



Family &
Community Services

Restrictive Practices Authorisation in NSW from 1 July 2018

Information for NDIS registered service providers



Definitions

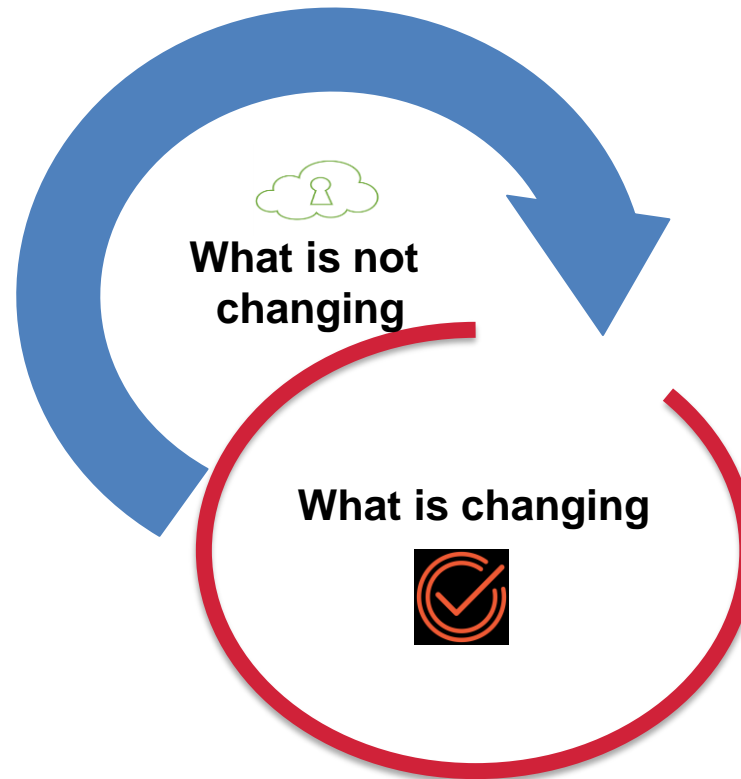
Restrictive practices involve the use of interventions and practices that have the effect of restricting the rights or freedom of movement of a person with disability. These can include restraint (chemical, mechanical, environmental or physical) and seclusion (keeping someone in isolation).

Restrictive Practices Authorisation is endorsement for a particular practices to be implemented by staff with a certain individual, in a particular service setting, under clearly defined circumstances. The decision to authorise use of restrictive practices will be based on supporting information including behaviour support documentation, such as a Behaviour Support Plan (BSP) informed by a functional assessment of behaviour.

Overview

- From 1 July 2018, the NDIS Quality and Safeguards Commission will regulate behaviour support for NDIS registered service providers, including restrictive practices.
- Authorisation of restrictive practices is required in accordance with NSW policy while a nationally consistent model is developed.
- Service providers must comply with the new NSW Restrictive Practices Authorisation Policy and Procedural Guide.
- Restrictive Practices Authorisation (RPA) Panels will continue to be the primary mechanism in NSW for reviewing RPA submissions and either granting or declining authorisation.
- Requests to the RPA Panel for authorisation must be submitted via the NSW RPA ICT System, and must include a Behaviour Support Plan (BSP).

1 July 2018



What is not changing from 1 July?

- Restrictive practices should be minimised or eliminated.
- Restrictive practices should only be used in the context of a Behaviour Support Plan, based on an assessment of behaviour.
- Authorisation under NSW Government policy is required for the use of restrictive practices.
- Consent is required for the use of restrictive practices.
- Reporting is required on the use of restrictive practices.
- Service providers convene RPA Panels, or access existing RPA Panels, to obtain authorisation.
- Unauthorised use of restrictive practices is a reportable incident.

What is changing from 1 July?

- Restrictive practices are defined by the NDIS Quality and Safeguards Commission Rules and these definitions have been adopted for NSW.
- **The routine use of medication or chemical substance is defined as a restrictive practice. 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 for the treatment of, or to enable treatment of, a diagnosed mental disorder, a physical illness or a physical condition.**
- National oversight of behaviour support is conducted by the NDIS Quality and Safeguards Commission.
- FACS provides independent specialist members of RPA Panels.
- NDIS registered providers administer and manage requests for *authorisation* through one online system provided by FACS.
- NDIS registered providers report on the use of restrictive practices to the NDIS Quality and Safeguards Commission.

