

**Professional boundaries between caregiver and client
(07HDC10991, 23 November 2007)**

Disability service provider ~ Caregiver ~ Professional boundaries ~ Complaints process ~ Standards ~ Documentation ~ Rights 4(2), 4(4), 10(3)

A complaint was received about the appropriateness of the relationship between a caregiver and his client. The caregiver was employed by a disability services provider of home-based support services.

The caregiver stated that he and his client had had brief sexual relationship prior to him becoming her carer, but not from that point on. He assisted the woman to smoke marijuana, and they drank alcohol together, but he stated that this was after his “shift” had ended.

The disability service provider appeared to have been aware that there was a suspicion of an improper relationship. At least two complaints were made about the relationship and drug-taking, but there was no evidence of any action being taken.

It was held that the disability service provider breached Right 4(4), as it failed to ensure that the woman was provided with services that minimised potential harm, and optimised the quality of life. As the disability service provider failed to facilitate the fair, simple, speedy, and efficient resolution of complaints made about the caregiver, it also breached Right 10(3).

It was also held that by having an inappropriate relationship with his client, the caregiver failed to provide services that complied with ethical standards, and therefore breached Right 4(2). He was referred to the Director of Proceedings, who considered the matter and decided not to issue any proceedings, taking into account the consumer’s wish that proceedings not be brought.