

Pave the Way Newsletter

December 2010

Date Claimers – planning ahead for 2011



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If you want to be part of Pave the Way's Road Trip in March-April 2011 contact Jeremy Ward at Pave the Way.



The one day workshop, "Planning for Now, Tomorrow and the Future" is a pre-requisite for the 2 day live-in workshop and one possible pre-requisite for Rolling Conversations.

Pave the Way wishes you all a peaceful time over the Christmas period. We have enjoyed meeting many of you again during the year and also meeting new people in different parts of Queensland. We look forward to making contact with you again in the New Year in person, by phone, email or at a workshop. This newsletter includes information about some of the events planned for 2011 including the following new initiative for regional Queensland.

South West Queensland Road Trip: March-April 2011

Pave the Way is constantly looking at ways to improve our responses to the needs of families in regional Queensland. While we have presented workshops in 36 regional locations outside the Brisbane area over the last seven years and visited many places more than once, we are aware that not all families are able to come to our workshops, or do not hear about them when we are in their area.

Beginning with South West Queensland, we are proposing the idea of a "Road Trip", which will involve *Pave the Way* consultant Jeremy Ward travelling to meet with families in their homes, offering one-on-one consultations about planning, safeguarding the future, building networks of support, and relevant legal issues. The Road Trip will take two weeks, probably from 28 March to 11 April 2011. If successful, we will look at planning other Road Trips to other parts of Queensland.

If you live in South West Queensland (Warwick out to Thargomindah; Quilpie in to Toowoomba) and would be interested in a consultation with Jeremy Ward during this period next year, please contact the *Pave the Way* office, or Jeremy Ward on 1300 554 402 or 07 3291 5800, or email jeremy.ward@pavetheway.org.au.

Gold Coast - One day workshop – Planning for Now, Tomorrow and the Future. 12 February, 2011.

Jeremy Ward will present this workshop about developing a vision, planning for the future and building networks of support. The workshop also deals with legal issues such as guardianship and administration, wills and trusts, showing how the legal issues involved in planning for the future need to be integrated with the broader issues of developing a vision and planning for all aspects of life.

Further information about all our workshops is available at the back of each newsletter, on the website or by contacting the office on (07) 3291 5800 or 1300 554 402 or by email pavetheway@mamre.org.au

Date Claimers: planning ahead for 2011

Rolling Conversations – Getting it Together, Working Together. Brisbane. February and March.

This four-part series facilitated by Christine Douglas and members of the *Pave the Way* team will be held fortnightly during the day over a 2 month period, commencing 14th February and concluding 28th March. The first strand of each session takes a more theoretical approach with time to reflect on and evaluate the concepts explored in other *Pave the Way* workshops in terms of participants' own efforts to secure a good life for their family members with a disability. The second part is a highly practical component identifying strategic and practical ways to apply the information and ideas to people's own situation, especially in relation to Vision to Action through Planning and inviting others in to take this journey with you. One of the sessions will include hearing from a family willing to share their journey of adapting these principles, values and ideas into their own lives.

Two-day live-in workshop. Coolum. 18 – 20 March.

See the enclosed brochure for information about this live-in workshop. The previous event at Coolum was oversubscribed so please contact us as soon as possible if you are interested in attending.

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Community Living Initiative

As outlined in our July newsletter *Pave the Way* strongly supports the Community Living Initiative, a new funding program from Disability Services. As part of an informal reference group, *Pave the Way* participates in occasional panel sessions in an observer role. To clarify some misunderstanding that surrounds this initiative we wish to state clearly that *Pave the Way*:

- works with families of all ages who are interested in succession planning, not just with people who have a son or daughter ready to live independently.
- is not involved in deciding allocation of funding to families or individuals
- has not taken on the role of working with the Department for the purpose of preparing one-off funding submissions with families.
- will continue to work with families on whole of life, long term planning as a safeguarding strategy

The Community Living Initiative is about thinking ahead and planning. *Pave the Way* is happy to talk with families at any time about long term planning and about the CLI application form if this funding is relevant to their thinking and planning.

"The two-day workshop was a great opportunity to share thoughts, ideas and dreams with my partner and we will move forward together."