Commonwealth Definitions

Under the NDIS (Restrictive Practices and Behaviour Support) Rules, there are five (5) categories of regulated restrictive practice. The Commonwealth definitions will now be applied nationally.



→ Old	New ←
NSW Definitions	Commonwealth Definition
Seclusion	Seclusion
Exclusionary Time Out	
Physical Intervention / Restraint	Physical Restraint
	Mechanical Restraint
PRN Psychotropic Medication for behaviour	Chemical Restraint
Routine dose medication for behaviour *	
Restricted Access	Environmental Restraint
Response Cost	

*Not previously a Restrictive Practice in NSW

Consent Requirements

PERSON	PRACTICE			
	Physical or Mechanical Restraint	Chemical Restraint	Environmental Restraint	Seclusion
Children (under 18 years) <i>not</i> subject to court order reallocating parental responsibility	parent or guardian*	parent or guardian*	parent or guardian*	PROHIBITED
Children (under 18 years) subject to court order reallocating parental responsibility	person with parental responsibility+	person with parental responsibility+	person with parental responsibility+	PROHIBITED
Young people (16-18 years)	Either: a) the person where they have the capacity, or b) guardian with a restrictive practices function	Either: a) the person where they have the capacity b) the person responsible c) the Guardianship Division	Either: a) the person where they have the capacity, or b) guardian with a restrictive practices function, or c) the RPA Panel mechanism‡	PROHIBITED
Adults (18 years and over)	Either: a) the person where they have the capacity, or b) guardian with a restrictive practices function	Either: a) the person where they have the capacity b) the person responsible c) the Guardianship Division	Either: a) the person where they have the capacity, or b) guardian with a restrictive practices function, or c) The RPA Panel mechanism‡	Either: a) the person where they have the capacity, or b) guardian with a restrictive practices function

