



# Refusal or Withdrawal of Care for a Patient Exhibiting Aggressive or Violent Behaviour Policy

## 1. Purpose

The purpose of the *Refusal or Withdrawal of Care for a Patient Exhibiting Aggressive or Violent Behaviour Policy* (the policy) is to outline the circumstances in which senior registered health professionals may refuse or withdraw care to patients who pose a threat to staff members. A decision to refuse or withdraw care is to be exercised by a senior registered health professional as an option of last resort when all other available and reasonable measures have been exhausted. The senior registered health professional must escalate their decision to withdraw or refuse care to the executive on call. The decision to refuse or withdraw care is considered to be temporary until the patient ceases to pose a threat to staff members.

For the purposes of this policy, refusal or withdrawal of care is only applicable to patients aged 18 years and over.

Health service providers have a responsibility under the *Work Health and Safety Act 2020* to ensure that staff members have a safe work environment.

This policy is a mandatory requirement under the *Work Health and Safety Policy Framework* pursuant to section 26(2)(c) of the *Health Services Act 2016*.

This policy should be read in conjunction with MP 0101/18 *Clinical Care of People with Mental Health Problems Who May Be at Risk of Becoming Violent or Aggressive Policy* and MP 0159/21 *Workplace Aggression and Violence Policy*.

## 2. Applicability

This policy is applicable to health service providers providing treatment or care to patients.

The requirements contained within this policy are applicable to the services purchased from contracted health entities where it is explicitly stated in the contract between the contracted health entity and the State of Western Australia or health service provider. The State of Western Australia or health service provider contract manager is responsible for ensuring that any obligation to comply with this policy by the contracted health entity is accurately reflected in the relevant contract and managed accordingly.

### 3. Policy Requirements

Health service providers are responsible for ensuring they have policies in place which direct senior registered health professionals on how and when to withdraw or refuse care to patients exhibiting aggressive or violent behaviour. These policies must include the requirements outlined in the *Refusal or Withdrawal of Care for a Patient Exhibiting Aggressive or Violent Behaviour Procedure*.

#### 3.1 Responsibilities of Health Service Providers

Health service providers are responsible for:

- compliance with specific obligations set out in the *Work Health and Safety Act 2020* to ensure a safe working environment
- ensuring that managers and staff members have the skills to respond promptly, consistently and appropriately to effectively prevent or manage incidents of aggression or violence if they do occur
- ensuring management plans for patients who have had previous incidents of aggression or violence are easily accessible for all staff members
- ensuring that staff members are aware of how the health service provider expects refusal or withdrawal of care for patients exhibiting aggressive or violent behaviour to be managed.

#### 3.2 Staff Member Responsibilities

Staff members are responsible for:

- compliance with local health service provider policies and procedures related to refusal or withdrawal of care for patients exhibiting aggressive or violent behaviour
- reporting any incidents of patient aggression and violence through the appropriate mechanism.

Where a patient suffers harm as a result of a senior registered health professional's decision to refuse or withdraw care due to their aggressive or violent behaviour, the senior registered health professional will not be liable provided that any reasonable person (senior registered health professional) would have refused or withdrawn care in the circumstances.

### 4. Compliance Monitoring

The Office of the Chief Medical Officer (OCMO), on behalf of the system manager will monitor health service provider compliance with this policy. As part of this monitoring, OCMO may:

- monitor routine data sources already available to the system manager
- require the health service provider to conduct an internal audit into its clinical practice and patient outcomes associated with this policy
- audit health service provider clinical practice and patient outcomes associated with this policy.

### 5. Related Documents

The following documents are mandatory pursuant to this policy:

- [Refusal or Withdrawal of Care for a Patient Exhibiting Aggressive or Violent Behaviour Procedure](#)

## 6. Supporting Information

The following information is not mandatory but informs and/or supports the implementation of this policy:

- N/A

## 7. Definitions

The following definition(s) are relevant to this policy.

Term	Definition
Aggressive or violent behaviour	A range of behaviours or actions that may reasonably be expected to cause harm, hurt or injury to another person. Behaviours include, but are not limited to verbal, physical or psychological abuse, threats, spitting, biting or throwing objects.
Refuse care	<p>Refusal of care is the decision of the senior registered health professional to decline to deliver health care to a presenting patient due to an episode of aggression or violence. This decision is considered to be temporary until the patient no longer exhibits aggressive or violent behaviour. The decision to refuse care can be reversed at any point by the deciding senior registered health professional.</p> <p><i>In relation to this policy, to refuse care is a measure of last resort, and is only recommended where a range of other strategies have been implemented and have been shown to be unsuccessful, and the safety of the health worker or others is deemed at risk.</i></p>
Senior registered health professional	<p>For the purposes of this policy, a senior registered health professional means:</p> <p>a) a person who is listed as a health professional during the reference period with the Australian Health Practitioner Regulatory Agency under the <i>Health Regulation National Law Bill</i></p> <p>b) a person with the following health professions:</p> <ul style="list-style-type: none"><li>- consultants</li><li>- registrars</li><li>- senior registered nurses</li><li>- senior allied health professionals</li><li>- head of clinical service or equivalent.</li></ul>
Staff member	<p>As stated in the <i>Health Services Act 2016</i>, a staff member of a health service provider, means:</p> <p>a) an employee in the health service provider</p> <p>b) a person engaged under a contract for services by the health service provider.</p>

Withdraw care	<p>The temporary discontinuation of health care. The decision to withdraw care can be reversed at any point by the deciding senior registered health professional.</p> <p>In relation to this policy, to withdraw care is a measure of last resort, and is only recommended where a range of other strategies have been implemented and have been shown to be unsuccessful and the safety of the health worker or others is deemed at risk.</p>
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## 8. Policy Contact

Enquiries relating to this Policy may be directed to:

Title: Chief Medical Officer  
 Directorate: Office of the Chief Medical Officer  
 Email: [OCMO.CED@health.wa.gov.au](mailto:OCMO.CED@health.wa.gov.au)

## 9. Document Control

Version	Published date	Effective from	Review date	Amendment(s)
MP 0174/22	24 October 2022	24 October 2022	October 2025	Original version.
MP 0174/22 v.1.1	6 September 2023	6 September 2023	October 2025	Amendment as detailed below.
<ul style="list-style-type: none"> <li>Mandatory policy transferred from the Employment Policy Framework to the new Work Health and Safety Policy Framework.</li> </ul>				

## 10. Approval

<b>Approval by</b>	Megan Inglis, Acting Assistant Director General, Strategy and Governance Division
<b>Approval date</b>	29 September 2022

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