



Our Rights



Our Voices



Human rights toolkit

A practical resource for using
human rights to make a
difference in your community



Foreword



**Esther Ward
(Chair)**

Gateshead Older
People's Assembly

I wonder what your view of human rights is? And I wonder how much of our public awareness of human rights has evolved through what we pick up in the media – good or bad. Yet as we tackle the challenges of how can we properly hold to account the actions and policies of government and public authorities; and as we look for opportunities to ensure positive change reaches all parts of society; human rights have a very important part to play. That's what I have increasingly discovered through my involvement with Age UK's three year Our Rights Our Voices project.

Human rights matter in everyday life. We all want to be treated with dignity and respect and to have the freedom to make decisions about our own lives, but unfortunately there are still many examples of when these values are not upheld. Human rights laws enable us to challenge situations such as an older person not receiving the appropriate level of care or a local authority cutting an important local service for older people.

Understanding human rights gives you the power to change things for the better in your local community. You can use your knowledge to educate and enthuse others about their rights and to influence local decision making, or to speak up about poor practice from public authorities should it occur. Human rights can help build a community that protects and values the rights of all groups in our society.

We live at a time in which we face both the opportunities and challenges of a diverse ageing population. At a time of austerity cuts, now more than ever we need human rights to provide a safety net for everyone. Human rights not only can protect those in later life now, but can also help protect the long term interests of future generations.

I hope the information and real life stories in this toolkit will inspire you. Knowing about human rights can strengthen the difference we can all make in our community and the changing society in which we live.

Acknowledgements

I wish to thank the following people for their assistance with developing this toolkit:

Annemarie Leach, Antony Smith, Joanne Sawyer and Katherine Hill

I would also like to thank **all of the forums** (as listed on page 9) involved in the **Our Rights Our Voices (OROV) project for their contribution to this toolkit.**

Project Officer – Engagement and Involvement: **Katrin McEntee**

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1

Introduction to the Our Rights Our Voices human rights toolkit

Welcome to the Our Rights Our Voices human rights toolkit

We hope that there will be something here which will make you say ‘I couldn’t have done without it!’ Whether you are under 55 years old or over 95 years old, whether you live in a care home or a block of flats, whether you are retired or working, whatever your circumstances human rights belong to you – and no one can take them away.

Human rights are universal and belong to everyone – we are born with them. But do we know what they are and how they could help improve not just our own situation, but the circumstances of others in our community too? Human rights have become increasingly prominent in recent years and have not always had a good press, but it is difficult for us to speak up and protect ourselves from poor treatment or practice, or remind public bodies that they have positive obligations, if we do not know about the rights that we are entitled to. Human rights can help give us our voice and help us all live with equal dignity and respect.

This toolkit aims to answer four main questions:

- 1 What are my human rights?**
- 2 How are human rights relevant to me?**
- 3 How can I put my rights into practice?**
- 4 What resources are available to me?**



Only **40% of the public** are confident that **older people** receiving social care are **treated with dignity**.¹

1. Older People Tracker Survey for Age UK, Fieldwork: 23/01/15- 01/02/15, 2,119 adults aged 50 or over, UK TNS (results for 65+ only).



What does this toolkit include?

This guide will support you to understand more about human rights by breaking down and explaining human rights legislation, as well as using up to date case studies of how people have used these rights in reality. These stories show the impact and change that human rights can make for example in hospital treatment or local authority funded residential care services. They set human rights in an everyday context and demonstrate the impact of using a human rights approach and how to hold public authorities to account.

This toolkit also provides you with practical ideas and tools to inspire you to utilise human rights. It can support you to develop a human rights approach to your influencing and campaigning work in your local community, as well as having ideas on how to empower others to know their rights; so that in turn they too can help protect the rights of others.

The final section provides you with information on useful organisations and resources.

You may want to read this guide in its entirety or you may prefer to concentrate on a particular section.

Who is this toolkit for?

Whether you are starting from scratch or looking to build on your knowledge of human rights this toolkit is for you. It is relevant to all of us, but has been written in the context of the challenges and opportunities that our diverse ageing society brings. It is written with older people at the forefront, using many of their inspiring stories. Whether you are part of a community group, a forum or an individual – this toolkit is a practical resource for you.

Who has produced this toolkit?

This guide has been produced as part of Our Rights Our Voices – a three year Age UK human rights project funded by Comic Relief.

This project involved 80 older people from eight older people’s forums, who all volunteered to increase their awareness and understanding of human rights and to find practical ways to use human rights locally to improve older people’s daily lives.

This toolkit is just one of the ways we are celebrating the contribution that the volunteers, who we now call ‘Human Rights Ambassadors’, have made both to the project and their community.

The forums involved represent a diverse range of people and needs and are based across England.

We would like to thank the forums involved that have been central to the success of the project.

They are:

- Carrick Over 50s Forum
- Gateshead Older People’s Assembly
- Leeds Older People’s Forum
- Nottingham Elders’ Forum
- Sheffield Pensioners Action Group
- Stratford-upon-Avon Citizens Action Network
- South East Network for Seniors, including Positively Ageing Forum
- Scarborough Older Lesbian and Gay Action and York LGBT Forum’s Older People’s Group

You can read their inspiring stories about their human rights work in their local communities in section three (pages 39–68) of this toolkit called *How can I put my knowledge into action?*

Tell us what you think

We are interested to hear feedback on what this toolkit means to you and we would welcome your comments. Please email the Age UK Engagement Team at: **engagement@ageuk.org.uk**





2

What are human rights and how are they relevant to me?

What are human rights and why are they important?

Human rights are basic rights that belong to all of us simply because we are human. They embody key values in our society such as fairness, dignity, equality and respect.

Human rights are an important means of protection for us all, especially those who may face abuse, neglect and isolation. Most importantly, these rights give us power and enable us to speak up and to challenge poor treatment from a public authority.

Human rights law mean that public bodies should not interfere with our human rights, except in limited situations where they are allowed to do so, and they should also make sure that others do not do so either.

Human rights can apply to a whole range of everyday situations such as choosing who you have relationships with, having a say in what kind of medical treatment you receive or making a decision about who supports you with your care at home.

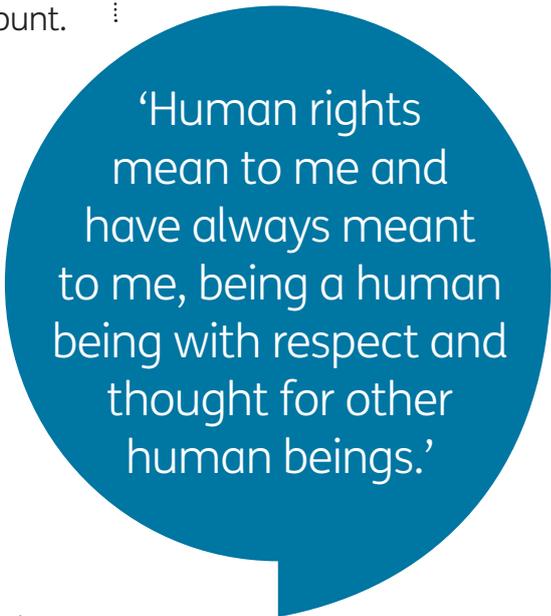
Human rights mean that public authorities should be fair in their policy making and service delivery. They are an essential tool which we can use to hold public authorities to account.

Are my rights protected by law?

Human rights are legally protected by the European Convention on Human Rights (ECHR) – which was signed by the UK in 1951.

In 2000 the Human Rights Act 1998 (HRA) came into law in the UK. This Act effectively brings the ECHR into UK law and means that UK citizens can currently bring human rights cases to UK courts as well as to the European Court in Strasbourg.²

2. At the time of going to press how human rights are protected was the subject of much political discussion in the UK and the situation may change depending on the outcome of parliamentary debate. Regardless of a change in domestic law a UK citizen would still be able to raise a human rights case through the European Court of Human Rights.



‘Human rights mean to me and have always meant to me, being a human being with respect and thought for other human beings.’

Jimmy, Gateshead
Older People’s Assembly

‘Human rights legislation allows me to live as a full member of society.’

Gavin, South East Network for Seniors

Public authorities and human rights duties

The Human Rights Act places all public authorities in the UK under a duty to respect the rights it contains in everything that they do.

The term ‘public authority’ refers to any organisation, authority or institution that operates in the public sector. This includes the NHS, social services, the police and central, regional and local government, libraries and more generally; any person or organisation – including private organisations – which performs ‘functions of a public nature.’

The term ‘public authority’ also applies to home and residential care providers whose services are funded or arranged by the local authority. However, at present this does not apply to people who both organise and fund their own care from a private provider and therefore they are unprotected by the HRA.

Public authorities have negative and positive human rights duties as illustrated in the table below:

Types of human rights duties	
Negative duty:	Positive duties:
Public authorities must not interfere with an individual’s human rights, except when the law allows them to do so, such as to protect public safety or to safeguard other people’s enjoyment of their rights.	Public authorities must: <ul style="list-style-type: none"> • Prevent breaches of human rights, such as protecting individuals from the actions of others. • Take effective measures to deter conduct that would breach human rights. • Respond to serious human rights breaches, such as by investigating the breach. • Provide information to explain the risk of human rights breaches.

What rights do I have?

These are the main rights which form the basis of the Human Rights Act which are taken from the European Convention on Human Rights.³

The human rights Articles

Article 2: Right to life

Everyone has the right to have their life protected by law. The state can only take away someone's life in very limited circumstances.

Article 3: Prohibition of torture, inhuman and degrading treatment

Everyone has the absolute right not to be tortured or to be treated in an inhuman or degrading way.

Article 4: Prohibition of slavery and forced labour

Everyone has the absolute right not to be treated as a slave or to perform forced work.