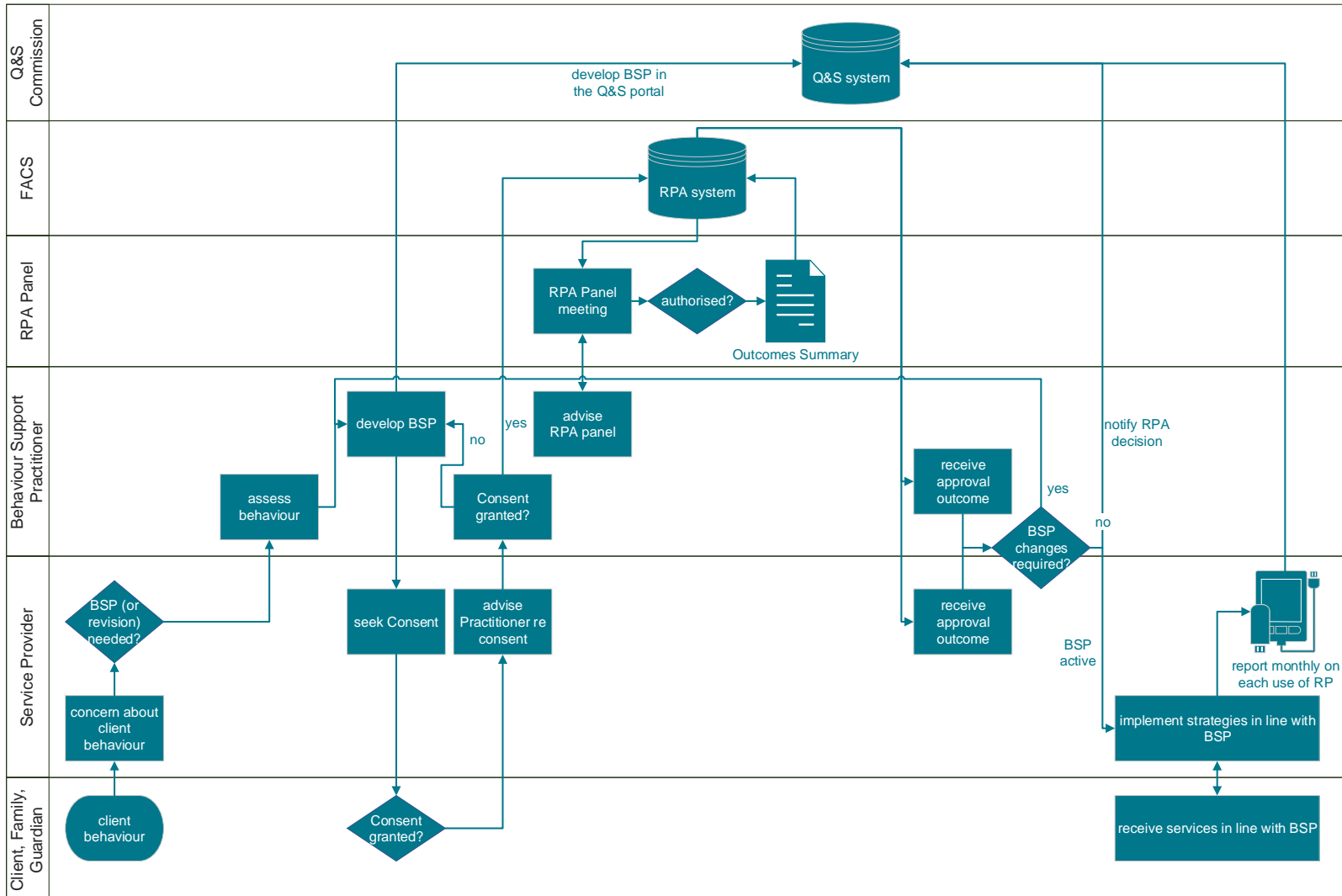
Transitional Arrangements and Timing

Planned use of a restrictive practice	Authorised prior to 1 July 2018	Behaviour Support Plan	Transitional Requirements
✓	✓	✓	Renew BSP and authorisation at expiry (no later than 12 months)
✓	✗	✓	Complete authorisation within 3 months
✓	✓	✗	Complete BSP and authorisation within 6 months
✓	✗	✗	Complete interim plan and authorisation within 3 month Complete full authorisation within 6 months

Interim and Full Authorisation

- In exceptional circumstances, interim authorisation for the use of restrictive practices is required pending the development of a behaviour support plan and authorisation by an RPA Panel. This should be sought as soon as practicable, not exceeding **3 month**.
- A senior manager of the provider can provide this interim authorisation having regard to the interim plan for behavior supports, including restrictive practices, and the context of the provider's authorisation. In providing interim authorisation the senior manager of the provider specifies the length of time for which the interim authorisation applies, not exceeding **6 months**.
- Full authorisation can be provided for up to 12 months. The RPA panel must not specify a period longer than 12 months as the period for which a restrictive practice is authorised.

Planned Restrictive Practices Authorisation process



RPA Panels

- An RPA Panel is the mechanism for authorising the use of restrictive practices.
- The RPA Panel:
 - includes at least two people:
 - a manager familiar with the operational considerations around the use of a restrictive practice in the intended service setting; and
 - an independent specialist with expertise in Behaviour Support
 - may include additional members such as a senior clinician or an advocate
 - receives submissions requesting authorisation via the NSW RPA ICT system
 - records its decision in a formal Outcomes Summary
 - *panel members cannot make a submission to that panel*
- The service provider will convene an RPA Panel, or access an existing RPA Panel.
- FACS can provide independent specialists to ensure that local RPA Panels have access to independent behaviour support expertise.

NSW RPA (FACS) Restrictive Practice Authorisation System

Purpose



- Manages and monitors authorisations of restrictive practices
- Service providers submit Behaviour Support Plans and other documents for the purpose of having a restrictive practice authorised
- Includes a Self Assessment Tool to determine whether authorisation is required

Access



- NDIS registered service providers
- Behaviour Support Practitioners
- Core RPA Panel members (manager and independent specialist)

Operation



- Service providers access the system via a portal at <https://rpa.facs.nsw.gov.au> to enter and maintain data
- RPA submissions lodged for consideration by RPA Panels
- Records decisions lodged by RPA Panels (Outcome Summary)
- Service providers notified of outcome and expiration of authorisation

