



Aged Care Dignity of Risk Policy

1. Purpose

This policy aims to provide guidance to WA Country Health Service (WACHS) employees and volunteers about:

- the rights, responsibilities and inherent dignity of people supported to make decisions that involve risk
- WACHS' commitment to a balanced approach between service delivery standards, duty of care obligations, and the dignity of risk of people we provide services for
- the consideration for cultural safety when upholding the dignity of risk for Aboriginal people, as only they can determine whether the care provided has been culturally safe
- a person-centred, trauma-informed approach and the process to continuously consider both positive and negative outcomes of 'risky' decisions.

This policy applies to all WACHS employees and volunteers working with residents and individuals in:

- residential aged care settings including Multi-Purpose Service (MPS) sites
- Support at Home or Commonwealth Home Support Program (CHSP) services
- flexible care in the home, community or MPS setting including Transition Care Programme (TCP).

The policy should be read in conjunction with the [Aged Care Dignity of Risk Guideline](#).

2. Policy

WACHS recognises the inherent dignity and human rights of all people, including the right to self-determination and individual autonomy.

WACHS is committed to supporting the people we provide services for to choose to take some risk in engaging in their own life experiences. However, this needs to be balanced with our duty of care responsibilities.

Dignity of risk is the principle of respecting an individual's right to choose and the right to take reasonable risks in engaging in life experiences. It is important to distinguish between dignity of risk and self-neglect which is where a person fails to meet their own basic needs potentially indicating a reduced capacity or lack of support services in place.

Duty of care is a legal duty to take reasonable care not to cause harm to another person that could be reasonably foreseen.

2.1 Dignity of risk

WACHS recognises that personal risk-taking is an important and normal part of life and learning, and that some people – particularly people with disability and others with cognitive impairment such as dementia and acute mental illness – may be denied this opportunity and right, unless a substitute decision maker is appointed.

WACHS supports each person to make informed choices and decisions in relation to their own lives and the services or support they receive.

All people are presumed to have capacity to make decisions about their lives unless there is compelling evidence otherwise. Please refer to the WACHS [Adults with Impaired Decision Making Capacity Procedure](#) and [Advance Health Directive and Enduring Power of Guardianship Guidelines](#) for further guidance on decision-making capacity assessment.

With consent of the person, WACHS will collaborate with a person's identified support network – including family, carers, registered supporters, legal guardians, advocates, and others – to support the person to make and implement informed decisions about their life.

WACHS recognises that people have the right to make decisions that affect their lives even if others do not agree with them or consider them 'too risky'.

WACHS will provide timely and accurate information in an accessible format, to ensure individuals are supported to make informed decisions and understand the benefits and risks involved in those decisions. This will involve communication that is appropriate to the cultural background, disability, cognitive ability, or other considerations.

WACHS will ensure the older people receiving services have sufficient time and support to consider their options at all stages of decision making and implementation.

2.2 Duty of care

WACHS will uphold its duty of care and will comply with Work Health and Safety (WHS) obligations in a manner that allows the person to take reasonable risks in their daily lives without placing employees, volunteers or others at risk of harm.

WACHS employees and volunteers are expected to take reasonable care to avoid harm to a person who they can reasonably foresee might be injured by an act, or omission, of the health service.

WACHS values safety and duty of care and a person's dignity, autonomy and self-determination. WACHS will not unnecessarily enforce safety and protection measures at the expense of a person's dignity.

2.3 Balancing Dignity of Risk and Duty of Care

WACHS takes a balanced approach to risk associated with a person's decision making about their own life:

- In providing services to individuals, employees and volunteers will first consider the person's strengths and the potential positive outcomes of their decision and risk-taking. Employees and volunteers will balance this with an assessment of WACHS' role in risk management and minimising foreseeable harm to the person or others as a result of the decision.
- If a person's decision is outside the scope of services or support able to be provided by WACHS and/or the decision could breach WACHS' duty of care, they will be supported to understand the consequences of the decision. The person will be supported to consider other options that may provide similar benefits to them but do not pose unnecessary risk(s) to themselves or others.

- WACHS will not withdraw or deny access to supports required by the older person because of a dignity of risk choice that has been made by the individual, that does not contravene WACHS' duty of care.
- WACHS recognises the importance of ensuring employees and volunteers have access to continuing training and development opportunities in areas such as safety, self-determination, risk enablement and support for decision making, to support good professional practices and ethical judgements.

2.4 Documentation

The Dignity of Risk discussion and agreed plan should be documented on the [My Choices – Dignity of Risk](#) form and uploaded to the person's healthcare record.

Documentation in the healthcare record will be written in line with a person-centred approach to support for decision making, identifying:

- the consumer's strengths, abilities, goals and wishes
- any cultural, communication and support needs
- the benefits of risk-taking in decision making including outcomes for the consumer's well-being; and
- the details of interactions with the consumer's support network.

3. Roles and Responsibilities

WACHS Older Adult Program is responsible for:

- providing subject matter expert advice to sites on legislative requirements under the [Act](#)
- providing compliance reporting to the Older Adult Program committee.

District Directors are responsible for:

- ensuring the implementation of this policy in their area of responsibility
- monitoring and oversight of compliance with the relevant standards for accreditation and registration
- ensuring staff have access to and can interpret and apply legislative requirements related to this policy.

