Decision Making And Choice Policy

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| Policy number | Draft |
| Effective from | September 2021 |

AIM

To define FLINTWOOD’S position in relation to enabling Participants to have the opportunity to participate in making decisions relating to all aspects of their lives.

1. sCOPE

This policy applies to all FLINTWOOD’s services and activities.

1. DEFINITION

Legally appointed guardian - a legal guardian is a person who has been appointed by a court or otherwise has the legal authority (and the corresponding duty) to care for the personal and property interests of another person.

Guardianship Order - guardianship orders are made by the children's court of NSW on a final and long-term basis by placing a child or young person in the independent care of a guardian.

Guardianship Tribunal - The role of the guardianship tribunal is to appoint substitute decision makers for adults with a decision making disability. The tribunal may appoint a guardian if a person is unable to make his or her own personal decisions or a financial manager if they are unable to make financial decisions.

1. POLICY

4.1FLINTWOOD is committed to ensuring all Participants across all services

retain maximum control over their lives by having primary involvement in and influence over decisions that affect them.

4.2 FLINTWOOD will ensure a legally sanctioned, substitute decision maker is

identified for the Participant, where the Participant cannot make decisions and no family or significant others are available to participate in decision making.

1. Procedures
   1. FLINTWOOD’s programs promote opportunities and provide support for participants to develop individual competence in decision-making.

5.2 Each participant is given the necessary training and support required in order to make as many decisions and choices as possible. This information is presented in a manner that supports the individual, is meaningful and follows a person-centred approach.

5.3 FLINTWOOD develops and implements programs that provide support to

Participants maximise their potential to achieve self-determined goals, including providing information about the range of choices available to them and the use of accessible and appropriate modes of communication.

5.4 Employees provide information and support to Participants about the risk and

consequences of their choices and provide information so they can take responsibility for their individual

choice.

5.5 Participants will be given all opportunities to make decisions on their own

behalf. Any decisions made concerning day to day issues will be supported by

the Service Manager, who in turn will support family, close friends, advocates

and employees as required.

5.6 Where it is unclear if any Participant is making an informed choice,

the employee will seek additional support and guidance from the Service Manager and / or General Manager.

5.7 Where a Participant is unable to make a choice or provide consent in one area, this will not affect all other areas of decision making and choice.

* 1. Where required, Participants are encouraged to involve their support people

and/or advocates in assisting them in making decisions about their lives to ensure that the best outcome is achieved.

* 1. Employees ensure that Participants using the service are present, encouraged

and provided with support to participate in the planning and implementation of their individual plan.

* 1. Informed decisions made by Participants using the service are respected and

supported by the service.

* 1. Participants using the service are supported when they make informed

decisions that involve a degree of risk. Decisions made that involve ‘reasonable risks’ are supported through information sharing, education and risk reduction practices, all of which are documented as a component of the Participants individual plan.

* 1. Where critical decisions require Participant’s consent and the Participant

cannot provide it, a determination may be made informally by a family member or

other support people, in the best interest of the Participant.

* 1. In the case of any disagreement about what constitutes the best interest of the

Participant or, particularly critical decisions, these will be attempted to be resolved informally. If the disagreement cannot be resolved informally, a legally appointed guardian with the specific decision making function may be required to give or withhold consent through the Guardianship Tribunal.

* 1. Participants who are unable to make decisions with or without support, and

who have a legally appointed guardian with a specific function or financial

manager, are to be represented by that person whenever this is required.

* 1. When a Participant has a legally appointed guardian, decisions are to be made

only about the issue or issues on which the Participant is unable to decide.

* 1. A legally appointed guardian with a specific function may only decide for a

Participant on the function defined by the Guardianship order.

* 1. When a decision has been made by a Participant or legally appointed guardian

about a specific matter e.g. to receive a service or intervention, the decision is

specific to that matter.

* 1. Where a Participant’s risk taking behaviour involves physical or emotional

harm to another person, the Service Manager and or General Manager will intervene to protect the well-being of all concerned.

* 1. Participants using the service may request or refuse the assistance of a service at

any time. When this occurs, the potential outcome of their decision will be explained to assist with their further decision making.

* 1. Employees actively encourage Participants they support to be involved in the

evaluation of the quality of that support.

5.21 Participants are encouraged to access any independent support or advocacy to assist them in decision-making and choice.

* 1. Participants receiving a service are to be actively supported and encouraged

to:

* Appraise and evaluate the employees who provide them with support by giving feedback to the Service Manager when they want to or when asked to.
* Be involved in the induction and training of new employees by discussing their support needs, their likes and dislikes, their goals and aspirations and how they like to make choices. If the Participant is unable to communicate the above, other employees may assist new employees in learning all about the Participant.
* Provide feedback and make decisions about the service via the Participant Committee
* Be active members of the Participant committee and attend meetings.
* Develop and review relevant Participant policies.
  1. Parents and Guardians of Participants under 16 years of age have the right

to make decisions for them.

* 1. All Participants are encouraged and supported to make decisions in the context

of their culture, beliefs and heritage.

* 1. People from a CALD/ Aboriginal background who require support to make

decisions receive it from services that are in line with and reflect their culture and beliefs.

* 1. Information can be provided in a language or communication format that

Participants, families, Carers, advocates and guardians can understand or have interpreters engaged in supporting the supply and communication of information.

1. RESPONSIBILITIES

Employees

* All employees are to uphold and respect the decision making choices of all Participants

Service Manager

* Assist the Participant and their appointed decision maker to make informed decisions by advising them of the full range of services.

General Manager

* Ensure FLINTWOOD structures its programs and services to be flexible and responsive to the Participants individual needs and preferences.

CEO

* Ensure adherence to the Policy

CHANGE HISTORY

| Version | Release / Review date | Author / Reviewer | Change details |
| --- | --- | --- | --- |
| Draft | TBA | Jashika Pillay | Reformat, new content |
| 0.2 | September 2021 | Policy Committe | Read and Approved |