



HEALTH & DISABILITY COMMISSIONER  
TE TOIHAU HAUORA, HAUĀTANGA

## **Community support worker fails to maintain appropriate professional boundaries 21HDC00458**

Deputy Commissioner Rose Wall has found a home support worker and Access Community Health Limited (Access) breached the Code of Health and Disability Services Consumers' Rights (the Code) for their care of an older woman.

The woman required assistance with housework, due to reduced mobility. She received a small amount of support weekly in her home for housework and grocery shopping. A support worker, employed by Access, provided this support over a five-year period until the woman's death.

Over this time, the support worker developed an increasingly familiar working relationship with the woman. After the woman's death, it was discovered that the support worker was in possession of the woman's car, had used the woman's EFTPOS card, had sent personal texts to her and eaten meals at her home outside of work hours.

Ms Wall found the support worker breached the Code for failing to provide services in accordance with legal, professional, ethical and other relevant standards | Tū Rangatira Motuhake.

"Although, the support worker does not belong to any professional organisation, she was bound by the standards set out by her employer, Access," said Ms Wall. "By failing to maintain appropriate professional boundaries, she failed to comply with ethical and professional standards."

By receiving her client's car, the support worker breached Access's Professional Boundaries Policy. She also failed to adhere to the process outlined in the Shopping, Money Handling and Key Holding policy.

Ms Wall also found that Access breached the Code for failing to comply with professional standards | Tū Rangatira Motuhake.

"As the employer, Access had the overall responsibility to ensure their client received services that complied with the Code," said Ms Wall. "This meant providing employees with adequate policies and procedures to guide their actions, ensuring they received appropriate training and were adequately equipped to recognise and respond to emerging personal relationships."

Ms Wall said that while Access had policies outlining that employees must maintain appropriate professional boundaries and follow a process when handling clients' money, they needed to monitor staff compliance with the policies and procedures and actively identify, monitor, evaluate, and manage risk.

The case highlights some of the difficulties that can arise when isolated consumers become increasingly reliant on the social contact and personal relationships provided by community support workers.

The report notes that these situations require appropriate training to equip support workers to recognise risks and manage them appropriately. It also requires adequate independent checks and balances within the system to identify emerging risks.

Since these events, changes have been made by the support worker and Access. These are outlined in the report. In addition, Ms Wall made further recommendations for both parties, including that Access review its training platform to ensure that it equips support staff to manage boundary issues, human rights, advocacy, and communication issues.

7 October 2024

### **Editor's notes**

Please only use the photo provided with this media release. For any questions about the photo, please contact the communications team.

The full report of this case can be viewed on HDC's website - see HDC's '[Latest Decisions](#)'.

Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name group providers and public hospitals found in breach of the Code unless it would not be in the public interest or would unfairly compromise the privacy interests of an individual provider or a consumer. More information for the media, including HDC's naming policy and why we don't comment on complaints, can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).

In 2022/23 HDC made 592 quality improvement recommendations to individual complaints and we have a high compliance rate of around 96%.

Health and disability service users can now access an [animated video](#) to help them understand their health and disability service rights under the Code.

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