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Restrictive Practices Authorisation (RPA) News

RPA Newsletter - July 2019

In this Issue

Welcome to our July issue of the RPA Newsletter. In this issue we will be discussing:

- Public Consultation on RPA in NSW
- Case Study
- Consent and the RPA System
- New Resources!
- Spotlight On: Caroline Cummins, Mercy Connect
- Save the Date! NSW (FACS) RPA System Webinars

A quick note

You may have noticed that our logo has changed to the Department of Communities and Justice (DCJ). This change reflects our new department which has brought together the former departments of Family and Community Services (FACS) and Justice. In terms of our existing RPA resources and the NSW (FACS) RPA System, these will continue to be referred to as the FACS RPA System and our email will, in the meantime, remain as RestrictivePracticesAuthorisation@facs.nsw.gov.au. All other references to our department with be shortened to DCJ. Any further future changes will be communicated to you.

Public Consultation on RPA in NSW

The NSW Government needs to design a new restrictive practice authorisation model that better protects the rights of people with disability and seeks to reduce and eliminate the use of restrictive practices. NSW has an interim approach which ends on 30 June 2020.

We are consulting with people and organisations across NSW to understand how we can design a better model for the future.

Public consultation runs from July to 30 August 2019.

Key consultation questions

- What principles should guide the authorisation of restrictive practices?
- How should people participate in the authorisation of restrictive practices?
- Where should restrictive practices authorisation be required?
- Who should make decisions about authorising restrictive practices?

This consultation is only about how the use of restrictive practices should be authorised in NSW. Broader questions about behaviour support under the NDIS area matter for the Australian Government and are out of scope.

How can you contribute?

For information on how you can contribute to the consultation visit the Public Consultation on Restrictive Practices in NSW website. If you are experiencing any problems making a submission, please contact the RPA Review team at RPA.Review@dpc.nsw.gov.au.

Case Study

Behaviours of concern

Toby is a 57 year old male who lives in a group home with four other residents. He has limited vision, has epilepsy for which he takes regular medication, and has a moderate intellectual disability. Toby knows the layout of the group home well enough that he can move around the house unaided.

Staff have recently identified that the way Toby eats his food could be a choking risk as he eats his food very quickly and without chewing. As a result, staff have been cutting up his food into small pieces and supervising mealtimes closely. They also engage with him during meals to slow down his eating. In addition to this, staff have been monitoring Toby's food intake because they are concerned that he will overeat.

Recently, Toby has started waking up during the night. When he wakes up, he goes to the kitchen and eats food straight from the fridge and cupboards. Staff in the house overnight are on sleep-over shifts, but usually wake up because Toby makes a lot of noise in the kitchen.

Proposed restrictive practices

Toby's service provider has submitted a request to authorise environmental restraint to stop Toby from accessing the kitchen while staff are sleeping. The service provider wants to lock the kitchen door at night. The submission includes a current behaviour support plan

that outlines the proposed environmental restraint, but does not include a mealtime management plan or include information about how often Toby is getting up at night.

Considerations for the RPA panel members

Key issues which would be assessed by the RPA panel members include:

- What is the cause or reason Toby is waking up during the night and eating food? Has he been assessed for a medical issue, or is Toby not getting enough food during mealtimes?
- How frequently is Toby getting up at night?
- What other strategies have been attempted to manage the behaviour of concern (choking)?
- What strategies will be put into place so the other residents in the house will not be affected if the kitchen is locked overnight?
- Has a fade-out strategy been included in the behaviour support plan?

Recommendations made by the RPA panel

In this instance, the RPA panel has granted conditional authorisation for six months, with a review set for three months time. The panel has requested the following be implemented before the review of the submission:

- A medical consultation to rule out medical reasons why Toby might be getting up at night and eating outside of his daily meals.
- A review of Toby's diet and nutrition by a dietitian to see if he is receiving adequate calories.
- Staff should explore less restrictive strategies to manage the behaviour of concern for Toby and to ensure other residents are not affected by the strategies put into place. An example of this may be an alarm on Toby's door to wake staff so they direct him back to bed when he gets up (which would still require authorisation from an RPA panel).
- A mealtime management plan should be prepared for Toby to ensure he is receiving appropriate support at mealtimes and given the opportunity to learn skills to eat his food in a less risky way.
- Options must be explored to fade-out the use of the environmental restraint.

