

Bethany Care Ltd

## Professional Boundaries

Policy & Procedure 39

Document Review Details	
<b>Date Created</b>	17/03/2010
<b>Date Reviewed</b>	29/08/2017
<b>Reviewed by</b>	Brian Lynch (Quality Assurance)
<b>Date of next review</b>	September 2018
<b>Amendment History</b>	DCR305a

## SECTION 1 - INTRODUCTION

### 1.1 Object and field of Application

Bethany staff members have a responsibility to provide a safe and effective service. Whilst it is recognised that staff must establish a rapport with clients, and provide friendly and accessible services, they are responsible for establishing and maintaining appropriate boundaries between themselves and clients, and for providing an equitable service. There is no single all-encompassing definition of what constitutes professional boundaries. The intention of this policy is to achieve a shared understanding of acceptable and unacceptable practice, enabling Bethany Care to apply clear and consistent standards.

There are some events and arrangements planned with clients that are highly valued by them but may present potential boundary issues. In these instances, there may be a need to exercise flexibility and discretion in the interpretation of this policy. Such instances where there are clear potential benefits to clients should be brought to the attention of management. The situation will then be 'risk assessed' and any necessary safeguards implemented and a record kept. This approach should ensure that transparency is maintained, and that positive risk taking is managed.

### 1.2 DEFINITIONS

#### **Personal space**

Personal space is the area immediately around a person's body. This is viewed differently by different cultures.

#### **Professional boundary**

For the purpose of this policy, a professional boundary is the 'line' between a professional and personal relationship. Professional boundary violations by a staff member represent a breach of trust and a failure to meet a duty of care to clients. When staff violate professional boundaries they risk:

- harmful consequences for the client
- serious undermining of their professional reputation and that of Bethany Care
- disciplinary action.

### 1.3 LEGISLATION

Age Discrimination Act 2004

Community Services Act 2007

Disability Services Regulation 2006 (Qld)

Mental Health Act 2000

Sex Discrimination Act 1984

Anti-Discrimination Act 1991

Criminal Code 1995 (Qld)

Guardian and Administration Act 2000

Race Discrimination Act 1975

Human Rights and Equal Opportunity Commission Act 1986

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## **2. Policy Statement**

- 2.1 Clients' rights and needs should be respected at all times. The relationship between a client and a staff member is not one of equal balance.
- 2.2 Staff must recognise and understand they may be in a position of power. This power must not be abused at any time. It is essential therefore, that all interactions between clients and staff are seen in terms of a professional relationship.
- 2.3 Staff are responsible for maintaining professional boundaries. They are required to ensure professional relationships are not misread or confused with friendship or other personal relationships. This is essential in order to protect clients at a time when they may be vulnerable. It also protects staff from risk of potential false allegations. Failure to meet this responsibility may lead to formal disciplinary action being taken against them.
- 2.4 Staff will be supported to maintain and monitor professional boundaries.
- 2.5 Clients are provided with information on Bethany Care's philosophy and right to express a grievance or make a complaint.

## **3. Defining Professional Boundaries**

- 3.1 Bethany Care staff sign the Code of Conduct prior to employment and seek advice from their manager if in any doubt about appropriate actions.
- 3.2 Staff who feel a colleague is at risk of potential breakdown of professional boundaries have a duty to protect both clients and staff, and should bring the matter to the attention of the manager.
- 3.3 In accordance with the Conflict of Interest Policy, staff should alert their manager if they have a personal knowledge of a client to whom they provide a direct service. If a staff member is aware, or becomes aware that he/she is related to a client they bring this to the immediate attention of their manager.
- 3.4 Clients are provided with information on Bethany Care's philosophy and their rights and responsibilities in the Bethany Care Service Access Information Pack

## **4. Monitoring Professional Boundaries**

- 4.1 Staff are provided with guidance (Human Resource Management Policy Section 6 "Prevention of Workplace Harassment Policy", Code of Conduct, Staff Handbook page 21 "(7) Communication – Staff / Client Relationships", regarding the interactions with clients and other staff members. Staff should seek the advice of management; if situations arise where it is felt professional boundaries are in danger of being comprised.
- 4.2 Managers will ensure support and guidance is provided to staff where the staff member is finding it difficult to maintain professional boundaries.
- 4.3 Staff have a responsibility to constantly monitor and reevaluate their relationships with clients to ensure they haven't, or isn't at risk of, crossing the boundary.

