

Managing risk

Organisations must take reasonable steps to protect the users of services from harm (*Community Services Act s. 4(d)(i)*).

Clients are in a relationship of reliance, and community workers therefore have a duty of care – which means you should anticipate possible causes of harm to the client and do everything reasonably practical to remove or minimise those possible causes.

Workers must help clients understand their level of risk and options available to make them safer.

Civil liability risk is minimised by good quality work, but also by managing client expectation. This means ensuring clients know the limits of the work, and the agencies expectations of client; as well as discussing possible contentious issues up front.

Clients at risk of family violence should be referred to specialist family violence service.

If a risk to safety is imminent and significant, and a client is unable to make herself safer, then a report should be made to Police.

If providing professional services, you don't breach your duty of care if you act in a way that's widely accepted by a significant (doesn't have to be 'all') number of respected practitioners (*Civil Liability Act 2003 s 22(1)*), unless a court considers it is irrational or contrary to a written law.

Who is your client

Community workers can't have personal conflicts (for example, receiving a gift from a client) nor conflicts between clients (for example, where DV occurs in a client's family) which compromise their relationship with clients.

Organisations must have a policy for identifying, declaring and dealing with and recording conflicts of interest (*Community Services Act 2007 Qld (s 53(3))*)

If in working with whole families, family breakdown occurs, conflicts of interest can arise. Workers need to assess who to support – do you still support all the family?

Sharing client information

Agency policies, contractual requirements, and professional Codes of Conduct require client's information to be kept confidential within your agency.

However, sharing information between agencies provides clearer roles and expectations for service provision, and can promote protection and prevention.

Seeking consent before disclosing information with other agencies is best practice. Clients own the information that is shared with you.

Clients should give **'informed consent'** to allow sharing outside the agency – this means workers should explain the reasons for collecting and sharing information, how the information will be used or shared, and possible consequences for those affected by the sharing.

If a child is at risk, the appropriate action is to make a report to Child Protection services. If you are unsure, contact them. It is good practice to work with the child's mother if she is not a source of risk to the child, helping her to understand the risk and the reasons for the notification.

Mandatory reporting to Child Safety is required of teachers, doctors, registered nurses, early childhood education and care professionals, if they reasonably suspect a child is at risk of significant harm from physical or sexual abuse, and may not have a parent able and willing to protect them (*Child Safety Act 1999 s 13F*).

Working with violent clients

In domestic violence cases, abusers often seek sympathy, and the key is to avoid colluding with them, while encouraging them to take responsibility for their violence and its consequences.

The safety of yourself, and those who are the target of the violence should be your priority in any discussion with violent clients.

If your client is male, then refer him to where he can be helped to find an appropriate, culturally safe and effective [Mensline or Men's Behaviour Change Program](#) to try to help him stop using violence.

If your client is female, be aware that women who are abused by male partners or family members sometimes use violence in self-defence or to help them escape the situation. Refer her to a counsellor who understands domestic violence and can help her understand her use of violence in this context. (*info in this section from 'The Lookout' www.thelookout.org.au/resources*)

This Fact Sheet is legal information, not legal advice.

Clients should always be referred to a registered migration agent/lawyer for specific advice.