NSW GOVERNMENT | Communities & Justice

NSW Restrictive Practices Authorisation System User Guide

Part 3: Endorsement and Assigning Panel Members

Version 5.0

Version Number	Updated By Description	Date of Update
5.0	Central Restrictive Practices Team *Update in line with System upgrade*	October 2020
4.0	Central Restrictive Practices Team *Update in line with System upgrade*	4/06/2020
3.0	Central Restrictive Practices Team *Update in line with System upgrade*	11/07/2019
2.0	Central Restrictive Practices Team *Update in line with System upgrade*	11/01/2019
1.0	Central Restrictive Practices Team *Release*	13/11/2018

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1. Purpose of the User Guide

1.1 Introduction

The Restrictive Practices Authorisation (RPA) User Guide (the User Guide) has been developed to assist NDIS Registered Service Providers (Service Providers) and Behaviour Support Practitioners (Practitioners) navigate the NSW (DCJ) RPA System (the System) in order to implement and comply with the RPA Policy and Procedural Guide. This User Guide aims to provide the link between policy and practice.

The NSW Restrictive Practices Authorisation System User Guide ***Part 3: Endorsement and Assigning Panel Members***, shows users how to navigate the final sections of the RPA Submission Form, so the form can be released to the RPA Panel.

This guide should be read in conjunction with ***Part 2: Submitting an Application***, as both guides combined detail all sections of an RPA Submission Form.

This User Guide will be progressively updated as additional functions are added to the System.

Throughout this User Guide, ***BEST PRACTICE SUGGESTIONS*** have been included that your organisation may wish to use when ***establishing*** RPA processes.

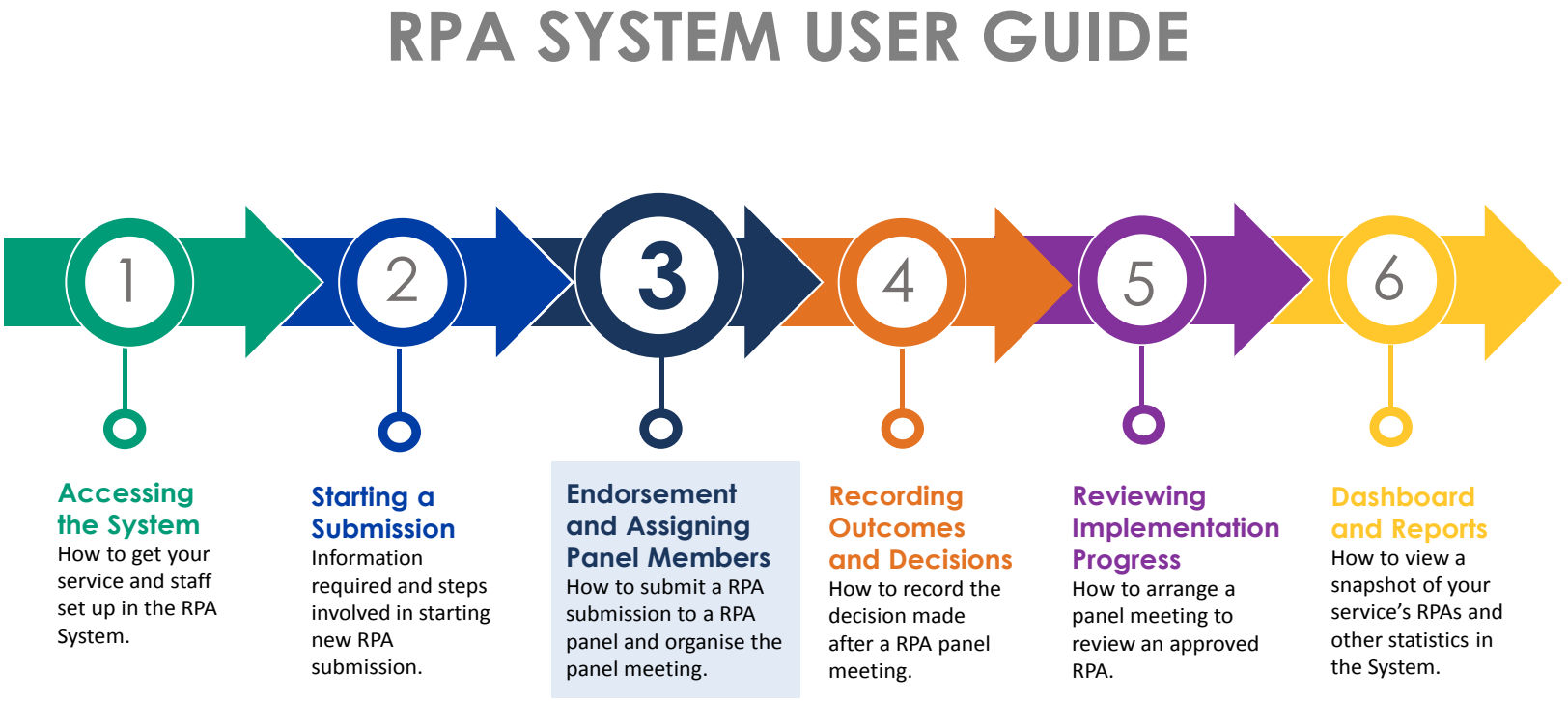
Quick Reference Guides

Quick Reference Guides are highlighted throughout the guide.

