

# Human rights and how the UK Government has dealt with Coronavirus: What staff and officials told us (August 2020)



This Easy Read report was checked by Kirklees Involvement Network. People on the checking panel told us they are worried about people's human rights during Lockdown and we need to make sure that people's voices are heard.

Stop Hello Eat  
**Words**  
person Day Open

We have explained some of the words that are used a lot in this report:

**Human rights** are protections that every person has just because they are human.



Human rights are about making sure people are listened to and treated with dignity and respect and fairness.

Human rights are in a UK law called the Human Rights Act.



This report is about what people have told us and we have given this information to a Committee in parliament called the Joint Committee on Human Rights.

We call it "**our report**" or "**this report**"



The Joint Committee on Human Rights is made up of politicians. We call it "**The Committee**".

The Committee asks people for evidence to look at what the Government does and decide if people's human rights are at risk and what should happen.



We use the words "**staff and officials**" in our report.

This means people who work in services like health and care. It also means officials such as social workers, police and teachers.



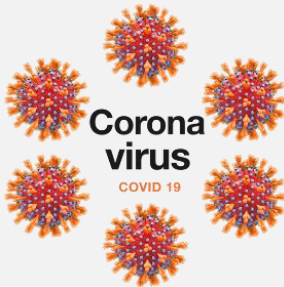
## Who are we?

When we say "we", we mean the British Institute of Human Rights. We sometimes shorten our name to BIHR.

We are a human rights charity that works across the UK.



## What our report is about



The human rights Committee is looking at how the Government has dealt with Coronavirus.



The Committee want to know how people's human rights have been affected. We did 3 surveys to find out more about this.

The 3 groups who answered our surveys were:

1. People with care and support needs, families, friends and carers
2. Advocates, community groups and campaigners
3. Staff working in care and support services





230 people completed our surveys.

Thank you to everyone who filled in the survey.



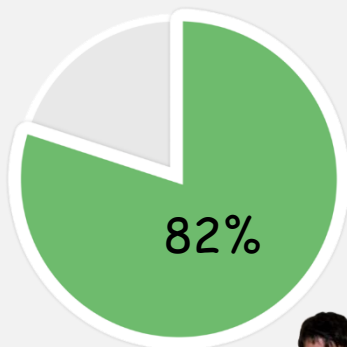
This report is about what staff and officials told us.

Most of the staff and officials who told us their thoughts work in social work, health and care. Some worked on other issues like housing and education.

The staff and officials work in different places, including councils (local authorities councils), hospitals, care homes, residential homes and units.



## What people told us



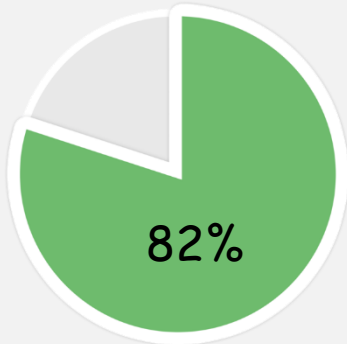
Most staff told us it has been harder to make sure that people's human rights are looked after during Coronavirus.







72% of staff told us that they had not been given training about the law or clear information about looking after people's human rights during Coronavirus.



79% of staff told us that they were not given legal training or clear information about the new Emergency Powers that have been allowed under the Coronavirus Act (CVA).



This law gives Councils (local authorities) and others the power to stop meeting some legal duties to provide care and support. This should only be during Coronavirus.

There are still rules about human rights that need to be followed.



**From what staff told us, we think that many people's human rights have been put at risk by the way the Government has dealt with Coronavirus.**



**Next, we will look at what staff told us about different ways people are treated.**

For everyone to have the same human rights staff and officials should follow the same principles (good ways of treating people).



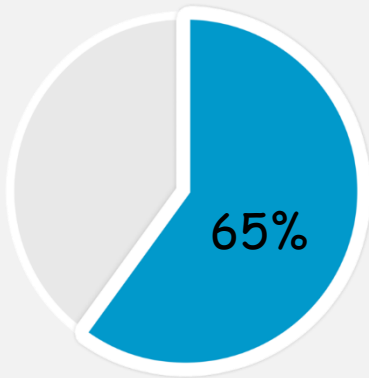
These are the PANEL principles:

1. Participation
2. Accountability
3. Non-discrimination
4. Empowerment
5. Legality



## 1. Participation

This means that people should be involved in decisions that affect their human rights.



