
	Number:	CL-POL-00002	
	Revision:	SYS_DOC_VERSION	
	Effective Date:	DOCCON_MAIN_DOC_ID_EFFECTIVE_DATE	
Title:	Dignity of Risk Policy	Approvers:	DOCCON_MAIN_DOC_ID_OWNER

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2. **Purpose**

Reliant will recognise the right of Clients to make informed choices and to take calculated risks.

Every person has the right to experience and learn from life, to take advantage of opportunities, develop skills and independence even when these situations may pose a risk to their wellbeing.

Reliant recognises they have a duty of care to prevent or minimise harm to the Client and their staff. The safety of the Client and the staff are considered in conjunction with risk taking and if required takes priority over risk taking, privacy and confidentiality.

3. **Scope**

This policy applies to both permanent and casual employees.

4. **Prerequisites**

None.


5. **Responsibilities**

5.1 **Coordination staff & Key personnel**

- Conduct dignity of risk assessment and document per above procedure,
- Determine whether WHS legislation overrides dignity of risk,
- Actions if serious concern held regarding Client ability to make informed decision

5.2 **All Workers**

- Comply with this Policy,
- Assess risks and escalate as appropriate.

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6. **Procedure**

Clients will always be supported to make informed choices and decisions about the supports and services they receive and activities they may wish to undertake. This may require the support of others with the Client’s consent (family / friends / advocates or other professionals – refer to Reliant’s *Rights and Responsibilities and Advocacy Policies and Procedures*). Informed decision making involves a general awareness of the consequences of the decision which needs to be made voluntarily and without coercion.

If the Reliant team have serious concerns about the Client’s ability to make an informed decision, they may seek an assessment by a qualified health professional / jurisdictional Guardianship Board with prior permission from the participant or the participant’s representative. When a participant needs ongoing formal support to make major life choices, a Guardianship Order may be required.


Reliant staff will assess risks and their potential consequences and will balance their duty of care with dignity of risk. Where a dignity of risk issue is in conflict with a Work Health and Safety (WHS) issue, the WHS legislation overrides dignity of risk. In limited circumstances, a Client’s decisions may put them at unreasonable risk; this includes serious, imminent risk of physical, financial or legal harm to themselves or others. When responding to these situations, if a Client’s will and preference conflicts with Reliant’s obligations to protect their safety, Reliant may take actions to protect the Client’s wellbeing and the wellbeing of others. For example, if there is a risk of death, serious injury or harm, Reliant staff are required to call emergency services (Police, Fire or Ambulance) or initiate a police welfare check even if the Client does not want this to occur.

When a privacy issue is in conflict with Reliant’s duty of care, the duty of care responsibility will take priority e.g. mandatory reporting.

In situations where duty of care obligations outweighs dignity of risk the Client should be informed of the decision and why the decision was made.

When balancing duty of care with dignity of risk the Reliant team will work with the Client to:

- Explain the issues of duty of care and dignity of risk which impact on a particular situation
- Identify the consequences of a particular action including the risk/s and likelihood of harm to the Client or others
- Assess the type and seriousness of the possible harm
- Identify what precautions could be taken to minimise the risk/s or harm or the seriousness of the risk/s or harm
- Assess the Client’s ability to make informed decisions

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- Weigh up the benefits and importance of the activity to the participant against the possible negative consequences
- Generate solutions to achieve the benefits to the participant whilst minimising the potential harm.

Staff are educated on the Dignity of Risk and Duty of Care Policy at induction and then annually or as required.

7. **References**

7.1 **Internal references**

AD-POL-00021 Risk Management Policy

AD-GUI-00008 Risk Management Framework

CL-FOR-00003 Intake Risk Assessment

7.2 **External references**

[Home Care Packages Operation Manual Version 1.4 – August 2023, section 12.2.2](#)

[Participant Safeguarding Policy, NDIS - April 2023](#)

8. **Definitions**

Dignity of Risk means 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 means 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.