Regional Aged Care Managers are responsible for:

- acting as the regional contact for sharing information and guidance on an individual's right to exercise dignity of risk
- supporting sites and staff to manage and mitigate the risks of individuals exercising their dignity of risk
- supporting staff to escalate concerns regarding an individual's decision-making capacity.

Line Managers and senior staff are responsible for:

- ensuring they are familiar with the procedure and any legislative or compliance requirements
- addressing any feedback, including complaints, received by the health service from individuals, carers or families
- monitoring and escalating risks.

All staff are required to comply with the directions in WACHS policies and procedures as per their roles and responsibilities. Guidelines are the recommended course of action for

WACHS, and staff are expected to use this information to guide practice. If staff are unsure which policies, procedures and guidelines apply to their role or scope of practice, and/or are unsure of the application of directions they should consult their manager in the first instance.

4. Monitoring and Evaluation

The Older Adult Program will monitor compliance of this policy through relevant standard reporting via the self-assessment tool, led by the WACHS S&Q Program. Districts will complete self-assessments and develop and implement associated action plans. Identified gaps and action plans will be reviewed quarterly at District Safety and Quality meetings. Emerging trends, systemic issues, and areas of risk are escalated to the Older Adult Program Committee for governance and oversight.

Evaluation of this policy is to be carried out by the Older Adult Program every five (5) years.

5. References

Nil

6. Definitions

Term	Definition
Aboriginal	Within Western Australia, the term Aboriginal is used in preference to Aboriginal and Torres Strait Islander, in recognition that Aboriginal people are the original inhabitants of Western Australia. No disrespect is intended to our Torres Strait Islander colleagues and community.
Dignity of Risk	A person's right to make their own choices and decisions, including those that involve a degree of risk, in order to maintain their autonomy, independence or quality of life.
Duty of care	An obligation to take reasonable steps to prevent harm. Staff are required to provide safe, competent and timely care, with risks identified, minimised and managed to protect an individual's wellbeing.
Registered Supporter	Someone who promotes the rights of an individual, supports them to make their own decisions and is identified on the My Aged Care system as a registered supporter. Supporters can request, access and receive information and assist the person in communicating information and decisions.

7. Document Summary

Coverage	All WACHS Residential Aged Care and community settings
Audience	All WACHS staff
Records Management	Health Record Management Policy
Related Legislation	• Aged Care Act 2024 (Cth) • Carer Recognition Act 2004 (WA) • Guardianship and Administration Act 1990 (WA) • Health Services Act 2016 (WA)
Related Mandatory Policies / Frameworks	• Clinical Governance, Safety and Quality Policy Framework
Related WACHS Policy Documents	• Adults with Impaired Decision Making Capacity Procedure • Advance Health Directive and Enduring Power of Guardianship Guidelines • Aged Care Dignity of Risk in the Aged Care Setting Guideline • Aged Care Services Policy • Community Aged Care Guidelines (under development) • Residential Aged Care Guidelines • Restraint Minimisation Policy (under development) • Work Health and Safety Policy
Other Related Documents	• ACQHC Aged Care Code of Conduct • Aboriginal and Torres Strait Islander Aged Care Framework 2025-2035 • WACHS Clinical Governance Framework 2025
Related Forms	• RC00H.1 Residential Goals of Care • RC6 Specific Care Plan • RC7 Resident Care Plan • RC13 Behaviour Assessment and Support Plan • RC25 Resident Care Conference • RC29 My Choices - Dignity of Risk • MR66.4 Abbreviated Mental Test Score (AMTS) • CAC3 Community Aged Care – Care and Service Plan • CAC5 Community Aged Care – Home Risk Assessment
Related Training	Available from MyLearning: • Altura: Dignity of Risk (DIGR EL2) • Sexuality and Dementia (SD EL1) • The New Aged Care Act: Understanding and Adapting to the New System (NACA EL1) • Strengthened Aged Care Quality Standards (ACQS EL2) Available from Aged Care Quality and Safety Commission – ALIS online learning:

	- Strengthened Quality Standard 1: The Individual - Code of Conduct for Aged Care
Aboriginal Health Impact Statement Declaration (ISD)	ISD Record ID: 5270
<u>National Safety and Quality Health Service (NSQHS) Standards</u>	2.03, 2.05, 2.06, 2.07, 2.08, 2.10, 4.03, 5.03 5.08, 5.09, 5.10, 5.13, 5.14, 5.17, 5.20, 6.03, 6.08, 6.09, 6.10, 6.11
<u>Aged Care Quality Standards / Strengthened Aged Care Quality Standards</u>	1.1, 1.2, 1.3, 2.4, 2.5, 3.1, 3.2, 3.3
<u>Chief Psychiatrist's Standards for Clinical Care</u>	Nil
Other Standards (please specify and include link)	Integrated Health and Aged Care Services (IHACS) Module - 1, 2, 3, 7, 8, 9

8. Document Control

Version	Published date	Current from	Summary of changes
1.00	10 August 2026	10 August 2026	New policy

9. Approval

Policy Owner	Chief Operations Officer
Co-approver	Executive Director Clinical Excellence Executive Director Nursing and Midwifery Services
Contact	Safety & Quality Coordinator – Aged Care
Business Unit	Aged Care
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