



**INDEPENDENCE AND
INFORMED CHOICE POLICY
& PROCEDURES**

SEPTEMBER 2022



Table of Contents

Glossary of terms.....	3
Policy Purpose	4
Scope	4
Policy Statement	5
Roles and Responsibilities	5
Procedure Purpose	8
A Person-Centred Approach at ICAS	8
Independence and Informed Choice	8
How will we do this?.....	8
Our Commitment to Participants	9
1. Independence and Informed Choice in Service Agreements	10
2. Independence and Informed Choice in Assessment.....	11
3. Independence and Informed Choice in Support Plan	11
4. Independence and Informed Choice in Responsive Support Provision.....	13
Related documents/resources.....	14



Glossary of terms

Term	Definition
Choice and control	A participant has the right to make their own decisions about what is important to them and to decide how they would like to receive their supports and who from.
Dignity of Risk	The right of the individual to choose to take some risk in engaging in life experiences.
Freedom of Expression	The freedom of a participant to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choosing.
Individual Choice	A choice that is made by an individual and belongs to that individual, in accordance with his/hers/their preferences, beliefs, values, and beliefs.
Informed Choice	Choices are informed when the individual has information about the choices available, including the advantages and the disadvantages, taking into account his/her/their beliefs and personal identity.
Intimacy	<p>There are many different definitions of intimacy. Miller (2014) explains that intimate relationships differ from casual relationships in the following ways:</p> <ul style="list-style-type: none"> - Knowledge about the other(s) in the relationship - Interdependence in relationship - Expressions of caring and trust between parties - Responsiveness to the needs of other(s) in the relationship - Mutuality, in that there is a view between parties that there is an, 'us,' - Commitment – there is an ongoing investment in the maintenance of the relationship. <p>Rowland S Miller (2014) <i>Intimate Relationships</i></p>
Self-determination	Participants are supported as far as possible to make their own decisions and control their own lives.
Participant	A person who meets the NDIS access requirements.
Person Centred	<p>Person centred approaches:</p> <ul style="list-style-type: none"> - Place the participant at the centre of any planning and support process. - Allow the person to choose and direct the support they receive according to their aspirations and goals, and how they receive that support. - Focus on the strengths, contributions, and abilities of the participant. - Recognise the uniqueness of each participant. - Work to maximise personal connection and social participation.
Policy	A statement of intent that sets out how an organisation should fulfil their vision, mission and goals.
Procedure	A statement or instruction that sets out how a policy will be implemented and by whom.
Sexual Expression	<p>Sexuality is experienced and expressed in thoughts, fantasies, desires, beliefs, attitudes, values, behaviours, practices, roles and relationships. While sexuality can include all of these dimensions, not all of them are always experienced or expressed.</p> <p>(World Health Organisation, 2006)</p>



Policy Purpose

This policy is to ensure that supports accessed by participants through Individualised Community Access Services (ICAS) promotes, upholds, and respects the legal and human rights of participants. This includes the rights of participants to make informed choices, exercise control, and maximise their independence relating to the supports provided. These rights are set out in the [United Nations Convention on the Rights of Persons with Disability](#).

Objectives:

The **Independence and Informed Choice** policy aims to achieve the following:

- To ensure participants of ICAS are supported to be actively involved in decision making in relation to the delivery of their supports.
- Ensure participants are able to make individual choices that suit them best, in line with their beliefs, values, and culture.
- To respect individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.
- Provide participants with supports information in formats and modes of their own choosing, to work through these options with participants, and ensure that informed choices are made in relation to the supports received by participants.
- Ensure participants are aware of their right to have access to a chosen supporter at any time.
- Respect for the autonomy of the participant, including their rights to intimacy and sexual expression.
- Ensure that the participant understands the risks and benefits of goals and supports identified by them at service agreement and service planning discussions, to inform their decisions about their supports, and how they might be directed.
- Respect the right to privacy of participants who identify goals and supports associated with intimacy and sexual expression.
- Guarantee opportunities for participants to consider and review their options before making decisions, including seeking advice, at any stage of the person-centred cycle.

Scope

This policy applies to all employees within ICAS.



Policy Statement

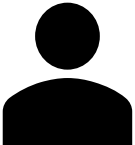
ICAS will ensure, as far as possible, the rights of participants to independence and informed choice. We acknowledge the capacity of all participants who access our supports to determine their own best interests and to make decisions about their own lives.

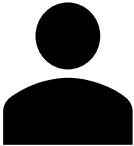
Our **Independence and Choice** policy is based upon:


- Our commitment to maximising opportunities for independence, dignity of risk, and informed choice for participants who access our supports.
- Our commitment to ensuring that participants have every opportunity to be given and understand information about our organisation and information (including risks and benefits) of their goals and supports.
- Our recognition of the legal and human rights of each participant.
- Our valuing of the autonomy, personal identity, personhood, and dignity of each participant.
- Our commitment to participants receiving the best supports from us as possible.