FACS (NSW) RPA ICT System Screen shot - Service Provider

Family and Community Services NSW

Details

Name
Family and Community Services NSW ⓘ

Provider Type: Government ▾ Status: Approved ▾

Address
23 Moore St

Suburb: LIVERPOOL State: NSW Postcode: 2170

ABN
81543124354

Contact Person: Amrish Q Contact Phone: 0299991111

NDIA Registration

Is RPA Registered: Yes ▾

NDIA RP Provider: 3754737 Date of Registration: 15/06/2017 📅 Registration Expiry: 14/06/2020 📅

Screen shot - Participant

Participant

NDIS Participant Details

Given Name	Family Name	
<input type="text" value="Jim"/>	<input type="text" value="Jones"/>	
Address		
<input type="text" value="123 Liverpool Rd"/>		
Suburb	State	Postcode
<input type="text" value="Ashfield"/>	<input type="text" value="NSW"/>	<input type="text" value="2130"/>
Date of Birth	Gender	Status
<input type="text" value="07/06/2018"/>	<input type="text" value="Male"/>	<input type="text" value="Active"/>
Service Provider	NDIS Participant ID	
<input type="text" value="Barnardos2"/>	<input type="text" value="12345"/>	

Additional Information

NDIA Region	Aboriginal/Torres Strait Islander (ATSI)
<input type="text" value="Hunter New England"/>	<input type="text" value="Neither Aboriginal or Torres Strait Islander"/>
Culturally and Linguistically Diverse (CALD)	Primary Disability
<input type="text" value="Yes"/>	<input type="text" value="Intellectual disability - profound"/>
Accommodation Setting	
<input type="text" value="Own Home"/>	

Screen shot – RPA Submission

Submission for Restricted Practice Authorisation (RPA) Form

1. NDIS Participant Details

Given Name Harry	Family Name Windsor	
NDIS Participant ID 1234-5	Date of Birth 09/09/2015	
Address 143 Doogan road		
Suburb Sydney	State Nsw	Postcode 2001

2. Key Support Staff

Select Key Support Staff Member
Matt Frize

Given Name Matt	Family Name Frize
Email Matthew.Frize@facs.nsw.gov.au	Phone
Role	
Notes	

3. Restrictive Practice Category

- Planned
- Interim
- Seclusion
- Physical Restraint
- Mechanical Restraint
- Chemical Restraint
- Environment Restraint

4. Prior RPA History (Post July 2018)

Show 10 entries Search:

RP Category	Date RPA Granted	Start Date	Date of Expiry

Showing 1 to 6 of 6 entries Previous 1 Next

5. Submission Accompanied By

List all supporting documents attached, e.g. MESP, BSP, Behaviour Assessment, LER, Individual Plan, Incident Response (Risk Management) Plan, protocols for monitoring use of the proposed practice etc.

A. Current Individual Plan (IP) Add files...

B. Behaviour Assessment Report (BAR) Add files...

Filename	Title	Notes	Action
Capture.PNG			Edit Delete

C. Multi-element Behaviour Support Plan (BSP) Add files...

Filename	Title	Notes	Action
eula.1040.txt			Edit Delete

D. Incident Prevention & Response Plan (IPRP) Add files...

E. Current Lifestyle & Environment Review (LER) Add files...

Filename	Title	Notes	Action
Capture.PNG			Edit Delete

F. Protocols for monitoring use of the proposed practice Add files...

G. Other Add files...

Filename	Title	Notes	Action
DataFileSync.bat			Edit Delete

6. Summary of Identified Behaviour of Concern

Behaviour of Concern	Background	Impact on Quality of Life	Identified Issues/Risk	Action
Eating non food items	Our reforms drive our initiatives to achieve better and more integrated	Our reforms drive our initiatives to achieve better and more integrated	Our reforms drive our initiatives to achieve better and more integrated	Edit Delete

7. Summary of Proposed Restrictive Practices

Service Settings	Behaviour of Concern	Description	Action
No data available in table			

+ Add Proposes Practice

8. Submission Completed By

Name Peter Rogerson	Role/Position
UserID peter.rogerson@facs.nsw.gov.au	Date????

