

Practice Bulletin

Restrictive Practice – Approval Process

Purpose

This practice bulletin provides important information for Endeavour Foundation staff regarding how to ensure that appropriate approvals are in place for customers requiring the use of a restrictive practice.

Overview

Under the *National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018*, restrictive practices are bound by legislation. Restrictive practice is any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability with the primary purpose of protecting the person or others from harm.

This can include:

- **Chemical Restraint**
- **Environmental Restraint**
- **Physical Restraint**
- **Mechanical Restraint**
- **Seclusion**

Recording and reporting the use of Restrictive Practice

Frontline staff are responsible for recording any use of restrictive practice as an incident within RiskMan (including use of approved restrictive practice for reporting purposes). Restrictive Practices are often authorised for use as part of a customer's Personal Behaviour Support Plan (PBSP) to ensure people are supported safely.

There may be times when a Restrictive Practice is used that is without authorisation, not in accordance with a PBSP or used as an emergency use (once off)

The Complex Support Team reviews all RiskMan incidents involving use of restrictive practice and is also responsible for reporting any Unauthorised use of Restrictive Practice (URP) to the NDIS Quality and Safeguards Commission.

Restrictive Practice Authorisation

Queensland

In Queensland, if the restrictive practice is required to be used on an ongoing basis, a Short-Term Approval must be sought from either the Queensland Civil and Administrative Tribunal (QCAT), Public Guardian or a delegate of the Department of Communities, Disability Services and Seniors (DCDSS) whilst a customer's PBS Plan is being developed. A Short-Term Approval provides approval to use a restrictive practice for a short period of time (up to six months).

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The Complex Support Team are responsible for the drafting and submission of all Short-Term Approvals submitted to QCAT, Public Guardian and the Department of Communities, Disability Services and Seniors (DCDSS) for Queensland customers.

New South Wales

In New South Wales, consent must be obtained from the participant, or their guardian for restrictive practice.

Victoria

In Victoria, approval of use of seclusion, mechanical and physical restraint and the authorisation of chemical and environmental restraint must be provided by the Victorian Senior Practitioner.

Positive Behaviour Support Plans (including a regulated Restrictive Practice)

Following the completion of a customer's comprehensive PBS Plan (with restrictive practice), the following will occur:

- PBS Practitioner sends a copy of the PBS Plan to the Complex Support Team to review and uploads to the NDIS Quality and Safeguards Commission portal (restrictive practice only)
- Complex Support Team seeks consent from the customer's appointed Guardian for Restrictive Practices to implement the PBS Plan (including use of restrictive practice)
- Complex Support Team will ensure that consent for PBS Plan (including use of restrictive practice) remains current

If you receive a PBS Plan (with restrictive practice) from a Practitioner, please send through immediately to the Complex Support Team (ComplexSupport@endeavour.com.au) and upload to Carelink.

Further assistance

If you require further assistance or advice regarding the content of this Bulletin, please contact the Complex Support team at ComplexSupport@endeavour.com.au

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