This policy complies with the requirements under the [National Disability Insurance Scheme \(Quality Indicators\) Guidelines 2021 \(Notifiable Instrument\) \[F2018N00041\]](#), and the [NDIS Code of Conduct](#).

Roles and Responsibilities

Director	Responsibility	Delivery
	Establishing a culture that promotes the recognition and commitment to upholding of the legal and human rights of participants by all staff, including independence and informed choice.	<p>Openly reports on organisation's commitment and compliance with the legal and human rights of participants.</p> <p>Reviews and identifies issues and encourages staff to make recommendations to implement ongoing continuous improvement.</p> <p>Ensures the Independence and Informed Choice policy is properly administered.</p> <p>Reviews the Independence and Informed Choice policy and procedures with management and staff annually.</p> <p>Supports and ensures staff are trained in Independence and Informed Choice policy processes.</p>

Quality Assurance Officer	Responsibility	Delivery
	<p>Manages and maintains the application of the Independence and Informed Choice policy.</p>	<p>Frequently reports to Director on issues and compliments relating to the Independence and Informed Choice policy and procedures.</p> <p>Ensures the understanding, and application, of the Independence and Informed Choice policy and procedures.</p> <p>Analyses compliance with the Independence and Informed Choice policy and procedures across their team and works with the Director to implement quality improvement processes.</p> <p>Works with the Director and staff to encourage feedback from participants in relation to the Independence and Informed Choice policy and procedures to support quality improvement processes.</p> <p>Supports and encourages staff to deliver supports in accordance with the Independence and Informed Choice policy and delivers mentoring and training where deficits are identified.</p> <p>Provides adequate training to staff to ensure the Independence and Informed Choice policy policies and procedures are understood and delivered.</p> <p>Acknowledges and rewards staff who demonstrate excellence in delivering supports in accordance with the Independence and Informed Choice policy.</p>

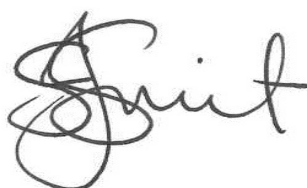
Staff who work with participants	Responsibility	Delivery
	<p>Ensures delivery of supports in accordance with our organisation's Independence and Informed Choice policy and Procedure.</p> <p>Attends training on Independence and Informed Choice policy.</p>	<p>Comply with the Independence and Informed Choice policy and procedure.</p> <p>Provide feedback to management on issues and opportunities relating to the delivery of supports in accordance with the Independence and Informed Choice policy and procedures.</p> <p>Understand, practice, and deliver the Independence and Informed Choice policy and procedures in working with participants.</p> <p>Identifies opportunities for improvements in the Independence and Informed Choice policy and procedures.</p>

All staff	Responsibility	Delivery
	<p>Demonstrates compliance with the organisation's Independence and Informed Choice policy.</p> <p>Attends training on Independence and Informed Choice policy.</p>	<p>Provides feedback to management on issues arising from complaints.</p> <p>Understands and practices the Independence and Informed Choice policy and procedures in any interactions with participants.</p> <p>Is aware of, and understands, changes to the Independence and Informed Choice policy and procedures.</p> <p>Implements quality improvement changes as directed by management from evaluation of performance against the Independence and Informed Choice policy and procedures.</p>

Last Reviewed: 18th September 2022

Last Updated: 18th September 2022

Signed: by Director





Procedure Purpose

These procedures have been developed to provide guidance to all staff in implementing our Independence and Informed Choice policy. ICAS is committed to protecting the rights to independence and informed choice of participants who access our supports.

These procedures provide guidance to staff to ensure that supports accessed by participants through ICAS promotes, upholds, and respects the legal and human rights of participants, including the rights of each participant to independence and informed choice in delivery of supports. In accordance with our Person-centred Supports approach, our organisation will work with participants and their chosen supporters to ensure participants' active decision making, informed choice, and autonomy is incorporated and practiced in the supports they receive. Our Staff and Client Handbooks also provide further guidance.

A Person-Centred Approach at ICAS

ICAS is committed to a Person-Centred Approach in delivering supports to participants.

Please refer our Person-Centred Supports policy & procedure for more information on person-centred approaches.