4.4 The following questions are a guide to assist staff monitor their relationship with clients:

- Am I dealing in a different manner with a particular client than with others under the same circumstances?
- Is my dress/availability/language different from the normal with a particular client?
- Would I do or say this if a colleague were present?
- Would I condone my conduct if I observed it in another Support Worker?
- Are the consequences of my actions likely to have negative outcomes for clients?
- If I were the client's parent/guardian/carer would I want an adult behaving this way towards the client?

## **5. Befriending and friendship Principles**

- 5.1 Staff should never overstep professional boundaries and confuse befriending with friendship.
- 5.2 Befriending a client is a professional relationship, made to meet client's needs
- 5.3 Becoming a client's friend is a relationship that focuses on the needs of both people. A professional relationship focuses solely on the client's needs.
- 5.4 Befriending is an appropriate relationship for staff, and part of building the necessary trust to work with clients.
- 5.5 Becoming a friend is inappropriate; staff are employed by Bethany Care to work alongside clients as part of the contract of employment and it is potentially an abuse of power to represent the relationship as a friendship.

## **6. Counselling**

- 6.1 It is appropriate for Support Workers to use counselling skills (such as active listening with a non-judgmental approach) but not appropriate for them to provide personal counselling to clients. When a client requires counselling, they should be referred to the matter to the Service Manager who will ensure support is given through accessing specialist external agencies.

## **7. Providing advice**

- 7.1 In general, advice is normally only offered to clients when they request it, unless there are good reasons to be more directive. Where staff offer more directive advice, for example in a situation where there is a potential for immediate physical harm or danger, they should aim to do this in a non-judgemental manner.
- 7.2 Whenever staff offer advice to clients they provide sufficient information for clients to make an informed choice.
- 7.3 Staff are required to be aware of the areas in which they are not qualified to give advice and when it is not appropriate to offer advice e.g. when it is outside of their job description. In these instances they inform the client of this, making every effort to assist them in accessing appropriate and/or qualified advice.

## **8. Influence**

- 8.1 Staff are careful not to influence clients with their own beliefs and personal values. Staff should also be aware of their potential to influence vulnerable and/or impressionable clients.
- 8.2 Although morality, religion and politics are common areas of conversation and clients may wish to discuss their views with staff, staff never impose their own views on these subjects.

## **9. Approachability**

- 9.1 Staff should be seen as approachable, open to fair challenge and criticism, and available to engage in meaningful dialogue. They should not be seen by clients as intimidating or inaccessible.
- 9.2 Clients are not discouraged from accessing support within agreed boundaries or from making complaints (refer to the Complaint and Dispute Policy).

## **10. Touch – Physical Contact**

Also refer to Appendix C for more detail

- 10.1 Some clients may misinterpret physical contact as affection outside the professional relationship. Clients may also see physical contact as expressions of favouritism e.g. where a staff member hugs one client and not another. All staff should therefore be aware that physical contact presents the risk of being misunderstood, and it may result in staff being vulnerable to allegations of inappropriate professional behaviour.
- 10.2 When touching occurs, it is required to only take place within the context of a professional relationship and with the client's agreement. The limits and boundaries for touch between staff and clients are required to be fully described and documented in the client's file.
- 10.3 In those service contexts where touching is an integral part of service delivery, staff are recommended to discuss the subject regularly at staff meetings so as to ensure consistency and clarity of approach.

## **11. Financial relationships**

- 11.1 Staff must not enter into any financial transactions with clients including buying, selling, exchanging or bartering goods or services.
- 11.2 Staff must not lend their personal money or possessions to clients.
- 11.3 Staff must not borrow money or possessions from clients.
- 11.4 Staff must not give or accept gifts from clients.
- 11.5 Staff do not accept monetary charitable donations to the service without the prior agreement of the manager.
- 11.6 Staff do not normally handle money on behalf of clients except in clearly defined work instructions
- 11.7 Staff do not agree to become trustees, beneficiaries or executors in relation to clients' wills.

## **12. Relationships and contact with clients within work:**

- 12.1 Where staff members know clients prior to them entering the service, the staff member informs their manager (in accordance with the Conflict of Interest Policy).
- 12.2 When new staff members start work and find that they know existing clients, they bring this to the attention of their manager. The manager explores with the staff member any issues around confidentiality and risk.

