

Decision Making and Choice



Policy: Decision Making and Choice

Purpose

This policy highlights Achieve Australia's person-centred approach to supporting people with disability to make decisions that affect them and give informed consent. Where a person cannot consent for themselves, it recognises the vital role of family members, friends, carers and legally appointed decision makers in ensuring that the interests of the person are central to decision making.

This policy is based on our commitment to deliver culturally responsive services to Aboriginal and Torres Strait Islander people as well as to people from culturally and linguistically diverse (CALD) backgrounds and guides staff to support people to exercise their rights and have choice and control over their services.

This policy is based upon the following principles

- Achieve Australia respect the rights of people with disability in exercising choice and control about matters that affect them.
- Collaboration and consultation with people with disability (and other key stakeholders where appropriate) that promotes and ensures active choice and control in relation to the services and supports received.
- All people with disability are assumed to have capacity to make decisions, exercise choice, and provide informed consent regardless of their disability.
- People are supported to develop their capacity to make independent decisions.
- Timely information is provided in appropriate formats to support people to make informed decisions including people's rights and responsibilities.
- Choice includes smaller decisions about everyday living through to more complex consultation on co-design of service.
- Achieve Australia supports people with disability in a way that is appropriate to their circumstances and cultural needs to maximise opportunities to make choices and have control over decisions that affect their lives.
- Achieve Australia recognises the role of family, carers and advocates in representing people's interests and promoting choice and control in the planning and delivery of supports.

Scope

This policy relates to all employees, contractors, volunteers and students on placement who deliver services to clients on behalf of Achieve Australia.

Legislative Context

- National Disability Insurance Scheme (NDIS) Act 2013
- Disability Discrimination Act 1992
- Disability Inclusion Act 2014

- Privacy Act 1988
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children’s Guardian Act 2019

Reference Documents

- United Nations Convention on the Rights of Persons with Disabilities
- NDIS Code of Conduct
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- Achieve Australia Privacy Policy
- Achieve Australia Customer Privacy and Dignity Policy and Procedure
- Achieve Australia Customer Charter of Rights and Responsibilities
- Achieve Australia Information Management Policy and Procedure
- Achieve Australia Complaints and Feedback Policy and Procedure
- Achieve Australia Individual Needs and Planning Policy

Policy Owner	Chief Operations Officer
Approved By	Chief Executive Officer
Date Approved	30/01/2020

Objective	Policy Description
To encourage people we support to make informed decisions	<p>Achieve Australia staff will ensure all people we support are encouraged to exercise their right to make informed choices and decisions about the individual service each person receives which affects their lives.</p> <p>Each service will provide people we support, their families and their advocates with necessary information and training to make informed choices about individual programs and take responsibility for their decisions.</p>
To provide opportunities for people we support to make choices about their day to day service provision	<p>Where possible and within the constraints of individual funding levels, people we support will be provided with the opportunity to make choices about all aspects of their day to day service provision.</p> <p>These opportunities to make choices will be documented as part of their service specific procedures whilst ensuring decision making respects the person's cultural, religious and other beliefs.</p>
To develop procedures to assist people with support in articulating their choices	<p>Achieve Australia will develop procedures to be implemented when a person we support is unable to communicate their choice about any aspect of their service provision.</p> <p>The procedures will consider the person's history of choice making and demonstration of preferences and may involve independent advocacy. They will also be updated in accordance with the principles of the Achieve Australia Continuous Improvement Framework.</p>
To provide staff with sufficient training on promoting client decision making and choice	<p>Achieve Australia will provide training for staff in how to assist people we support in making choices about the services they receive whilst at the same time complying with our Duty of Care and Dignity of Risk obligations as well as other legislative requirements.</p> <p>Achieve Australia respects a client's right to choice and control and is committed to taking reasonable actions to enable the person to exercise that control as part of our assessment, individual support planning and support provision practices.</p>
Children and Young People in VOOHC	<p>In the context of this policy, a child is any person under 16 years of age and a young person is anyone 16 years or older and younger than 18 years of age.</p> <p>Achieve Australia ensures that children and young people have a right to be involved in decisions that affect them in ways that are appropriate to their age and stage of development under the UN Convention of the Rights of the Child.</p> <p>Even very young children can make choices and communicate feelings, ideas and wishes in numerous ways before they are</p>

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	<p>able to communicate through spoken or written language. Children should be involved in decisions that affect them in age appropriate ways. This provides opportunities for children to develop decision making skills and confidence to prepare them for adulthood and allows parents and guardians to see them as decision makers.</p> <p>Parents and guardians of people under 16 have the right to make decisions for them. Parents or legal guardians also have a role in decision making concerning their children because they have a primary responsibility for children's upbringing and development.</p> <p>Relevant legislation requires service providers such as Achieve Australia to consider the needs of children and young people with disability so that supports, and services are provided in a way that</p> <ul style="list-style-type: none"> • recognises the child or young person's right to live a life with full and active participation in family, cultural and social life with dignity and conditions that promote self-reliance. • recognises that children and young people are more vulnerable to the risk of abuse and exploitation. • respects the views of the child or young person (with regard to their age and maturity).