

The System for Safeguarding Human Rights:

The Parts and the Whole

The Department of Developmental Services is committed to creating a system of safeguards to affirm, promote and protect the human and civil rights of the people it supports. When this commitment is fulfilled individuals are engaged, to the maximum extent feasible, in directing their own lives. This system also helps individuals overcome obstacles to leading more vital and satisfying lives in more typical settings, and to be free from abuse and mistreatment.

The parts of this system that work together to create an effective whole include:

Every person supported by the Department is to live in an environment filled with dignity and respect, and free from discrimination. They also have a responsibility to promote human rights. They could do this in any number of ways, like reporting any abuse or mistreatment they witness, or experience, or by speaking out, in whatever way possible, on their choices or preferences.

Every family member and guardian should treat each individual with dignity and respect in their relationships and in their advocacy. The special place of families in the lives of individuals should also be respected and valued, even when conflict arises between or with family members. Guardians should work to include individuals in decisions as much as possible and control only those issues assigned to them by the court. All should be familiar with the indicators of abuse and watch for any signs that may be present.

Every friend, neighbor and employer should treat each individual with dignity and respect. Community relations with neighbors, employers, friends, civic and religious groups, etc., should be nurtured so that all learn to treat individuals the same as they would all others. This would include the choice to socialize with each other, do business together and help in times of trouble.

Every employee of the Department and every provider agency employee is responsible for treating each individual served with dignity and respect. Everyone has a responsibility to help individuals understand their rights and exercise them. Employees should also be watchful to identify the potential for abuse before it happens and prevent it. They also must stop any abuse or mistreatment they witness, ensure the safety and health of the victim and report the incident.

The ***Human Rights Officers*** are appointed by agency directors and are responsible for human rights training and support for individuals and their families. They offer advice, information and guidance to direct support staff on human rights issues. They also must seek out opportunities for individuals to exercise their rights. Overall, officers are trained to use their eyes and ears and knowledge to support the fulfillment of rights wherever individuals live, work or play.

Each agency delegates a staff person to serve as its ***Human Rights Coordinator***. The coordinator provides administrative support to its Human Rights Committee (HRC). The coordinator follows up on questions and concerns of the committee and ensures the committee has the information it needs to do its job. The coordinator also reports to the committee on efforts

to meet its human rights training responsibilities. The other primary function of the coordinator is to oversee and support the work of the agency's human rights officers.

The ***Human Rights Committee (HRC)*** has a broad mandate to affirm, promote and protect the human rights of the people we support. In utilizing their special knowledge and expertise, these volunteer bodies bring integrity to the Department's work. They also have been delegated some of the procedural safeguards that uphold the Standards to Promote Dignity and prevent the abrogation of rights. These include but are not limited to the review and approval of behavior plans, oversight of restraint orders and investigations, and advising their agency director on policies and procedures of the agency and their compliance with human rights regulations. These reviews promote habilitation and growth and ensure that treatment is delivered in the least restrictive and most typical setting possible, and in the least intrusive manner. They also ensure that consent is truly informed.

The ***Human Rights Specialists*** staff the Office for Human Rights and provide training, technical assistance and advocacy, to all parts of the provider and Departmental community, including families and individuals. Specialists don't make decisions for others, but can advocate like ***ombudspersons*** using the chain of command to help families, friends and individuals understand complex situations, or get answers to concerns about their experiences. They are also a key consultant and partner to the regional and area directors and their staff in safeguarding the rights of individuals (such as support to ***Service Coordinators*** who safeguard the voice of individuals in decision-making). Specialists bring fresh eyes to help staff to think through tough questions and frame approaches to difficult issues. The specialists foster statewide consistency in focusing the system on the needs and rights of the individual.

The ***Office for Human Rights (OHR)*** is the lead administrative entity in central office responsible for providing support and oversight to the human rights system. It also has been delegated the performance of the Commissioner's review of restraints, and provides periodic statistical updates on the use of restraints statewide. OHR also serves as a point of entry for obtaining resolution to confusion or conflict over rules and regulations affecting the human rights of individuals. As a member of the staff of the Commissioner's office, The ***Director of the Office for Human Rights*** safeguards the interests of individuals, in development of policies and practices of the Department and in oversight of the monitoring and advocacy of Specialists.

The ***Human Rights Advisory Committee (HRAC)*** represents all the constituencies of the Department and advises the ***Commissioner*** on significant human rights policies and concerns. HRAC ensures that individual rights are protected within the policies and practices of the Department. Committee members are linked through local involvement and HRAC is available to respond as a group to HRC requests for assistance when policies or procedures give them concern. HRAC has a formal role in the design of human rights training. They also provide guidance and support to the Director of the Office for Human Rights, who staffs their committee.

From the efforts of people supported by the Department to exercise their rights, to the Commissioner's daily work, everyone plays a role in the system for safeguarding human rights.

Please call Tom Anzer at (617) 624-7738 if you would like further information.