

STANDARD THREE: DECISION MAKING AND CHOICE

Each person with a disability has the opportunity to participate as fully as possible in making decisions about the events and activities of his or her daily life in relation to the services he or she receives.

Standard 3.1

DECISION MAKING AND CHOICE

3.1.1 Purpose and Scope

The purpose of this policy is to guide and instruct Samaritans staff on its obligations to support individual choices throughout the everyday activities and routines of that person.

3.1.2 Definitions

Decision Making: a process people go through when making up their mind on a course of action or the resolution of an issue.

Choice: the selection of a preference from a variety of possibilities.

Informed Choice: making a preference after careful consideration and with full understanding of the consequences that may arise as a result of making that choice.

3.1.3 Principles

Samaritans recognises that parents are the legal guardians of children who are under the age of sixteen and have a right to make decisions for their children. Samaritans further recognises that legally appointed guardians of people over the age of sixteen have a right to make decisions on behalf of the person. However, Samaritans encourages individuals to make as many decisions and choices as possible in all aspects of their lives.

Samaritans endorses the rights of people accessing the services to participate to the greatest extent possible in the management, evaluation and development of the service they use.

3.1.4 Policy

People are assisted to make decisions about the support services they wish to receive, activities they wish to participate in and the lifestyle they wish to follow. Samaritans recognises that development of decision-making skills and attainment of independence may involve risk taking. Samaritans supports the person in making these choices through education and training. Samaritans supports people using the service to express their views and to have their views taken into account.

3.1.5 Procedures

- Samaritans services promote opportunities and provide support for people to develop competence in decision-making.
- Each person is given the opportunity to access the necessary information, training and support to be able to make as many of their own decisions and choices as possible. This information is presented in ways that are meaningful to the person and are under the principle of the least restrictive approach. This includes providing information about the range of choices available using accessible and appropriate modes of communication.
- Staff members ensure that significant decisions and choices are documented in the person's file.
- Staff members provide information and support people about the consequences of their choices and decisions to assist people to take responsibility and make informed choices.
- Where required, people are encouraged to involve their support people and/or advocate in assisting them to make decisions about their lives to ensure that the best outcome is achieved.
- Staff members ensure that people using the service are present, encouraged and provided with support to participate in the planning and implementation of their individual support plan.
- Informed decisions made by people using the service are respected and supported by the service.
- People using the service are supported where they make informed decisions that involve a degree of risk. Decisions made that involve 'reasonable risks' are supported by information, education and practice to minimise the risk. They are documented as part of the person's individual support plan.
- Where a conflict arises as a result of a person's decision, a review is arranged in the context of an individual support plan or meeting with the person involved. The review aims to seek options that minimise the risks associated with the situation without sacrificing the benefits.

- Where a person's risk taking involves physical or emotional harm to another person, the Coordinator in consultation with the disability Services Manager, intervenes to protect the wellbeing of all concerned.
- Where it is unclear whether a person can make an informed choice that person is provided with further information and practice to assist in understanding the implications of choice.
- Staff members ensure that a person's inability or need for support to make decisions or choices in one area is not generalised to all areas of decision-making and choice.
- Where substitute decision-making is necessary Samaritans ensures it only occurs on the issues about which the person is unable to make decisions and it occurs in consultation with the person, respecting their point of view.
- Where there are significant and ongoing substitute decisions to be made, staff will consider and discuss with managers the need for an application for guardianship and financial management.
- People using the service may request or refuse assistance of a service at any time. In each incidence the consequence of the decision is explained to that person to assist them to make informed decisions.
- Staff members actively encourage the involvement of people they support in the evaluation of the quality of that support.
- People receiving a service are to be actively supported and encouraged to:
 - a) appraise and evaluate the staff members who provide them with support
 - b) select staff members to be directly involved with them
 - c) be involved in the induction and training of new staff members
 - d) make decisions about the service on advisory committees and service user committee or meetings
 - e) be members of the Advisory Committee and service user committees or meetings
 - f) develop and review policies.

Decision Making and Choice with Children

- Children under the age of sixteen are under the authority of their parents or guardians who are able to make decisions and choices they believe to be in the best interest of their children.
- Staff members provide information and support to parents/guardians to assist them to make decisions and choices for their child that supports their level of development and skill and complements their individual support plan. Children under the age of sixteen are involved in making day-to-day decisions about activities, clothing, meals and so on.
- As a child approaches the age of sixteen, decisions are made between the child, family and service about how to promote opportunities to increase their children's skills in decision-making and the consequences of those choices.
- Where there is a conflict between the family and their child, staff members support the child to raise the issue with their family to negotiate the best outcome for the child and family.
- Where a conflict exists between the family or the child's guardian and the service regarding the best interests of the child, the issue is negotiated with the key worker, Coordinator and the family to ensure the best outcome for the child and family.

3.1.6 References

Guardianship Act 1987 (NSW)

NSW Disability Services Act 1993 Objects 3(a, b i & ii), Principle 1(d, e & f)
and Applications of Principles 2 (d, k, l & o)

NSW Disability Services Standards - Standard 3

Samaritans Disability Services Policies and Standards -

Consent and Guardianship

Duty of Care and Dignity of Risk

Individual Support Planning and Review

Key Worker Role in Individual Support Planning

Participation and Integration

3.1.7 Person Responsible

It is the responsibility of support workers to:

- support the person to make decisions
- provide education and information on decisions and choices.

It is the responsibility of the Coordinator to:

- identify risks associated with choice
- review the activities of support workers through supervision
- advise the Disability Services Manager of risks, risk assessment and risk minimisation strategies.

3.1.8 Implementation and Evaluation

Individual Support Plans outline the decision-making and choice opportunities for each person.

3.1.9 Documentation

The Individual Support Plan and reviews are documented on the nominated forms.