

Equality and Human Rights Policy for Patient Care

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Applies to	All Staff, Duty Doctors and Pharmacists
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1. Introduction

South East London Doctors Co-operative (SELDOC) is committed to providing quality out-of-hours and unscheduled primary care services to registered and unregistered patients in Lambeth, Lewisham or Southwark PCT irrespective of age, colour, culture, disability, ethnic or national origin, gender, lifestyle, marital or parental status, race, religion or beliefs, gender, sexual orientation, or social or economic status.

2. Legal, ethical and good practice guidance for Equality and Human Rights

A fundamental principle of *The NHS Constitution for England 2013*¹ is that patients have a right not to be unlawfully discriminated against in the provision of NHS services; this includes discrimination on the grounds of gender, race, religion or belief, sexual orientation, disability (including learning disability or mental illness) or age. The Constitution also pledges patients' rights to be treated with dignity and respect, in accordance with their human rights. *The Equality Act 2010*² introduced a general equality duty to the public sector which came into effect on the 5th April 2011. The Department of Health's *Human Rights in Action – a Framework for Local Action 2008*³ supports the implementation of the Human Right Act within the NHS.

The General Medical Council also identifies, in its document *Good Medical Practice*⁴ that doctors must act in their patients best interests and must not allow personal views to unfairly discriminate against them. This responsibility is further detailed in *Valuing diversity – Guidance for doctors*⁵.

3. Key principles to consider in respect of patient care

The documents cited above are clear on the following principles:

SELDOC duty doctors and staff must not allow patients age, colour, culture, disability, ethnic or national origin, gender, lifestyle, marital or parental status, race, religion or beliefs, gender, sexual orientation, or social or economic status to unfairly affect their treatment

SELDOC duty doctors and staff must apply the principles of fairness, respect, equality, dignity and autonomy to all patient encounters

4. Related guidance

This Policy should be read in conjunction with the Consent Policy, Confidentiality Policy and Staff Handbooks.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/170656/NHS_Constitution.pdf

² <http://www.legislation.gov.uk/ukpga/2010/15/contents>

³ <http://www.bih.org.uk/sites/default/files/Human%20rights%20in%20healthcare%202nd%20edition.pdf>

⁴ http://www.gmc-uk.org/guidance/good_medical_practice.asp

⁵ http://www.gmc-uk.org/about/valuing_diversity_index.asp

5. Applying the Equality Duty and the Human Rights Act to patient care

SELDOC expects all duty doctors to provide individualised care and to:

- 5.1 Respect patients' rights to take informed risks, balancing their preference and choice against your knowledge of safety and effectiveness.
- 5.2 Promote and respect patients' dignity, privacy, independence and human rights in all patient encounters.
- 5.3 Use a patient – centred consultation style to take account of individual needs (including physical, mental, social, emotional, personal relationships and daytime activity), wishes and preferences.
- 5.4 Actively listen to patients' or their carers' views and involve them in decisions about their care.
- 5.5 Adapt the consultation style to respond to different needs, for example:
 - use easy read information to help understanding
 - use an interpreter or patient advocate when language is a barrier
 - enabling patients to care for themselves or manage their own treatment wherever they can
 - ensure a doctor of the same sex is available when possible and for intimate examinations offer a chaperone
- 5.6 Respect and record the decision made by patients even if the duty doctor does not agree.
- 5.7 Support patients to raise specific needs relating to their equality, diversity and human rights.
- 5.8 Provide information to patients about their rights as detailed in the *NHS Constitution*.