

Capacity for decision-making, guardianship and options: contemporary updates and practice Community of practice initiative

Background

On 30 November 2020 key reforms to Queensland's guardianship and administration system came into effect. The reforms included the publication of the Capacity Assessment Guidelines, and updates to the enduring power of attorney and advance health directive documents. Coupled with the earlier introduction of the Human Rights Act 2019 (Qld), the reforms require service sectors to practice, view decision-making and seek or implement substituted decision-making, guardianship and administration in a way that promotes human rights. These reforms, and other new initiatives since and coming soon, have significant impacts upon all service providers.

We hope to create guided discussions that can optimise person-centred care and ensure that practice safeguards rights whilst acknowledging the real and often nuanced complexity of practice in this context.

A community of practice (COP)

An educational Statewide on-line COP started in mid-2023 with the aim of encouraging shared learning across service-providers in this rapidly changing area of practice. This COP is a collaborative initiative between Queensland Health System Policy Branch and Caxton Legal Centre Inc. The initiative is facilitated by Dr Anne-Louise McCawley and Tile Imo from Caxton, Dr Christine Fawcett, a Geriatrician, Sunshine Coast Hospital and Health Service and Dr Jacinta Lewis, a Rehabilitation Staff Specialist, Rehabilitation and Geriatrics, Logan Hospital, Metro South Health. All bring significant experience and practice knowledge in this content area. Emily Plunkett, Social Work Clinical Educator in the Social Work Clinical Education Program, Darling Downs and South-west HHS completes the team.

Who can attend?

This COP is open to all Queensland Health staff and staff of external service providers. Given the focus of the COP, it would most benefit those who work regularly in health areas which assess a person's capacity for decision-making and consider whether guardianship or other options are appropriate. The target group are those who are currently leading teams or making decisions in this context. Others who wish to build their expertise as future leads in this area are invited to register but please ensure that you have operational approval to attend, if expected in your service area. We want to make this an active group that can test the issues discussed in practice and feedback to the group.

The focus is interprofessional learning: learn with, about and from each other. The framework will view practice via a 'safeguarding human rights' perspective.

Purpose of the COP

The COP will provide education and problem-solving discussions for practice issues. It will do this by:

- Providing education updates about new changes happening in this area of practice.
- Sharing developed or developing resources being developed across the State in internal and external agencies.
- Increasing the potential for referrals and collaboration across agencies as knowledge of the roles of each agency and part of agency is clarified.
- Providing a place to bring de-identified cases to seek guidance and seek expert collective wisdom.
- Drawing upon collective wisdom and expert knowledge across sectors to understand and address identified education gaps.
- Establish a forum for practitioners to raise common issues upwards to policy makers for advice.

What can you expect if you join?

1. Each session will be based upon a theme or topic.
2. There may be multiple sessions on one topic e.g. restrictive practices, duty of care versus dignity of risk etc.
3. Early sessions will be on identified issues arising in practice and practice nuances that have arisen since the 2019 changes; but later topics may be identified and nominated by the established COP.
4. A session may include a short presentation, application to a case study and guided discussion from the group. In some sessions, a case study proposed by a group member may be the focus of discussion and sharing perspectives. A panel discussion might be used instead of a presentation. In each session, the focus is on joint exploration of cases and practice.
5. In some cases, longer time may be required to explore areas of practice and in those cases, members will be invited to attend a Master Class as another option.
6. We are all learning together and if you have a question, likely everyone else does too!

How do you express an interest to be part of the COP?

Register an interest in the [Capacity for decision-making, Guardianship and Options Community of Practice here](#). Once you have registered with your contact details, you will be contacted and provided with access to a share site with timetable to sessions (gradually added over time) and resources. If you have any difficulties registering, use the QR code located at the end of this document. The group is an open group so you can join at any time.

How often do you need to attend?

We allow you to manage your attendance at sessions. However, it is good to foster a sense of community and joint learning, so you are encouraged to attend and participate as much as possible. You will also find that many sessions build upon the learning in earlier sessions. We hope to encourage those who are the decision-makers in service provider agencies or teams to attend too as decision-makers drive the culture and actions of teams.

We are currently setting up a timetable of sessions for 2024 but will provide sessions at least every two months. Some sessions may run outside the timetable e.g. pop-up Master Classes and will depend upon educator or target audience availability.

The COP sessions will usually run for 1- 1 ½ hour with the last 30 minutes allowing for question and comment time. However, you may just be able to come for 1 hour and that is fine. So essentially, commitment is one hour at least every two months but maybe more often at the beginning as we move through some foundational issues. The day and timing of the session were established from data provided by the members on registration. If spacing between sessions or length of sessions are too long or short, we can review mid 2024.

Want to have more detailed education on these topics immediately?

Caxton Legal Centre Inc. received funding from Legal Aid Queensland, Department of Justice and Attorney-General, to develop targeted education in relation to these guardianship reforms and a program of self-paced modules were developed under the title of *Human Rights in Practice: Capacity, decision-making and options*. These are available for all people who are interested on the [Queensland Health iLearn platform](#).

Any general questions or queries, contact Anne-Louise McCawley (Anne-Louise.McCawley@Caxton.org.au).