## **13. Relationships and contact with clients outside of work:**

- 13.1 Staff should only arrange for clients to visit their homes if approved by Management or the coordinator. This will only be done following a thorough risk assessment and in the context of the client's preferences and individual plan.
- 13.2 Staff should not encourage clients to develop friendships with the staff member's relatives or friends.
- 13.3 Staff should not give clients their personal contact details, for example postal address, phone number, fax number, email address.
- 13.4 Staff should not give clients the personal contact details of any colleague.
- 13.5 Staff who encounter clients out of official service delivery hours should be pleasant and civil if approached by the client, but should generally discourage prolonged social contact.
- 13.6 Staff should not approach clients in any social setting if the contact is not instigated by the client, especially where the client's behaviour indicates that they do not want to be recognised or indeed identified as a Bethany Care client.
- 13.7 Staff should not arrange out-of-work-hours contact with clients.

## **14. Discussing others**

- 14.1 Gossip or hearsay does not feature as an aspect of Bethany Care service culture and is actively discouraged among both staff and clients.
- 14.2 Staff should never share personal details about other staff with clients.
- 14.3 Staff should never discuss other staff members with clients except on issues relating to service provision e.g. discussing the possibility of a new client moving into a house.
- 14.4 Staff should never discuss clients with other clients and other third parties unless it is the staff member's role and related to service delivery in some way.
- 14.5 Where any of the above occurs, the incident should be brought to the attention of management as soon as possible.

## **15. Managing boundary issues**

- 15.1 Staff may unwittingly be put in a position where their relationship with clients is compromised, or to be drawn into conversations or situations where their boundaries are being stretched or crossed. In some situations the fine line between good and bad practice may not always be obvious or clear. In this situation a staff member seeks the guidance of their manager if they are unsure about the nature of a relationship developing with a client, or if they need advice on how they intend to deal with a situation.

15.2 In situations where it has not been possible to access manager support, any actions taken must be discussed with the manager as soon as is possible.

15.3 Other people in the team, particularly those who are likely to work with the client are informed where a boundary has been blurred or crossed so they can maintain consistent practice with that client (and a consistent explanation with other clients) and to ensure that the action taken is transparent.

15.4 It is recommended that a written record of a broken or blurred boundary should be kept.

## APPENDIX A – EXAMPLES of violation of professional boundaries

Refer also to Appendix B – Support Worker frequently asked questions

All Support Workers are responsible for maintaining professional boundaries between themselves and a client. This means establishing clear professional boundaries with clients that serve to protect everyone from misunderstandings or a violation of the professional relationship.

The following table, whilst not exhaustive, has examples of violations of professional boundaries:

Professional staff boundary	Example of violation
Communication	<ul style="list-style-type: none"> <li>• Inappropriate comments about a client's appearance including excessive flattering comments.</li> <li>• Inappropriate questions regarding client hygiene or sanitary issues.</li> <li>• Inappropriate conversation or enquiries of a sexual nature (e.g. questions about a client's sexuality).</li> <li>• Use of inappropriate pet names e.g. names describing a person's physical appearance.</li> <li>• Vilifying or humiliating comments about the client to the person or others.</li> <li>• Jokes or innuendo of a sexual nature about the client to the person or others.</li> <li>• Obscene gestures and language.</li> <li>• Facilitating access to pornographic or overtly sexual material.</li> <li>• Failing to stop harassment between clients.</li> <li>• Correspondence of an inappropriate personal nature, including letters, email, phone, text. This correspondence would violate the boundary if it uses language which may confuse the relationship e.g. "love you".</li> <li>• Body language of the nature described in this section.</li> </ul>
Personal disclosure	<ul style="list-style-type: none"> <li>• Discussing personal details of lifestyle of self or others (it may be appropriate and necessary, at times, to draw on relevant personal life experiences when mentoring).</li> <li>• Sharing of personal information about other staff or clients.</li> <li>• Keeping secrets of a personal nature after client disclosure i.e. encouraging clients to have secrets.</li> </ul>
Privacy, dignity and confidentiality	<ul style="list-style-type: none"> <li>• Failing to comply with the Privacy and Confidentiality Policy which safeguards client's personal information.</li> </ul>

