**Support for Decision Making consultation submission**

**Name:** Individual 72 (QLD)

**Date and time submitted:** 6/25/2021 12:21:00 PM

**How do you identify:**

* A NDIS participant: No
* A family member, friend or carer of a NDIS participant: No
* A NDIS nominee: No
* A legally appointed guardian: No
* A disability support worker: No
* A health or allied health worker: No
* A community member: Yes
* Aboriginal or Torres Strait Islander: No
* Culturally and linguistically diverse: No
* From a rural or remote area: No
* A person with an intellectual disability: No
* A person with a cognitive impairment: No
* A person with a communication disability: No
* A person with a psychosocial disability: No
* Other: No
1. **How can we help people with disability make decisions for themselves?**
* Resources: Yes
* Information: Yes
* Decision Guides: Yes
* Having a person help: Yes
* Other: Yes

By having competent dThe NDIA MUST consider funding in participants plans for decision making support for those people who do not have any informal supports in their life. It would be negligent of the NDIA to disregard the right of people to make their own decisions, as underpinned by the UNCRP, everyone is considered to have decision making capacity unless it is proven otherwise. And it is ok if the person needs support with some things and not others. People without a disability are considered to be resourceful when we use support to make decisions but people with a disability are considered to be incompetent when they require support. This is simply an unjust way to look at this issue. People with disabilities must have access to competent decision making support at all times, like all of us do

1. **Who are the best people to help you (or a person with a disability) to make decisions?**
* Family: Yes
* Friends: Yes
* Peer Support Networks: Yes
* Mentors: Yes
* Coordinators: Yes
* LAC: Yes
* NDIA Partners: Yes
* Advocates: Yes
* Service Providers: Yes
* Other: Yes

The participant needs people around them who know them well to assist them with decision making. This can be multiple people. Participants who have complex communication needs and severe cognitive disabilities are best safeguarded by having multiple people. Participants who have complex communication needs and severe cognitive disabilities are best safeguarded by having multiple people assisting them with decision making. It is important to note that sometimes family, although they have the participants best interest at heart, don't always support what the person wants themselves. It is imperative that the persons will and preference is at the forefront!! It is not ok to appoint family members as Plan Nominees by default, the NDIA MUST have a process whereby they check with the participant if they agree with having a Plan Nominee, and whom they'd like to appoint as their Plan Nominee.

1. **What should they do to help with decision-making?**

They need to know the person well. They need to know the persons will and preference and what is important to them - not what they think is in their best interest. They need to know the underpinning human rights legislation and understand the difference between making decisions with support and substitute decision making. They cannot have any conflict of interest.

1. **How can they get better at helping?**
* Getting to know the participant well: Yes
* Doing some training on decision support: Yes
* By having resources and information about providing decision support: Yes
* Other: Yes

Knowing the underpinning Human Rights legislation and the relevance of Supported Decision making as it relates to the UNCRPD.

1. **How can we make sure the right people are helping?**
* They are chosen by the NDIS Participant as a decision supporter: Yes
* They value the rights of people to make decisions with support: Yes
* They are a registered provider: No
* They enable the participant to take risks: Yes
* Other: Yes

They do not need to be a registered provider, by putting a registration requirement on decision supporters will limit the participants options. The NDIA MUST consider funding decision making support in people's plans, ie. by funding a facilitator for a Circle of Supports.

1. **What should decision supporters know about so they can better help people with disability make decisions?**
* Guidelines for decision supporters: Yes
* Scenarios or Examples: Yes
* Information Sessions: No
* Support Networks: No
* Other: Yes

Who would hold the information sessions? What/who would the support networks consist of? Need to consider these first before implementing. Decision supporters need to know about underpinning Human Rights principles. Decision supporters need to have skills in being a communication partner for people with complex communication needs.

1. **Can you tell us about a time when someone helped you (or a person with disability) to make a big decision?**

Yes

**What worked well?**

I had access to information in a way that I could understand. I had people that I trust I could ask for advice. I have skills to use the computer and the internet to do my own research.

**What could have been better?**

No answer recorded

1. **What is the best way to support people with disability to make decisions about their NDIS plan?**
* Practice: No
* Peer Support Networks: No
* Information and Resources: No
* Guidance Tools: No
* Not Sure: No
* Other: Yes

Not having blanket Plan Nominees put in place, ask the participant if they want a Plan Nominee first, explain what it means to have a Plan Nominee and ask whom, if anyone, they'd like to have as their Plan Nominee. Include capacity building funding in participants plans for skills building around using their plan. Funding for decision support.

1. **Are there different things to consider for people with different disabilities or cultural backgrounds?**

**An intellectual disability:** Yes, People with an intellectual disability have varying levels of skills, do not put everyone in the same bucket. Do not assume that people with an intellectual disability can't make decisions. It is ok if people with an intellectual disability only make some decisions themselves and have support to make others. Do not expect Advocacy to fill the gap where decision making supports are not adequate but include funding in participants NDIS plan when it is identified they require this support.

**A disability that impacts how they think, a cognitive impairment:** Yes, Same as above.

**A psychosocial disability:** No

**A disability that impacts their ability to communicate:** Yes, People with complex communication needs require expert support from a competent communication partner, they require funding in their plan for training for communication partners as well as ongoing funding for speech pathology.

**From a CALD community:** Yes, Cultural competency is a must!

**From an Aboriginal or Torres Strait Islander Community:** Yes, Cultural competency and safety! Understanding of collective decision making within Aboriginal communities, do not expect participant to be independent and perform in isolation from their community.

**From the LGBTIQA community:** Yes, Understanding of LGBTIQA+ community and issues that affect them, sensitivity to issues.

1. **How can we help reduce conflict of interest?**

Speak to the participant about who is important to them in their lives, who they would like to have involved in their decision making supports. Listen to the participant when they report issues, listen to participants Advocates when they report issues - cut red tape for Advocates to be able to do their jobs.

1. **How can we help reduce undue influence?**

Listen to the participant if they express any concerns and act on these concerns. Ensure participants have multiple people in their lives who gather around them to assist them with decision making - ie. a Circle of Supports. By having more than one person, or one entity supporting the participant enhances their safety and ensures accountability of everyone involved.

1. **What are your concerns (if any) around people with disability being more involved in making decisions for themselves?**

Absolutely none!

I have concerns if the opposite was the case.

1. **What else could we do to help people with disability to make decisions for themselves? Is there anything missing?**

I cannot emphasise this enough, the NDIA MUST fund decision making support in peoples NDIS plans, ie. by funding a facilitator for a participants Circle of Supports.

The NDIA MUST not appoint Plan Nominees without consulting with the participant first.

1. **Do you have any feedback on our proposed actions in Appendix C of the paper?**

There is no clear how the NDIA will do any of the suggested actions. Yes it is a good idea to increase staff understanding and skills but how will the NDIA do this? Is the NDIA planning to work with leading experts in the field, is the NDIA going to use research and literature to make informed decisions about best methods to use? The NDIA needs to get better at explaining HOW they plan to implement changes and tell participants WHAT they have done to come to this conclusion.