

Fact Sheet

What is duty of care

This fact sheet provides information to assist workers and professionals to ensure a client's rights are respected and upheld.

In professional relationships between people where there exists a responsibility or obligation of care, workers must uphold the rights of a person as well as prevent carelessness, neglect or harm to another person.

The responsibility to prevent harm, and to take actions where necessary, must be balanced in a way that is respectful of a person's rights and wishes. If you are unsure, first check with the client (or person of significance), client documentation (if this is part of your responsibility) or your supervisor.

Where a person has a focus on an older person, duty of care includes the:

- > responsibility of the worker
- > degree of reliance on the worker
- > nature of the harm
- > foreseeable nature of the harm – such as its likelihood
- > degree and nature of control exercised over the harm
- > vulnerability of the person
- > decision-making capacity of the person
- > proximity between the worker and the person in relation to the case and occurrence of the harm.

For more information

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