Human Rights and You: an introduction to human rights for disability support workers

Human Rights and You eLearning workbook
Acknowledgements

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- NDS Learn and Develop
- Members of the Zero Tolerance Victorian Project Reference Group
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- The Disability Advocacy Resource Unit (DARU)
- The *Introduction to Human Rights in Disability Services* project team and contributors
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Module 1: What are Human Rights - and why we need them

Module 2: Rights and Responsibilities – getting the balance right

Module 3: When rights go wrong – and what to do

Module 4: Asking for help – where to look and who to talk to
Introduction

Human rights matter. They are there to make things safe and fair for all people. They help us all to live the lives we want to live, whoever we are.

Unfortunately not everyone understands what human rights are, or what having human rights means. Some people don’t get to enjoy their human rights. Some people have their rights limited. Some people’s human rights are abused. This includes people with disability.

We have developed Human Rights and You for people who work in the disability sector. It will help you get a better idea about what human rights are and why they are important. Most importantly it will help you to understand how you can work in a way which supports the human rights of people with disability.

About this workbook

This workbook has been written to use with the Human Rights and You e-learning program. There is no right or wrong way to use this workbook. It will help you to remember some of the things you learn in the training and to talk about the ideas in your teams, with your supervisor and with people that you support. There is one double-page for each of the four modules. At the back you can find links to other useful information about human rights.
1: What are Human Rights?

What are some examples of Human Rights?

Why do we need them?

What do we have to protect our human rights?

Personal reflection
Think about your human rights. Which rights are important to you? Why?

Think about the people you support
Do they know about their human rights? What actions could you do to help them find out more about their rights?
1: What are Human Rights?

There are different types of rights for different parts of people's lives

RESPECT FOR THE INDIVIDUAL

Freedom: to make choices and express opinions
Respect: be treated respectfully as individuals
Equality: be treated fairly
Dignity: be treated with dignity and respect for personal privacy

INCLUSION IN THE COMMUNITY

Health: to live healthily and get health care if needed
Independence: living how we want in the community
Education: to learn alongside everyone else
Work: to work in a job we choose and earn a wage

CHANGE IN SOCIETY

Attitudes: people with disability can contribute to society the same as anyone else
Culture/Beliefs: expressing our identity how we choose
Political Life: we all have a right to vote and have a say
Access: we can all use public spaces, travel and information

Talk about it!

Kate talks about a taxi driver who refuses to take her because of her wheelchair. This is discrimination. Can you think of other examples where people with disability might experience discrimination?

My commitment

I am committed to upholding the rights of people I support in my work and I will ...............................................................
........................................................................................................................................................................
........................................................................................................................................................................

Signature: Supervisor signature: Date:
Rights must be **balanced** with responsibilities

We have all have a responsibility to:
- respect and act within the law
- respect other people and their human rights

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**Personal Reflection**


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**Decisions, Decisions, Decisions!**

- People with disability have the right to make decisions about their lives
- People might make decisions that you or others don’t agree with
- People have the right to change their mind or get things wrong

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**Talk about it**

How does your team support the people to make decisions? What makes this hard? What makes it easier? How is it different for different people?

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**The four R’s can help you solve problems and respect rights**

- **Respect:** Treat all people with dignity and respect
- **Reflect:** Reflect on how you are supporting people and looks for ways to continually improve
- **Recognise:** Recognise the issues that might have a negative impact on the people you support
- **Request:** Ask for help when you don’t know what to do
Rights and Risk
• people have a right to take risks and try new things
• taking risks is part of everyday life – it’s how we learn
• being safe does not mean ‘avoiding risk’ – it means ‘managing risk’
• ‘Duty of Care’ involves supporting people to balance risks and rights

Personal reflection: rights and risk
Think of someone you are supporting to try something new. How could you use the 4 R’s to balance rights and manage any risks?

Respect:

Reflect:

Recognise:

Request:

Talk about it
Managing risk and rights might involve conversations with different people. Talk with your team about who might need to be involved in supporting rights.

“My mum and dad think because I have a disability that I can’t do things that other people can do. It makes me disappointed.”

Human Rights and You participant

My commitment
I am committed to supporting people to manage their rights and responsibilities and I will ………………………………………………………………………………..
…………………………………………………………………………………………..

Signature:  Supervisor signature:  Date:
3: When Rights go Wrong

- Not everyone gets to enjoy their full human rights
- People with disability often experience restrictions on their rights
- **Restricting** rights means limiting or controlling a person’s rights
- We all experience times when our are rights are limited
- Being safe is one reason used for restricting rights

**Group discussion**

Traffic speed limits are one way our rights are limited for safety reasons. Think of other times your rights are restricted by other people. How does it make you feel?

“...your whole life is controlled and hurried. ‘Eat breakfast now. Leave the house now. Shower now.’ There aren’t choices about anything and there should be”

_Speaking up about Safety_ participant

**Restrictive practices** are ways of supporting people which can limit their rights and freedom. They should only be used if a person is a danger to themselves or to other people such as other people with disability, family or staff.

