



NDIS Policies & Procedures Manual

Dignity of Risk Policy

A: Position Statement

1. Capable Services recognises the right of participants to make informed choices and to take calculated risks. Every person has the right to experience and learn from life, to take advantage of opportunities, develop competencies and independence even when these situations may pose a threat to their wellbeing. Everyone has the right to the assumption of competence.

B: Ability to make Informed Decisions

1. Participants will be supported to always make informed choices and decisions about their care. This may require the support of others with the participant's consent (family/friends/advocates other professionals). Informed decision making involves a general awareness of the consequences of the decision which needs to be made voluntarily and without coercion.
2. If staff have serious concerns about the participant's ability to make a particular informed decision, staff may seek an assessment by a qualified health professional with prior permission from the participant or the participant's representative. Where participants need ongoing formal support in making major life choices, a Guardianship Order may be required.

C: Balancing Duty of Care with Dignity of Risk

1. Where a Dignity of Risk issue conflicts with a Work Health and Safety (WH&S) issue, the WH&S legislation overrides Dignity of Risk.
2. In situations where Duty of Care obligations outweighs Dignity of Risk, the participant should be informed of the decision and why the decision was made.
3. When balancing Duty of Care with Dignity of Risk, staff will work with the participant to –
 - i. Explain the issues of duty of care and dignity of risk which impact on a particular situation.
 - ii. Identify the consequences of a particular action including the risk/s and likelihood of harm to the participant or others.
 - iii. Assess the type and seriousness of the possible harm.
 - iv. Identify what precautions could be taken to minimise the risk/s or harm or the seriousness of the risk/s or harm.



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- v. Assess the participant's ability to make informed decisions.
- vi. Weigh up the benefits and importance of the activity to the participant against the possible negative consequences.
- vii. Generate solutions to achieve the benefits to the participants whilst minimising the potential harm.