For more information about the Community Living Initiative, contact Ruth Whereat on 3235 9669 or via the website:
<http://www.disability.qld.gov.au/support-services/community-living-initiative/>

Further information about all our workshops is available at the back of each newsletter, on the website or by contacting the office on (07) 3291 5800 or 1300 554 502 or by email pavetheway@pavetheway.org.au

Guardianship and informal decision making

Parents are guardians of their children until they are aged 18 years. Then, regardless of whether their son or daughter has a disability, and regardless of the nature and degree of that disability, the law in Queensland presumes that they have “capacity” to make all their decisions. This is called the “presumption of capacity”.

In Queensland, for people 18 or over, a “guardian” can make non-financial decisions (eg, health care; where someone lives) and an “administrator” can make financial decisions. Guardians and administrators can only be appointed by the Queensland Civil and Administrative Tribunal (formally Guardianship and Administration Tribunal), or, in some circumstances, the Supreme Court.

However, when someone who cannot make their own decisions turns 18, there is no need for anyone to apply to become their guardian or administrator. The law in Queensland allows “informal decision-makers” to assist people to make their decisions, without the need for a formal appointment. An example of an “informal decision-maker” is a parent who is a signatory on a bank account for their son or daughter, to help them manage their money.

Pave the Way has heard about families being told that, when their sons and daughters turn 18, they have to apply to the Queensland Civil and Administrative Tribunal (QCAT) for the appointment of a guardian and/or an administrator. **This is not correct.** An application to QCAT is required only when there is a need for someone to have formal authority to make decisions for someone else. If informal decision-making arrangements are operating without difficulty, there is no need to apply to QCAT for a formal appointment. While formal authority is often required for health care decisions, parents have legal authority to make most of these decisions because they are “statutory health attorneys”.

There will be times when informal decision-making arrangements break down, perhaps because the informal decision-maker becomes ill or dies, or because an agency such as a bank refuses to recognise the informal arrangement. When this happens, one strategy is to look around for alternatives, such as changing banks, or finding another informal decision-maker who can step in. When families are doing their planning, it will often be important to think ahead and plan to have alternative informal decision-makers in place (such as additional signatories on a bank account). Only when all informal arrangements break down, or cannot cover certain decisions, is there a need to apply to QCAT for a formal appointment as guardian or administrator.

For more information, consult *Pave the Way*'s booklet “*Planning for Now, Tomorrow and the Future*” (see website) or contact Jeremy Ward at the *Pave the Way* office on 1300 554 402 or 07 3291 5800.



When family members who cannot make all their own decisions turn 18, it is not necessary to apply guardianship or administration.

For further information about Guardianship and Administration, phone Jeremy Ward (07) 3291 5800 or 1300 554 400.

Pave the Way

Pave the Way assists families throughout Queensland to clarify their vision for their family member with a disability and to plan to implement that vision. We encourage planning which is vision driven, 'whole of life', developmental, outside service planning and which safeguards family members in the long term. We believe it is other people who keep people safe and support the development of personal networks, including Support Circles.

Contact Us

Please contact us if you would like to be on our mailing list, or would like information or assistance developing a vision and plan or developing a support circle or similar network. If you are part of a group of families and would like us to come and talk about these issues, let us know.

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Upcoming Events

Document of Personal Information

Goondiwindi 9 December 2010 (PTW)
Bowen 9 February 2011 (Bowen Flexi Care)
Rockhampton March 2011 (date TBC) (PTW)

Planning for Now, Tomorrow and the Future

Gold Coast 12 February 2011 (PTW)

Rolling Conversations

Mt Gravatt 14 & 28 February 2011 (PTW)
Mt Gravatt 14 & 28 March 2011 (PTW)

2-day live-in workshop

Coolum 18 – 20 March 2011 (PTW)

Building Lifelong Safeguards

Mt Gravatt 8 March 2011 (PTW)

South West Queensland Road Trip

SW Queensland 28 March – 11 April 2011 (PTW)

Regional Visits

Julie van Oosten

Goondiwindi 7 – 10 December 2010 (PTW)
Rockhampton March 2011 (dates TBC) (PTW)



DECEMBER 2010

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To book into a (PTW) workshop, please contact Pave the Way phone (07) 3291 5800 or 1300 554 402, or for the (Bowen Flexi Care) workshop, contact Bowen Flexi Care (07) 4755 4786. For regional visits please contact Julie van Oosten. You can also view the workshop and events calendar online at www.pavetheway.org.au/home/workshop-calendar.php.