



Family &
Community
Services

Restrictive Practices Authorisation (RPA) Self-Assessment Tool: Is RPA required?



Understanding when RPA is required

The RPA self-assessment tool guides NDIS registered service providers and behaviour support practitioners to identify whether RPA is required for a proposed practice, and the appropriate next steps under the NSW Restrictive Practices Authorisation Policy

Answer the questions below to determine whether a proposed practice meets the definition of a restrictive practice, and to identify appropriate actions under the NSW RPA Policy, including whether a submission should be made to an RPA Panel.

For more information about RPA and how to make a submission, please access the following: [RPA System \(Portal\)](#)

Behaviour support and reporting requirements of the NDIS Quality and Safeguards Commission (NDIS Commission) are separate from the RPA process. The expectations of the NDIS Commission are described in the NDIS (Restrictive Practices and Behaviour Support) Rules 2018. Contact the NDIS Commission for clarification if required or access the Rules here: [NDIS \(Restrictive Practice and Behaviour Support Rules\) 2018](#)

1 Section One

1.1 Will the proposed practice be implemented by an NDIS registered service provider?

- Yes** – Proceed to question 1.2.
- No** – *The requirements for authorisation outlined in the NSW RPA Policy are in relation to NDIS registered service providers only.*

If you are concerned about the care being provided to a person with disability, contact the NDIS Commission (if the concern relates to services from an NDIS registered service provider) or the NSW Ombudsman (until 30 June 2019) or the relevant NSW Government Department (if the concern relates to mainstream supports such as health, education, or housing).

1.2 Are you a representative of an NDIS registered service provider that will implement the proposed practice?

- Yes** – Proceed to question 1.3.
- No** – *It is the responsibility of the NDIS registered service provider that will implement the proposed practice to obtain authorisation from an RPA Panel for the use of restrictive practices. Proceed to question 1.3.*

Contributions of other parties to the authorisation process, such as from a Behaviour Support Practitioner, should be coordinated by the NDIS registered service provider. To further explore whether the NDIS registered service provider should seek authorisation for the use of a practice.

1.3 Have positive behaviour support strategies been trialed and were unsuccessful in managing the behaviour of concern? (I.e. the behaviour still poses a risk to the person and/or others)?

- Yes** – Proceed to question 1.4.
- No** – *Trial or implement positive behaviour support strategies. A behaviour support practitioner should be engaged to develop a Behaviour Support Plan (interim or comprehensive) based on a functional assessment of the behaviour prior to any submission for RPA. Proceed to question 1.4.*

1.4 Is the need to use the proposed practice urgent?

- Yes** – Proceed to question 1.5
- No** – *Where the practice is identified as a restrictive practice and the need for its use is not urgent, it should not be implemented without the appropriate authorisation based on a Behaviour Support Plan written by a behaviour support practitioner. Proceed to **Section 2**.*

1.5 Is the proposed practice included within either an interim or comprehensive Behaviour Support Plan written by a behaviour support practitioner?

Yes – *Interim authorisation for the use of a restrictive practice can be granted by a designated senior manager within the NDIS registered service provider organisation, but only where the strategy is included in a Behaviour Support Plan (Interim or Comprehensive) written by a behaviour support practitioner. A comprehensive Behaviour Support Plan written by a behaviour support practitioner and based on a functional behavioural assessment must be developed and planned authorisation obtained within six months from the date of interim authorisation, or the practice will no longer be authorised. Proceed to **Section 2**.*

No – *Authorisation cannot be given to implement a restrictive practice where it is not included in a Behaviour Support Plan (Interim or Comprehensive) written by a behaviour support practitioner. The use of a restrictive practice without authorisation is a reportable incident [NDIS \(Incident Management and Reportable Incident\) Rules 2018](#)*

2 Section Two CHEMICAL RESTRIANT

2.1 Does the proposed practice relate to chemical restraint?

Chemical restraint is the use of a medication or chemical substance, for the primary purpose of influencing a person's behaviour. It excludes the use of medication prescribed by a medical practitioner for the treatment, or to enable treatment, of a diagnosed mental disorder, a physical illness or condition.