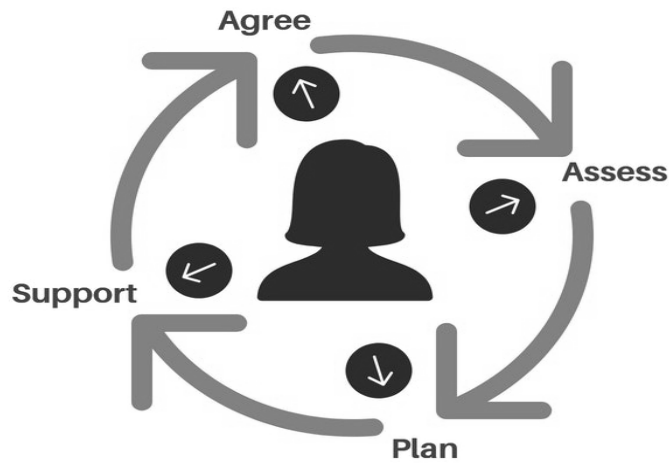
Independence and Informed Choice

ICAS works to maximise the independence and informed choice of participants in all stages of the Person-Centred Support Cycle. We respect the autonomy of our participants, and work with them to deliver supports that they have actively chosen. The decisions made actively by participants have been supported by information provided to allow an assessment of risks and benefits by participants. We work with participants to respect their right to autonomy, including their right to intimacy with chosen individuals/people in their lives, and their right to sexual expression.

How will we do this?

We will apply our Person-Centred Approach in every interaction with our participants. As part of this process, participants are able to direct all elements of our Person-Centred Support Cycle in ways that protects their privacy and promotes their dignity.

Person Centred Support Cycle



Our Commitment to Participants

Participants are at the centre of every stage of our Service Agreement, Assessment, Support Planning, and Responsive Support Policy and Procedures.





1. Independence and Informed Choice in Service Agreements

When developing **Service Agreements** with participants we will:

- Ensure ICAS staff are appropriately trained in supporting active decision-making, informed consent, and individual choice for participants. This includes the right of participants to weigh the benefits and risks of support options and goals.
- Ensure ICAS staff are trained in supporting the autonomy of each of our participants, including their rights to intimacy and sexual expression.
- Ensure participants are aware of the ability to include chosen supporters should they wish.
- Provide evidence based information in appropriate modes and formats best understood by the participant to assist them in understanding our service offering, and its suitability for the achievement of goals identified by the participant.
- Work with the participant to understand the risks and benefits of goals and supports identified at service agreement discussions.
- Where goals are identified that involve intimacy and/or sexual expression, we will work in a non-judgmental way with the participant to identify suitable supports. Further to this, we will ensure participants have adequate information to be able to make informed choices about options that may assist them to achieve these goals.
- Where ICAS does not have expertise in intimacy and/or sexual expression goals, we will work with participants to connect them with organisations/businesses with appropriate expertise to assist them in achieving these goals.
- Respect the right to privacy of participants who identify goals and supports associated with intimacy and sexual expression.
- Work with nominees in circumstances where, in limited circumstances, participants are unable to give consent to a service agreement. In these cases, parents and guardians must reflect the needs and goals as identified by the person with disability and make decisions regarding privacy and dignity to best maximise the participant's wellbeing in all aspects of his/her/their life. ICAS will work with the nominee as required to achieve this end.
- Work with parents or guardians who will make decisions to maximise personal and social development of the child, where a service agreement is being developed for a young person or child under 18, and to maximise their dignity, in consultation (where appropriate) with the child or young person.
- Work with parents and guardians as required to support the ability of some young people to express preferences in relation to their own privacy and dignity, where it is appropriate in terms of the supports proposed. ICAS will work with the nominee as required to achieve this end.
- We understand some parents and guardians may find participant's choices relating to supports with potential risk, sexual expression, or intimacy challenging. Following discussion with participants wherever possible, and where agreement is given, we will connect parents and guardians with appropriate services to assist them in understanding the participant's right to intimacy and sexual expression.
- Allow the participant to take the draft Service Agreement away to consider should they be uncertain, to seek further advice, and to review their options.



2. Independence and Informed Choice in Assessment

When undertaking **Assessments** with participants for the delivery of supports, we will:

- Have assessments undertaken by workers trained in supporting active decision-making, informed consent, and individual choice for participants.
- Ensure assessment processes are designed to ensure active decision-making, informed choice, and personal autonomy at each step.
- Provide evidence based information in appropriate modes and formats best understood by the participant to assist them in understanding our assessment processes, including purpose, process, and how outcomes will be used.
- Ensure participants are aware of the ability to include chosen supporters should they wish.
- Work with nominees in circumstances where, in limited circumstances, participants are unable to give consent in assessment processes. In these cases, parents and guardians must reflect the needs and goals as identified by the person with disability and make decisions regarding independence and informed choice to best maximise the participant's wellbeing in all aspects of his/her/their life. ICAS will work with the nominee as required to achieve this end.
- Work with parents or guardians who will make decisions to maximise personal and social development of the child, where an assessment is being undertaken for a young person or child under 18, and to maximise their dignity, in consultation (where appropriate) with the child or young person.
- Work with parents and guardians as required to support the ability of some young people to express preferences in relation to their own independence and informed choice, where it is appropriate in terms of the assessment process. ICAS will work with the nominee as required to achieve this end.
- Allow the participant to take the draft Assessment away to consider should they be uncertain, to seek further advice, and to review their options.