Article 5: Right to liberty

Everyone has the right to liberty and security. No one can be deprived of their liberty apart from in certain circumstances e.g. being suspected of committing a crime or if someone lacks mental capacity to consent to care or treatment and it is in their best interests to deprive them of their liberty.

Article 6: Right to a fair trial

Everyone has the right to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 7: No punishment without law

Everyone has the right not to be punished retrospectively for something that was not a crime when they committed it.

3. Article 1 is introductory and not incorporated in the Human Rights Act and Article 13 is not included in the Human Rights Act.





Article 8: Right to respect for private and family life, home and correspondence

Everyone has a right to respect for their private and family life, their home and their correspondence. This right can be limited in certain circumstances such as to protect the rights and freedoms of other people, but if so this action must be necessary, lawful and proportionate.

Article 9: Freedom of thought, conscience and religion

Everyone has the right to freedom of thought, conscience and religion and to practice these beliefs alone or with others. This right can be limited in certain circumstances.

Article 10: Freedom of expression

Everyone has the right to have their own opinions and to express those views. They also have the right to receive opinions and information. This right can be limited in certain circumstances such as to prevent disorder or crime, if a public authority can show this action is proportionate.

Article 11: Freedom of assembly and association

Everyone has the right to protest in a peaceful way and to associate with others such as joining a political party or forming a trade union. This right can be limited in certain circumstances, such as to protect public safety, if a public authority can show this action is proportionate.

Article 12: Right to marry and found a family

Men and women have the right to marry and to start a family, however national law will still determine at what age and how this takes place.

Article 14: The right not to be discriminated against

Everyone has the right not to be discriminated against because of race, religion or gender or any other status in the enjoyment of their Convention rights.



The human rights wheel

A way to understand my human rights

How to use the human rights wheel:

The human rights wheel is designed by one of the Our Rights Our Voices Human Rights Ambassadors. You can use it to support you to understand your human rights. It is a handy reference aid that helps you to visualise your rights.

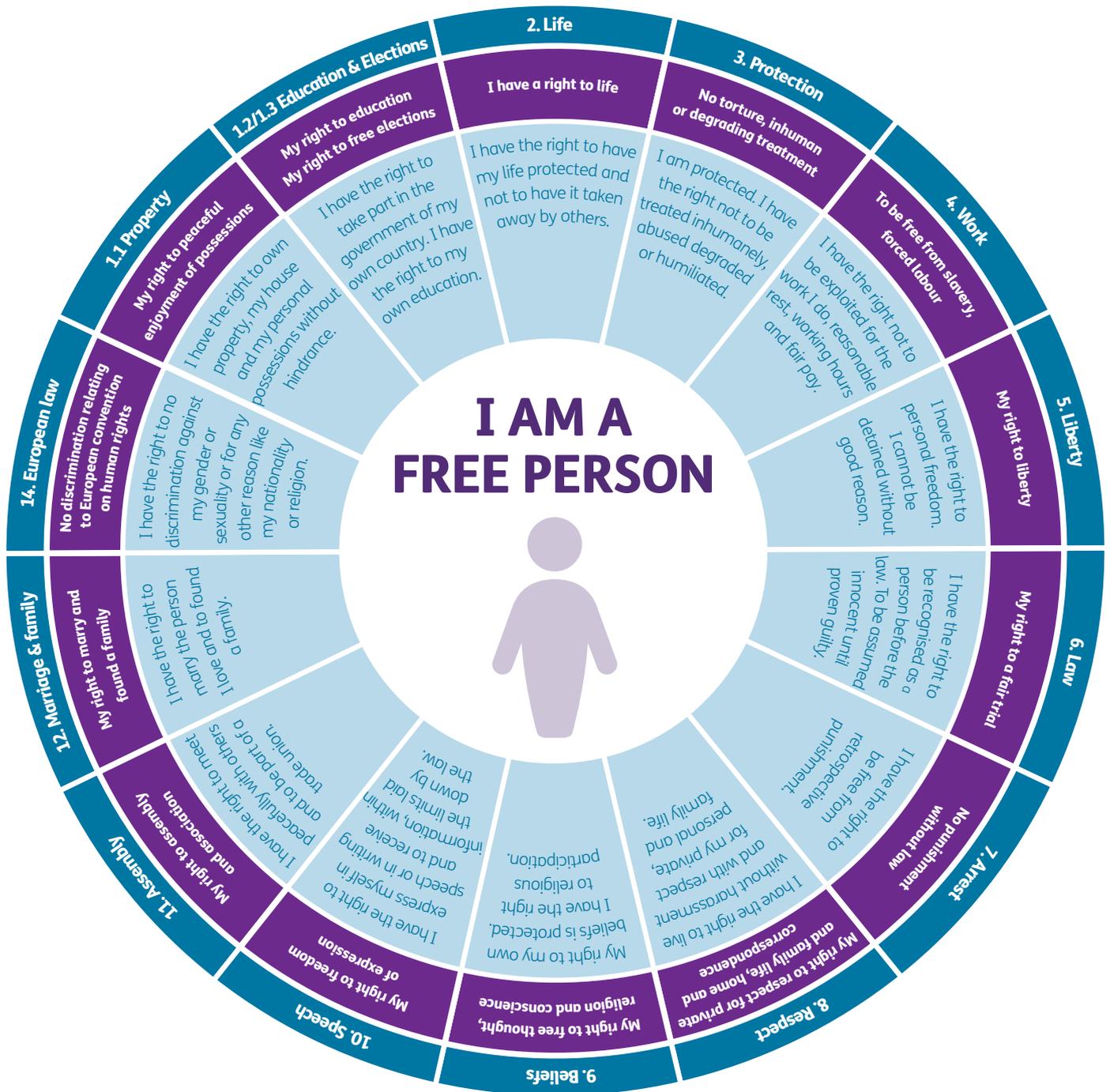
You can use this tool for:

- **finding which human rights are relevant to you**
- **explaining human rights**
- **remembering your human rights**

To use the wheel you can simply start at the top (Article 2) and follow your way around in a clockwise direction.

The human rights wheel

Used with kind permission of Ruth Rose



1.1 Property and 1.2/1.3 Education and Elections are Protocols. Protocols are new parts of the European Convention of Human Rights, added since the Convention was first written. The Human Rights Act incorporates some of these protocols.

Can any of my human rights be restricted?

Not all human rights are absolute and therefore some rights can be restricted in certain circumstances e.g. if they impact on other people's enjoyment of their rights.

Human rights are divided into the following:

Absolute rights:

these can never be restricted or limited.

.....

Limited rights:

these rights can be limited in specific circumstances which are described in the ECHR.

Qualified rights:

these rights may be restricted in more general circumstances, however any restriction of a person's rights must be:

- **Lawful**
- **Legitimate**
- **Necessary**
- **Proportionate**





Which rights are most relevant to me?

All human rights are potentially relevant to you, however it is likely that you will find some more significant to you than others.

Rights that may be more relevant to older people include:



Article 2: The right to life

I have the right to have my life protected and not to have it taken away by others.

What does this right mean?

Public authorities must:

- Take appropriate steps to protect a person's life e.g. ensure adequate laws to protect you from others who might want to take away your life.
- Not take away a person's life, except in a few very specific and limited circumstances.

It does not mean there is a right to medical treatment in all circumstances.

If someone dies as a result of the state's use of force, or the state's failure to protect life, there should be an effective official investigation into what happened.





How could this be relevant to me or other older people?

- I should not be refused lifesaving medical treatment because of my age.
- I need to be given enough to eat and drink whilst I am in the care of an institution.
- I should not have a 'do not resuscitate' order placed on my file without my or, if I cannot express my own view, my family's consent.
- I should not be discharged from hospital if I am unable to look after myself, if there is no care in place to support me and if my life would be at risk as a result.
- In the event that my death is suspicious or unexplained, an effective inquest must be carried out.



This right put into action

Families of those who died at Mid Staffordshire hospital were able to use human rights arguments to secure compensation for horrific treatment suffered by their relatives, such as not being given support to eat or drink or being left in soiled sheeting for hours. In many cases they were able to argue that poor treatment and neglect caused the death of their loved ones and that this was a breach of their right to life. They were also able to use the investigative duty included within the right to life, to secure a public inquiry into their relatives' deaths. This inquiry also made recommendations for preventing this kind of treatment in the future.

Source: UK Human rights blog
ukhumanrightsblog.com





Article 3: Prohibition of torture, inhuman and degrading treatment

I have the right not to be treated inhumanely, abused, degraded or humiliated.

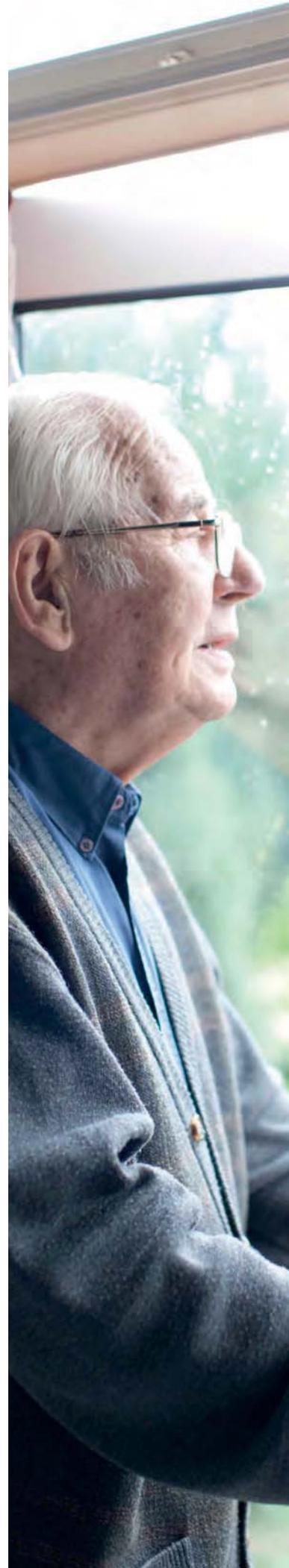
What does this right mean?

