

Review Details

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DETAILS OF CHANGES

Date of Revision	Revision Description
21/03/2023	Changed policy present format
17/02/2025	Reviewed, no change was made

PLANNED REVIEW

Date of Next Review	Revision Description
17/02/2027	

Related Legislations and Standards

- NDIS Act 2013
- NDIS Code of Conduct
- Regulated Restrictive Practices Guide

Related Policies and Procedures

- Advocacy Policy
- Care Plan Policy
- Consumer Rights Policy
- Privacy and Confidentiality Policy
- Restricted Practices Policy and Procedure

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1. SUMMARY

ViWa supports the rights of consumers to make choices and control their decision makings in regard to how and where they wish to live their life.

Our commitment is to supporting consumers to live a happy and meaningful life. We apply the following key principles in the way we deliver our services:

- Choice and control
- Belonging in the community
- Contributing to everyday life
- A supportive environment
- Engagement with families
- Financial sustainability

ViWa is committed to ensuring the consumer is at the centre of what we do and involved in making decisions that impact upon their day-to-day life. In recognising the potential barriers to self-agency, faced by many people living with disability, we actively ensure through our service and support that consumers have choice and control in their lives and in decision-making.

2. SCOPE

This policy describes how ViWa provides for and ensures consumers have choice and control in decision-making.

This policy relates to all employees, contractors and volunteers responsible for working with the consumer, their family/guardians in relation to any aspects of the service of support they need and want.

3. PURPOSE

The purpose of this policy is to ensure that consumers and family members or their guardian(s) are given sufficient information, including options, to make clear decisions about the services and support they receive.

4. POLICY STATEMENT

In recognising the potential barriers to self-agency, faced by many people living with disability, we actively ensure through our service and support that consumers have choice and control in their lives and in decision making.

5. RESPONSIBILITIES

All staff are responsible for ensuring that the implementation of this policy is adhered to.

6. SUPPORTING SELF-DETERMINATION

Self-determination is the ability to make choices, have voluntary control over ones' decisions and actions and the resulting consequences. Self-determination ensures consumers are in control of their life both in the small actions and decisions that make up one's everyday life and in the larger decisions that shape their goals and life directions.

When a person is at risk of reduced self-determination due to such factors as disability, mental capacity, legal rights and autonomy, it is important that their rights, choice and control in decision-making, and active consent are respected and protected.

ViWa recognises that enhancing personal choice and control in decision-making in everyday life contributes to improved quality of life through emphasising a person's rights, their personal responsibility, and enabling and expanding opportunities and choices in everyday tasks.

7. CHOICE and CONTROL

ViWa believes that if consumers are supported to have greater choice and control over their services, they are better able to select the services that best meet their needs. We in turn, as a service provider, are better able to facilitate their community integration to enhance opportunities to develop their personal relationships and networks and facilitate greater independence in their day-to-day life.

We recognise that at times however there may be conditions that reduce a consumer's capacity for choice and control. Rather than let this be a detractor, we actively support each individual to maximise their choice and control within their capacity, wishes and any factors that may otherwise limit this. We do this to ensure that consumers are afforded have the right to live and participate in their community and enjoy a good quality of life which includes being supported to exercise choice and control over their own lives.

8. DIGNITY OF RISK and DUTY OF CARE

Dignity of risk refers to the legal right of every person, including those with a disability, to make choices and take risks in order to learn, grow and have better quality of life. Inherent to the concept of dignity of risk, is the recognition that a person's life experiences come with an element of risk, which even the best planning and support cannot eliminate.

Dignity of risk affords a person the right (or dignity) to take reasonable risks, and that the impeding of this right can negative impact personal growth, self-esteem and the overall quality of life.

This can be challenging for service providers who have the duty of care to ensure consumers are safe and recognising that not all people with disabilities have the capacity to weigh the potential risks inherent in a particular situation and may not be able to make informed decisions for themselves.

ViWa will work with consumer's families / guardian(s) to consider each individual circumstance and support the consumer to make choices and decisions, where there is an element of risk in balance with the organisation's duty of care to provide a safe environment.

To achieve this balance, ViWa recognises the importance of empowering consumers to make informed decisions by ensuring they have access to the tools and information they need to make such decisions effectively, so they are better able to exercise their dignity of risk within their needs and abilities. In doing this we support consumers to develop the confidence they need to make and have control over, their own decisions.

9. DECISION-MAKING

ViWa recognise that the level of support required in assisting consumers to make day to day decisions will vary depending on the individual consumer, their disability, and any conditions that may be in place such as Guardianship orders.

ViWa supports consumers to achieve choice and control in decision-making by ensuring informed consent processes apply to and are clearly documented in relation to:

- Services they choose through their Service Agreement
- Community participation supports through their Service Agreement
- Active supports to maximise opportunities for consumer choice, control and decision-making in every activity they wish to enjoy and through their day to day domestic responsibilities associated with supported independent living in their home.

This including:

- The consumer's communication needs
- The consumer's capacity and scope / wishes for decision-making
- Any restrictions, limitations or conditions through law/guardianship
- Involvement of consumers' families and guardian/s in this process

10. POTENTIAL FOR HARM

The right to choose and control in decision making does not extend to any actions that lead to actual or potential harm and staff cannot be directed to support a consumer in such an action or decision. This does not remove the consumer's right to dignity of risk.

Some rare circumstances, a consumer acts, or makes a decision to act in a way that has the potential to cause harm to themselves or others, ViWa is required to exercise its duty of care, and implement risk management processes and procedures to prevent harm.

The reasons for implementing such risk management processes will be discussed with the consumer, family member(s) or guardian(s).

ViWa will take steps to ensure that implementation of any risk management processes and procedures acts only to address the actual or potential immediate harm and will not restrict the consumer's choice and control in decision-making in any other aspect of the person's life.

Risk management processes and procedures will comply with ViWa policies and procedures and will be monitored through incident reporting.

11. QUALITY OF LIFE

ViWa recognises that enabling and supporting consumer's choice and control in decision making is a core contributor to their quality of life and a human right and are underpinned by the values of dignity, equality, empowerment, self-determination, non-discrimination, and inclusion and should be a measure of the outcome of the services and supports we provide.

All consumers are actively supported, focusing on a strengths-based approach, to make decisions about their service and supports with ViWa in relation to their interpersonal relations, social inclusion, personal development, physical and emotional support, health and well-being and their daily activities.

Our performance and commitment to consumer's choice and control in decision-making is measured through:

- Internal Audit Schedule
- Safety and Quality Check
- Consumer, family/guardian feedback and complaints mechanisms
- Consumer Reference Group / Consumer Advisory Committee
- Staff Satisfaction Surveys
- Consumer Satisfaction Surveys
- Staff Training and Professional Development

12. EMPLOYEE TRAINING and DEVELOPMENT

Staff will be made aware of this procedure through email.

This document will be uploaded on the ViWa's document centre information system.

This procedure, along with the suite of policies and procedures regarding consumer rights will be tabled at Staff meeting agendas whenever reviewed.

New staff will receive mandatory induction training that covers:

- Consumers Rights
- Informed Consent
- Privacy
- Active Support
- Support Planning