

How Does a Guardian Decide about Training?

FACT SHEET #5

The Guardianship Order granted by the court will state the specific areas of authority granted to you as the guardian. As a guardian, you have been granted the authority “to decide whether the adult should participate in any educational, vocational or other training and, if so, the type of training and related matters.”

Deciding what the incapable adult (the “adult”) will do with his or her life from now on requires information about the adult’s interests and training needs. The guardian needs to consider what new independence skills should be encouraged, as well as what skills need to be maintained.

Where does a guardian get this information?

Information about the adult’s interests and training needs could come from the adult, family and friends, as well as from others who know or provide services to him or her.

Good sources of information include community agencies which provide services to others whose needs are similar to the adult’s.

On what basis should a guardian make this decision?

The final decision will take into account questions such as:

- What are the adult’s needs and abilities?
- What are the adult’s interests and training needs?
- What are the adult’s goals?
- What is the purpose or focus of the training programs?
- What are the pros and cons of each program, and what compromises come with each?
- How can you deal with the “cons” and “compromises”? Would a move to a different training program in the future be a reasonable way of handling them?
- What would each alternative do for the adult?
- Where would each alternative lead in the future?

Educational, vocational and training programs usually have a beginning and an end. Each decision in this area will lead to another decision.

This area of authority of a guardian can be found in Section 38(1)(c) of the *Decision Making, Support and Protection to Adults Act, Schedule A, Adult Protection and Decision Making Act, Part 3*.

This fact sheet is one in a series to provide assistance and information regarding guardianship under the *Decision Making, Support and Protection to Adults Act, Schedule A, Adult Protection and Decision Making Act, Part 3*. This legislation can be found at <http://www.gov.yk.ca/legislation/acts/Aadpr.pdf>.

For more information please call your lawyer or refer to the resource list available from the Office of the Public Guardian and Trustee.

**FOR MORE INFORMATION, CONTACT
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