- It must be very severe treatment to reach the threshold of Article 3, however whether treatment meets this threshold will depend on the facts of the individual case.
- Torture is severe physical or mental harm inflicted by the state.
- Inhuman treatment means treatment causing severe mental or physical suffering.
- Degrading treatment means treatment that is grossly humiliating and undignified.
- Public authorities also have a positive duty to try and prevent others from treating you in an inhuman or degrading way.
- Inhuman or degrading treatment does not have to be inflicted deliberately.



How could this be relevant to me or other older people?

- I should not be abused in any way.
- I should be protected from physical or mental abuse e.g. when in hospital or a care home.
- I should be supported to eat or drink if I am not able to do this myself.
- Excessive force should not be used to restrain me.
- I should not be neglected e.g. left in soiled, unchanged sheets for long periods.
- I should not experience poor conditions such as lack of access to healthcare in institutional settings such as prisons or care homes.
- Severely discriminating against me because of racism could amount to degrading treatment.
- Where I raise a real concern about inhuman or degrading treatment, a public authority must investigate it.



This right put into action

A larger woman in residential care had not been showered or bathed for many weeks. The care home, with the agreement of the local authority which funded her care, had been providing her instead with a 'strip' wash so that staff did not have to lift her. The woman was very upset about the situation, especially because warmer weather was causing her to perspire. Her advocate wrote to the care home and the local authority and invoked her right not to be treated in an inhuman and degrading way. Within days a new occupational therapist was brought in to explore options and it was quickly agreed that a hoist could be used. From this point onwards the woman was able to take a bath or shower according to her wishes.

Source: BIHR (2008), *The Human Rights Act*
– *Changing lives*, 2nd edition



This right put into action



77-year-old Simon had a heart attack while he was in prison awaiting sentence for breaching health and safety regulations. Simon was rushed to hospital and for the next 14 days he was kept in handcuffs. Even while he was using the toilet and shower, Simon was chained to a prisoner officer. He took action against this treatment and a judge ruled that it violated his human right not to be subjected to inhuman and degrading treatment. The judge said that being handcuffed while in his own room in a hospital ward with only one door was humiliating and an affront to Simon's dignity.

Source: *Equally Ours*

www.equally-ours.org.uk/stories



Article 5: Right to liberty

I have the right not to lose my liberty, except for a very good reason.

What does this right mean?

Public authorities must:

- Not deprive anyone of their liberty except in certain, predefined circumstances such as following a conviction by a criminal court or if someone lacks mental capacity to consent to care or treatment and it is in their best interests to deprive them of their liberty.
- Have an appropriate, legally based procedure in place to protect an individual's rights.

Any deprivation of liberty must be lawful, proportionate and continue for no longer than is necessary.

For a person to be classed as being deprived of their liberty, they must be subject both to continuous supervision and control and not be free to leave.

Under the Mental Capacity Act 2005, there are procedures in place to make sure that people's rights to liberty are protected if a public authority decides that someone does not have capacity to consent to necessary care or treatment. These safeguards, which have been developed by the courts, are called Deprivation of Liberty Safeguards (DOLS).

DOLS set out a procedure for care homes and hospitals to obtain authorisation to deprive someone of their liberty. Without that authorisation the deprivation of liberty will be unlawful. These safeguards are intended to stop individuals from being deprived of their liberty unless it is in their best interests to protect them from harm and there is no other less restrictive alternative.⁴



Any **deprivation of liberty** must be **lawful, proportionate** and continue for **no longer** than is necessary.

4. The Law Commission is currently reviewing DOLS with a view to putting a revised, improved system in place in the future.

This right put into action

A 91-year-old man was removed from his home in his pyjamas by the local authority and placed in a locked dementia unit. It was not clear that he lacked capacity at the time. He was detained unlawfully in the care home for 17 months without any DOLS application being made to safeguard his rights or hear his views. Following legal action from a concerned friend, the man eventually returned home with a care package and £60,000 damages. The case was settled on the basis that he had been unlawfully deprived of his liberty. The Judge noted that no consideration had been given to the least restrictive option of the man being supported to live at home in accordance with his wishes.

Source: *Equally Ours*

www.equally-ours.org.uk/stories



How could this be relevant to me or other older people?

- I should not be locked in a room, cell or have any extreme form of restriction placed on my movement except in certain strict circumstances.
- I should not be detained unlawfully.
- If I lack capacity to give consent I should not be sent to a care home or hospital unless the DOLS procedure has been followed.
- If I have been detained following DOLS there should be a periodic independent check to ensure that this continues to be in my best interests.
- If I am arrested, I should be informed promptly, in a language which I understand, of the reasons for my arrest and the charge against me.

If I lack capacity to give consent **I should not be sent to a care home or hospital** unless the **DOLS procedure** has been followed.



Article 8: The right to respect for private and family life, home and correspondence

It is my right to live without harassment and with respect for my private, personal and family life.

What does this right mean?

This right has a very wide scope, protecting four interests:

- **Private life** – in addition to personal privacy this covers issues such as personal choices, relationships, physical and mental well-being, access to personal information and participation in community life.
- **Family life** – interpreted broadly, depends on circumstances and existence of close personal ties. It does not just cover blood or formalised relationships.
- **Home** – this is not a right to housing, but a right to respect for a home someone already has. It also includes the right to enjoy your home without interference from others.
- **Correspondence** – this covers all forms of communication including phone calls, letters, text messages, emails etc.

This is a qualified right and may be restricted if the restriction has a basis in law, pursues a legitimate aim as set out in the Human Rights Act and is necessary and proportionate. This means that, in some circumstances, a public authority may be able to interfere with your right to a private and family life in order to protect public safety or the freedoms of others.



How could this be relevant to me or other older people?

- I should be supported to stay in my home, or with my family or partner, if I choose to.
- I should be able to access my local GP.
- I should be able to make choices about my daily life.
- I should be able to participate in social and recreational activities.
- I should be able to have a fulfilling and active life and be able to make choices even if I am in a care home or hospital.
- My personal information should be confidential.
- I should be able to have access to my personal records.
- My personal and sexual relationships should be respected.

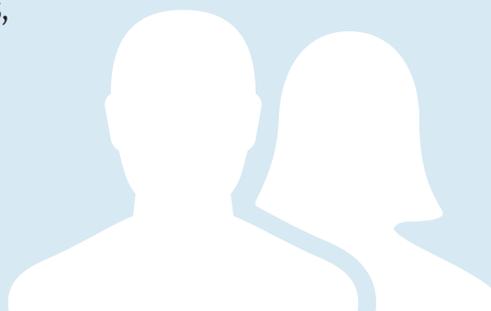


This right put into action

A 79-year-old man with dementia, who was unable to make decisions about his care, lived at home with his partner and her son. He was admitted to hospital for a mental health assessment and when he was ready for discharge, a dispute emerged between his partner who wanted him to return home, and health authorities who believed he should be admitted permanently to a care home. A judge ruled that forcing the man to be sent to an institution would be depriving him of his human right to family life with his partner. Though he recognised the man's physical and medical needs might be better served in a care home, the judge emphasised that there is more to human life than just physical needs. The judge said the man's emotional needs had to be taken into account in order to serve his best interests, and that meant going home to his family.

Source: *Equally Ours*

www.equally-ours.org/stories

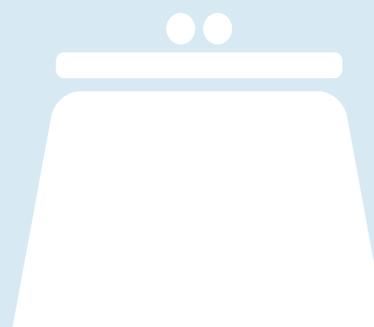


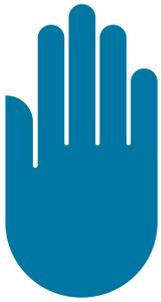
This right put into action

Mrs G was 24 when she began to live as a woman. She identified as a woman on her official documents and paid National Insurance contributions at the female rate until 1975, when the difference in rates ended. Under the rules at the time, women were eligible to receive a state pension when they reached 60. But when Mrs G turned 60, she was refused her pension because suddenly authorities would only recognise her as a man. She was told she would have to wait until the male pension age of 65. For 11 years Mrs G fought to be legally acknowledged as a woman until her case was taken to the European Court of Human Rights. The court found that not treating Mrs G as a woman violated her human right to respect for her private life.

Source: *Equally Ours*

www.equally-ours.org/stories





Article 14: The right not to be discriminated against

I have the right not to be discriminated against because of who I am – this might include because of my gender, sexuality, age, nationality or religion.

What does this right mean?

Public authorities must:

- Not discriminate against you in relation to any of the rights contained in the European Convention.

It is not a free standing right and **must** be linked to another convention right.

This means that you can use this article if you can show that, within the scope of the other articles such as Article 2, 3, 5 and 8, you have been discriminated against on a non-exhaustive list of grounds such as age, disability, sexual orientation and race.



How could this be relevant to me or other older people?

- I should not be refused medical treatment simply because of my age.
- If I do not speak English I should be provided with an interpreter, so that I can make choices about my health or social care.
- I should not be bullied and treated badly in my care home by the residents or staff just because I am gay.
- I should not be discriminated against at work just because of my age.

I should not be **discriminated** against at work just **because** of my age.



