




Client – Choice and Control Policy and Procedures

STATEMENT

The Paraplegic & Quadriplegic Association of South Australia Ltd trading as *estara* supports the rights of each client to retain maximum control over their own lives by having primary involvement in, and influence over, decisions that affect them, including the services that they need, want, choose and consent to receive.

This Policy is delegated for approval by the Chief Executive Officer

Approved by:  Chief Executive Officer	Date of Approval: April 2024 Date of Next Review: April 2027
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In this policy, 'us' 'we' or 'our' refers to The Paraplegic & Quadriplegic Association of South Australia Ltd ACN 644 670 977, which is a Company Limited by Guarantee and trading as *estara*.

Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.

SCOPE

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of *estara*.

DEFINITIONS

Refer to the *estara* Policy and Procedure Definition Glossary

RESPONSIBILITIES

It is our responsibility to communicate our policies and procedures to all workers on a systematic basis. Senior Leadership, Managers and Supervisors are responsible for monitoring their workers' understanding of their obligations and need for compliance with policies and procedures. Workers are responsible for complying with our policies and procedures.

POLICY

estara clients have the right to participate as fully as possible in making decisions about their daily lives and the services that they need, want, choose and consent to receive.

In relation to all of our supports and services, we will ensure each client (or legal guardian, if appropriate) retains maximum control over their own lives by having primary involvement in, and influence over, decisions that affect them.

PROCEDURES

The following procedures are to be implemented to enable *estara* to meet our commitment to the human rights of our clients in relation to choice and control.

estara will:

- structure its programs and services to be flexible and responsive to the individual needs and preferences of current and future clients
- advise the client, family members and/or their advocate(s) of the full range of services that are provided and how they will be delivered
- commit to exploring other service delivery options of the client's choice within the constraints of available resources (each client should be made aware of any reasonable resource constraints)
- involve the client, and, if appropriate, family members and/or advocates in the planning and development of an individual support plan for the client and invite them to state their preferences with respect to the services they would like to receive based on the principles of choice and control
- make every reasonable effort to accommodate the client's service preferences and choices in the individual support plan and the timing of delivery
- make every reasonable effort to accommodate changes in the client's preferences and choices
- seek the formal authorisation of the client or their authorised decision-maker (e.g. parent or guardian) by asking them to countersign the agreed individual support plan and service agreement
- jointly review the individual support plan and service agreement at least annually and make any agreed amendments
- respect the rights of clients to refuse service delivery (notwithstanding any responsibility for *estara* to ensure the client's safety at all times)

- involve clients, and, if appropriate, families and advocates in individual goal planning activities
- ensure procedures that require the client's consent (such as medication administration) are undertaken by appropriately trained and competent staff
- use a range of quality improvement tools, such as surveys and individualised feedback (including complaint mechanisms) to determine our clients' satisfaction with our services
- respect the rights of individuals to utilise the legislation regarding Voluntary Assisted Dying. In line with that legislation, our workers will not engage and or discuss this legislation and a client's intent
- if a client raises the Voluntary Assisted Dying legislation with a worker, refer the client to their medical advisors. Workers will not engage in providing an opinion or position regarding this legislation.

RELATED LEGISLATION

- Disability Services Act 1993
- Disability Discrimination Act 1992
- Disability Inclusion Act 2018
- Disability Royal Commission – Final Report 2023
- Equal Opportunity Act 1984
- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- National Standards for Disability Scheme Practice Standards
- National Standards for Disability Services – Standard 3: Individual Outcomes
- National Disability Insurance Scheme Quality and Safeguarding Framework
- NDIS Practice Standards and Quality Indicators – November 2021
- United Nations Convention on The Rights of Persons with Disabilities
- Voluntary Assisted Dying Act 2021

SUPPORTING ESTARA DOCUMENTATION

- Child and Young Person Protection Policy and Procedures
- Client – Advocacy Policy and Procedures
- Client – Rights and Responsibilities Statement
- Client Safeguarding – Management of Client Finances
- Complaint Management Policy and Procedures
- HomeCare+ Support Planning Policy and Procedures
- Person Centred Policy and Procedures
- Quality and Safeguarding Statement
- Vulnerable Adult – Client Safeguarding Policy and Procedures
- Worker Screening – Client Safeguarding Policy

BREACHES OF THIS POLICY

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will *estara* accept such an argument.

DISTRIBUTION AND REVIEW

estara will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.