

**POL 0011****Supported Decision Making and Dignity of Risk Policy**

Responsibilities and Delegations	
The Policy Applies To	Committee of Management Administration Staff Support Workers Program Managers / Program Developers / Assistant Program Managers Senior Management Assistant Executive Director Executive Director
Specific Responsibilities	Administration Staff Support Workers Program Managers / Program Developers / Assistant Program Managers Senior Management Assistant Executive Director Executive Director
Policy Approval	Committee of Management (Aurora Support Services)

Policy Context – this policy relates to :	
Standards	NDIS Practice Standards Core Module 1, Rights and Responsibilities – Independence and Informed Choices (Decision Making and Choice)
Legislation	<ul style="list-style-type: none"> • Australian Human Rights Commission Act 1986 • Charter of Human Rights and Responsibilities Act 2006 • The Equal Opportunity Act 2010 • Anti Discrimination Act 1991 • NDIS Safety and Quality Standards • National Disability Insurance Scheme Act 2013 • NDIS Code of Conduct • NDIS Practice Standards
Contractual Obligations	<ul style="list-style-type: none"> • NDIS Terms of Business • Continuity of Support Program Funding Agreement • Department of Environment, Land, Water and Planning
Organisational Related Policies / Procedures	<ul style="list-style-type: none"> • Participant Rights Policy • Workplace Behaviour Bullying and Harassment (including Sexual and Occupational Violence) Policy • Participant Service Charter • Diversity and Cultural Inclusion Policy • Participant Finance Policy • Money Management for Participants Requiring Assistance Policy • Valued Status Policy • Compliments and Complaints Management Policy • Individual Needs Policy • Maintaining an Environment Free From Violence, Abuse, Neglect, Exploitation and Discrimination Policy • Privacy, Dignity and Confidentiality Policy • Code of Conduct Policy • Supported Decision Making and Dignity of Risk Policy (Easy English)
Organisational Related Forms / Documents	<ul style="list-style-type: none"> • Participant Profile • Interservice Communication Profile



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Purpose

This policy is to ensure participants of Aurora Support Services have the opportunity to participate as fully as possible in making decisions about their daily lives and the services they need, want and receive. Aurora Support Services understand there is no reason for a person to be excluded from the decision making process about their own life.

Aurora Support Services understands that not all decisions require assistance, and will support participants primarily when they make significant decisions which have immediate or long-term consequences regarding their health, finances or lifestyle.

This policy applies to all Aurora Support Services programs and activities.

Aurora Support Services is committed to ensuring all participants of our organisation retain maximum control over their own lives by having primary involvement and influence over decisions that affect them.

Definitions

Advance Health Directive refers to discussions between a participant, their family and/or Representative and health care professionals, enabling the participant's preferences for future health care to be known should they become unable to participate in the decision-making process.

Capacity refers to either legal or mental capacity. **Legal capacity** is the ability to hold rights under the law and to exercise those rights. **Mental capacity** is the ability to make decisions.

Decision-Making Ability an understanding of the participant's support needs when making a decision. A participant must be assumed to have Decision-Making Ability unless all practical steps have been taken to assist them to make the decision and they remain unable to, or they have clearly indicated that they would like support to make the decision.

Dignity of risk the recognition that every individual should be able to do something that has a level of risk involved, whether real or perceived.

Financial Decisions include but are not limited to :

- Investment decisions
- Sale or gifts of property or valuable possessions
- Use of money

Healthcare Decisions include, but are not limited to, decisions relating to :

- Seeking or obtaining a diagnosis
- Accessing (or refusing) care services
- Responding to crisis (e.g., falls, incidents)
- Agreeing to or refusing medical treatment
- Advance care planning

Lifestyle Decisions include, but are not limited to, decisions relating to :

- Living arrangements
- Relationships
- Employment
- Civic participation
- Holidays and outings
- Pets and possessions

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Representative is a person or organisation who assists the participant requiring support in the decision-making process. As a last resort to prevent harm, the Representative may make decisions on behalf of the participant which reflect their will and preferences. A Representative is designated by a participant, or by appointment from another body if the participant cannot nominate a Representative and includes a Substitute Decision Maker.

Substituted Decisions decisions made by a Representative regarding a participant who is unable to communicate their will and preferences, or when a participant's will and preferences infringe on their rights or the rights of others. A Substituted Decision is based on the participant's previously expressed will and preferences or, if this is unknown, a Representative's best interpretation of 'what the participant would have wanted' based on the information available to them, such as documents for advance care planning.

Substitute Decision Maker (guardian) a legally appointed person such as a guardian to make decisions on behalf of a participant in certain areas, for example Healthcare Decisions and Lifestyle Decisions, or a financial manager to make Financial Decisions. A Substitute Decision Maker should work with a participant's informal support networks to support a participant to build their decision-making capacity.

Supporter is a person or organisation who is designated by the participant or organisation to aid in the communication and development of the participant's wishes regarding their care. Supporters may be required to aid in the decision-making process; however, the ultimate decision-making power lies with the participant.

Procedures

Aurora Support Services will :

- Make every effort to ensure participants understand their rights and opportunities in make decisions regarding services
- Increase opportunity for participants to make decisions
- Support participants to make decisions
- Build skills and knowledge of support staff, to enable participants to contribute to decision making and how to support participant decision make that upholds participant's rights
- Structure its programs and services to be as flexible and responsive to individual needs and preferences of current and future participants.
- Advise the participant, family members and / or advocates of the full range of services Aurora Support Services provides.
- Commit to exploring other service delivery options within the constraints of available resources.
- Involve the participant, family members and / or advocates in the development of a written Person Centred Plan for the participant and invite them to state their preferences for services.
- Ensure the Person Centred Plan is developed for all participants in accordance with the Individual Needs Policy and a copy of this policy has been provided to the participant, family members and advocates and is available for public viewing on the organisational website.
- Make every effort, within available resources, to accommodate the participant's service preferences and choices in the Person Centred Plan.
- Seek the formal authorisation of the participant, family members or advocates by asking them to sign the Person Centred Plan Acknowledgement Letter

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- Ensure the participant, family and / or advocate are consulted annually using the Interservice Communication Proforma
- Jointly review Person Centred Plans annually for all participants and make any agreed amendments
- Facilitate quarterly Service Users Meetings to encourage input from participants to decisions
- Ensure that if a participant's decision making involves some level of risk. Staff will support the individual to foresee and understand the risks associated with the decision. Staff will attempt to manage the risks associated with significant decisions, while not attempting to change the participant's mind regarding a decision.
- Ensure all staff complete "Introduction to Supported Decision Making" training
- Involve participants, families and advocates in the Aurora Support Services strategic planning activities, where appropriate i.e. organisational name change.
- Ensure all participants and their families or advocates have been provided with a copy of the Supported Decision Making and Dignity of Risk Policy and that it is available for public viewing on the organisational website.
- Ensure all employees are provided with a copy of the Supported Decision Making and Dignity of Risk Policy and a staff copy of the policy is kept in each service outlet.
- Ensure that if a staff member from a participant's support network believes a Representative or Supporter is not acting in the best interests of a participant, they are to notify their Line Manager as soon as possible.
- Recognise and respect a participant's culture, language, values and beliefs.
- Ensure Aurora Support Services programs and services have been structured in a way as to permit maximum flexibility and responsiveness to individual participant's preferences and choices.
- Ensure Aurora Support Services full range of services has been portrayed in an easy-to-read Participant Information Pack which is provided to all current and prospective consumers.

Continuous Improvement

The Services Director/s is responsible for reviewing and updating this policy on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

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