

Policy Name	Human Rights Policy
Version No.	1.2
Approval Date	January 2022
Category	Corporate
Classification	Internal

Human Rights Policy	
Author	Judith Doran, Head of People
Contributors	SMT
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Version Control

Version	Date	Description	Updated By	Approved By
1.0	March 2015	Version 1	Director of Customer service and Human Resources	ELT
1.2	October 2021	Revised version	Head of People	ELT
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1. Policy Purpose & Aim

The ExtraCare Charitable Trust (ExtraCare) is committed to delivering services in an ethical and responsible manner. We respect and support the relevant principles aimed at protecting and promoting the human rights of our residents, employees, volunteers, visitors and the wider community. We have zero tolerance to modern slavery and human trafficking, and we are committed to ensuring that there is no modern slavery in our supply chains or in any part of our business.

As a responsible provider of both care and housing related support and a responsible employer and landlord, ExtraCare is committed to protecting and promoting the human rights of all. This includes anyone living, working or visiting (in any capacity) an ExtraCare location.

2. Objectives

To provide a framework to ensure that all employees, workers, volunteers and contractors are following the legal obligations as set out in the Human Rights Act 1998, Modern Slavery Act 2015 and Equality Act 2010.

To promote the ethos of the Act across the organisation, ensuring staff and residents are treated with dignity and respect.

To meet regulatory requirements of the Care Quality Commission (CQC)

3. Scope of Policy

This policy applies to all employees of ExtraCare Charitable Trust and its subsidiaries (whether employed on a temporary, fixed term, permanent or part-time basis), workers, volunteers and contractors. It is expected that suppliers comply with the law as a minimum and should do their utmost to comply with the principles of this policy.

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4. Responsibilities

Board	To ensure the Policy is in place
Executive Leadership Team	To oversee Policy
Managers and Supervisors are responsible for	<ul style="list-style-type: none"> • Ensuring that this policy is implemented throughout their areas of responsibility • Ensuring that all the staff for whom they are responsible are aware of their responsibilities under this policy • Promoting a culture where discrimination is unacceptable and equality and human rights are promoted • Ensure that mandated equality legislation is implemented
All employees	<p>It is every employee's responsibility to maintain an environment that reflects respect for human rights and is free from all discrimination and harassment.</p> <p>All employees should</p> <ul style="list-style-type: none"> • Familiarise themselves with the Human Rights Policy and related policies • Employees/volunteers should inform their line manager or follow a Reporting a Concern Policy / Safeguarding Policies if they know or suspect that human rights breaches are occurring • Not induce or attempt to induce other employees to practice discrimination

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5. Monitoring & Review

This policy will be formally reviewed every three years or earlier if new legislation or guidance is published, or if new research, monitoring or auditing suggests that a review may be required.

6. Risk Management

Failure to follow the policy and processes could result in:

Non-compliance with the law

Increased complaints and legal challenge

Reputational damage

Mitigating actions include:

Communication of this policy to staff and suppliers

All staff receive regular mandatory training in Equality and Diversity, as well as any job specific training for safety risks.

7. Statement of Commitment

As a responsible, ethical organisation, we fully support the principles of the Human Rights Act, Modern Slavery Act 2015 and Equality Act 2010 and all associated legislation.

8. Additional Information

8.1 Human Rights Definition

Human rights belong to everyone. They are the basic rights that protect us in order to live our lives in safety, with dignity and respect regardless of our backgrounds. Human rights enable us to choose how we live our life. Human rights are based on a number of core values including:

- **Fairness**
- **Respect**
- **Equality**
- **Dignity**
- **Autonomy**

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Putting human rights at the centre of policy development, employment and service provision ensures that services are designed and delivered for everyone, ensuring that resident, staff and volunteer experiences reflect the core values of fairness, respect, equality, dignity and autonomy.

The Human Rights Act 1998 sets universal standards to ensure that a person's basic needs as a human being are recognised and met. The act includes 16 basic rights, including:

- Right to life: - the taking of life is illegal and is protected by law
- Freedom from torture and inhuman or degrading treatment
- Right to liberty and security
- Respect for your private and family life, home and correspondence
- Freedom of thought, belief and religion
- Freedom of expression
- Freedom of assembly and association
- Protection from discrimination in respect of these rights and freedoms
- Right to participate in free elections.
- Right to a fair trial
- Protection of property

8.2 Modern Slavery Definition

Modern slavery is defined as the recruitment, movement, harbouring or receiving of people using force, coercion, abuse of vulnerability, deception or other means for the purpose of exploitation.

Slavery and Forced Labour (as defined by Article 4 of the Convention on Human Rights) are rightly treated as offences and we recognise, in determining whether 'slavery' or 'forced labour' situations exist, that account must be taken of all the circumstances of the case including the vulnerability of the individual.

Human trafficking is a form of modern slavery and is the movement of people by means such as force, fraud, coercion, or deception, with the aim of exploiting them. Human trafficking does not always involve international transportation, and includes commercial, sexual and bonded labour.

Criminal exploitation is a lesser known type of Modern Slavery and Human Trafficking that encompasses acquisitive crimes such as forced begging, forced theft (including shoplifting and pickpocketing), as well as cannabis cultivation and financial exploitation.