This right put into action

When 72-year-old Mr S heard that the HMRC (Her Majesty's Revenue and Customs) was moving to online only VAT returns he applied for an exemption even before they'd sent the letter. In the years of running a small but successful business selling electronic equipment over the phone, he has always been amongst the first to submit his tax returns. Mr S knows how to use a computer, but his arthritis makes it very tricky for him – the impact on his hands means he can't use even his adapted large keyboard easily and his poor eyesight makes seeing the screen very difficult. When the VAT office refused to exempt Mr S and two other taxpayers in a similar position from online filing they felt that their human rights were being undermined and decided to challenge the decision. It was the inflexibility of the new rules which led to them winning the challenge – in a tax court, the judge found that the HMRC should have made provision for people who would find it difficult to comply with the new rules and their failure to do so was a breach of human rights.

Source: *Equally Ours*

www.equally-ours.org.uk/stories



The Equality Act

In addition to human rights law, you may also find the Equality Act a useful tool to help keep public authorities to account.

The Equalities Act aims to **protect the rights of individuals** and to promote a **fair** and more **equal society**.

The Equality Act came into force on 1 October 2010. It brings together a number of different pieces of equality legislation in one Act. This Act aims to protect the rights of individuals and to promote a fair and more equal society. The Act prevents direct and indirect discrimination, victimisation and harassment against nine protected characteristics.

- **Age**
- **Disability**
- **Gender reassignment**
- **Race**
- **Religion or belief**
- **Sex**
- **Sexual orientation**
- **Marriage and civil partnership**
- **Pregnancy / maternity**

The Act includes a ban on age discrimination in services (including the provision of goods and facilities), public functions and associations, unless this is covered by an exception from the ban, constitutes positive action, or a good reason can be shown for the differential treatment.



How could this be relevant to me or other older people?

- Employers cannot treat me any differently at work because of my age, or any other protected characteristic, unless they have a good reason.
- I cannot be discriminated against because of my age, or any other protected characteristic, when buying goods or receiving services, except in certain limited circumstances.

The Public Sector Equality Duty

The Public Sector Equality Duty (PSED) is included in the Equality Act and requires public authorities and those performing public functions to have due regard to the need to:

- Eliminate unlawful discrimination and harassment
- Advance equality of opportunity
- Foster good relations between different groups

The PSED also offers an invaluable tool to help public authorities and those performing public functions to ensure that choices they make do not disproportionately impact on some of the most disadvantaged groups in our society and further entrench discrimination.



How could this be relevant to me or other older people?

- Public bodies should directly engage with me or other older people to understand my needs and views, as this will help them to develop age-friendly services.
- Public bodies should support projects that could bring different generations together around a shared issue. There should be opportunities for me to build relationships with different age groups.
- Public spaces should be designed in an inclusive way, so that I can easily access them, as should people of all ages.
- I can challenge spending cuts that affect older people disproportionately, as public bodies must be able to show that they are using public money fairly.

Public bodies should **engage directly with me or other older people** to understand my needs and views.

An Equality Impact Assessment

Put very simply, an equality impact assessment is a means of helping organisations to make sure that their policies and practices are meeting their objectives without having unintended consequences for certain groups, including older people.

Although the Equality Act does not specifically require public bodies to carry out equality impact assessments, in order to comply with the Public Sector Equality Duty (PSED) they must be able to demonstrate that they have undertaken robust analysis of the effects of policy decisions and practices on equality outcomes.

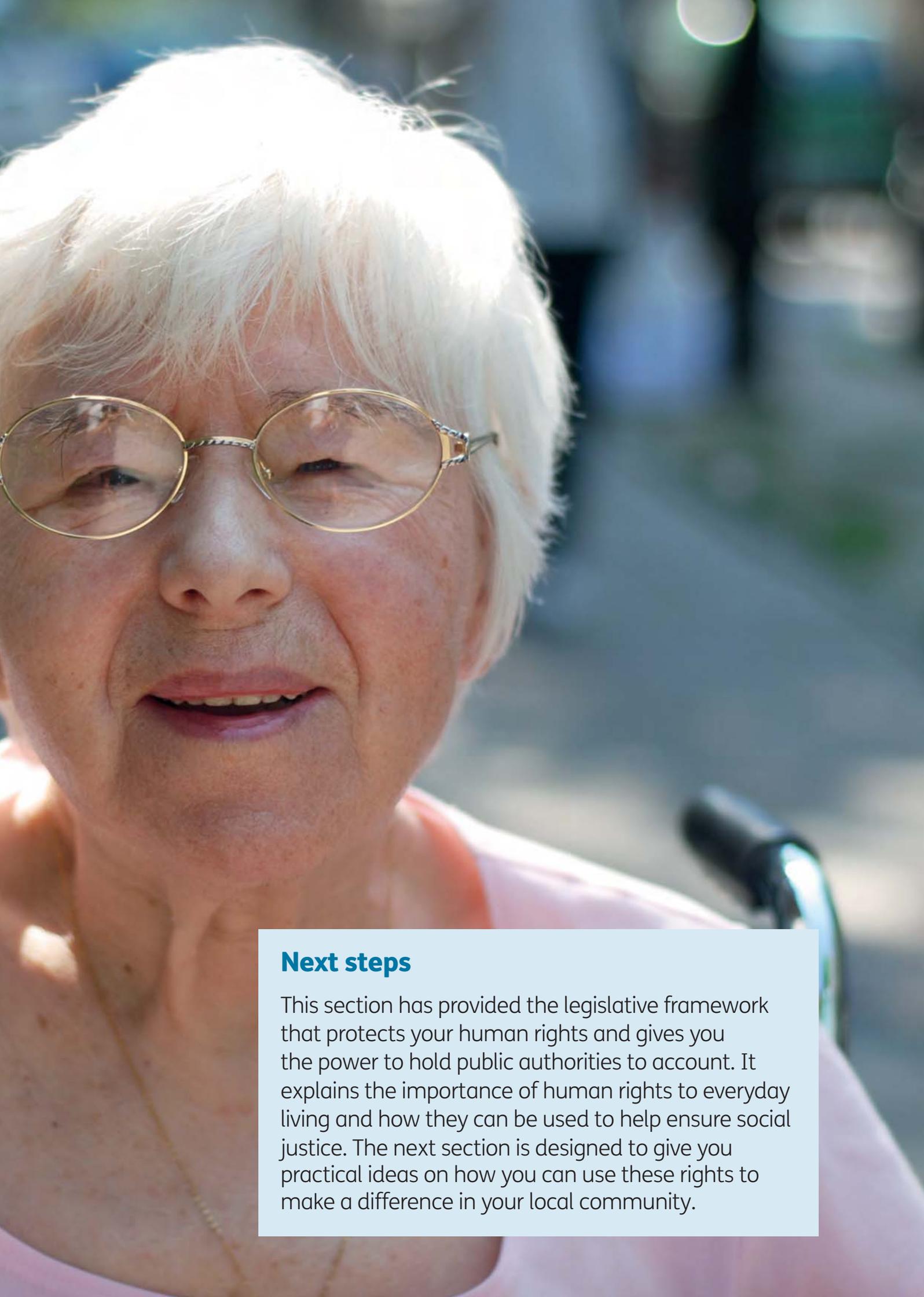
This assessment must be based on evidence gathered both from data and the active engagement of specific groups, such as older people. Where adverse impact on specific groups is identified public bodies should take steps to reduce or mitigate these. It should be made clear who is responsible for ensuring that these steps are taken and within what time frame. A mechanism should also be put in place to monitor the actual effects of the decision, so that further action can be taken if necessary.



How could this be relevant to me or other older people?

- If I think a potential change to a public authority's policy or service could have a negative impact on older people, I can ask them if they have carried out an analysis of the potential effect of the proposal on different protected groups.
- I can ask a public authority to provide me with information about who is using their services.

Where **adverse impact** on specific groups is identified, public bodies should **take steps to reduce or mitigate these**.



Next steps

This section has provided the legislative framework that protects your human rights and gives you the power to hold public authorities to account. It explains the importance of human rights to everyday living and how they can be used to help ensure social justice. The next section is designed to give you practical ideas on how you can use these rights to make a difference in your local community.

3

**How can I put
my human
rights knowledge
into action?**

I know my human rights, but how am I going to use them?

Understanding human rights and their value and relevance to older people gives you the opportunity to use this knowledge to benefit your local community. Using a human rights based approach in your local influencing and campaigning work can be very effective.

This section gives you practical top tips of how you can put your knowledge into action. Forums involved in the Our Rights Our Voices project also provide inspiration by sharing their stories on how they did just that.

The following resources are designed to support you to decide what positive action you want to take and give you some guidance on how to go about this.

Using a human rights approach and choosing your course of action

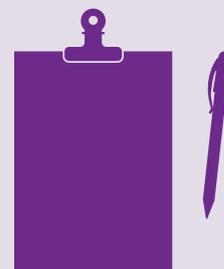
Here are some key questions to consider:

- Think about and identify different issues in your local community that you would like to take action on using a human rights based approach.
- Be clear about how human rights can support your cause for concern – why this is a human rights issue. Which Articles can you link it to? What human rights have potentially been breached?
- What is the best way for you to take action on this issue e.g. an informal or formal approach?
- What evidence do you need to gather and how would you do this?
- What steps would you need to take to carry out your action? What resources and help would you need?
- If you tackled this issue what would you hope to achieve? How would you measure your success?

Here are three easy ways to think about the type of actions you could take – **the three C's:**



Complain



Campaign



Communicate





Action one

Complain

Speak up and challenge poor practice and make a difference in your community.

Why make a complaint?

Understanding how your rights are protected under the Human Rights Act and recognising that public authorities have obligations to be fair in both their policy making and service delivery means that you can speak up and make a complaint on these grounds when things are not right.

Writing a complaint letter asking well informed questions about how a public authority has considered human rights in its actions can be an effective way to tackle an issue that is affecting older people in your community.

