



NDIS Quality  
and Safeguards  
Commission

## New Arrangements for Behaviour Support and Restrictive Practices

### What are the restrictive practices subject to regulation under the NDIS Commission?

**Seclusion** is the sole confinement of a person with disability in a room or a physical space, at any hour of the day or night, where voluntary exit is prevented, not facilitated, or it is implied that voluntary exit is not permitted.

**Chemical restraint** is the use of medication or chemical substance for the primary purpose of influencing a person's behaviour. It does not include the use of medication prescribed by a medical practitioner to treat or to enable treatment of a diagnosed mental disorder, physical illness or physical condition.

**Mechanical restraint** is the use of a device to prevent, restrict, or subdue a person's movement for the primary purpose of influencing a person's behaviour. Mechanical restraint does not include the use of devices for therapeutic or non-behavioural purposes.

**Physical restraint** is the use or action of physical force to prevent, restrict or subdue movement of a person's body, or part of their body, for the primary purpose of influencing their behaviour. Physical restraint does not include the use of a hands-on technique in a reflexive way to guide or redirect a person away from potential harm, consistent with what could reasonably be considered the exercise of care towards a person.

**Environmental restraint** is the restriction of a person's free access to all parts of their environment, including items or activities.

### What is a specialist behaviour support provider?

A specialist behaviour support provider engages behaviour support practitioners who undertake functional behaviour assessments and write behaviour support plans that may contain regulated restrictive practices. They are registered for behaviour support (registration group 110), which is a requirement under the NDIS, and applies regardless of whether regulated restrictive practices are included in the behaviour support plan. The specialist behaviour support provider can only use NDIS behaviour support practitioners.

## What is an implementing provider?

An implementing provider is any NDIS service provider that uses a regulated restrictive practice in the course of delivering NDIS supports to a participant. For example, support workers restricting a participant's free access to the community due to behaviours of concern are implementing a regulated restrictive practice.