9. Consent

- The Consent Giver has been informed of the RPA Submission

10. Assign Panel Members

Screen shots – List of Participants

Participant

Add Participant

Search Results

Show 10 entries

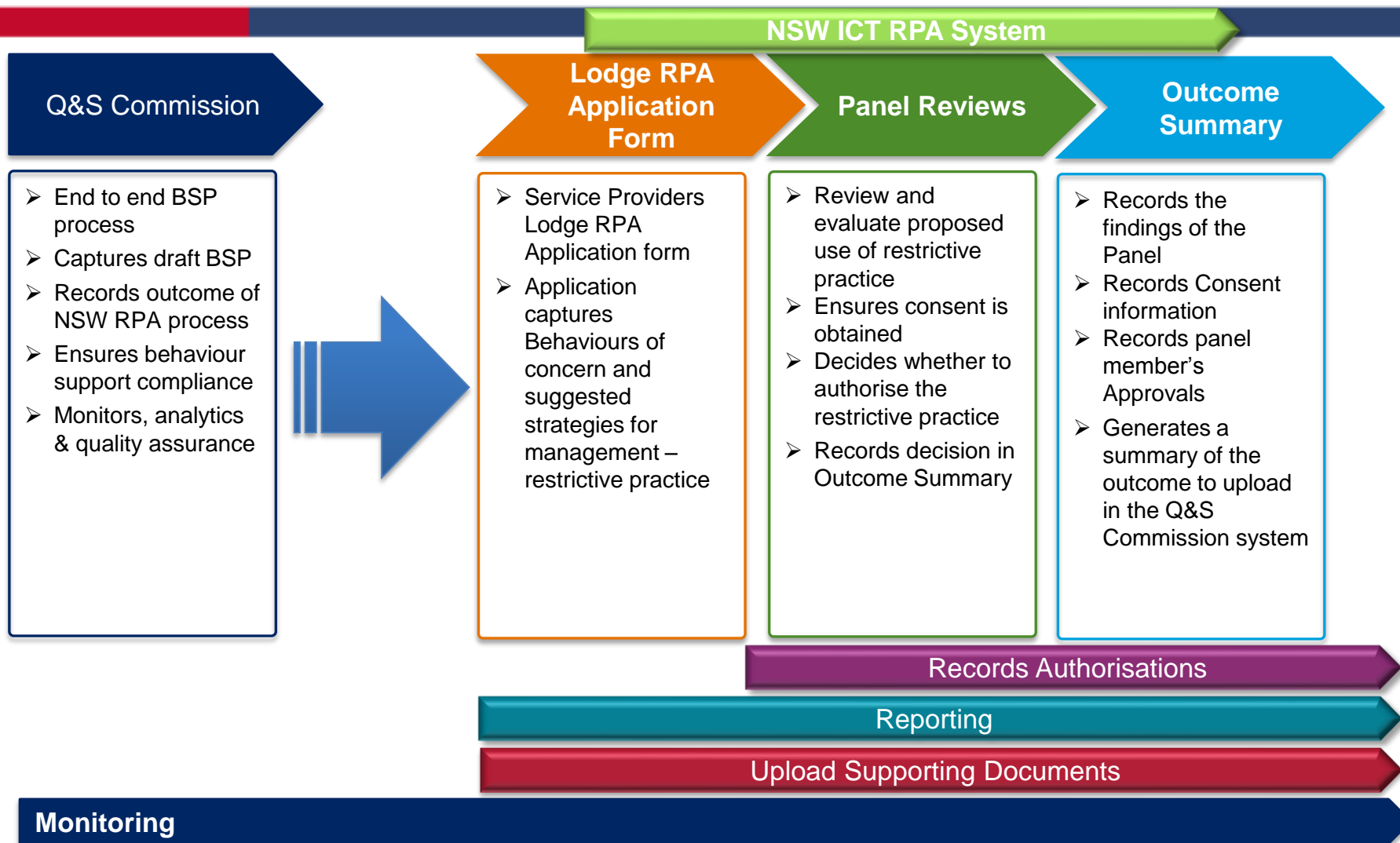
Search:

NDIS Participant ID	Given Name	Family Name	Date of Birth	Status	Edit
1234	Simone	Smith	06-Jun-2006		View
12345	Jim	Jones	07-Jun-2018	Active	View
1234-5	Harry	Windsor	09-Sep-2015	Active	View