Making a complaint can be an extremely effective way of dealing with an issue from a human rights perspective. It gives you the opportunity to tell a public authority what you think they have done wrong and how they can put it right. It can be a good way of bringing attention to a problem that others may not be aware of. You can also make a complaint in order to raise concerns about proposed changes to public authority policy or service delivery if you think that this will have an impact on older people's human rights.

'If people know their rights, or what to expect from other people they can ask for things to be put right if they are not treated as they should be.'

Margaret, Gateshead
Older People's Assembly

How do I make a complaint?



Raise the issue informally:

Often the quickest way to resolve an issue is to speak to the person(s) involved directly before pursuing a formal complaint. You can either do this by speaking to them or by writing a letter.

If you feel that you need support to do this then you could approach a local advice or advocacy organisation to help you with this. You can find details of how to find a local support organisation in section four of this toolkit (pages 71–76) called *What resources are available to me?*

If you feel that the issue is extremely serious or you are worried about how the person(s) may react then it may be best to go straight to the formal complaints procedure.



Make a formal complaint:

All providers of public services have a duty to protect your human rights. If you feel that they have failed to do this then you can use their complaints process to raise your concerns. All public authorities must have a formal complaints process in place. Usually complaints must be made within one year of the event you are complaining about. You can make your complaint over the phone or in writing.

The public authority has a duty to investigate your complaint and to provide you with a response. As part of their investigation or complaint resolution they may offer you the opportunity of a meeting.

Their formal response should explain what they have done to investigate your complaint, what the outcome is and any actions they are going to take.

If you are still unhappy once you have gone through the public authority's complaints process then you can pursue your complaint through another organisation such as an Ombudsman service. An Ombudsman is an independent person who is appointed to investigate complaints about an organisation. This service is free of charge. Alternatively you could contact a local councillor or MP to see if they can raise the issue for you. Information about how to contact an Ombudsman or your local MP is provided in section four of this toolkit (pages 71–76) called *What resources are available to me?*

Top tips for writing a letter of complaint:

- Explain clearly what the problem is and that you want this to be dealt with formally through the complaints process.
- Clearly state which human right(s) you think have been breached/will be breached e.g. if a new policy is put in place.
- State clearly what you want to happen as a result of your complaint.
- Don't provide too much detail – stick to the facts.
- Keep it short and to the point.
- Be polite and calm, even if you feel that people have been rude to you.
- If your complaint is in writing, ask someone else to read your letter/email before you send it.
- Keep a copy of your complaint and any correspondence you receive from the public authority in relation to this.





Legal Action:

If you have exhausted all of these options, and the public authority in question has failed to deal with your concerns about a human rights issue correctly, you may want to consider taking legal action. This can be an expensive and lengthy course of action so you will need to consider this option very carefully.

Usually cases have to be filed within one year of the event you are complaining about, so if you do decide to pursue legal action it is important that you get legal advice as soon as you can. Details of how to access legal advice about human rights are provided in section four of this toolkit (pages 71–76) called *What resources are available to me?*

How do I write a letter of complaint?

You can make your complaint over the phone, but many people often prefer to put it in writing. This method means that you have time to plan what to say, it is easier to keep calm and you can keep a copy for reference if you need to take things further.



Here is an example of how to structure a good letter of complaint using a human rights approach:

Your address
Date

Name and address of the person you are writing to:

Dear Mr/Ms/Mrs/Miss xxx (or Sir/Madam if you do not know their name),

- State that you want to make a complaint.
- Explain if you are making the complaint on behalf of someone else e.g. if you are writing as the chair of your forum/group about an issue that another member has brought to your attention.
- Give an overview of what happened/the issue you are concerned about e.g. a proposed policy change by the public authority.
- **Explain that you feel the public authority in question may have breached human rights** – be specific about the rights and why they have been breached. If you are complaining about potential policy changes then explain why you think this could potentially be a human rights breach.
- Ask questions if you think they are relevant e.g. have the public authority in question done an equality impact assessment?
- Explain what you want them to do to put things right e.g. answer some questions, change a policy or decision, agree to a meeting with you.
- Thank them for dealing with your letter in line with their complaints procedure and say that you look forward to hearing from them within the set time-frames.

Yours sincerely (or faithfully if you do not know their name)
Your name

Here is an example letter of complaint using a human rights approach:

xxx Older People's Forum
02/02/15

Dear Sir/Madam,

I am writing as chair of xxx Older People's Forum in order to make a formal complaint about the difficulties of two forum members in accessing their personal medical letters from xxx Hospital. I have enclosed consent letters from them for me to raise this issue on their behalf.

I have recently been approached by two members of our forum (Mr X and Miss Y) who have a visual impairment. They both regularly have to attend xxx hospital but are finding it almost impossible to access their medical information due to their visual impairment.

They usually use software that supports them to access written information, but this only works with emails or Word documents. They have requested that the hospital send them their information by email so that they can utilise their software, but this request has been refused. This has meant that they have been forced to ask me to read their confidential and private medical letters to them in order for them to access vital information and to be able to make decisions about their treatment.

As a forum, we feel that the refusal of the hospital to provide information in an appropriate format is a breach of its duties under the Human Rights Act. Article 8 of the Human Rights Act states that: 'Everyone has the right to respect for his private and family life, his home and his correspondence'. The actions of the hospital are having a detrimental impact on our members' privacy, independence and dignity as they are forced to share their confidential information with others in order to be able to access it.

As a result of this complaint, I would like you to reconsider the decision not to provide health information in an electronic format for people who are visually impaired. I am very happy to have a meeting with you to discuss this further.

Thank you for dealing with this letter in line with your formal complaints procedure. I look forward to hearing from you within the set time frames.

Yours faithfully,
Emma Smith

What other way could I use public duties to challenge local changes to policy or service delivery?

Utilising the Public Sector Equality Duty:

Depending on the issue you are concerned about, it may be appropriate to utilise the Public Sector Equality Duty as well as human rights legislation. Public bodies have a duty to make sure that the choices that they make do not disproportionately impact on some of the most disadvantaged groups in our society. One action you could take is to ask for an equality impact assessment.

An equality impact assessment:

If you are concerned that a public body in your area is going to change or cut a service and that this would disproportionately affect older people, you could ask if they have done an equality impact assessment. You could either ask this as part of a complaint or by writing/speaking to the decision maker directly.

Top tips in holding public authorities to account by using public duties:



- If a public body has a proposal, such as a funding cut or change to a service, which you think will be detrimental to older people; you can write to the person responsible for taking the proposed decision to ask them if they have carried out an analysis of the potential effect of the proposal on different protected groups.
- Remember for your request for analysis to be most effective it needs to be carried out before a decision is made; therefore it is best to ask about it as soon as you hear about a proposal.
- If you feel that a service is failing to meet the needs of older people you can ask the public body responsible to provide you with information about who is using the service. Public bodies are required to publish this information on an annual basis so they should be able to easily provide it for you. This could provide an evidence base as part of a complaint.
- You can seek advice through the Equality Advisory Support Service – see section four (page 73) of this toolkit called *What resources are available to me?*



Get inspired – Human rights in practice Carrick Over 50's Forum



Judith Whiteley, Carrick
Over 50's Forum

It became clear that getting to the **hospital, dentists, shopping, leisure activities, meeting with friends** were all **seriously compromised**.

Carrick Over 50's Forum was able to make a link to human rights and the ongoing concern about the council's decision to cut vital local transport links in a very rural area. Here, chair of **Carrick Over 50's Forum**, Judith Whiteley tells us how they used human rights and the Public Sector Equality Duty in an extremely effective complaint to the local council.

Our concern was

We were made aware that our rural bus route, not considered viable, would be axed, and indeed was axed with less than a week's notice. The route in question was into Truro via several small hamlets and villages.

This decision of the bus company and local Council had an enormous impact on older people and others such as those with disabilities and non-car drivers. All our key services are in Truro and on further investigation it became clear that getting to the hospital, dentists, shopping, leisure activities, meeting with friends were all seriously compromised. Without the bus service it would take two different buses to get into Truro and it could take up to two hours to travel only 12 miles. The cost of taxis are beyond the means of most people.

The impact of axing the buses was potentially in breach of Article 8 – the right to respect for private and family life, home and correspondence. It was time to take action.

What we did

The Cornwall Portfolio Holder for Transport was invited to attend a local Parish Council meeting. We raised our concerns on the impact of the loss of the bus to Truro and asked if an equality impact assessment had been done.

We then pursued this issue through an exchange of correspondence with the Council. We also sought advice from the Equality Advisory and Support Service.

We also looked for an alternative solution and approached a local ferry company about adding in the little villages and hamlets to their park and ride/float services into Falmouth. They did try this, but it was not sustainable as it was run on a donation basis.

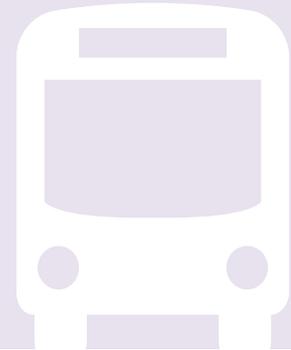


The outcome was

The bus company and council agreed to put on one bus through the day on weekday mornings returning about 2pm in the afternoon. This bus is an important lifeline for many older people in our rural community.

This shows that it can be done if there's the will.

‘This experience has proved the importance of having the courage to challenge the powers that be and not taking no for an answer. The strong human rights and equality duty arguments really supported our battle.’





Action two Campaign

Change things for the better in your community.

‘Human rights legislation gives us an opportunity to be able to campaign on behalf of our members in order to ensure that their rights are protected.’

Dennis, Nottingham
Elders’ Forum

Many older people have been involved in a range of successful and far reaching campaigns. A human rights approach can help you to set up or to strengthen existing local campaigns.

