

Charter of Rights and Responsibilities of Older People in Care Homes

Rights

Each person admitted to St Vincent de Paul Residence and/or Government Care Homes for Older People and/or beds leased by Government in church or private Care Homes, has the following rights:

1. To dignity, freedom, security and well-being (both physical and mental). This includes also the right to privacy in all the present and future needs.
2. To freedom of choice and self-determination including support in decision-making.
3. To the respect of cultural, psychosocial, spiritual and personal values, beliefs and preferences.
4. To be fully assessed and informed by a medical practitioner of his or her medical condition, and to be afforded the opportunity to participate in the planning of his or her medical treatment.
5. To be provided with, or to have his or her legal guardian provided with, complete and updated information about the diagnosis and treatment in an understandable language.
6. To have access to specialised treatment for dementia within the facility itself including provisions for safety and protection.
7. To be encouraged and assisted throughout his or her stay to fully exercise his or her rights as a resident, and to this end, to voice grievances free from restraint, interference, coercion, discrimination, or reprisal.
8. To be free from mental and physical abuse, and to be free from all forms of restraint, except as authorised by a medical practitioner, and for a specified and limited period of time, or when necessary to protect the resident from injury to himself or herself and others. Any form of restraint is to be documented in full detail by the authorising medical practitioner.
9. To be assured personalized information with sound advice and informed consent. This includes confidential treatment of personal diagnosis, tests and medical records.
10. To be assured freedom of expression and of thought/conscience, including also the right to communication and participation in social and cultural activities.
11. To be given high quality, timely and tailored care in accordance with eligibility as determined by the policies and procedures of treatment, and in accordance with the capability of the facility to provide such care as determined by its regulations. This includes the provision of assistance with medication intake if required.

12. To be assured regular ambulation and assistance in moving around in the health facility, and full freedom of movement, unless contraindicated by his or her health care management plan.

13. To be provided with a supportive social activity programme, that provides entertainment and affords the resident the means to socialise and interact with other residents.

14. To be provided with adequate nutrition that is appropriate for his or her medical condition. This includes the provision of assistance with feeding if required.

15. To be assured privacy for visits by his or her spouse/partner, and to be permitted to share a room with him/her (unless medically contraindicated) if both spouses/partners are residents in the facility. Every effort should be made for spouses/partners who have the same dependency level, to be in the same home and share the same room.

16. To entrusting the care home with the management of his or her personal financial affairs, should the care home accept his or her written delegation of this responsibility. The care home should provide the resident, at least once a year, with an account of all financial transactions made on his or her behalf.

17. To be provided with palliative care and support, as well as respect and dignity in dying and death.

18. Reassurance that their grievances, as well as those flagged by relatives, friends and representatives will be listened to, taken seriously and acted upon, and treated confidentially if so requested.

19. The right to live in a safe, clean, comfortable and well-maintained environment.

20. To be care for adequately and safely at all times by staff in possession of required training and as stipulated by the Regulator where applicable.

Responsibilities

18. The Resident's responsibilities include:

- Respect for the rights and needs of other people living and working in the facility (including the limitation of the resident's rights in view of the need to respect similar rights of other residents of the facility).
- Respect for the general interests of the community of the facility.
- Planning for one's future and taking of responsibility for the impact of one's actions (or lack of them) on carers and relatives.
- Informing the relevant authorities about situations of the abuse, mistreatment or neglect, whether experienced or witnessed.

Reference

This charter of rights has been adapted from 'A European Charter of the rights and responsibilities of older people in need of long-term care and assistance'. 2010. The Charter is the result of the EUSTARCA project against elder abuse involving 11 partners from 9 countries coordinated by AGE Platform Europe, and supported by the European Commission's Daphne III programme. It is available from:

http://www.age-platform.eu/images/stories/22204_AGE_charte_europeenne_EN_v4.pdf
(last accessed 4/8/13).