65% of staff told us that involving people in making decisions about their care and support was not good.

Staff could not involve the people they support in decisions that affect their care and support at all.

Or people were involved in decision making less than before Coronavirus.



### What needs to be done to improve participation

The Government must make it clear that all duties in the Human Rights Act are still the law during Coronavirus.



This includes respecting people's right to have a say in decisions. This is part of everyone's **right to private life in Article 8 of the Human Rights Act.**

## 2. Accountability



This means staff and officials should keep an eye to see if the human rights of people they work with are being affected.

For example, this could be noticing whether changes to care mean people cannot live dignified lives.

When people's rights are not looked after this should be stopped and there should be solutions to make sure it does not happen again.



32% of staff said they were not able to tell people how they could challenge decisions made during Coronavirus that changed people's care and support.



### What needs to be done to improve accountability

The Government needs to listen to peoples experiences.

They should make it easy for people to say if they are having problems or not getting anywhere sorting out decisions and problems for themselves or the people they support.

The Government should make sure staff and officials always tell the people they support about how to raise concerns about their care and support.



### 3. Non-Discrimination

This means treating everyone the same and not treating people worse because of their care or support needs.

For example, people should not be treated worse because they have a learning disability.

Stopping people from being treated worse should be a priority for the Government.

The Equality Act is a law that means staff should consider a person's different needs when making decisions.

But 31% of staff said they could not do this during Coronavirus. This could be for many reasons, including not having enough staff or time or money to make decisions properly.

#### What needs to be done to improve non-discrimination

The Government must make sure that all staff and officials have the proper training and support to look after people's human rights and make sure people are not treated worse than others because of their care and support needs.

This is part of two important laws, the Human Rights Act (1998) and the Equality Act (2010).



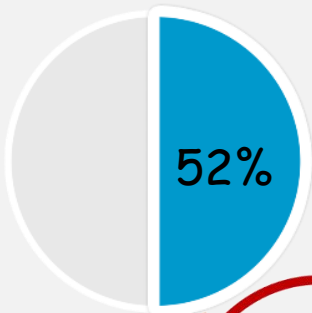




## 4. Empowerment

This means everyone should understand their rights.

Everyone should also be supported to take part in making policy and practices which affect their lives.



52% of staff told us that since the start of Coronavirus telling people about their human rights has got worse.



This is because staff have not been able to inform people about their human rights or giving people this information has become more difficult.



### What needs to be done to improve empowerment

The Government must make sure staff and officials have the proper training and support to make sure they are always looking after people's human rights in discussions and decisions about care and support.



# 1. Legality



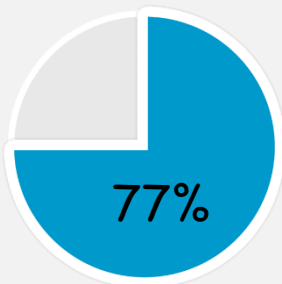
This is about making sure the things the Government, staff and officials do always looks after people's human rights.

In the UK our human rights are part of the law in the Human Rights Act. Another law, the Equality Act also has rights about non-discrimination.

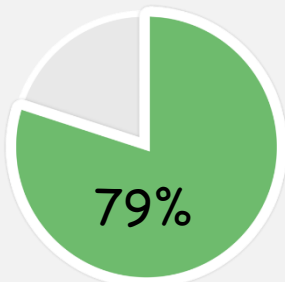
You can get an Easy Read Version of the Human Rights Act [by clicking on this weblink](#), and an Easy Read version of the Equality Act [by clicking on this weblink](#).



You can also find information about your human rights and how to use them on BIHR's self-advocacy website: [www.knowyourhumanrights.co.uk](http://www.knowyourhumanrights.co.uk)



Since the start of Coronavirus most staff have not been given training or clear information about how to look after people's human rights.

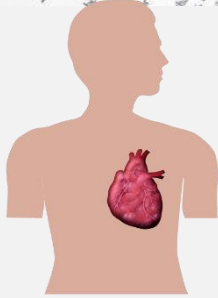


Most staff have also not been given training or clear information about the Emergency Powers they have under the Coronavirus Ac.