Showing 1 to 3 of 3 entries

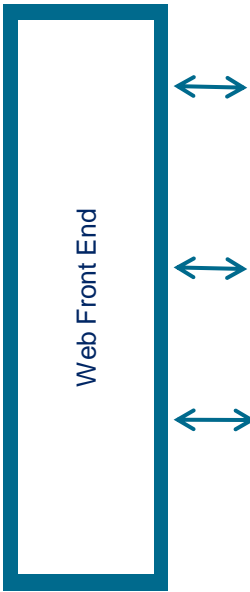
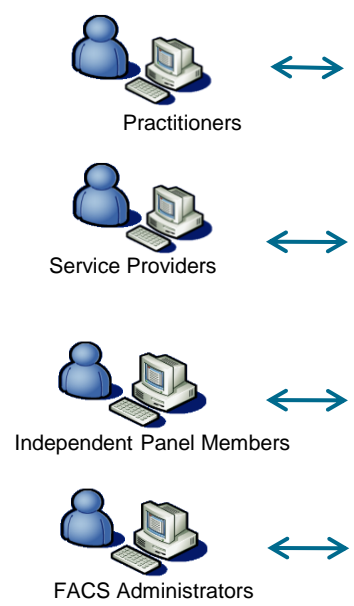
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NSW Restrictive Practice Authorisation Process Overview



NSW (FACS) Restrictive Practice Authorisation System

End-Users



RPA System Core Functionalities		
Lodge RPA Application <ul style="list-style-type: none"> Ability for Service Provides lodge RPA Application form 	Captures Behaviour of Concern <ul style="list-style-type: none"> Ability for Service Provides to capture: <ul style="list-style-type: none"> Behaviour of concern Proposed strategies 	Practitioner & Panel Members <ul style="list-style-type: none"> Ability to record Panel Members information Ability to assign Panel Members
Reviews <ul style="list-style-type: none"> Ability to review implemented practices, scheduled or on an adhoc basis 	Participants Information <ul style="list-style-type: none"> Ability to create Participant record Ability to view Participant's Historical RPA 	Outcome Summary <ul style="list-style-type: none"> Ability to record Review Panel findings Ability to generate approved Outcome Summary
Service Providers <ul style="list-style-type: none"> Ability to created NDIA registered service providers & contact records 	Approvals <ul style="list-style-type: none"> Ability to capture panel member's approvals of proposed restrictive strategies 	Workflows & Notifications <ul style="list-style-type: none"> Ability to send notifications to relevant parties on the status of the RPA application lifecycle
Documents Upload <ul style="list-style-type: none"> Ability for service providers to upload supporting documents, checklists, evidence 	Reports <ul style="list-style-type: none"> Summary and/or detailed reports on all status of RPA application 	Consent <ul style="list-style-type: none"> Ability to capture evidence of consent information

