments supporting the restriction *and* against the restriction must be carefully considered, and alternative less restrictive options have been explored and considered.
4. The restriction is time-limited and a strategy to reduce or eliminate the restriction is being implemented.
5. A review date has been set. The more significant the restriction, the earlier the review date.
6. The person must be told the reasons for the restriction and what changes will lessen the restriction, or end it.
7. The person (and his/her advocate) has a right to appeal the decision to the Rights Review Committee.
8. Only staff authorised by their line manager, in consultation with their senior manager and the Rights Review Committee, may impose restrictions on a person's exercise of their rights.

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## **RIGHTS REVIEW COMMITTEE**

### **Operating Framework**

The Rights Review Committee will be comprised of a maximum of 10 persons, three of whom will be independent of SHS. It is essential that the Senior Services Manager (SSM) attend the monthly meeting and if the SSM is unable to attend a meeting, then he/she should nominate another SSM in his/her place. Restriction forms that relate to Psychotropic Medication cannot be discussed without the presence of someone from the medical profession and will be held over until that person is in attendance at the next meeting. Meetings will be held monthly. An annual audit will be carried out to ensure that there are no patterns of restrictions that occur in locations. This audit will be reported to the Safeguarding Committee and will be presented to the Board of Directors. The Rights Review Committee is to ensure that Due Process has been followed whenever individual rights are restricted. The Chair will be rotated every 6 months. The SHS Managing Director will review membership of the Committee every 2 years. RRC meetings can proceed only when at least one external member is present.

The RRC should ensure that all information is obtained before a restriction is placed before them for consideration. Any forms which have not been fully completed will be returned to the Advocate for completion. All forms should be signed by the relevant Client Services Manager.

Where a form has been submitted and returned, due to lack of information, the RRC Secretary should follow up to ensure that the form is re-submitted to the next meeting. No member of the RRC who is directly involved with the implementation of the Rights Restriction should be involved with the process of recommendation in respect of that case. The function of the RRC is to remain objective in its approach and its considerations.

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# RIGHTS REVIEW COMMITTEE

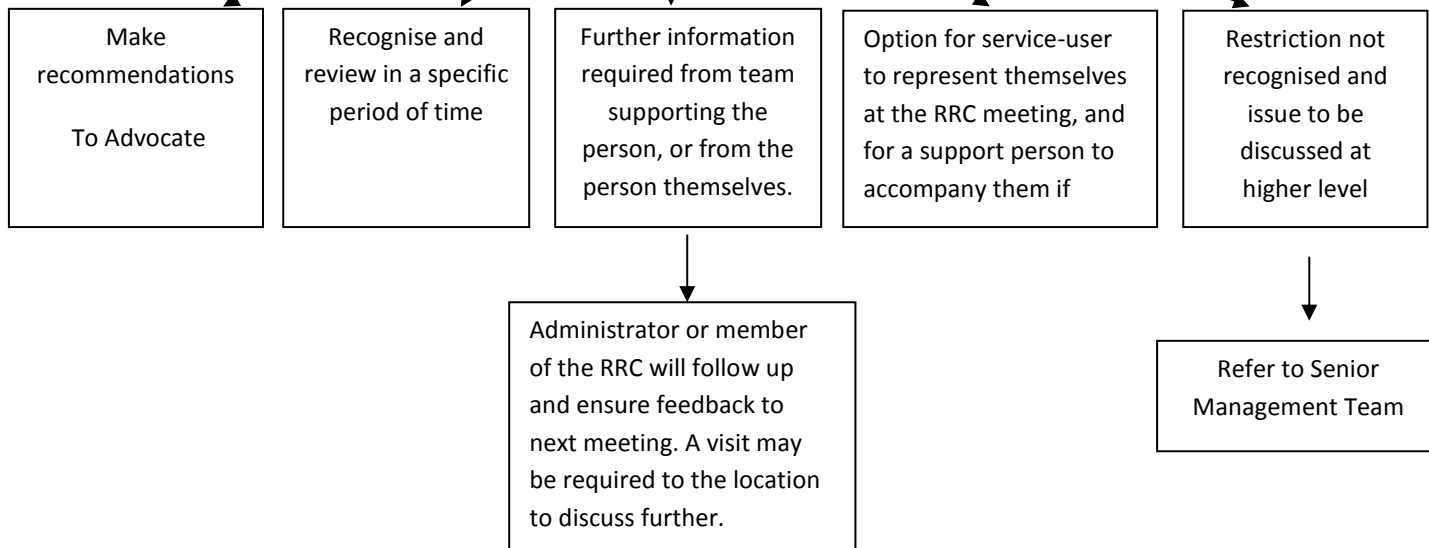
## Operation Process

Referral form sent to RRC Secretary

RRC Secretary to bring all completed forms to the next meeting of the RRC

Minutes of previous meeting are read at the meeting.  
Matters arising will be considered.  
All new Rights Restriction Forms read and discussed.

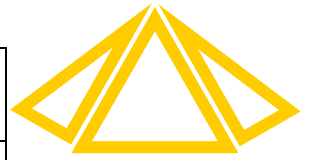
### Outcome of Discussion



Outcome sent to Client Services Manager so that it can be fed back to client and advocate







**Sunbeam House Services  
Rights Review Committee**

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**CLIENT'S NAME:**

**PIN No:**

**SERVICE LOCATION:**

**ADVOCATE'S NAME:**

**CSM:**

**RIGHTS RESTRICTION:**

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**The discussion that took place at the Rights Review Committee meeting held on (Date)  
was as follows:**

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Please forward your responses to the above, if any are requested, to  
The Rights Review Committee Secretary, S.H.S, Killarney Road, Bray  
for discussion at the next Rights Review Committee meeting.