3. Independence and Informed Choice in Support Plan

When developing a **Support Plan** with a participant we will:

- Have support planning undertaken with workers trained in supporting active decision-making, informed consent, and individual choice for participants.
- Ensure support planning processes are designed to ensure active decision-making, informed choice, and personal autonomy at each step, in line with the participant's personal relationships, beliefs, values, and cultural practices.
- Ensure participants are aware of the ability to include chosen supporters should they wish, including information about access to independent advocates in accessible formats.
- Provide evidence based information in appropriate modes and formats best understood by the participant to assist them in understanding our assessment processes, including purpose, process, and how outcomes will be used.
- Work with participants to weigh the benefits and risks of support options and goals, taking into account, where appropriate, their personal relationships, beliefs, values,



and cultural practices. This includes the development of a risk assessment with participants, and strategies to mitigate risks and maximise benefits.

- Where goals are identified that involve intimacy and/or sexual expression, we will work in a non-judgmental way with the participant to identify suitable supports to achieve these goals, in accordance with their personal relationships, beliefs, values, and cultural practices. Further to this, we will ensure participants have adequate information to be able to make informed choices about options that may assist them to achieve these goals.
- Where ICAS does not have expertise in supports to assist the delivery of intimacy and/or sexual expression goals, we will work with participants, with their consent, to connect them with organisations/businesses with appropriate expertise to assist them in achieving these goals.
- Respect the right to privacy of participants in relation to their right to intimacy and sexual expression.
- We understand some parents and guardians may find participant's choices relating to supports with potential risk, sexual expression, or intimacy challenging. Following discussion with participants wherever possible, and where agreement is given, we will connect parents and guardians with appropriate services to assist them in understanding the participant's right to intimacy and sexual expression.
- Ensure ICAS staff are appropriately trained in protecting the privacy, and promoting the dignity, of participants.
- Wherever possible, ensure the person documenting the support plan is the person best placed to do so.
- Advise participants of the personal information we will collect from them for assessment purposes, what it will be used for, how it will be stored, and who has access to it.



4. Independence and Informed Choice in Responsive Support Provision

When providing supports to participants we will:

- Have support provision undertaken with workers trained in supporting active decision-making, informed consent, and individual choice for participants.
- Ensure supports are delivered to ensure active decision-making, informed choice, and personal autonomy at each step, taking into account the participant's personal relationships, beliefs, values, and cultural practices
- Ensure participants are aware of the ability to include chosen supporters in the delivery of supports should they wish.
- Provide evidence based information in appropriate modes and formats best understood by the participant to assist them in understanding how supports will be delivered, including by who, when, and where.
- Implement the strategies developed with participants to mitigate risk and maximise benefits in the delivery of supports to participants.
- Where supports are to be delivered that involve intimacy and/or sexual expression, we will work in a non-judgmental way with the participant to facilitate these supports. Further to this, we will ensure participants have adequate information in the mode and/or format best understood by the participant to assist them to make informed choices in relation to these supports.
- Where ICAS does not have expertise in supports to assist the delivery of intimacy and/or sexual expression supports, we will work with participants, with their consent, to connect them with organisations/businesses with appropriate expertise to assist them in achieving these goals.
- Respect the right to privacy of participants in relation to the delivery of supports that assist in achieving their right to intimacy and sexual expression.
- Take feedback and complaints from participants in relation to our support provision, and act on suggestions raised by participants and their chosen supporters to improve our organisation in relation to ensuring consistent processes and practices are in place to protect the independence and informed choice of participants.



Related documents/resources

Applicable NDIS Practice Standards Policies and Procedures

- **Independence and Informed Choice**
- Person Centred Supports
- Individual Values and Beliefs
- Privacy and Dignity
- Access to Supports
- Support Planning
- Service Agreements with Participants
- Responsive Support Provision
- Easy English – Person-Centred
- Easy English – Privacy and Confidentiality
- Easy English – Service Agreement
- Easy English – Support Planning
- Easy English – Feedback and Complaints
- Easy English – Advocacy
- Easy English – Choice and Control
- Easy English – Keeping Safe
- Easy English – Quality Improvement

Applicable Forms / Registers

- Client Consent Form
- Declaration to maintain confidentiality
- Feedback & Complaint Form
- Support Plan
- Staff Handbook
- Client Handbook

Applicable Legislation and NDIS requirements

- [NDIS Code of Conduct](#)
- [National Disability Insurance Scheme \(Quality Indicators\) Guidelines 2021 \(Notifiable Instrument\) \[F2018N00041\]](#)