Consent and RPA Submissions

The *NSW Restrictive Practices Authorisation Policy* requires consent to be obtained from the person (where they have the capacity to consent), or their Guardian to use a restrictive practice as a component of an overall behaviour support plan. In order to obtain authorisation, evidence of consent must be provided to the RPA panel and uploaded to each outcome summary in the NSW (FACS) RPA System.

You can check if you have any outstanding outcome summaries which are *'Pending Consent'* by navigating to the Home menu in the System and clicking on the *'XXX Authorisations Pending Consent'* link under 'Open Actions'.

It is important to remember that your RPA applications are not completed until the outcome summary status states *'complete'* in the System.

For instructions on how to complete an outcome summary in the System please read Chapter 9: Outcome Summary (page 44-49) of the NSW (FACS) RPA System User Guide. Should you have any further questions about the above please email the Central Restrictive Practices Team at RestrictivePracticesAuthorisation@facs.nsw.gov.au.

New Resources!

Video: What is a Review of Authorisation

Our latest whiteboard style video is now available. This video focuses on:

- What is a review?
- When can a review occur?
- How is a review different to re-authorisation?
- What are the requirements for re-authorisation?

To view the video please click here.

Updated NSW (FACS) RPA System User Guides

The updated *NSW (FACS) RPA System User Guide* is now available. The updated User Guide has been divided into six parts. Each part is related to specific steps within the System and provides detailed step-by-step instructions on how to navigate and use the System to submit and authorise restrictive practices.
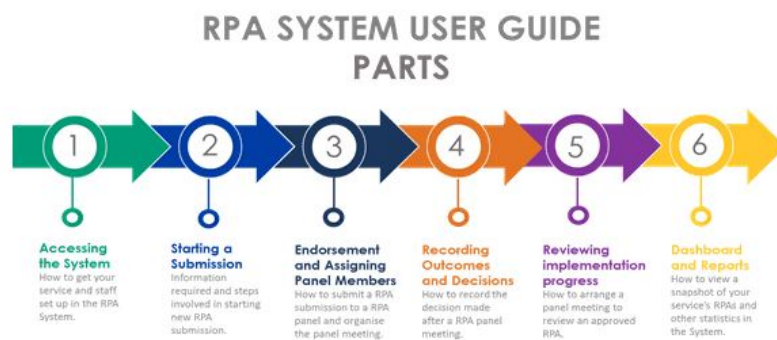
To access the new User Guides please visit the Restrictive Practices Authorisation Portal. User Guide parts 4 and 5 will be released in the coming weeks. Until then, to see any content that references either of these parts please refer to the existing NSW (FACS) RPA System User Guide 2.0.

RPA Submission Resources - Coming Soon!

The Central Restrictive Practices Team are currently developing a series of resources with best practice examples to guide NDIS service providers on what a quality RPA submission should look like. These will highlight key information and evidence required for an RPA Panel. Topics covered will include:

- The RPA Submission Form
- The Outcome Summary
- Fading Out RPA

The first of these resources will become available within the next month and will be available on the Restrictive Practices Authorisation Portal.

If you have any questions about the above resources or about restrictive practices authorisation and the NSW (FACS) RPA System please email the Central Restrictive

Practices Team at

RestrictivePracticesAuthorisation@facs.nsw.gov.au.

Did you know?

RPA panel members cannot access RPA submission forms or the attached documents until the form has been 'released' in the NSW (FACS) RPA System. It is therefore important to ensure all forms are released before the date of the RPA panel. This will ensure all panel members have ample time to read and prepare for the upcoming panel. When using a FACS Independent Specialist, we request that all submission forms are released at least 3 business days prior to going to panel.

Spotlight on...
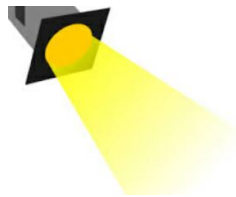
Caroline Cummins

Executive Leader Clinical Services, Mercy Connect
FACS Independent Specialist

How did you get to where you are today?

I started working for ADHC as a Communication Specialist with the Regional Behaviour Intervention Team in 2010. This is where my real passion for working with people with disabilities developed. My background is as a Speech Pathologist and so understanding that behaviour is just another form of communication made total sense to me. I was keen to help others understand this but also to provide more acceptable and diverse ways for people to express their wants, needs and feelings.

