

# Principles for implementing duty of care in health, social care or children's and...

[Business](#), [Management](#)



1. 1 A duty of care is a legal obligation imposed on an individual requiring that they adhere to a standard of reasonable care while performing any acts that could foreseeably harm others. It's a requirement to exercise a reasonable degree of attention and caution to avoid negligence which could lead to harm to others. For me as a support worker it basically means I have a duty of care to protect any service users in my care from significant harm; this will be achieved using the standards that I have learned from the many courses that I have attended. All the risk assessments, policies, daily checks, who to contact should you suspect the service users may be at risk etc. are proof that I carry out my duty of care. All service users have the right to be kept safe and as a support worker it is my duty to ensure that the service users in my care are not exposed to any dangers whilst in our home.

My responsibilities under the duty of care are to do everything reasonable within the definition of my job role to keep the service user in my care safe and out of harm's way. "Duty of Care" means providing care and support for service users by complying with legislation and also within my policies and procedures. A negligent act could be unintentional, but careless, or intentional that results in abuse or injury. Also my duty of care is also meeting the services needs as they all individuals and have their own religion and belief, to which I am here to support them, with a non-judgemental attitude.

1. 2 In your job role you have a duty of care to raise any concerns you may have about any aspect of your work. These can range from poor working conditions, poor equipment, poor practice by other staff and raising concerns

about potential abuse cases and situations of neglect. It is my duty of care to safeguard individuals from harm. All employees should report any concerns of abuse they have. These might include evidence or suspicions of bad practice by colleagues and managers, or abuse by another individual, another worker or an individual's family member or friends. If you have any doubt at any time, you should discuss any issues you have with your manager.

2. 1 Conflicts and Dilemmas that may arise between the duty of care and individuals rights could be staff having a difference of opinion over an individual for example a staff member believing they have signs of abuse and another staff member thinking they don't. This could lead to conflict between the individual's family and carers if staff involved other agencies such as Social Services. Dilemmas could know when to get further help regarding child/adult protection and safeguarding issues for example if you did not refer the case to CQC the individual might still continue to suffer abuse. Another dilemma would know when to break confidentiality and share information. If you have any concerns about an individual or feel they are at risk you need to share them and report it, it is always better to be safe than sorry.

Other dilemmas in our setting could be:

- Staff falling out,
- Break confidentiality,
- Swearing and behaviour,

- Absent staff members,
- Lack of team work.
- Lack of training

## 2. 2 • Allowing service user explore with guidance,

- Making services users aware of potential hazards and dangers,
- Allowing service users to acquire life skills through learning how to cope with risky situations,
- Staff ignorance,
- Parents are a risk to staff if reported to CQC.

Here is an example of how to manage -It is cold, windy and raining outside - the service user wants to go outside with no coat on. You advise them about the weather conditions and explain they should wear a coat so they don't get ill. You should make a note of it in the service user's care plan of the outcome and how to manage this situation. By carrying out a risk assessment and recording the conflict or dilemma, I will be able to limit the risks whilst also considering the client's rights to choice.

## 2. 3

- Colleagues, managers, key workers, seniors
- The person's family and friends
- GP
- Care professionals

- Advocates
- Previous risk assessments about dilemmas

3. 1 I would follow the step by step list to respond to a complaint effectively and be professional, if a parent or a staff member from our service activates or anyone else informed our home with a complaint as a carer I would establish if this is something I could deal with personally, if it is we could deal with it there and then if not then I would inform the senior member of staff on shift about the situation (depending on how serious the complaint is) (if a serious complaint) I guide them directly to my manager or home leader.

3. 2 It is important that our care home runs smoothly and that parents and we staff work together in benefit for the service users. In event of complaints from either staff or parents every effort will be made to respond quickly and appropriately and the following procedures will be followed. If any parents consider that they have cause for complaint they should speak to the service users key person or the manager in the first instance and ask for a statement to be written if needed. When a complaint is made to a member of staff, we would have to inform our manager as soon as possible. If any parents or carers consider that their concerns have not been satisfactory resolved they might want to write a letter to CQC.

Also an acknowledgement of receipt of any written complaint will be made within five working days at the latest or you may contact them by phone. Written complaints will be recorded and dated and sent to Ian Salter within company if about management. We all know that parents have the right to make direct contact with CQC about any complaint made.