



## Representation Agreements (RA7)



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### Some Basic Facts

- It is a legal document in British Columbia
- It is made voluntarily at age 19 years or older
- The Representation Agreement belongs to the adult
- It is a way the adult can authorize the people they trust to ASSIST them with making decisions and managing their affairs
- No legal professional is required
- A Representation Agreement is NOT something you ‘apply’ for (It is not a service, such as government benefits or a bus pass)

### Why Make a Representation Agreement?

- It is a legal alternative to adult guardianship
- **It does not take away an adult’s rights as it is about supporting an adult with decision making**
- The definition of capability in the RA Act recognizes that all adults are self-determined
- The duties of a representative keeps the adult at the centre of decision making
- Adults have rights and responsibilities. Some adults need help to exercise their rights and make decisions
- Sometimes informal support is not enough. Someone may need legal authority in order to be recognized as an advocate for the adult

### What are the Roles that can be assigned in a Representation Agreement?

#### Representative

A representative acts with the adult and assists the adult to figure out their options and what s/he wants to choose and helps communicate the choices to others. A representative is like a bridge between the adult and third parties.

#### Alternate Representative

This is the back-up person who will replace the representative if he or she is temporarily unable or unwilling to act.

#### Monitor

The monitor is a particularly special role. Although the monitor cannot make decisions on the individual’s behalf, the monitor is there to ensure their representative is following his or her duties. The monitor may also provide support and help with problem solving if necessary. The law says that no one can prevent the monitor from having contact with the adult.

Reference: Nidus Personal Planning and Resource Centre and Registry - [www.nidus.ca](http://www.nidus.ca)

### Note:

- Everyone appointed in the Agreement must be 19 years or older.
- You cannot be appointed as a representative or alternate if you are paid to provide health or personal care services to the adult – unless you are the adult’s spouse, parent or child

### What areas does the adult need help with now and in the future?

The RA7 covers four areas of authority:

- Minor and Major Health Care
- Personal Care
- Legal Affairs
- Routine Financial Affairs

### What is the difference between Adult Guardianship and a Representation Agreement?

- Under adult guardianship, the guardian’s duty is to make decisions according to what the guardian thinks is best for the adult (in his or her best interests).
- Under the Representation Agreement Act, the duty of a representative is to support the adult to be self-determined and to protect the adult’s wishes, preferences and values—his/her identity. Along with providing a new way to look at capability, the Representation Agreement Act sets out a new way to support adults with decision making.

### What if the adult is not capable of giving someone authority?

In the legal context, capability has traditionally been associated with cognitive or intellectual ability—does he or she understand?—even though there is no universal measure for this. The Representation Agreement Act takes a different approach. It recognizes that capability is unique to the individual and relies on many variables.

We will continue with this topic in the next edition of Family Matters. In the meantime, if you have questions about Representation Agreements, please contact the Family Support Institute.

We enjoy hearing from you!

Do you have a suggestion for the **Family Matters** newsletter?  
 Do you wish to connect with a program Coordinator or Director?  
 Do you have a compliment or concern?

Contact the Director of Quality and Innovation - Roxanne Wiseman  
 604-517-2032 or  
[rwiseman@communitylivingsociety.ca](mailto:rwiseman@communitylivingsociety.ca)



# Counselling Services

Salley-Ann Ross  
CLS Clinical Counsellor

Community Living Society has offered a unique counselling program since January 2016, and it is greatly valued and utilized by supported individuals.

In this issue of *Family Matters*, we want to help provide a better understanding of the purpose, core values, barriers and some recommendations which may provide better insight and perhaps help family/network members to appreciate and recognize the value of professional counselling.

The purpose of counselling is for every individual to recognize their strengths, discover their beliefs and emotions, and to be supported in such a way that they are free to experience this through verbal interactions or by expressive therapy.

### The following are three core values of counselling based on values, attitudes and practices:

- Respect of human rights and differences
- Respect, integrity, authority, responsibility, autonomy, competence, and confidentiality
- Provide a sense of connection, teach boundaries, is open and provides privacy

Supported individuals “may not seek help” (Gulliver, Griffiths, 2010) creating barriers for them in their lives. Some of these barriers include:

- limited resources
- caregivers not supporting their loved one to access this form of support
- counsellors that are not skilled to support the unique nature of the counselling arena

### Here are some recommendations to overcome these barriers:

1. Examine your own beliefs and assumptions about counselling
2. Educate yourself: this will build a more positive orientation
3. Reframe the reason for counselling by looking at this as a problem-solving approach instead of a stigma or that it is “not a possibility”
4. No matter the abilities or challenges, the most important factor is that all people are people first

Even people who are identified as the most vulnerable, non-verbal, immobile, or those seen as not having the right to counselling, can be supported with the opportunity to make their choices and consent to counselling support.

#### References:

Gulliver, A. Griffiths, K. & Christensen, H. (2010). *Perceived Barriers and Facilitators to Mental Health Help-seeking in Young People: A Systematic Review*. *BMC Psychiatry* 10:13 Retrieved from: <https://doi.org/10.1186/1471-244-10-13>

Gutyton, B. (2015) *Counselling Individuals with Disabilities*. Prezi. Retrieved from: <https://prezi.com/sak/pu-j62dq/counselling-individuals-with-disabilities>.

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Wednesday, December 5th  
11 a.m - 2:00 pm  
CLS Administration Centre  
7th Floor - 713 Columbia Street  
New Westminster

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