- Yes** – Proceed to question 2.2.
- No** – Proceed to **Section 3**.

2.2 Is the person receiving a medication or chemical that affects their behaviour?

- Yes** – Proceed to question 2.3.
- No** – *Medications or chemical substances that do not affect the person's behaviour are not included in the definition of chemical restraint and do not need to be authorised by an RPA Panel.*

2.3 Is the medication prescribed to treat or enable the treatment of a diagnosed mental disorder, physical illness or physical disorder?

- Yes** – *Medications or chemical substances prescribed primarily to treat a diagnosed mental or physical disorder are not included in the definition of chemical restraint and do not need to be authorised by an RPA Panel*
- No** – Proceed to question 2.4.

2.4 Is the medication used to assist in the management of a behaviour of concern?

- Yes** – *This may be a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*
 - No** – *Medications or chemical substances that are not used to affect the person's behaviour are not included in the definition of chemical restraint and do not need to be authorised by an RPA Panel.*
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3 Section Three PHYSICAL RESTRAINT

3.1 Does the proposed practice relate to physical restraint?

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. It does not include the use of a hands-on technique in a reflexive way to guide or redirect a person away from potential harm/injury, consistent with what could reasonably be considered the exercise of care towards a person.

- Yes** – Proceed to question 3.2.
- No** – Proceed to **Section 4**.

3.2 Is it proposed that hands-on physical force is to be used to prevent, restrict or subdue movement of the body, or part of the body, of a person with disability?

- Yes** – Proceed to question 3.3.
- No** – *This does not appear to meet the definition of a physical restraint that needs to be authorised by an RPA Panel.*

3.3 Is the person proposed to be restrained using a hands-on technique used solely in a reflexive way to guide or redirect the person away from potential harm or injury?

- Yes** – *This does not appear to meet the definition of a physical restraint that needs to be authorised by an RPA Panel. Non-purposeful risk requires a planned service response to minimise the risk rather than authorisation to implement a restrictive practice. A risk assessment and risk management plan should be completed to ensure the safety of the person engaging in **non-purposeful risk behaviour**. Note that, although RPA is not required for non-purposeful risk behaviour, the NDIS Commission may still require a Behaviour Support Plan to be developed by a behaviour support practitioner. Refer to the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 or contact the NDIS Commission for further advice.*
- No** – Proceed to question 3.4.

3.4 Is the person proposed to be supported using a hands-on technique to aid in the skills development or personal care where the person welcomes or does not resist the technique?

- Yes** – *This does not appear to meet the definition of a physical restraint that needs to be authorised by an RPA Panel. Non-purposeful risk requires a planned service response to minimise the risk rather than authorisation to implement a restrictive practice. A risk assessment and risk management plan should be completed to ensure the safety of the person engaging in non-purposeful risk behaviour. Note that, although*

RPA is not required for non-purposeful risk behaviour, the NDIS Commission may still require a Behaviour Support Plan to be developed by a behaviour support practitioner. Refer to the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 or contact the NDIS Commission for further advice.

Yes - but the person resists or protests the technique – *resistance or protest from the person may indicate the person finds the experience unpleasant. Trial or implement positive behaviour support strategies. A behaviour support practitioner should be engaged to develop a Behaviour Support Plan (interim or comprehensive) based on a functional assessment of the behaviour.*

No – Proceed to question 3.5.

3.5 Is the proposed hands-on technique to restrain the person intended to manage or reduce the risk posed by their behaviours of concern?

Yes – *This may be a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*

No – *This does not appear to meet the definition of a physical restraint that needs to be authorised by an RPA Panel.*

4 Section Four MECHANICAL RESTRIANT

4.1 Does the proposed practice relate to mechanical restraint?

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. It does not include the use of devices for therapeutic or non-behavioural purposes.

- Yes** – Proceed to question 4.2.
- No** – Proceed to question **Section 5**.

4.2 Is the device proposed to be used as a therapeutic aid to treat an injury or physical disorder, as prescribed by a health or allied health professional, or for non-behavioural purposes?

