

# NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

## NICE guidelines

### Equality impact assessment

#### Safeguarding adults in care homes

The impact on equality has been assessed during guidance development according to the principles of the NICE equality policy.

#### 4.0 Final guideline (to be completed by the Developer before GE consideration of final guideline)

4.1 Have any additional potential equality issues been raised during the consultation, and, if so, how has the Committee addressed them?

A number of stakeholders raised the importance of various articles within the **Human Rights Act** within the context of safeguarding adults in care homes.

The committee agreed to add a reference to article 8 (right to respect for private and family life) within the context section as well as a paragraph from the Care Act statutory guidance about the human rights perspective on safeguarding.

A number of stakeholders also raised the importance of the **Mental Capacity Act**, best interests decision making and the rights to **independent advocacy** and support for those who lack capacity. There are already a number of references to this and the NICE guideline [on decision making and mental capacity](#) across the guideline but the committee added some more links to key recommendations. There were also some additions made to the section on indicators of sexual abuse to cover the residents right to engage in sexual activity if they have the mental capacity to consent and some changes made to the indicators to better reflect this.

The issue of consent was also extended to indicators related to marriage and civil partnership.

The committee also made direct reference to the **Accessible Information standard** within recommendation 1.1.2 to ensure safeguarding policies and procedures and accessible to all and meet the communication needs of residents. One of the training recommendations was also amended to ensure that key safeguarding concepts were

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'translated' in a way that made them '**accessible to all**'. This replaced a reference to for staff who speak language as a second language as was seen to be more inclusive of all forms of translation regardless of language or literary skills.

Some stakeholders asked if the guideline could say more about people with **communication support** needs including those who did not communicate with speech. The committee agreed to include reference to both in recommendation 1.6.6 which is about talking to the person about the abuse or neglect they have experienced or witnessed others experience. It was also recognised that if people needed communication support the safeguarding lead should be involved in the discussions asap so that they can help the person get the right support in place, including **independent advocacy**.

The committee also agreed to make a number of amendments to the indicators of organisational abuse and neglect particularly to emphasise the **Human Rights** aspects of some of the indicators. This was seen as particularly important in the context of **Covid-19**. Stakeholders felt that some of the blanket restrictions which care homes put on residents were unjustified and had the potential to be raised as safeguarding concerns. The committee felt it was important to reflect this within the guideline.

The committee added the following 'consider' indicator to recommendation 1.12.1

- the care home enforces blanket procedures and decisions, regardless of residents individual needs, wishes and circumstances and which generally conflict with safeguarding policies and procedures

And the following 'consider' indicator to recommendation 1.12.8

- when the care home discourages visitors without justification

The issue of '**cultural preferences**' not being met was raised by a stakeholder and this was added as an example indicator on rec 1.12.5

One stakeholder requested that the guideline be available in Easyread formats so that people with learning disabilities could have access to the guidance. As people with learning disabilities were not the primary audience for this guideline, an easyread version was not deemed to be appropriate.

4.2 If the recommendations have changed after consultation, are there any recommendations that make it more difficult in practice for a specific group to access services compared with other groups? If so, what are the barriers to, or difficulties with, access for the specific group?

No

4.3 If the recommendations have changed after consultation, is there potential for the recommendations to have an adverse impact on people with disabilities because of something that is a consequence of the disability?

No

4.4 If the recommendations have changed after consultation, are there any recommendations or explanations that the Committee could make to remove or alleviate barriers to, or difficulties with, access to services identified in question 4.2, or otherwise fulfil NICE's obligations to advance equality?

No

4.5 Have the Committee's considerations of equality issues been described in the final guideline, and, if so, where?

The committee's consideration of equality issues have been described in the evidence reviews and in the responses to stakeholder comments.

Updated by Developer: Lisa Boardman

Date: 16/11/2020

Approved by NICE quality assurance lead: Nichole Taske

Date: 25/02/2021