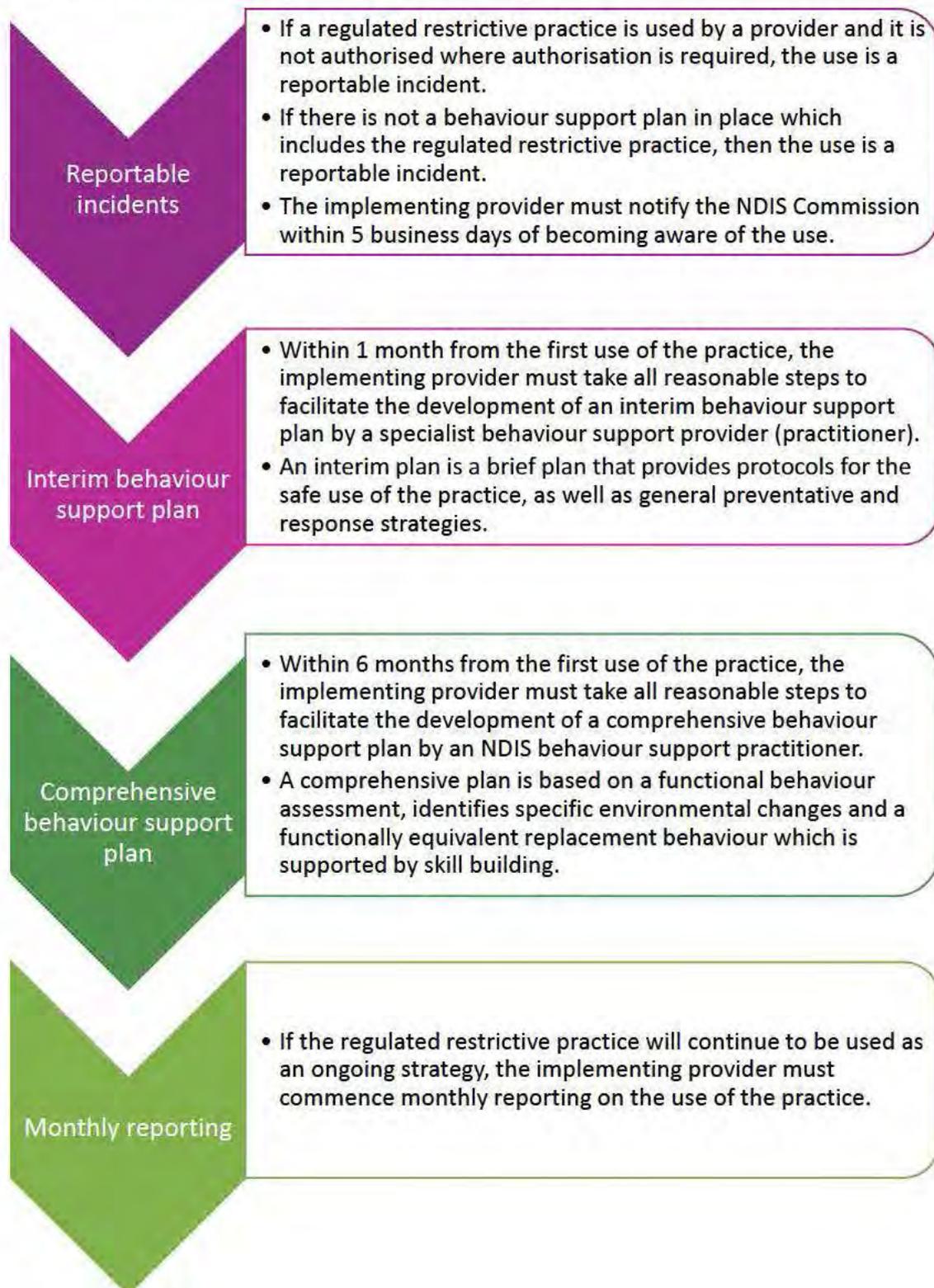
Implementing providers using regulated restrictive practices must be registered with the NDIS Commission for the type of support they are providing (they do not need to be registered specifically for behaviour support registration group 110). Implementing providers are required to report monthly on the use of regulated restrictive practices. In some circumstances, the use of a regulated restrictive practice may constitute an unauthorised use of a restrictive practice, which is a reportable incident. The implementing provider must notify the NDIS Commission of each use of an unauthorised restrictive practice within five business days of becoming aware of the use.

