



APPROVED

Brothers of Charity Services Galway Policy on Human Rights and the Human Rights Committee

Vision Statement

We support people to be valued citizens in their local community, to have ordinary life experiences and to be closely connected to family and friends. We are committed to supporting people to make choices about their lives and to the provision of quality services that meet people's needs.

The Brothers of Charity Services Galway recognises that people with and without disabilities have the same constitutional and statutory rights. The rights of all individuals are clearly defined under the UN Convention on Human Rights and the UN Convention on Disability. Furthermore, the rights of individuals are defined in the Brothers of Charity Charter of Service Users Rights. Each employee has the responsibility to ensure that the Human Rights of the people who use the Services are respected and that they are supported to exercise their Human Rights.

The Brothers of Charity Services Galway Human Rights Committee (HRC) is an independent body that ensures that due process has been followed whenever individual rights are restricted, either formally or informally, by staff of the Services, and must satisfy itself that the type of any restriction imposed offers the best support to the person and is fair and sound, is considered a temporary rights restriction, and is regularly reviewed.

The Committee also has a role in supporting staff in the understanding and exercise of Human Rights. To function effectively the HRC should be composed of a group of people with a diversity of backgrounds and a broad range of experiences – both from within and outside the Services - who are charged with the responsibility of protecting the rights of the individuals who receive services.

Signed:

Patrick McGinley, Chief Executive

Date: 9 January 2009

Policy No: 2008/06

Implementation Date: 9 January 2009

[Connected to: Procedure for the Operation of the Human Rights Committee](#)

Beliefs of the Human Rights Committee

The Human Rights Committee endorses the Values and Ethos of the Brothers of Charity Services Galway and the UN convention on Human Rights, and in addition, believes that:

- Everyone is entitled to equal rights as a citizen.
- The well-being of the service user is important and as is the well-being of others.
- Everybody should have the opportunity to be heard.
- With Rights Come Responsibilities.
- Having no proven track record or experience should not be a barrier to anyone claiming their rights.
- The person's view of the world is important and should be recognised.
- We are accountable for our decisions.
- The aim of the Services is to have a restriction-free environment.

Any Restriction Imposed Must Follow Due Process

Due Process requires that:

- Whoever is making the decision to restrict rights does so in the best interests of the service user.
- Both the arguments supporting the restriction and against the restriction have been carefully considered, and alternative, less restrictive options have been explored and considered.
- Adequate supports are in place to help the person to cope with the rights restriction for the period of time that it may be in place.
- The restriction is time-limited and a strategy to reduce or eliminate the restriction is being implemented.
- A review date has been set. The more significant the restriction, the earlier the review date. In every case the review will take place within one year of the restriction being imposed.
- The person must be told the reasons for the restriction and what changes will end it.
- The person has a right to appeal the decision.
- In challenging the restriction, the person may choose to have the assistance of a family member, staff member or other person acting as their chosen advocate.
- Only staff authorised by the agency to do so, may impose restrictions on a person's exercise of their rights.
- The rights restriction has been approved by the Human Rights Committee