

Policy Statement

ASCT recognises that through the operation of services, the organisation has a duty of care to Team Members and clients. The organisation will respect the clients' Dignity of Risk if it does not adversely impact upon the organisations duty of care obligations. The organisation will ensure they fulfil their duty of care to clients; volunteers and Team Members in all aspects of ASCT's operation by ensuring that appropriate working standards and care standards are met.

Definitions

Dignity of Risk: The belief that each person that is aged, frail aged or with a disability is entitled to experience and learn from life situations even if these, on occasion, may be a threat to their wellbeing. Each person experiencing a risk, of which they have been informed, is to receive support in the situation.

Duty of Care: The obligation to take reasonable care to avoid injury to a person whom it can be reasonably foreseen might be injured by an act, or omission.

Negligence: The failure of a responsible person to provide the necessities of life (or the refusal to let others provide these) to an older person or person with a disability.

Could Reasonably Be Foreseen: Refers to acts and omissions, which a reasonable person in that situation should predict could lead to harm. Individuals must attempt to predict the consequences of their actions and inactions.

Harm: Can include physical harm (injury, disease), psychological harm, and financial harm or 'loss. (Not loss of reputation).

Someone/person: Includes a client, a team member, a volunteer, a visitor, and to a limited extent, the general public.

Policy Protocols

ASCT recognises that every person owes a duty of care to every other person who is reasonably likely to be injured by the first person's actions or failure to act

The appropriate standard of care is assessed on what action could reasonably be foreseen by a reasonable person in a particular situation.

Team Members will use their professional skills and experience to decide what actions they should take in each situation of potential harm. Where possible, decisions should be discussed with the Service Manager.

Where a risk poses a threat to the health and or safety of the client, a team member or others. Duty of Care will take precedence over the right of informed individuals to take calculated risks.

Except in cases of known client diminished capacity, ASCT recognizes that everyone has a right to an assumption of competence.

**Access Sydney Community Transport
Section 3 Service Delivery
Policy 3.14 Duty of Care & Dignity of Risk**

Related Procedures

- [PRO 3.04-1](#) Diversity
- [PRO 3.05-1](#) Assessment
- [PRO 3.05-2](#) Service Care Plans
- [PRO 3.05-3](#) Reassessment & Care Plan Review
- [PRO 3.05-5](#) Case Management

Relevant Standard

Commonwealth Home Care Standards

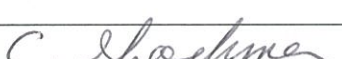
1. Effective Management
2. Appropriate Access & Service Delivery
3. Clients' Rights & Responsibilities

Disability Service Standards

1. Rights
2. Participation & Inclusion
3. Individual Outcomes

Policy History

POLICY REVIEW		
Version	Date Approved	Key Amendments
1	24/04/2015	Nil
2.	20/03/2017	Loaded on QMS. Changes role titles
3.	15/09/2017	Reviewed by Board - Statement on law removed. Adopted by via circular motion

APPROVED BY	
Board	Chairperson: Chris Spackman
Signature: 	Date: 15/09/2017