Professional staff boundary	Example of violation
Location	<ul style="list-style-type: none"> <li>● Inviting/allowing/encouraging clients home without Bethany Care authority.</li> <li>● Attending clients' homes or social gatherings for personal reasons without Bethany Care authority.</li> <li>● Being alone with a client outside of a staff member's responsibilities without Bethany Care authority e.g. visiting a client's home out of work hours.</li> <li>● Inappropriately entering a client's room without knocking.</li> </ul>
Targeting individual clients	<ul style="list-style-type: none"> <li>● Giving personal gifts and special favours.</li> <li>● Adopting a role that is the responsibility of another staff member e.g. counsellor, or doing so without the knowledge of managers.</li> <li>● Treating a client inequitably contrary to the client's best interest.</li> </ul>
Physical contact  (refer also to Appendix C)	<ul style="list-style-type: none"> <li>● Unwarranted, unwanted and/or inappropriate touching of a client personally or with objects.</li> <li>● Initiating or permitting inappropriate physical contact (physical contact is appropriate when in accordance with the Individual Plan e.g. giving personal care, and in some Bethany Care-approved group activities e.g. beauty therapy).</li> <li>● Failing to be sensitive to a person's personal space.</li> <li>● Applying unnecessary force (refer to the Human Rights, Abuse and Neglect Policy).</li> </ul>
Role	<ul style="list-style-type: none"> <li>● Acting beyond the responsibilities of role.</li> <li>● Acting beyond expertise.</li> <li>● Acting without parent (if appropriate) or individual's consent or outside of the individual plan. Examples are: <ul style="list-style-type: none"> <li>○ taking photographs without consent</li> <li>○ cutting hair, finger nails or toenails without consent</li> <li>○ performing alternative therapies</li> <li>○ conducting religious rituals.</li> </ul> </li> </ul>
Dress	<ul style="list-style-type: none"> <li>● Wearing inappropriate clothes e.g. sexually revealing (refer to the Staff Handbook)</li> </ul>
Gifts and hospitality	<ul style="list-style-type: none"> <li>● Accepting gifts given by the client which could be construed as in return for preferential treatment. Where it is difficult to refuse a gift, staff are required to discuss this with their manager immediately.</li> </ul>
Client information	<ul style="list-style-type: none"> <li>● Concealing client information from colleagues, this might include: <ul style="list-style-type: none"> <li>○ personal information</li> <li>○ the intention of the client to self-harm or harm others</li> <li>○ not reporting violent or critical incident/issues</li> <li>○ child protection issues</li> <li>○ not completing full records of client interactions.</li> </ul> </li> </ul>

Professional staff boundary	Example of violation
Medication	<ul style="list-style-type: none"> <li>● Providing substances to clients which are not prescribed (refer to the Medication Policy).</li> </ul>
Client finances and personal possessions	<ul style="list-style-type: none"> <li>● Inappropriately handling client's finances (refer to Client Finances – Permanent Accommodation Policy 8)</li> <li>● Lending or borrowing clients' possessions without permission.</li> <li>● Consuming clients' food.</li> <li>● Making private phone calls on a client's phone.</li> <li>● Using a client's computer for private use.</li> </ul>
Discrimination	<ul style="list-style-type: none"> <li>● Making derogatory comments and discriminating against a client related to: <ul style="list-style-type: none"> <li>○ culture or race</li> <li>○ gender</li> <li>○ sexual orientation or preference</li> <li>○ age</li> <li>○ physical characteristics</li> <li>○ any other personal aspects.</li> </ul> </li> </ul>
Dependence	<ul style="list-style-type: none"> <li>● Staff have a responsibility to discourage client dependency.</li> <li>● Some examples of this abuse of power and the potential for creating a dependency are as follows: <ul style="list-style-type: none"> <li>○ providing a service other than the least restrictive alternative</li> <li>○ socialising outside the professional boundary</li> <li>○ encouraging clients to rely on one employee</li> <li>○ using the client for the staff member's emotional needs</li> <li>○ buying the client gifts or paying their bills</li> <li>○ discouraging a client's right to make their own decisions and choices (refer to the Changing Needs and Choices Policy 5)</li> <li>○ discouraging a client's participation and integration into the community (refer to the Social and Community Integration Policy 46)</li> <li>○ failing to balance duty of care and dignity of risk.</li> </ul> </li> </ul>

## APPENDIX B – SUPPORT WORKER frequently asked questions

### 1. What do I do if a client raises significant personal problems with me?

You need to tell a manager if a client raises significant personal problems with you as they may need to be referred, preferably with their knowledge, to a person with specialised skills, for example, a counsellor.

