

# SUPPORTED DECISION-MAKING

Help and assistance for decision-makers and supporters

## What is Supported Decision-Making?

A person with decision-making ability has the right to make decisions about their own life.

People have a right to support, help and assistance in making decisions. We call this 'supported decision-making'.

This is different from 'substitute decision-making', which is when someone else 'steps in' and makes decisions for a person.

## What is Decision-Making Ability?

A person has decision-making ability if they have:

- The ability to understand the information relevant to the decision
- The ability to use this information to weigh up options
- The ability to retain information long enough to make a decision
- The ability to communicate their wishes in some way (not necessarily verbally)

People are presumed to have decision-making ability, unless proven otherwise.



## What decisions?

Decision-making can occur in different areas. Some examples are:



**HEALTHCARE** (e.g. agreeing to or refusing medical treatments or other healthcare)



**LIFESTYLE** (e.g. living arrangements and relationships)



**FINANCIAL** (e.g. use of money, gifts)



**EVERYDAY** (e.g. weekly shopping, personal care, household jobs)

## Are there laws for supported decision-making?

The laws vary in different states and for different decisions. While some states have laws for supported decision-making arrangements (e.g. Victoria), this is not consistent across Australia. Supported decision-making can also occur informally. If a supporter needs to access confidential information (e.g. from banks or hospitals), they may require formal authority from the person. This can be done through a formal appointment as a substitute decision-maker. It is wise for supporters to communicate with other people (e.g. the person's family members, friends, doctor, lawyer) about their role as a supporter.

### Can I have support in making decisions?

Yes. Everyone has a right to access help and support in making decisions. You can ask a family member, friend or other person to be a 'support person' or 'supporter'. Things to consider:

- Do I trust this person?
- Do they know what I like and dislike?
- Do they know what's important to me?
- Will they listen to my views?
- Are they patient and helpful?
- Do they have enough time?
- Can they help me get my views across to others?

### Do I have to have support in making decisions?

No. Help and support in making decisions is optional. If you prefer someone else to make decisions for you, this can be arranged, either informally, or by formally appointing a substitute decision-maker. If you normally have a 'support person' you can also choose to stop this at any time.



### How can supporters provide help in making decisions?

Things to consider:

- Know the person well.
- Identify other potential supporters.
- Learn about the person's wishes.
- Understand any special needs that the person has in decision-making.
- Identify the best time and place to assist the person in working through decisions.
- Collect relevant information in advance.
- Present options in a balanced way.
- Simplify options if needed.
- Explain things several times if needed.
- Put your own wishes aside.
- Help the person communicate their wishes to others.

Providing support for a person's decision-making involves a process:



### What if the decision is risky?

People have the right to make decisions, including those involving risk. Risk can take a number of forms, including physical, financial, legal, psychological and social. Things to remember:

- Each person has their own ideas about what risks are acceptable.
- People can have help to understand the risks and make decisions where possible.
- People should be supported to weigh up the potential benefits and risks involved.
- If a person has decision-making ability for a decision (including with support), they have a right to make the decision, even if it is risky.

More information is available from:

Cognitive Decline Partnership Centre: <http://sydney.edu.au/medicine/cdpc/resources/supported-decision-making.php>

Phone Dementia Australia Helpline: 1800 100 500