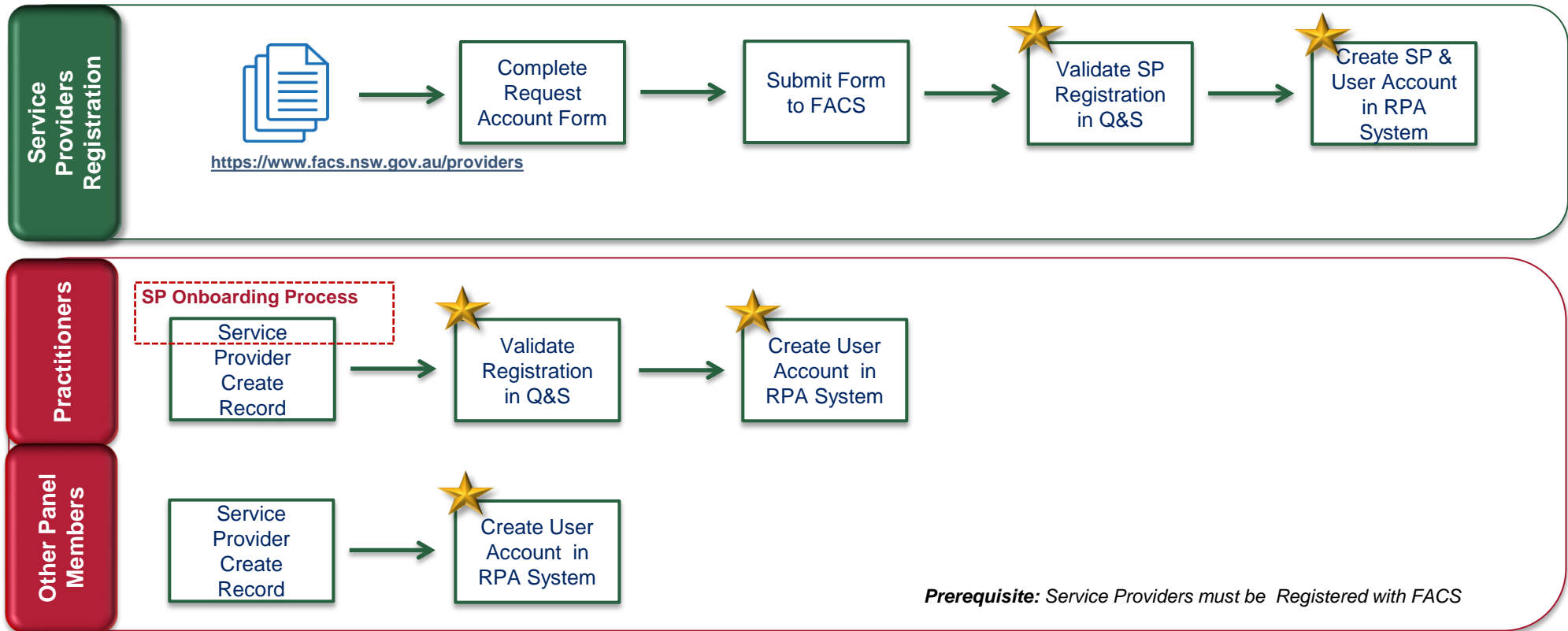
Benefits of the RPA (NSW) Restrictive Practice Authorisation System

- Single and secure platform to record, submit, authorise and monitor restrictive practice authorisation
- Digitise information for ease of distribution among panel members and consent providers
- Receive notifications on upcoming authorisations
- Workflow approvals and rejections
- Generate reports to analyse restrictive practices, submissions and outcomes by provider, outlets or service settings

Rollout and Training

- As of 1 July 2018, a basic version of the online system will be available for service providers and practitioners to access. This version will allow users to:
 - register
 - submit an application
 - record outcome summaries
 - request a FACS Independent Specialist for the panel meeting
- From 1 October 2018, all features of the online system will be available. The remaining features may be rolled out progressively and users will be notified.
- A user guide and support will be available online for users
- User training will be delivered in various formats, for example web based workshops, **face-to-face** local/regional forums, recordings. Further information will be provided shortly.

RPA (FACS) ICT System Next Step - Registration



FACS Central Restrictive Practices Team

- A small central team, called the Central Restrictive Practices Team, will be located in FACS.
- The Central Restrictive Practices Team:
 - is led by two managers:
 - Manager, Policy Implementation
 - Manager, Clinical Specialists
 - supports implementation of the RPA Policy and Procedural Guide
 - embeds best practice advice and guidance in relation to the use and minimisation and elimination of Restrictive Practices into the authorisation process
 - provides an online system to register and manage requests for RPA
 - provides and funds Independent Specialists to participate in local RPA Panels
 - co-ordinates with the NDIS Quality and Safeguards Commission.

Next Steps Provider Checklist

- Register in the NSW ICT RPA System. Confirm pre-populated contact details, where applicable.
- Review and understand the requirements of the new Policy & Procedural Guide
- Comprehend the authorisation transitional arrangements
- Map practices against new authorisation framework, including the change to the definitions
- Develop a plan on how and when compliance with the new requirements will be achieved.



For more information

Website: <https://www.facs.nsw.gov.au/providers>

Email: RestrictivePracticesAuthorisation@facs.nsw.gov.au

AVAILABLE RESOURCES

- * Restrictive Practices Authorisation Policy & Procedural Guide*
- * Policy Summary*
- * How to access an RPA panel fact sheet*
- * Overview of RPA panels fact sheet*
- * Frequently Asked Questions*
- * Central Restrictive Practices Team Functions*
- * Roles & Responsibilities for RPA*