## When is the use of a regulated restrictive practice a reportable incident?

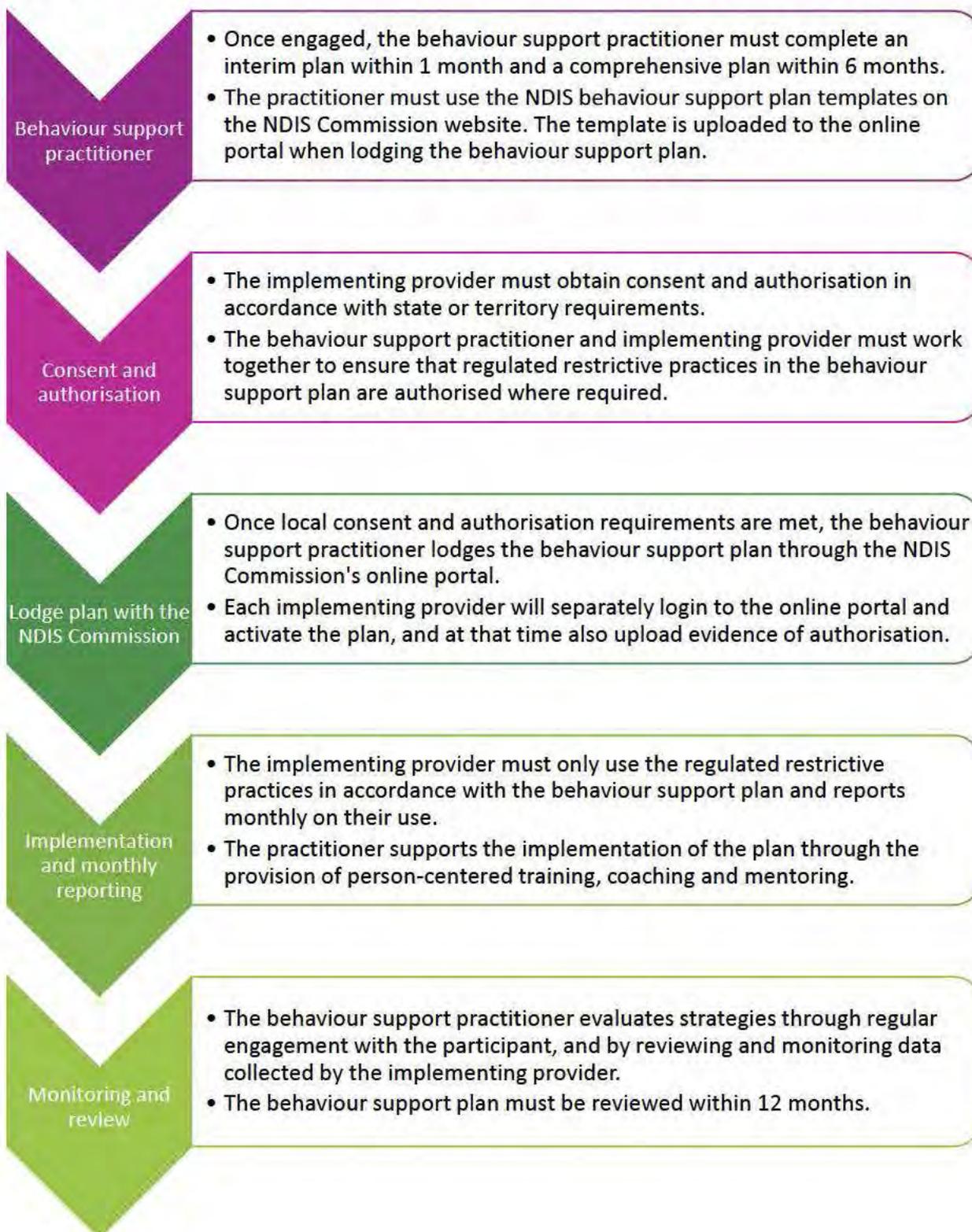
Is authorisation required for the regulated restrictive practice in your state or territory?	Has authorisation been received?	Is there a behaviour support plan in place that includes the regulated restrictive practice?*	Reportable incident required?
Yes →	Yes →	Yes →	No
Yes →	Yes →	No →	Yes
Yes →	No →	Yes →	Yes
No →	n/a →	No →	Yes
No →	n/a →	Yes →	No

\* Note: Some QLD short-term approvals are accepted as a behaviour support plan

## What steps must implementing providers take when there is no behaviour support plan, but regulated restrictive practices are being used?



## What are the steps for developing and implementing new behaviour support plans on or after 1 July 2019?



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## Who are NDIS behaviour support practitioners?

NDIS behaviour support practitioners are practitioners who the NDIS Commission considers suitable.

### How will the NDIS Commission consider practitioners suitable?

- Upon transition, specialist behaviour support providers will be asked to supply details of their behaviour support practitioners to the NDIS Commission.
- Practitioners will be considered provisionally suitable, pending assessment against the Positive Behaviour Support Capability Framework.
- The Positive Behaviour Support Capability Framework focuses on the knowledge and skills that underpin contemporary evidence-based practice, and reflects the diversity and variation of the sector's capability in delivering behaviour support.
- Practitioners will be notified by the NDIS Commission of when they are required to go through the assessment process.

## Where can I get further information?

- You can go to the NDIS Commission's website <https://www.ndiscommission.gov.au/providers/provider-responsibilities/behaviour-support>
- You can contact the behaviour support team at the NDIS Commission by emailing [behavioursupport@ndiscommission.gov.au](mailto:behavioursupport@ndiscommission.gov.au)