Campaigning can be a way to influence the decisions of public authorities and to make a positive difference for older people. It can also help you to raise your profile and build local relationships. It can give you the opportunity to partner with other local groups and organisations in order to share skills, knowledge and resources.

Planning your campaign with human rights in mind

Think about the following questions in order to develop a campaign plan:

1. What issue do you want to campaign on – is there a human rights link?

Try looking at it through the lens of the human rights Articles and the human rights wheel (see pages 13–36 section two: *What are human rights and how are they relevant to me?*) Think about how human rights legislation and laws such as the Equality Act could help you with your campaign.

2. What evidence do you have to support your issue?

Try to gather some information about the effect that this particular issue is having on others. Would asking for an equality impact assessment help inform you? Could there be a human rights breach?

3. What is the aim of your campaign?

Which human rights do you want to protect or promote as part of your campaign? What do you want to achieve through your campaign?

4. Who do you need to influence?

Try to identify which individuals at the public authority in question are the key decision makers who have the power to make the changes that you want.

5. Who are your allies?

Think about other rights based groups who are also affected by this issue whom you could work together with to try to change things for the better.

6. What actions could you take to incorporate human rights arguments into your campaign?

Examples of the types of action you could take include:

- Write a letter to the public authority or local paper incorporating human rights language and articles.
- Identify an individual who has a human rights story to tell and is willing to share on a local radio station.
- Write a clear statement about how human rights have been breached (or will be breached if the issue is about an intended policy change) and ask people to sign a petition.

7. How will you know if your human rights campaign has been successful?

Set up a way to monitor your progress and to review what has worked and what has not.

A human rights approach can help you to set up or to **strengthen existing local campaigns.**



How can I use social media to support my human rights campaign?

Social media can be a great way to publicise your human rights campaign and to reach out to others. Here are some examples of the types of social media that you could use:

- **Facebook:** networking with peers about your human rights campaign, sharing photos, joining groups and ‘liking’ interesting things, including human rights charities and campaigns.
- **Twitter:** posting (Tweeting) comments and opinions about your campaign or human rights in general, following like-minded people and their Tweets.
- **YouTube:** create a video about your human rights campaign or share existing human rights related videos e.g. Nottingham Elders’ Forum made a video about their campaign which can be found on the Equally Ours website: www.equally-ours.org.uk/need-heard/
- **Flickr or Instagram:** share images from your human rights campaign.

The best way to find out how they work is to give them a go yourself.

‘Social media is an **excellent way to reach new audiences** and share content like case studies, films and other resources to **encourage more people to join the conversation** and help to change the **debate around human rights.**’

Pui-Yi Cheng,
Communications Officer,
Equally Ours



Top tips for using social media in your human rights campaign:

- Social media is like a conversation. Don’t just broadcast your campaign messages. Engage with those who are following you and respond when they speak to you.
- Those people who follow you do so because they want to hear what you have to say. They will be warm to your campaign and more willing to help.
- Make it interesting. Photos and videos are easy to use on social media and can be much more engaging and powerful than text.





Get inspired – Human rights in practice Positively Ageing Forum



Gavin Crymble, Positively Ageing Forum

The **Positively Ageing Forum** (who are part of South East Network for Seniors) were able to use their human rights knowledge as a platform to set up their campaign for long term specialist housing provision for people ageing with HIV. The chair of the forum, Gavin Crymble explains how they used human rights in their campaign.

Our concern was

Our forum's members are mostly single and have fragile social and family networks. We are all living with HIV. As a group, we are at high risk of social isolation as we enter our old age and we are likely to have higher than average care needs. We want to ensure our members' future housing and care needs are properly considered, planned for and met. We are campaigning for a community housing scheme with a care and support hub scheme for older people with HIV.

Human rights provide us with a legitimate platform to campaign from, which everyone involved can understand and respect. Under international human rights law, **'the United Kingdom has obligations to take steps to ensure and sustain the progressive realisation of the right to adequate housing...enabling environments for people to maintain their family and community bonds.'**

The right to 'respect for private and family life' is enshrined in the Human Rights Act 1998. Private life has been defined particularly broadly, and covers issues such as privacy, personal choices, relationships, physical and mental well being, access to personal information and participation. This right also includes the right to respect for a person's home.

What we did

As part of our campaign for specialist housing provision we have:

- Produced a paper presenting the research evidence that supports our cause.
- Held a very successful all-day conference.
- Delivered a presentation about the connection between our campaign and human rights at our conference.
- Brought together members of our group with representatives of other organisations that will be essential players in making this proposal become a reality. These include representatives from housing associations and an experienced architect in this field.
- Enlisted the support of other charities, HIV sector organisations and a commercial partner to support us in this.

The outcome was

The outcomes of learning about human rights so far have been that we have started to educate ourselves as a group, individuals and a community about possible future housing and care options. We have formed links with other organisations.

Human rights have given us a way to proceed with a project which our forum had previously considered but been unable to progress.

‘We are engaging with each other and taking charge of our future in a manner which is unprecedented for our group.’





Get inspired – Human rights in practice Nottingham Elders' Forum



**Glenise Martin and
Dennis Andrews,**
Nottingham Elders'
Forum

Nottingham Elders' Forum were also successful in connecting their human rights knowledge to a local issue that was causing a lot of concern in their community. Here secretary of the forum, Glenise Martin tells us more about their campaign.

Our concern was

We wish to achieve a method of paying for parking that is accessible for everyone. We would like to change the current single method whereby anyone without access to a mobile phone, an email address and a credit/debit card has no method of paying for parking in various parts of our city.

We feel that there is a strong human rights link to our concern. In particular, Article 8 – the right to respect for private and family life, home and correspondence is very relevant. For some older people the car is vital for them to get out and about at all and is a vital way of maintaining independence and important community networks. This is particularly important for those who experience mobility problems as they age. For these people, a car may become the only practical form of independent transport and therefore obstacles that prevent them from using this are likely to result in greater levels loneliness and isolation.



What we did

We decided to launch a campaign to try to change this policy and carried out a range of actions:

- We contacted the portfolio holder for transport in the city to highlight the unfair implications of this policy for certain sections of the community. She then passed this on to the Head of Transport and parking within the city. We copied in the Head of Equality and Fairness Commission, the Monitoring Office and the Chief Executive into our correspondence.
- We did a massive media campaign with the local radio, BBC television and ITV and have been successful in getting some good news coverage.
- Members of our forum wrote to their local councillors and MP about the issue.
- We made a short video about our local campaign as part of the national Equally Ours Campaign. This campaign was set up by eight different charities to talk about the importance of human rights. You can watch our video on their website: www.equally-ours.org.uk/need-heard
- We held a big meeting in the Council House Ballroom called '**Know your Rights**' where members from Age UK attended. Radio Nottingham did a programme that day and the following day. On this programme a human rights barrister agreed with the basis of our arguments and stated during the broadcast that the council were potentially in breach of certain agreements. After appearing on the broadcast she also confirmed to us that taking legal action could be a way to deal with this issue.

The outcome was

Our campaign is still on-going and we are not prepared to give up as it is so unfair for some of the most vulnerable people in our society. Our next plan is to work with some students from a local university to launch a twitter campaign to highlight this issue. We are also considering our legal options. If we are able to achieve a change in the current policy, this would set a precedence for several other cities who also use this method.

As Human Rights Ambassadors we now feel confident in using human rights to support our forum members and have used the Human Rights Act in a number of cases now.

'We have found that the Human Rights Act, alongside the Equality Duty, has added weight to our campaign.'





Action three

Communicate

'I think it is really important that older people know that they can stand up and know that they can be treated with respect and dignity and claim a good quality of life.'

Margaret, Leeds Older People's Forum

Empowering people to understand and use their rights and protect the rights of others.

The ripple effect:

Understanding your rights means that you have a set of tools that you can use to challenge poor practice and treatment from public authorities and to make sure that older people's autonomy and dignity are protected. The ripple effect of sharing this information and empowering other people who can then in turn empower others, can be one of the most effective ways of using your human rights knowledge to have a substantial impact.

To share what you have learnt and know about human rights and their significance, you will need to think about how you want to get your message across. How will you use human rights to inspire and engage others?

Human rights approaches can be used to:

- Influence local decision making and commissioning.
- Empower older people and public authority professionals or those delivering services on behalf of a public body to know their rights.

Influence local decision making and commissioning by getting involved and sharing your knowledge

One way to make a big impact is to talk about human rights in forums and settings that contribute to how local decisions are made and services are delivered.

Here are **some ideas** of how you could promote a human rights approach to influence local decision making:

- Think about your local contacts and any boards or groups that you may already be part of. Use these to open doors to share your human rights knowledge.
- Find out if there are any upcoming consultations on issues that may be related to human rights or the Equality Act.
- Contact your local council or visit their website to find out more about opportunities to get involved in local decision making. They will have details of area partnerships, community groups and upcoming council meetings.
- Contact your local Healthwatch – are they looking for a volunteers or would they be interested in a human rights presentation?

Try to **find as many spaces as you can** to get the **human rights message across**. By getting involved in **local decision making** you will be well placed to **advocate the importance** of a human rights approach.





Get inspired – Human rights in practice Leeds Older People’s Forum

Getting the human rights message across can sometimes require you to seek out opportunities to get your views heard and considered.

Sean Tunnicliffe from **Leeds Older People’s Forum** explains how the Human Rights Ambassadors were able to identify an opportunity to get involved in the local council’s recommissioning of home care.

Our concern was

To improve the current provision of home care using a human rights approach an ideal opportunity was presented to us when the city council invited the Leeds OROV group to be part of their process of developing a new commissioning framework for home care.

We made a strong link with human rights and home care. In particular linking both Article 3 – the right not to be treated in an inhuman or degrading manner and Article 8 – the right to respect for your private and family life and correspondence. Both are very relevant.