- There are rules about how and when restrictive practices can be used. Rules are different in each state but everyone agrees they should only be used as a last resort

- **Seclusion**
  Where a person is left alone or isolated from other people

- **Environmental Seclusion**
  When a person is denied access to rooms, cupboards or possessions

- **Chemical restraint**
  Where medication is used to sedate someone to stop them from going anywhere

- **Power Control**
  When a person is told to stay in a specific place or position

- **Mechanical restraint**
  Where a device like a seatbelt or vest is used to limit a person's movement

- **Consequence Control**
  When someone has activities or items taken away to make them ‘behave’

- **Physical restraint**
  Where movements are restricted e.g. through being physically held
Abuse, neglect and violence

- Severe restrictions of human rights are called violations or abuses.
- Some abuses are crimes and must be reported to the police. Not reporting can have serious consequences for people with disability.
- Abuse and neglect is never OK. We all have a responsibility to prevent abuse happening and to support victims of abuse to get help they need.

Human rights abuses can happen:

**Deliberately:** when people seek to harm or take advantage of others

**Accidentally:** when staff don’t understand the impact of their actions or realise their actions are abuse

**Systemically:** when staff are not trained, supervised or given enough time or resources to do their job properly

For more information on abuse and neglect of people with disability, use the NDS Zero Tolerance training resources...


Group discussion

*Talk as a group about each of these scenarios. Could they happen? What would you do if you saw or found out about them? Do the 4 R’s help?*

- Gwen has her iPad taken away after she uses her data watching music videos
- Ravi’s communication aid is deliberately hidden as a punishment
- Gordon is 46 but goes to bed at 6pm everyday to make shift handovers simpler
- Michelle has mobility needs and is left on commode whilst others get ready.
- It’s a cold night but Quan is told to stay out in the garden until he ‘calms down’

My commitment

I am committed to supporting people if their rights are being restricted or abused and I will .................................................................

.................................................................

Signature: ............................................. Supervisor signature: ............................................. Date: .............................................
Know your rights!
- Some people don’t know about their human rights
- Knowing our rights reduces the risk of others restricting or abusing them
- It means we know what we are entitled to and what to ask for

Knowing our rights means we are empowered. Write down some things that you can do to support people with disability to be more empowered:

Learning about rights

Supporting independence

Communication Support

Speaking Up and Making Complaints
- Speaking up when we are not happy about something is another way we can use our human rights to be empowered.
- All disability service providers must have easy to use complaints systems.
- Part of your job is to make sure people understand their right to speak up, know how to speak up, and feel supported speaking up.

Responding to Complaints
- Listen to the people you support
- Let people know it is OK to speak up
- Support people to speak up and provide feedback, positive and negative
- Take complaints seriously and do something about it.
- Know your complaints process and follow it
- Provide support to people to find an advocate
4: Asking for help

People might not speak up and make complaints if they...
• don’t know their rights or what they mean
• are worried about what might happen if they complain
• they don’t want to seem ungrateful or cause a problem
• they think complaints aren’t followed up and it won’t help; or
• when complaint systems are in not accessible format or language

“[services] need to let people know their rights and how to complain. If clients complain services shouldn’t threaten them or punish them.” Speaking up about Safety participant

Group Discussion
Talk as a group about why people might not speak up or make complaints.

What can you do as a team to encourage people to speak up, reach out and get help?

Remember, you are not alone!
Supporting human rights of people with disability is the right thing to do but some situations are trickier than others. First discuss problems with people themselves, but remember the 4 R’s and REQUEST help when you need it.

Help can come from:
• the person’s family, carer or friends
• a colleague or manager
• a disability advocate or agency
• your local disability complaints, ombudsman or human rights office

My commitment
I am committed to supporting people to get help about their rights, and asking others when I need help to support people’s rights. I will ..............................................
..............................................................................................................................................................
..............................................................................................................................................................

Signature:  Supervisor signature:  Date:
Thank you for using *Human Rights and You.*
We hope that you find it useful in supporting people with disability with their human rights. If you’d like to know more about human rights, here are some other useful resources and people who can help.

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<td><strong>NDS An Introduction to Human Rights in Disability Services training</strong>&lt;br&gt;NDS developed detailed human rights training for organisations in NSW, Tasmania or Victoria. This free 100 minute online course includes a supervisor guide and case studies.</td>
<td><a href="https://www.carecareers.com.au/page/human-rights-course">https://www.carecareers.com.au/page/human-rights-course</a></td>
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<td><strong>Zero Tolerance Initiative</strong>&lt;br&gt;<em>Zero Tolerance</em> is NDS’s comprehensive free training for providers on preventing and responding to abuse and neglect.&lt;br&gt;Access the range of Zero Tolerance tools and resources here:&lt;br&gt;• <a href="https://www.nds.org.au/resources/zero-tolerance">https://www.nds.org.au/resources/zero-tolerance</a></td>
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