



NDIS – decision making and Guardianship



How to use this paper



The Office of the Public Guardian wrote this factsheet.

We call it OPG for short.

When you see the word 'we', it means the OPG.



We wrote the factsheet in an easy to read way.

We use pictures to explain some ideas.

Bold
Bold

We wrote some hard words in **bold**.

This means the letters are thicker and darker.

We explain what the hard words mean.



You can ask for help to read this fact sheet.

You could ask a friend, family member, support person or advocate.

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What is this paper about?



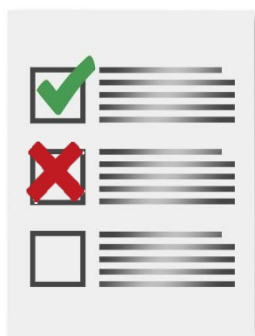
This paper is about making **decisions** about the NDIS when you have a **Guardian**.



A **decision** is when you make a choice about something after thinking about it.



A **Guardian** is a person who acts and makes decisions for you when you are not able to.



This paper tells you what a **Guardian** will and will not do.

It also tells you what Support Coordinators and Service Providers need to do.

Our Principles about NDIS decision making and Guardianship.



Principles are important ideas we must always think about.

We have 6 principles.

They are:



1. You have the right to make your own decisions or be part of them as much as you can.



2. You should have support to help you make decisions and put them into action.

When you make your own decisions with the right support, it is called **supported decision making**.



3. People who support you to make a decision are called **supporters**.

They may be:

- Family
- Carers
- People who are important to you
- Advocates
- Helping professionals



Supporters are important.

Their help means you are still making decisions and have control in your life.



They can help you:

- think about what you want
- make big decisions and small decisions
- learn new things and get information.



4. People should only make decisions for you if:
- there is no other way
 - you do not have **capacity**



Capacity is your ability to

- understand information
- keep the information in your mind
- use the information to make a choice or decision
- let people know your decision.



You can let people know your decision in different ways, it does not have to be talking.



5. We must believe someone can make a decision unless we can show the person cannot.



6. Sometimes it is harder to make decisions.

It might be harder depending on:

- what the decision is about
- how hard the decision is
- if you are feeling well or not
- if you are happy, sad, upset or angry
- if you have good support to make the decision.



Good support is very important.

The Guardian's job and what to expect.



Sometimes people need someone to make a decision for them.

We call this **substitute decision-making**.

The Guardian is a substitute decision maker.

Guardians will:



- only make decisions about your NDIS supports if they have the right to
- help you get support to make your own decisions whenever they can
- only make decisions for you when you cannot get support to make decisions or;
 - the decision is too hard
- say when it is ok to share information about you to other people
- Make sure you get help to make decisions about **support coordination**.



Support coordination helps you make the best use of your NDIS plan.



Guardians will not

- contact service providers about things to do with how your plan is put into action
- sign your agreements about your NDIS plan
- be involved in the day to day working of your NDIS supports
- make decisions about your money -
this includes the money in your NDIS plan.

The Support Coordinator's job and what to expect.



A **Support Coordinator** is a person who is paid for by your NDIS plan.



They work with you and your Guardian to make sure your NDIS plan is right for you.



If it is not right, they can ask for a **plan review**.

A **plan review** is a meeting to talk about your NDIS plan.

You can ask for any changes to your plan



The Support Coordinator can also help if you want to complain or choose another service.

Support Coordinators will:



- Help you to make decisions about your NDIS services
- Check that your **Service Agreement** and plan match



A **service agreement** is between you and your services.

It is what you both agree will happen.

It should match what your plan says.

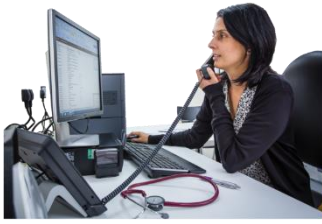


- Make sure the money in your plan is being used right



- Get **consent** from you or the guardian to share your NDIS information.

Consent is asking if it is okay.



They might want to talk with other people who help you, like

- Doctors
- Health professionals



- Ask your Service Providers to use Easy Read service agreements if this meets your needs.



- Make sure your Guardian has the right information before a plan review



- Talk with the Guardian if there is a decision that is very hard for you to make.

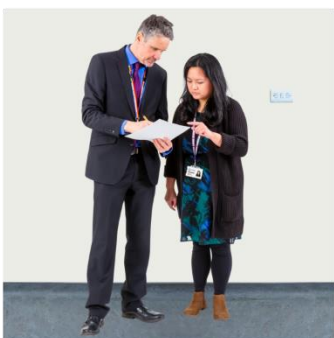
The Guardian might need to make the decision for you.

The Service Provider's job and what to expect.



Service providers will

- work with you and your Support Coordinator so you get good support
- make sure your Support Coordinator has all your **service agreements** so they can check they match your NDIS plan
- give you information in easy read so you can understand and can fully take part in your services
- go to your Support Coordinator if a decision about your NDIS is too hard for you to make – even with supported decision making.



The Support Coordinator will then contact the Guardian who can make the decision for you.



Speak Out Tasmania made this document Easy Read.

You need to ask us if you want to use any images from this document.

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