



BEYONDLIMITS
CARE & SUPPORT SERVICES

Duty of Care Policy

Policy area	Governance and Risk Management
Document type	Policy
Applicable to	Beyondlimits Care & Support Services
Version	001
Date approved	19/08/2024
Approved by	Managing Director
Review date	Every 12 Months
Related policies	<p>Safeguarding Against Violence, Abuse, Neglect, Exploitation and Discrimination Policy</p> <p>Client Living Alone and Receiving Personal Care from a Sole Worker Policy</p> <p>Emergency and Disaster Management Policy</p> <p>Transition of Care Between Different Environments Policy</p> <p>Incident Management Policy</p> <p>Risk Management Policy</p> <p>Client Advocacy Policy</p> <p>Client Money and Property Policy</p> <p>Consent Policy</p> <p>Surveillance Technology Policy</p> <p>Diversity Policy</p> <p>Support Planning Policy</p> <p>Service Access and Exit Policy</p> <p>Service Delivery Policy</p> <p>Privacy Policy</p> <p>Conflict of Interest Policy</p> <p>Client Feedback and Complaints Management Policy</p> <p>Continuous Improvement and Quality Management Policy</p> <p>Work Health and Safety Policy</p> <p>Waste Management Policy</p> <p>Human Resources Management Policy</p>
Authority	<p>NDIS Act 2013</p> <p>NDIS Practice Standards and Quality Indicators</p> <p>NDIS Code of Conduct</p> <p>UN Convention on the Rights of Persons with Disabilities</p> <p>UN Convention on the Rights of the Child</p> <p>Australian Human Rights Commission: National Principles for Child Safe Organisations</p> <p>Aged Care Act 1997</p> <p>Aged Care Quality and Safety Standards</p> <p>Aged Care Code of Conduct</p> <p>Quality of Care Principles 2014</p>

PURPOSE

The purpose of this policy is to explain our organisation's commitment and approach to exercising our duty of care to clients.

SCOPE

This policy applies to all our workers (employees, contractors and volunteers).

DEFINITIONS

Term	Definition
Duty of Care	The legal and ethical responsibility to take reasonable care not to cause foreseeable harm to another person or their property.
Dignity of Risk	The right of a person to make their own informed choices, and live the way they want to live, even if there are risks involved.

CONTEXT

Our organisation is committed to providing safe and quality services and support to clients. We recognise the human and legal rights of each individual and will exercise our duty of care in all aspects of service delivery.

POLICY STATEMENT

1. Upholding our Duty of Care

- We will act in accordance with our Code of Conduct and the Codes of Conduct of our regulators.
- We will support clients to access services and supports they need and want.
- We will identify, manage and monitor client risks.
- We will provide services and supports in a safe and competent manner with care and skill.
- We will uphold clients' individual rights to freedom of expression, self-determination and decision-making.
- We will respect a client's right to informed decision-making and risk-taking (dignity of risk), irrespective of our own opinion or perception of the risk(s) involved.
- We will act with integrity, honesty and transparency.
- We will treat all individuals with kindness, dignity, respect and compassion.
- We will recognise and value diversity.
- We will not discriminate against a person because of their culture, ethnicity, age, gender, ability, sexual orientation, identity or preference — or based on any other defining criteria.
- We will take reasonable steps to prevent, or respond to all forms of violence, abuse, sexual misconduct, neglect or exploitation.

- We will develop a trust relationship and 'know our client' and be able to recognise when there are risks, issues or concerns and we will escalate accordingly.
- We will listen to the client, and act on any fears or concerns they raise.
- We will encourage and support the client to engage an advocate to speak on their behalf if requested or required.
- We will uphold the client's privacy and confidentiality.
- We will prevent or declare any conflicts of interest.
- We will report incidents in accordance with required internal and external timeframes and formats.

2. Information and Record-keeping

- We will ensure information and records are accurate and up to date.
- We will ensure the client has provided us with all required written consents.
- We will store the information securely to ensure privacy, dignity and confidentiality and make sure it is accessible to the client and only other stakeholders authorised to access it.

3. Worker Training and Supervision

- We will maintain a skilled and trained workforce which understands their duty of care and recognises the balance between duty of care and dignity of risk.
- We will maintain processes to adequately monitor and supervise workers.

SUPPORTING DOCUMENTS

Related procedures and forms include:

- Safeguarding Against Violence, Abuse, Neglect, Exploitation and Discrimination Procedure
- Risk Management Procedure
- Reportable Incident Management Procedure
- Incident Management Procedure
- Transition of Care Between Different Environments Procedure
- Client Living Alone and Receiving Personal Care from a Sole Worker Procedure
- Emergency and Disaster Management Procedure
- Support Planning Procedure
- Service Delivery Procedure
- Service Access and Exit Procedure
- Client Advocacy Procedure
- Client Money and Property Procedure

- Surveillance Technology Procedure
- Waste Management Procedure
- Client Feedback and Complaints Management Procedure
- Continuous Improvement and Quality Management Procedure
- Code of Conduct Agreement
- Incident Investigation Form
- Incident Investigation Form — Final Report
- Risk Assessment Form
- Risk Management Plan Register

RESPONSIBILITIES

Managing Director is responsible for:

- maintaining this policy, its related procedures and associated documents;
- ensuring the policy is effectively implemented across the service;
- monitoring workers compliance with the requirements of this policy; and
- ensuring training and information is provided to workers to carry out this policy.

All workers are responsible for complying with the requirements of this policy.

COMPLIANCE

Deliberate breaches of this policy will be dealt with under our misconduct provisions, as stated in the Code of Conduct Agreement.