



Good practice 3: Raising awareness of human rights

The spirit in which complaints procedures are implemented will largely determine their effectiveness ... They are most likely to ensure quality and protect individuals when they stem from a recognition of users' needs and rights **(Department of Health 2001)¹**

It is important for staff and others to acknowledge the entitlement that everybody has to 'complain' in whatever way they can. Organisations need a value base that ensures that they respond when somebody is unhappy – creating a responsive culture around the person - and does not merely 'jolly' people along or ignore their signals of distress or unhappiness.

This involves the recognition of the entitlement of all people to human rights and the development of services in line with this. The NHS has acknowledged this in its commitment to human rights based health care and application of the 'Freda' principles

Fairness
Respect
Equality
Dignity
Autonomy

For further information look at:

Human Rights in Healthcare: A framework for local action

Department of Health October 2008

Human Rights in Healthcare: A short introduction

Department of Health October 2008

A life like any other? Human Rights of Adults with learning disabilities

Seventh report of session 2007-8 volume 1 House of Lords House of Commons
Joint committee on Human Rights March 2008

Healthcare for All - Independent Inquiry into Access to Healthcare for People with Learning Disabilities Sir Jonathan Michael, 29th July 2008

British Institute of Human Rights www.bihar.org.uk



Raising staff awareness is also vital. This applies not only to the entitlement to and procedures for complaints in the context of person centred services but also to the issues raised by people they support who may be unable to express a complaint unambiguously

Examples of good practice to consider:

Calderstones NHS Trust (see resource one)

A training officer at this Trust has offered complaints awareness sessions to staff to increase their awareness of their responsibilities of responding to unspoken complaints from the people they support

Jo Watson, SCOPE, Melbourne (see resource two)

A speech and language therapist has developed a model of supported decision making to underpin staff's awareness of how to involve people with complex communication needs to be involved in decisions about their lives, including being able to complain about the services they receive

Jane Jones and Sue Thurman (see resource three)

As part of some work commissioned by the Rett Syndrome Association UK, Jones and Thurman proposed a framework to consider in planning to consult with and involve people with Rett Syndrome. This framework could also be usefully be adapted in considering how to hear 'complaints' from people who are unable to express this in conventional ways.

The Quality Network (see resource four)

This is a way of working together with people with learning disabilities, their families and supporters to bring about better outcomes for people with learning disabilities. It does this by looking at what life is like for the people concerned and at ways to improve using ten outcomes. For more information contact Valerie Wilkinson on **01562 723025** or v.wilkinson@bild.org.uk

Independent Complaints Advocacy Service (ICAS) is available to provide independent support to people wishing to complain about treatment in the NHS. Three providers (Carers Federation, PoHWER and SEAP) deliver ICAS in different parts of the country.

The Patient Advice and Liaison Service (PALS) is an NHS service to give a voice to patients in their local health services. <http://www.pals.nhs.uk/default.aspx>



People with learning disabilities themselves and their families and supporters should also be helped to understand their rights around complaints. As mentioned earlier there are a number of resources that have been produced to assist with this although the evidence suggests that personal support, advocacy and advice is the only truly effective way to support most people with learning disabilities to use the complaints procedures well.

Examples of resources to consider:

Listen Up (2001)

A video and resource pack developed and available from Mencap to help children with learning disabilities learn about complaining about their services

Listen to us (2004)

A DVD produced by Learning Disability Services in Somerset in association with the Engine Room. The DVD includes a section entitled 'I want to complain' depicting a series of dramatised scenes depicted people with learning disabilities who wish to complain about an aspect of their life

Would you complain? (2007)

A DVD and workbook designed for group sessions to help people with learning disabilities learn about complaints and how it feels to make them. Available from www.inspiredservices.co.uk

Resources to accompany this recommendation

1. Calderstones' complaints awareness session
2. Jo Watson's supported decision making framework
3. Jones and Thurman's consultancy framework
4. Quality Network information leaflet

¹ **NHS Complaints Procedure, National Evaluation**, Department of Health, March 2001