

Supported Decision Making

What is supported decision making?

Supported Decision Making:

- is a process of assisting a person with disability to make their own decisions, so they can develop and pursue their own goals, make choices about their life and exercise some control over the things that are important to them;
- has a foundation in the *United Nations Convention on the Rights of Person with Disabilities* (UNCRPD) [Article 12- Equal recognition before the law](#)

The UN General Comment on Article 12 states “*The human rights-based model of disability implies a shift from the substitute decision making paradigm to one that is based on supported decision making*”. Everyone has the right to make their own decisions, and supported decision making is a way of ensuring that people with disability can exercise this right.

Core principles of supported decision making

1. Every person can express their will and preference
2. A person with disability has the right to make decisions
3. A person with disability can expect to have access to appropriate support to make decisions

What does supported decision making involve?

It involves a person with disability and a supporter who helps them identify where and how they need help so they can make their own decisions about their life. Supporters may be trusted family members, friends or others who help the person with disability with one-on-one support or as a team. When a person cannot make “some” decisions it does not mean they cannot make “any” decisions.

How does supported decision making relate to the National Disability Insurance Scheme (NDIS)?

The supported decision making approach for people with disability aligns with the principles of the *NSW Disability Inclusion Act* (2014) and the [NDIS Operational Guideline- General Conduct –Supporting Participants Decision Making](#).

What kinds of decisions are involved in supported decision making?

A person with disability could be supported to make everyday decisions such as what to wear or what to eat or bigger decisions like where to live or what services to use. They can also be supported with medical decisions, such as going to the doctor or taking medicine or with financial decisions such as what to buy or how much money to save.

What is the role of a supporter in the supported decision making process?

There are many ways a supporter can help with this process. They can gather and provide information about a person's choices in a way that the person can understand. They can provide alternatives to think about and help the person to work out the positives and negatives and the potential consequences of their decision. The type and level of support will vary depending on the decision and the person.

How does supported decision making fit within a guardianship order?

Under current laws legal guardians remain legal decision makers and must firstly consider the welfare and interests of the person under guardianship. It is the duty of everyone exercising functions under the Guardianship Act to follow a number of principles including, consider the views of the person, take the least restrictive approach and encourage the person to be self-reliant, amongst other things. You can get further information from the NSW Public Guardian at <http://www.publicguardian.justice.nsw.gov.au/>

A key focus of the SDM approach is to improve the capacity of families, carers and service providers to step away from substitute decision making and move towards more self-directed decision making.

Where can I get more information about supported decision making?

You can access more information about supported decision making on the ADHC website at http://www.adhc.nsw.gov.au/individuals/inclusion_and_participation/supported-decision-making

You can also email your questions or comments to email supporteddecisionmaking@facs.nsw.gov.au