What we did

We researched information provided by the Equality and Human Rights Commission and found this a really helpful source of information on how local authorities could use commissioning to improve standards.

We arranged for the Equality and Human Rights Commission to run a session on human rights and home care and invited a local councillor and senior officer to attend. This gave the Human Rights Ambassadors the opportunity to share their views and use their human rights knowledge and skills.



The outcome was

We are confident that new strategy for commissioning of home care will incorporate a human rights perspective. Our work with the council has also opened the door to an on-going possibility of being on the tender evaluation panel once the tendering process takes place.

‘We were able to add our human rights voice to the equation of how local care is commissioned.’



Empower older people and public authority professionals or those delivering services on behalf of a public body to know their rights and duties.

One of the key ways to build a society in which older people are treated with dignity and respect is to make sure as many older people as possible know about their human rights.

It is difficult for us to protect ourselves from poor practice or remind public bodies that they have positive obligations if we do not know about rights that we are entitled to. Communicating with others about human rights can empower them to be able to secure these rights and to share this information with others.

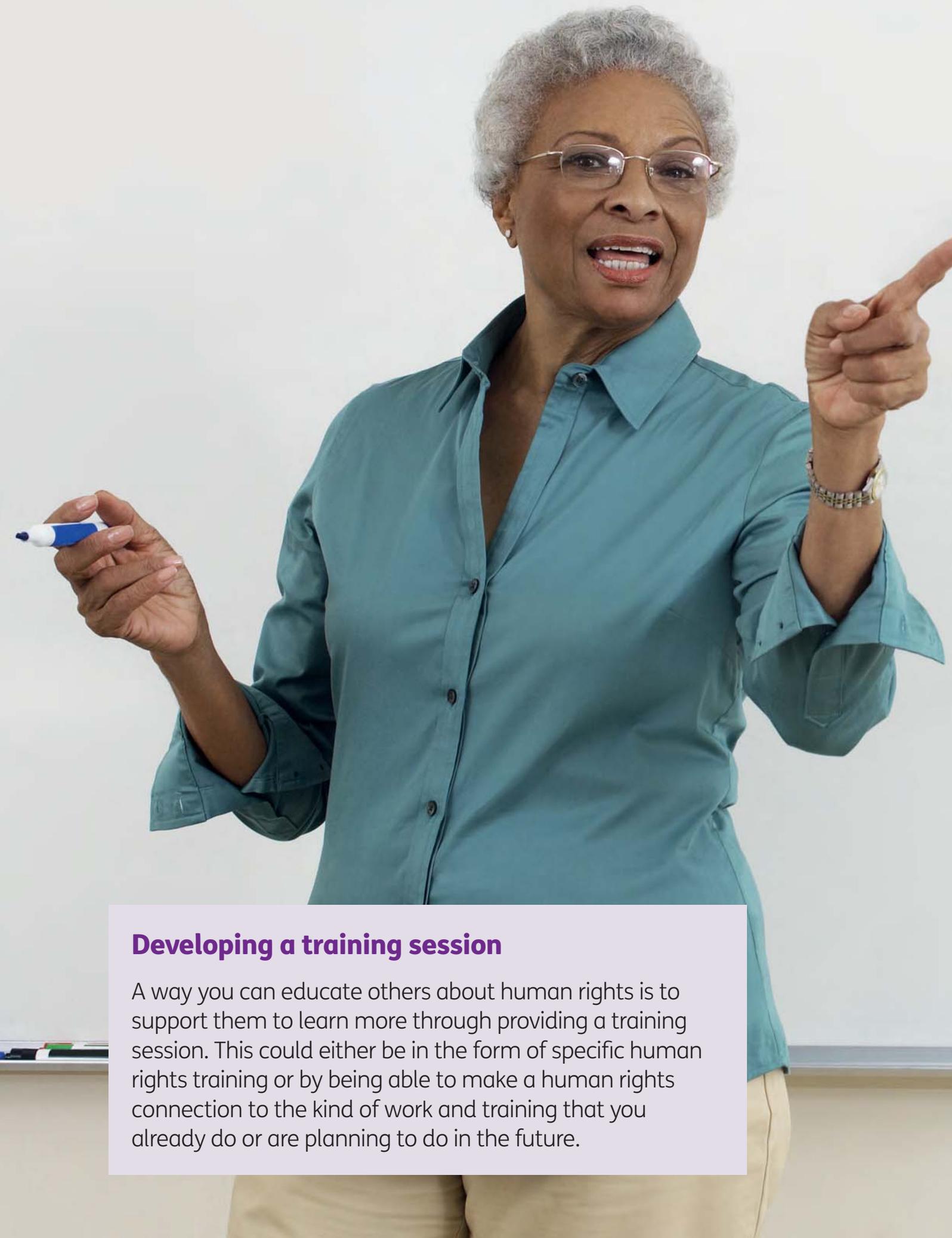
Here are some things to consider when planning these activities:

- 1. Who is your audience?** – What is their existing human rights knowledge (if any)?
- 2. Choose the right title** – What title will most engage your audience with human rights subject matter.
- 3. Decide on the most relevant human rights articles to your audience** – You might find it helpful to use the human rights wheel section two (page 18) of this toolkit called *What are human rights and why are they relevant to me?*
- 4. Use some examples of real life human rights stories** – You could use some of the case studies that have been provided in section two (page 13–36) of this toolkit called *What are human rights and why are they relevant to me?*
- 5. Where appropriate look for an opportunity to use the direct voice of older people** – You could either use written quotes or invite an older person to speak at your event or presentation. What do human rights mean to them personally?
- 6. Provide a list of resources on human rights and/or where to get advice** – You can find these details in the section four (pages 71–76) of this toolkit called *What resources are available to me?*

Communicating with others about human rights can **empower them.**

Here are some ideas about how you could empower others to know about human rights:

- Organise a training session
- Give a presentation
- Write an article
- Organise a conference



Developing a training session

A way you can educate others about human rights is to support them to learn more through providing a training session. This could either be in the form of specific human rights training or by being able to make a human rights connection to the kind of work and training that you already do or are planning to do in the future.



Get inspired – Human rights in practice LGBT Forum in York

Here Sue Lister, from the older people's group in the **LGBT Forum in York** tells us how they identified a space for human rights within a piece of training they were developing around older lesbian, gay, bisexual and transgender people.

Our concern was

There is growing research about the way older lesbian, gay, bisexual and transgender people go back into the closet when in need of care because they fear that prejudice will affect their treatment.

We feel that 'We don't have any of them here' is no longer an acceptable answer from care homes.

What we did

The York LGBT Forum older people's subgroup created '**FREE TO BE ME**', a two hour training session for care staff to raise lesbian, gay, bisexual and transgender awareness and promote understanding.

We feel that it is important to talk about human rights as a part of this training, as understanding these rights can result in better practice amongst care home staff. We have therefore devoted a quarter of the training to consideration of human rights using LGBT case studies and inviting groups to consider human rights implications.



The outcome was

We have begun to present this training to care staff locally and nationally. Our aim is to bring about a change in the culture of care homes.

'Silence is not an option.'



Older lesbian, gay, bisexual and transgender people go back into the closet when in need of care because they **fear prejudice.**



Get inspired – Human rights in practice South East Network for Seniors



Here Ruth Rose, member of **South East Network for Seniors** and a member of Trans Alliance in Brighton explains how she

became involved in developing a human rights chapter as part of a training course to increase trans awareness in the workplace.

My concern was

To promote fair treatment and equality for transgender people in their work environment.

Human rights are relevant to transgender and transitioning people who have, or seek employment. Gender discrimination is evident when employers avoid placing such people in positions where they meet or communicate with the public or customers face to face and on telephones. Lack of tolerance or understanding by work

colleagues can be disturbing to those who are transitioning. There are sometimes cases of harassment.

What I did

I have been involved in developing a three hour course being set up by Trans Alliance in Brighton UK. The Trans Awareness Group of six transgendered people will run the courses for companies, public bodies, professional associations and employers.

I have written a section of the course titled 'Human Rights'. This covers the relevant sections of the Human Rights Act, explaining how they are applied and exemplifying situations where guidelines are needed to comply and work in accordance to the human rights legislation. Although the Human Rights Act does not necessarily protect against harassment, the course aims to educate and enlighten to the extent that such occurrences are less likely to happen. This section of the course reinforces the right to work, the right to no discrimination because of gender and the right not to be harassed because of race, gender or creed.

The outcome was

We already have a lot of interest in the course and some advance bookings. Any profits from the course will be used for further development of similar work and an employer's advisory service. Much of this work and guidance will utilise the learning gained from the human rights project Our Rights Our Voices.

'Human rights are something that protects every one of us from being disadvantaged just for the reason of who we are.'



Giving a presentation

A short talk is a simple but effective way to get across ideas and information. A powerful presentation can increase people's understanding of their human rights and change people's attitudes.





Get inspired – Human rights in practice Gateshead Older People’s Assembly

Here, Chair of **Gateshead Older People’s Assembly**, Esther Ward tells us more about why they wanted to talk to others about human rights.

Our concern was

We wanted older people as well as statutory organisations to be aware of the importance of human rights and what they mean for older people.

What we did

We thought about our local contacts and identified the Older People’s Partnership Board as a key platform in which to share our human rights awareness. We prepared and delivered a presentation which was attended by representatives of most of the departments of Social Care, Clinical Commissioning Groups, Housing and Transport.

As part of our presentation we issued a copy of the Human Rights Act and took questions on this. We also supplied the audience with copies of case studies highlighting situations in which human rights are relevant to older people. Another key part of our presentation was explaining what human rights mean to us.



The outcome was

‘Our work has helped older people to understand what is meant by human rights.’

In participating in a successful presentation our Assembly’s Human Rights Ambassadors have increased their confidence in their own understanding of human rights and the importance of these for older people.