It may be decided that you can continue to play a supportive role with the client in collaboration with specialist staff if it is in the best interests of the client.

### 2. What is considered sexual behaviour?

Staff must not, under any circumstances, engage in an intimate, overly familiar or sexual relationship with a client.

Improper conduct of a sexual nature by a staff member with a client includes all forms of sexual activity and any other form of child abuse as well as but not limited to the following:

- obscene language or gestures of a sexual nature
- suggestive remarks or actions
- jokes of a sexual nature
- unwarranted and inappropriate touching
- undressing in front of clients
- failing to provide adequate facilities for opposite gender clients to get changed in privacy
- correspondence (spoken or text) with clients in respect of the staff member's sexual or personal feelings for the client
- deliberate exposure of clients to sexual behaviour of others.

### 3. What if the client is initiating the inappropriate behaviour toward you?

If a client is initiating sexual behaviour with you, you should take immediate respectful steps to discourage the client.

If the behaviour is significant, the matter should be reported and documented promptly and a plan of action developed to support the client and relevant staff member. Depending on the age/ability of the client and contextual information this plan of support may involve:

- communication with parents
- referral to and liaison with specialist counselling
- formalised support which may include closer monitoring or supervision
- referral to and liaison with appropriate agency.

### 4. What is appropriate physical contact?

At times, staff members will be required to give practical assistance to a client who is hurt or needs particular assistance or encouragement. The following examples of physical contact are acceptable:

- administering of first aid
- helping a person who has fallen
- assisting with toileting and personal care needs as described in an individual plan
- non-intrusive gestures to comfort a client who is experiencing grief and loss
- non-intrusive touch e.g. congratulating a client by shaking hands. Staff should remember the importance of accompanying such touch with positive and encouraging words.

## **APPENDIX C – Touch and physical intervention**

### **1. Touch**

- Where appropriate, seek clients' permission to touch, including mobility aids such as wheelchairs.
- Always explain what you are going to do when touch is required.
- Unless required as part of documented planned service delivery, avoid touching a client anywhere other than the hand, arm, shoulder, or upper back.
- Unless required as part of documented planned service delivery, avoid being with a client in a one-on-one, out of sight situation, and never touch a client in such a situation.
- Do not presume that a hug or a touch is acceptable to a particular client. Even non-intrusive touch may be inappropriate if a client indicates they do not wish to be touched.
- Respect and respond to signs that a client is uncomfortable with touch.
- Use verbal directions and prompts rather than touching e.g. ask a client to turn this way, rather than physically placing the client in the required position. Use this approach for demonstrations in dance, sport, music, drama and personal care. Where touch is essential for safety reasons e.g. with aquatic activities, always tell the client that you need to hold them in a particular way and seek their permission to do so.
- In some circumstances, staff may need to discourage clients from unnecessary reliance on touching such as holding hands or wanting to have hugs or cuddles. This should be done in accordance with details written on the individual plan.
- Clients must not be left in states of high distress for long periods. A supervisor needs to be contacted under these circumstances.

### **Cultural aspects**

Different cultures have different attitudes and traditions surrounding the concept of appropriate touch. Staff have a responsibility to become as familiar as possible with the values of the individuals supported by Bethany Care.

### **2. Physical intervention**

#### **Clients at risk of being hurt by a client**

- Non-physical intervention is the recognised means of managing high risk situations. Where a problem with a client becomes apparent, non-physical interventions include:
  - talking with the individual
  - directing the client to a safe place
  - directing other clients to a safe place
  - sending for assistance from other staff, or in extreme cases, the police.
- Use of verbal directions is always preferred to physical intervention. It is not appropriate to make physical contact with a client (e.g. pushing, grabbing, poking, pulling, blocking etc) in order to ensure they comply with directions. Under no circumstances should staff engage in any form of conduct which might cause physical or emotional harm to clients.

- If a client's safety is threatened, physical intervention can involve:
  - coming between clients
  - blocking a client's path
  - leading a client by the hand or arm
  - shepherding a client away by placing a hand in the centre of the upper back
  - removing potentially dangerous objects
  - using strategies to divert a client from an unsafe activity.
- Staff must never use physical interventions unless client safety or that of others is clearly threatened.
- Appropriate physical force may be permitted to ensure that Bethany Care's duty of care to protect clients and staff from foreseeable risks of injury is met. Everyone has the right to defend himself or herself against an attack provided they do not use a disproportionate degree of force to do so.