Twelve months after starting at ADHC as a Communication Specialist, I moved into the role of Senior Behaviour Support Specialist. This is where my knowledge and interest in restrictive practices expanded. During this time I completed my Master of Health Science (Developmental Disabilities) through Sydney University and among other things, consolidated my belief about the rights of people with disabilities, especially how restrictive practices impact on a person's human rights and the need for these practices to be used with extreme causation and as a last resort.

I am now working as an Executive Leader of Clinical Services at Mercy Connect where I directly manage the Behaviour Support Team and other services within the organisation. My current role allows me to have direct input into how services are provided to ensure they are safe and meet quality expectations within a human rights framework.

I have been involved in many projects over my time working in the disability sector but more recently I have been involved in developing and implementing a clinical governance framework for Mercy Connect. This has included a robust RPA mechanism.

The reason I still do what I do is that I continue to work with a range of people with exceptional skills, knowledge and passion. This includes the participants that our organisation supports. Every day is an opportunity for learning and no two days are the same. It is the small wins that can make a huge difference to someone's life and this is what I love about my job!

What do you see are the benefits of having the FACS Independent Specialists participating on RPA panels?

I see numerous benefits to having a FACS Independent Specialist on an RPA panel. It provides:

- another perspective and certainly transparency for the process;
- a level of consistency across panels;
- a forum for idea sharing and discussion in relation to innovative ways to deal with common behavioural challenges;
- a vehicle for the promotion of best practices across the sector; and
- an opportunity for collaboration.

Do you have any advice for any providers and practitioners conducting or involved in RPA panels?

It is a learning process for all of us! I think it is important to promote an environment that welcomes robust discussion and questioning. Every person on the panel should have equal input into outcomes being decided upon. Can I also say - data is key. Without adequate data it is difficult to make decisions in relation to the effectiveness or need for a particular practice - so this should also be a key element of any discussion.

Save the Date!
NSW (FACS) RPA System
Webinars

The Central Restrictive Practices Team have been conducting a series of webinars focusing on how to use the NSW (FACS) RPA System to submit and authorise restrictive

practices. Each webinar will focus on a different aspect of the System such as how to create an RPA submission, how to create and approve an outcome summary, and how to book a FACS Independent Specialist. Upcoming webinar topics and dates include:

- The RPA Submission Form (Sections 5 and 6): Friday 2 August 2019, 1.00pm - 1.45pm
- Outcome Summaries, Reviews and Reauthorisation (Applicants and Panel Members): Tuesday 6 August 2019, 1.00pm - 1.45pm

All sessions have been well attended and have been booking out quickly. As a result further webinars are being organised. If you are interested in participating, please send an email through to RestrictivePracticesAuthorisation@facs.nsw.gov.au.

Further information regarding additional webinars on specific System topics will be communicated shortly.

Test Your Knowledge!

Question 1. What regulated restricted practice is prohibited for Children and Young People (under 18 years)?

Question 2. A FACS funded Independent Specialist fulfils two of the three roles required on an RPA panel. What are they?

Question 3. How do you access the new *NSW (FACS) RPA System User Guide*?

Get in Contact!

RPA News will be published monthly on the FACS RPA Portal. If you would like to suggest a colleague or service to be included in *Spotlight On...* or *Provider in Focus*, or if you have any questions about restrictive practices authorisation or this newsletter, please email: RestrictivePracticesAuthorisation@facs.nsw.gov.au.

Quiz Answers

Answers

Question 1. Seclusion is prohibited for any person under the age of 18 years. An RPA panel cannot authorize a prohibited practice.

Question 2. A FACS Funded Independent Specialist fulfils the panel role of both the specialist in behavior support and the independent.

Question 3. The new *NSW (FACS) RPA System User Guides* are available to download from the Restrictive Practices Authorisation Portal. The new User Guide has been divided into six parts (parts 4 and 5 coming soon!).

Our mailing address is:
RestrictivePracticesAuthorisation@facs.nsw.gov.au

Why am I getting this?
All individuals registered with the NSW (FACS) RPA System will automatically receive the RPA Newsletter.

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You can click here to unsubscribe from this list.

Feeling left out?
You can click here to subscribe to this list or go to our Restrictive Practices Authorisation Portal and click the subscription link.