

'A' for Adjustment

An overview of the Equality Act, other legislation and statutory duties including Reasonable Adjustments

Attitude

Addressed Care – **Session Two**

Approach

Assessment

Actions





Learning Outcomes

- Understand the legislation around making reasonable adjustments.
 - Understand how adjustments might be made to services to support good health outcomes for people with a learning disability and/or autism.
 - Understand the difference between Equality and Equity.
 - Be able to apply the [Mencap - Treat Me Well](#)¹⁰ reasonable adjustments for getting the best care for people with a learning disability in a health and care setting (see supplementary sheet for more information).
 - Be aware how they and their service can make a number of reasonable adjustments.
-



The Law and Legislation

- Health and Social Care Act (updated 2016)
 - Equalities Act 2010
 - Human Rights Act 1998
 - Mental Capacity Act 2005
- NHS Accessible Information Standards 2016
 - NHS Long Term Plan 2019





Health and Social Care Act updated 2016

Regulation 9 - Person centred care



Nothing about me
without me.



**Guidance for
providers on meeting
the regulations**

Health and Social Care Act 2008 (Regulated
Activities) Regulations 2014 (Part 3) (as amended)

Care Quality Commission (Registration)
Regulations 2009 (Part 4) (as amended)

March 2015

What does personalised care mean to you?



The Equality Act 2010 enshrines a duty for service providers to make “reasonable adjustments” to ensure that disabled people are not denied access to the same services, as far as this is possible, as someone who is not disabled.



Equality Act 2010



The **Human Rights Act 1998** sets out the rights of people in the UK including the right to be kept safe from harm, as well as the right to respect, dignity and equality.

Follow the Human Rights FRED A principles

Fairness

Respect

Equality

Dignity

Autonomy



Human Rights Act 1998



The Mental Capacity Act 2005

- People with a learning disability do not automatically lack capacity.
- Follow the 5 principles of the Mental Capacity Act.
 - Remember that capacity is situation specific and can fluctuate.
- Be able to support a person to access advocacy to help them make and communicate a decision.



The [**NHS Accessible Information Standard 2016**](#) are a legal obligation to make sure that people who have a disability, impairment or sensory loss receive information that they can access and understand

The [**NHS Reasonable Adjustments Flag**](#) has been built into the NHS Spine and enables staff and services to record, share and view the adjustments a person needs

The [**NHS Long Term Plan 2019**](#) will set standards to promote greater consistency for people with a learning disability by addressing themes such as rights, the workforce, specialist care and working more effectively with people and their families.

[**Watch this 5 minute video to see how this works in practice**](#)
[**Digital Flagging - Sharing information about reasonable adjustments**](#)



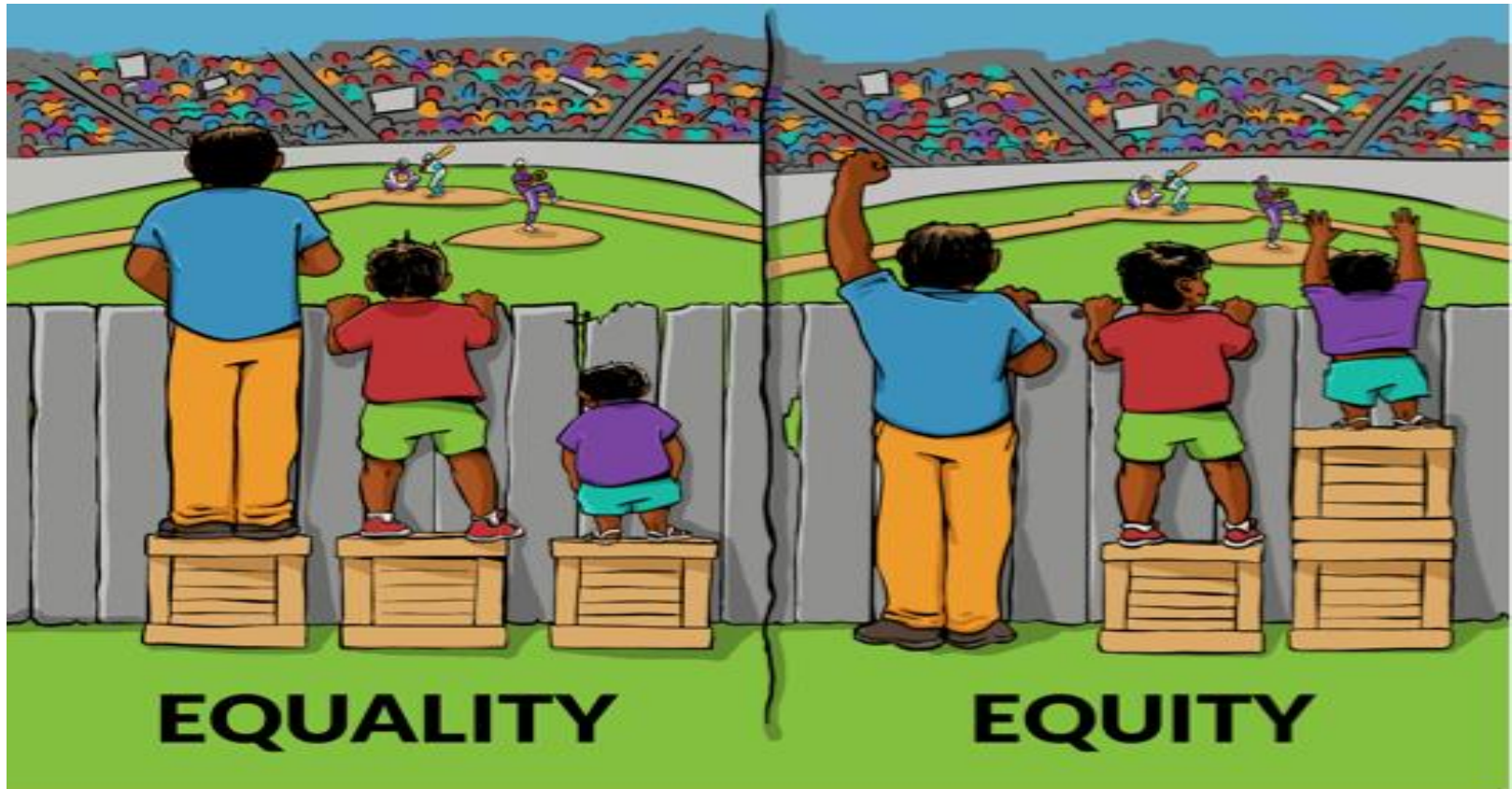
The difference between **physical** and **personal** adaptations

Physical changes to the environment and to policies and procedures are helpful and often required.

Remember it is also the **human and social adjustments** that bring about significant improvements in peoples experience and outcomes.



Equality vs Equity



Can you think of any examples where equality is addressed but equity is missing?



Mencap has a long running campaign called **Treat Me Well** which focuses on getting the best care for people with a learning disability.

Group exercise

List up to 3 adjustment examples that you currently make

How are these recorded and shared?

Any reflections on what works well and or what needs to change?

[Treat Me Well - reasonable adjustments video](#)

Treat me well

Reasonable adjustments for people with a learning disability in hospital



Take action - What will be different?

- What will you do differently as a result of your learning today?
 - How can you apply your learning in your workplace?
-



Health Education England



This learning resource was commissioned by Health Education England working together with the National Development Team for Inclusion and Skills for Care - August 2020