We are now preparing a programme of events this year to enable us to spread the word about human rights. We are also planning to hold training sessions to share our knowledge with other older people so that they too are able to pass this on to other older people.





Organising a conference

Running a conference is brilliant way to bring people together to talk about human rights. It is a good method of disseminating information to a diverse audience and to give people the opportunity to discuss human rights in a group setting.



Get inspired – Human rights in practice Stratford-upon-Avon Citizens Action Network

Here David Langman from **Stratford-upon-Avon Citizens Action Network** tells us about how they decided to set up a conference to spread the word about human rights.

Our concern was

We wanted to increase awareness and understanding of human rights amongst older people in our community.

What we did

We decided to organise a conference called **Your Rights Your Lives** to promote human rights awareness amongst the local over 55s.

As part of our presentation we issued a copy of the Human Rights Act and took questions on this. We also supplied the audience with copies of case studies highlighting situations in which human rights are relevant to older people. Another key part of our presentation was explaining what human rights mean to us.

We were able to get some experts to speak at the conference to highlight the legal and social aspects of human rights. In particular these experts looked at the relevance of human rights with regards to safeguarding and abuse of older people as well as using human rights to assess the quality of healthcare. Ambassadors from the forum also spoke at the conference and used case studies involving abuse of older people in order to highlight how human rights can be relevant.

We also included a contribution from a drama group from the local college which looked at the abuse of youngsters. This highlighted the relevance of human rights across the generations and how they are important to all of us.



The outcome was

The event attracted over 120 people and some local press coverage of the day. It was a great way to engage with a wide audience and to empower other older people about human rights and to make the connection of the importance of knowing your rights whatever your age.

‘One way of stressing the importance of human rights for the elderly is to try to explain these rights publicly and the conference was our launch pad.’



Putting your human rights knowledge into action

There are many ways that you can put your human rights knowledge into action. This section highlighted just some of the vast opportunities for applying a human rights approach across the three C's – **Complain, Campaign and Communicate.**



Tell us how this toolkit has been useful to you.

We hope that these tips and tools and real examples of how older people have used human rights to have a positive impact on issues in their communities have inspired you. Why not contact the **Engagement Team** at Age UK to tell us how this toolkit has supported or encouraged you.

You can contact us by email at: **engagement@ageuk.org.uk**

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What resources are available to me?

What resources are available to me?

This section provides contact details for organisations that can provide you with more information and/or support:

Human rights information

Our Rights Our Voices Project

www.ageuk.org.uk/work-and-learning/discrimination-and-rights/our-rights-our-voices/

The Our Rights Our Voices project has supported eight older people's forums in England to learn more about human rights and how to use them in their local community. The website has more information about the project as well as recorded interviews with some of the ambassadors, a human rights webinar and a downloadable version of this toolkit.

Age UK

www.ageuk.org.uk/work-and-learning/discrimination-and-rights/your-human-rights/

Age UK's website provides information about human rights for older people and contains downloadable guides on human rights in situations such as at work or in hospital.

British Institute of Human Rights (BIHR)

www.bihar.org.uk

Tel: 020 7882 5850

An independent charity which promotes awareness and understanding of human rights in the UK. Their website contains a range of information and downloadable resources on human rights. They also provide human rights training and consultancy.

RightsInfo

rightsinfo.org/infographics/

RightsInfo uses social media to improve public understanding of human rights.

Their website provides clear and accessible human rights information to share with others.

Access more human rights stories

Equality and Human Rights Commission

www.equalityhumanrights.com

Tel: 020 7882 5850

The Equality and Human Rights Commission has responsibility for the promotion and enforcement of equality and non-discrimination laws in England, Scotland and Wales. It provides detailed advice and guidance on human rights and discrimination for individuals and organisations.

Amnesty International

www.amnesty.org.uk

Amnesty International is the world's largest grassroots human rights organisation. They investigate and expose abuses and educate and mobilise the public about human rights issues. Their website provides a range of information on international human rights issues.

Disability Rights UK

disabilityrightsuk.org

Disability Rights UK are working to create a society where everyone with lived experience of disability or health conditions can participate equally as full citizens.

They have a downloadable fact sheet and a resource page on human rights.

Equally Ours

www.equally-ours.org.uk

Tel: 020 3033 1715

Equally Ours is a campaign set up by eight national charities, including Age UK, to talk about the importance of human rights and how they benefit us all in everyday life. They share case studies of how people have used human rights in their everyday life and support people to tell their human rights stories. They also carry out research on public attitudes to human rights and work with the media to provide case studies and speakers. They have provided the majority of the case studies that have been used in this toolkit.

Human rights advice

The Equality Advisory Support Service

www.equalityadvisoryservice.com

Free phone: 0808 800 0082

Text phone: 0808 800 0084

The Equality Advisory Support Service (EASS) provides advice services to individuals who think they may have experienced discrimination or that their human rights have been breached.

The EASS helpline is open Monday to Friday
9am–8pm and Saturday 10am–2pm:

Freepost: FREEPOST Equality Advisory Support Service
FPN4431

Liberty

www.liberty-human-rights.org.uk/get-advice

Liberty is a human rights organisation that provides free advice to members of the public on human rights issues.

You can contact the Liberty helpline on
0203 145 0461 or **0845 123 2307** during the following
hours: Monday and Thursday: 6.30pm–8.30pm
Wednesday: 12.30pm–2.30pm

More information about the Equality Duty

www.ageuk.org.uk/work-and-learning/discrimination-and-rights/the-equality-act/

Age UK have produced a useful fact sheet about the Equality Duty which can be accessed in the ‘discrimination and rights’ section of the Age UK website.

Legal advice

Civil Legal Advice

www.gov.uk/check-if-civil-legal-advice-can-help-you

Civil Legal Advice is a national helpline for England and Wales. They provide details of how to access free legal advice if you are eligible for legal aid. You can find out if you are eligible for legal aid by using a tool on their website.

You can contact their helpline by telephone on
0345 345 4345 during the following hours:

Monday to Friday, 9am–8pm Saturday, 9am–12.30pm

There is also a Minicom number: **0345 609 6677**

General Advice

Law Centres Network

www.lawcentres.org.uk

Tel: 020 3637 1330

Law Centres provide free and independent legal advice to people who cannot afford a lawyer. The network does not provide legal advice itself, but can provide contact details for your nearest centre.

Law Society

www.lawsociety.org.uk

Enquiry line: 020 7320 5650

The Law Society represents solicitors in England and Wales. They do not provide advice, but their website has an online directory of solicitors.

Age UK Advice

Tel: 0800 169 6565

Age UK Advice is a free, confidential, national phone service for older people, their families, friends, carers and professionals. They have a team of expert advisers who will give you information that is reliable and up-to-date.

Citizens Advice

www.citizensadvice.org.uk

England 03444 111 444 Wales 03444 77 2020

Citizens Advice provides free, independent and confidential legal advice, and can help you find a solicitor. You can find your local CAB using their website or by calling their advice line. They also have an excellent online advice guide which includes information about human rights, making complaints and accessing legal advice.

Advice Now

www.advicenow.org.uk

Advice now is an independent, not-for-profit website, run by the charity Law for Life: the Foundation for Public Legal Education. It provides accurate information on rights and the law.

Complain, Campaign and Communicate

Advice UK

www.adviceuk.org.uk

Advice UK is the coordinating body for independent advice providers in the UK. They do not provide advice, but can provide you with details of how to access advice.

If you feel that you need some support to make a complaint you could contact one of the organisations listed below.

Your local Age UK

www.ageuk.org.uk/about-us/local-partners/

Many local Age UK organisations provide direct services such as an advice, information and advocacy service. Visit the national website to search for your nearest Age UK.

Voiceability

www.voiceability.org

Voiceability is an organisation that provides advocacy services throughout England. An advocate is someone who can help you to articulate your views or can represent you if you feel you cannot do so yourself. You can check their website to see if they have a service in your local area.

NHS Complaints Advocacy

nhscomplaintsadvocacy.org

Helpline number: 0300 330 5454

NHS Complaints Advocacy is a free and independent service that can help you make a complaint about a National Health Service (NHS). The website provides information about how to make a complaint yourself as well as providing details of how to access an NHS complaints advocate.

Contact your local Councillor or MP

www.writetothem.com

House of Commons Information Office: 020 7219 4272

A local Councillor or MP can sometimes help you with your complaint.

Ombudsman

If you have completed a formal complaint's process about a public authority but feel that it is still unresolved, you can contact an Ombudsman's office to find out if they can assist you. This service is free of charge but they will only investigate your complaint if they think it is legitimate.

Local Government Ombudsman

www.lgo.org.uk

Tel: 0300 061 0614 Mon to Fri 8.30–5pm

The Local Government Ombudsman looks into complaints about local authorities and some other organisations including adult social care providers.

Address : PO Box 4771, Coventry CV4 0EH

Parliamentary and Health Service Ombudsman

www.ombudsman.org.uk

phso.enquiries@ombudsman.org.uk

Tel: 0345 015 015 4033 Mon to Fri 8.30am–5.30pm

The Parliamentary and Health Service Ombudsman looks into complaints about government departments and other public organisations and the NHS in England.

Housing Ombudsman

www.housing-ombudsman.org.uk

info@housing-ombudsman.org.uk

Tel: 0300 111 3000 Mon to Fri 9.15am–5.15pm

The Housing Ombudsman looks into complaints about housing associations and local housing authorities.

Information about campaigning

www.ageuk.org.uk/get-involved/campaign/

Age UK has produced a short campaigning guide.

Information about engagement and involvement

www.ageuk.org.uk/Documents/EN-GB/For-professionals/Age_UK_%20Engagement_Toolkit.pdf?dtrk=true

Age UK has a detailed toolkit about engaging the voice of others.



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