



Welfare Guardian Position Description

Summary

A welfare guardian is someone appointed by the Family Court under a personal order made under the PPPR Act to make decisions on behalf of a person in relation to aspects of their personal care.

Examples of personal care include things like deciding where the person is going to live, consenting to standard medical care and dentistry, and indicating to an institution whether resuscitation should be carried out in an emergency.

Appointing a Welfare Guardian

The Family Court always aims to protect the basic human rights of all people. Wherever possible people should make their own decisions and manage their own affairs.

Sometimes a person may not have the 'mental capacity' to make decisions about their personal care. Often this may be because of a severe disability, or they may have suffered an accident which has affected their mental state. (Note that the Family Court covers both fully mental incapable and also people fully unable to communicate - this is related to people with aphasia/fluid aphasia).

A welfare guardian may be appointed to assist that person to make decisions about their personal care.

The incapacitated person is referred to as the "person in respect of whom the application is made" in many places in the PPPR Act. Within the Trust, the term used for convenience is the "subject person".

Key Criteria for becoming a Welfare Guardian:

The applicant must:

- be aged 20 or older and capable of carrying out a welfare guardian's duties
- act in the Subject Person's best interests
- have no conflict of interest
- provide a written consent to their appointment

Suggested aptitudes include empathy, honesty, competent verbal and written communication, computer literacy/access to email, own means of transport preferable, physically active, availability sometimes at short notice.

Guidelines

As members of Welfare Guardians Canterbury, volunteers must abide by the same processing and regulations as any paid staff and follow similar regulations. All volunteers must adhere to the following:

- Volunteers must hold the subject person and Trust information confidentially and must sign a statement of confidentiality.
- Volunteers must notify the Co-ordinator of periods of unavailability.



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- All subject people should be treated according to their culture, age, gender and environment with dignity, empathy and respect.
- Volunteers are asked to commit to their subject person and come regularly to training and peer support meetings.

Volunteers must not:

- accept or ask for money or gifts from subject people
- attempt to sell items to subject person, ARC (Aged Residential Care Staff).
- Take on additional roles of Welfare Guardian outside of the Trust without first discussing with the co-ordinator.
- Work outside the scope of a Welfare Guardian
- Act in bad faith or without reasonable care
- Hold **ANY AUTHORITY** over the property or assets of the person they are appointed for
- Leave an injury occurred whilst working as a Welfare Guardian without reporting it.
- Volunteers are responsible for reporting any incident involving injury (however minor) to the Trust Co-ordinator.

Important Attributes of a Welfare Guardian

- **Willingness to volunteer in the role of Welfare Guardian**
The purpose of the role is to protect the well-being of the person without capacity. Requires a willingness to understand and work within the parameters of the role; includes the legislation, court orders, be aware of DHB policies, role of a property manager etc.
- **Ability to follow accountability process and document decisions**
Welfare Guardians are accountable to the Family Court; experience in reporting at this level may be an advantage. Care in keeping good records and attention to detail are needed.
- **Integrity and courage**
A high standard of honesty and transparency is needed in dealing with another person's interests. WG s may need to advocate and stand their ground against opposing interests
- **Empathy**
An ethic of compassion and caring, and an interest in people
- **Communication skills**
Welfare Guardians need to listen carefully. They need to be able to talk with and ask questions of medical professionals about medical conditions. They may need to say difficult things that need to be said, and in a way that makes sense to the person they are talking with.
- **Mentally alert**
There will be a lot of information to take in
- **Physically active and available**



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The Welfare Guardian may need to visit their subject person in their home, they may be called on at short notice so need to be reasonably organised. Welfare Guardians need to be prepared to make at least a 3-year commitment to the role

- **Team player**

A Welfare Guardian needs to be aware that other people will be affected by decisions made for the subject person; they need to recognise the roles and responsibilities of professionals, and consult appropriately with family members

- **Approachable and personable**

Partly covered under communication skills, but need to come across in a way that is acceptable to the range of people the WG will have dealings with

- **Life experience**

Realistic about what is do-able and sustainable in terms of care, support, and budgets. Emotional maturity as there may be difficult experiences to cope with

- **Ability to respect boundaries and confidences**

An awareness of people's privacy rights, and that people's expectations and tolerances vary. The Welfare Guardian needs to exercise discretion. Also needs to be able to recognise conflicts of interest and manage these.

- **Awareness of the effect of cultural background**

The Trust is not looking to match a subject person from an ethnic background with a Welfare Guardian from the same ethnic background; this may not always be possible or desirable; it is more about respect for differences and the implications of these differences.