**We all have 16 rights in the Human Rights Act. Next, we tell you about what staff told us about the some of the problems people have faced since the start of Coronavirus. We have explained which human rights are at risk and written the rights in bold. In law, human rights are called Articles. We have put the Article number in brackets.**



Some people told us that staff or officials had made Do Not Resuscitate Orders for them or people they care about, but people were not involved in this decision.



A Do Not Resuscitate Order is a medical document. It means that if someone's heart stops working doctors will not try to restart it.



This order should only be used if someone is dying or they are very sick and will not get better. People should be involved in making these decisions.

This could risk people's **right to life (Article 2 of the Human Rights Act)**.



21% of staff told us that they had seen care or support being taken away or reduced so much that the person involved did not have dignity. Dignity means being treated in a way that makes you feel valued and respected.

This could risk people's **right to NOT be treated in an inhuman or degrading way (Article 3 of the Human Rights Act)**.



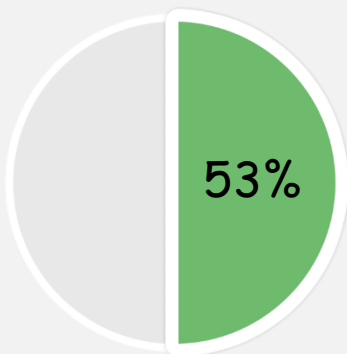
21% of staff said people had been moved or detained in an inappropriate place because of a lack of beds or community support. This had a severe impact on the person's wellbeing.

This could risk **right to liberty (Article 5 of the Human Rights Act)**.



5% of staff told us people's tribunal or court cases to review care and support decisions had been delayed or cancelled.

This could risk people's **right to a fair trial (Article 6 of the Human Rights Act)**.



More than half of staff told us people had been stopped from doing things that they like and that keep them well.

This included stopping people from seeing their family and friends, or stopping people from exercising how they would like to.



This could risk people's **right to respect for private and family life (Article 8 of the Human Rights Act)**.





11% of staff told us people had not been supported to practice their faith or beliefs.

This could risk people's **right to freedom of thought, conscience and religion (Article 9 of the Human Rights Act)**.



50% of staff said people have not been supported to stay in touch with other people when they could not go to their usual meetings and activities.

People said they were not given options like online meetings instead of seeing each at the same place.

This could risk people's **right to freedom of assembly and association (Article 11 of the Human Rights Act)**.



50% of staff told us people had been treated worse than other people because of their care and support needs (discriminated against) during Coronavirus.

This could risk people's **right to non-discrimination (Article 14 of the Human Rights Act)**.



11% of staff said children or young people with special needs or disabilities (SEND) have not being able to access education.

This could risk people's right to education (Article 2 in Protocol 1 of the Human Rights Act).



11% of staff told us people have not been able to access their belongings because they have been moved to another place.

This could risk people's right to peaceful enjoyment of possessions (Article 1 in Protocol 1 of the Human Rights Act).



**What needs to be done to improve legality, and make sure the law on human rights is followed**

The Government must make sure staff and officials have the proper training and support to know when someone's human rights are at risk and what to do about it.

This means having practices and policies that respect human rights in everyday decisions.

This should happen during Coronavirus and at all other times.





## What happens now?

We have written a report to tell the Committee what people with care and support needs, their families, friends and carers have told us.

We have also written two more reports. One report is about what advocates, campaigners and community groups told us. The other report is about what people with care and support needs told us.

We have written Easy Read reports and more detailed reports. All our reports are on our website and [can be found here](#).

## What action needs to happen

We want the Committee to look at what we have said to decide that more action is needed to make sure people's human rights are always stuck to.

One suggestion that lots of people are making is to tell the Government that there should be an official inquiry to look at what has happened to people's human rights during Coronavirus.

This is important. But we also think the Government needs to take action right now to make sure people's human rights are always looked after every time people come into contact with staff and officials.

## Contact us

To talk to us about the report please get in touch with Carlyn Miller by email. Carlyn's email is [cmiller@bihr.org.uk](mailto:cmiller@bihr.org.uk)