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8.3 Main areas of responsibility

Equality, Diversity and Inclusion:

Our commitment is to provide a safe and inclusive working environment where all people are treated fairly and with respect. We have a specific EDI strategy and policy which sets out our commitment and the responsibilities of management and staff (please refer to the “related policies” section of this document). We will not discriminate against any person based on their protected characteristics and will uphold Article 14 of the Human Rights Act 1998 in respect of protection from discrimination. We require our suppliers and contractors to comply with legislation which applies to equality and diversity and inclusion as well as adhering to our behaviours and values, supporting us in the delivery of our commitment.

Employment rights:

We provide fair working conditions for our employees including terms and conditions of employment, remuneration, working hours, resting time, holiday entitlements, maternity/paternity leave and benefits; we comply with all applicable legislation. We are committed to ensuring that our direct employees are not paid lower than that required by law. We will not employ workers under the legal minimum age for work as stipulated by the Employment Act 2008. We will not employ young persons under the age of 18 in a hazardous role or at night. We will not employ, or allow to be employed, any form of corporate punishment, physical coercion or verbal abuse. Any disciplinary matter will be dealt with through formal procedures. We do not tolerate the use of child labour and require that our suppliers do not to use children in their operations. We respect the right of our employees to join or not to join a trade union and as such they are free to join an organisation of their choice to represent them in line with legislation. We require our suppliers and contractors to comply with all applicable legislation as well as adhering to our behaviours and values, supporting us in the delivery of our commitment.

Modern Slavery and Human Trafficking:

ExtraCare has a policy of zero-tolerance towards acts of modern slavery which are unlawful and are a violation of fundamental human rights. We have a specific policy statement which sets out our commitment and the responsibilities of management and staff (please refer to the “related policies” section of this document). We require our suppliers and contractors to comply with all applicable legislation as well as adhering to our behaviours and values, supporting us in the delivery of our commitment. We will uphold Article 8 of the Human Rights Act 1998 respecting a tenant’s right to private life, family life, and the home and will not tolerate any forms of human trafficking or forced labour within our properties.

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Safe and Healthy Workplace:

We are committed to delivering high standards of health and safety management and aim to continually improve our performance, always seeking to reduce risk. We have a specific policy which sets out our commitment and the responsibilities of management and staff (please refer to the “related policies” section of this document). We require our suppliers and contractors to comply with all applicable legislation as well as adhering to our behaviours and values, supporting us in the delivery of our commitment.

Vulnerable Residents:

We are committed to acting professionally, fairly and with integrity in all our business dealings and relationships. We acknowledge that the individual circumstances of some of our residents leave them significantly less able to represent their own interests and more likely to suffer harm than the average consumer. We will assist staff to identify vulnerable residents and put into place tailored and flexible processes and practices that will support the provision of a suitable level of service and expertise to enable the vulnerable resident to engage with ExtraCare. We require our suppliers to have suitable procedures and management systems in place to protect such residents, adhering to our behaviours and values and supporting us in the delivery of our commitment.

8.4 How to raise a concern

If any employee/volunteer believes that someone, either within ExtraCare or one of our suppliers or a contractor is violating this Human Rights Policy and/or the law, they are asked to report it immediately to their manager and to the relevant department dependant on the nature of the concern e.g.to Procurement for a supplier related concern, HR for a staffing related concern, Health and Safety for a Health and Safety Concern or through the Raising Concerns and Whistle-blowing process. We expect our suppliers and contractors to also have in place processes to enable their own staff to report any concerns. It is the responsibility of the Procurement Category Manager for the supplier or contractor to ensure that they have been provided with a copy of this policy and that they have confirmation from the supplier that they will meet the requirements and expected behaviours laid out in this policy. Staff are to record complaints (detailed in the Complaints Policy) and retain appropriate documentation to enable any complaints related to human rights to be monitored and concluded satisfactorily.

8.5 Training

All staff should complete the regular training in Equality and Diversity, and Modern Slavery as well as any job specific training for safety risks.

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9. Other Relevant ECCT Policies & Documents

General	<ul style="list-style-type: none"> • Safeguarding Vulnerable Adults and Children Policy Mental Capacity Policy • Medication Policy • Equality & Diversity Policy • Equality, Diversity and Inclusion Strategy • Complaints Management Policy • Care Planning Policy • Data Protection Policy • Dignity, Privacy and Respect Policy • Bullying and Harassment Policy
Related Policies	<ul style="list-style-type: none"> • Modern slavery statement • Raising Concerns and Whistleblowing policy

10. Relevant Legislative & Regulatory Requirements

Legislation	Regulation	Guidance
<ul style="list-style-type: none"> • The Human Rights Act 1998 • The Modern Slavery Act 2015 • Mental Capacity Act 2005 • Mental Health Act 2007 • Health and Safety at Work Act 1974 • UK General Data Protection Regulation (UKGDPR) • Data Protection Act (2018) • Freedom of Information Act 2000 • Race Relations (Amendment) Act 2000 • Disability Discrimination Act (2005) 	<p>The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014</p>	

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<ul style="list-style-type: none"> • Equality Act 2010 • Care Act 2014 		
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