- Yes** – *This does not appear to meet the definition of a mechanical restraint that needs to be authorised by an RPA Panel.*
- No** – Proceed to question 4.3

4.3 Is a device proposed to be used to prevent, restrict, or subdue the movement of a person with disability due to the risk posed by behaviours of concern?

- Yes** – *This may be a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*
 - No** – *This does not appear to meet the definition of a mechanical restraint that needs to be authorised by an RPA Panel.*
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5 Section Five ENVIRONMENTAL RESTRAINT

5.1 Does the proposed practice relate to environmental restraint?

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

- Yes** – Proceed to question 5.2.
- No** – Proceed to **Section 6**.

5.2 Is the person's access to an item, activity or location in their environment, proposed to be reduced or withheld?

- Yes** – Proceed to question 5.3.
- No** – *This does not appear to meet the definition of an environmental restraint that needs to be authorised by an RPA Panel.*

5.3 Is the item, activity or location the property of another person, e.g. another person's bedroom or belonging?

- Yes** – *This does not appear to meet the definition of an environmental restraint that needs to be authorised by an RPA Panel.*
- No** – Proceed to question 5.4.

5.4 Is the item or location considered to be a basic amenity, e.g. access to a bathroom or drinking water?

- Yes** – *Denial of access to basic amenities like toilet facilities and drinking water is prohibited. This strategy must not be used. If access to basic amenities is reduced rather than denied, proceed to question 5.5.*
- No** – Proceed to question 5.5.

5.5 Is the item, activity or location owned or used exclusively by another person, or used for an official purpose, e.g. an office?

- Yes** – *This does not appear to meet the definition of an environmental restraint that needs to be authorised by an RPA Panel.*
- No** – Proceed to question 5.6.

5.6 Is the item or location being withheld due to the risk of the person accidentally injuring themselves due to non-purposeful or unintentional risk behaviour (e.g. accidental actions that involves physical risk to the person, resistance to support for activities of daily living, or unsafe actions)?

- Yes** – *This does not appear to meet the definition of an environmental restraint that needs to be authorised by an RPA Panel. Non-purposeful risk requires a planned service response to minimise the risk rather than*

authorisation to implement a restrictive practice. A risk assessment and risk management plan should be completed to ensure the safety of the person engaging in non-purposeful risk behaviour. Note that, although RPA is not required for non-purposeful risk behaviour, the NDIS Commission may still require a Behaviour Support Plan to be developed by a behaviour support practitioner. Refer to the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 or contact the NDIS Commission for further advice.

No – Proceed to question 5.7

5.7 Is the person’s access to the item, activity or location being denied or reduced in order to address risk posed by behaviour of concern?

Yes – *This may be a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*

No – Proceed to **Section 6**

6 Section Six SECLUSION

6.1 Does the proposed practice relate to seclusion?

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

- Yes** – Proceed to question 6.2.
- No** – *This does not appear to meet the definition of a restrictive practice that needs to be authorised by an RPA Panel.*

6.2 Is the person under the age of 18 years?

- Yes** – *Placing a person under the age of 18 years in seclusion is prohibited. This strategy must not be used with children and young people aged under 18 years.*
- No** – Proceed to question 6.3.

6.3 Does the proposed strategy include preventing the person from exiting a room or physical space, in which they are solely confined by implying they are unable to leave, or that the person can infer they are unable to leave? (I.e. no physical barriers are in place)

- Yes** – *This is a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*
- No** – *This does not appear to meet the definition of seclusion that needs to be authorised by an RPA Panel.* Proceed to question 6.4.

6.4 Is it proposed that the person will be solely confined in a room or physical space from which they cannot physically exit due to barriers, doors, locks or being unsupported to leave?

- Yes** – *This is a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*
- No** – *This does not appear to meet the definition of seclusion that needs to be authorised by an RPA Panel.* Proceed to question 6.5.

6.5 Is it proposed that the person with disability will be prevented from, or believe they are prevented from, exiting from a room or physical space in which they are solely confined to manage risks related to a behaviour of concern?

- Yes** – *This is a restrictive practice and must be authorised in accordance with the NSW RPA Policy.*
- No** – *This does not appear to meet the definition of seclusion that needs to be authorised by an RPA Panel.*