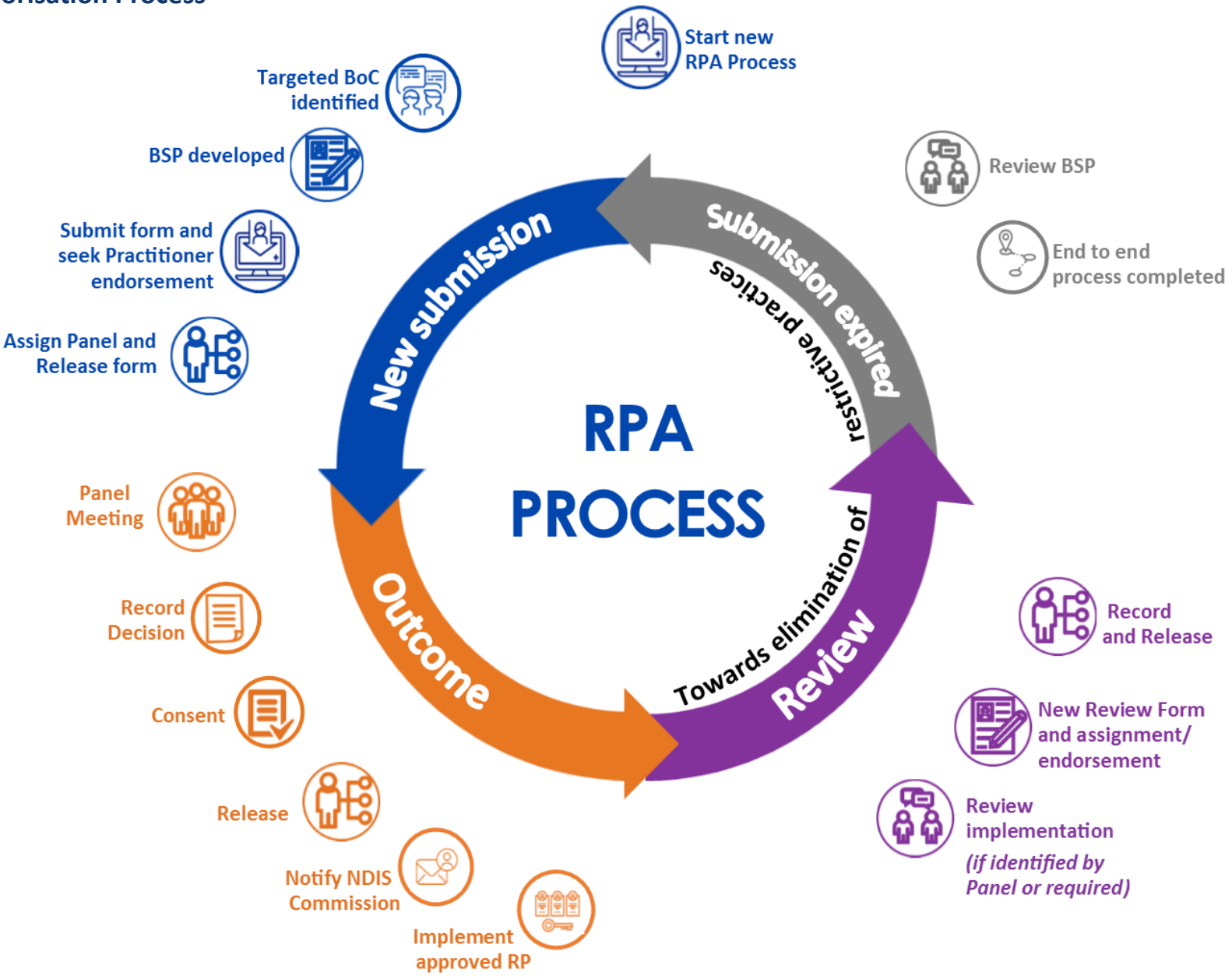
They can be found in the System under the Help menu.

1.2 How to use the User Guide

The RPA System User Guide has been divided into the following Parts:



1.3 Authorisation Process



2. The RPA Form explained

The status of each section of the User Guide will be referred to through out each part of the User Guide:

Status: New

2.1 Status of the RPA Form

As you move through the RPA Submission Form, you will progress through the different stages within the form:

1	Create RPA Form Status: Draft	Entering information into Sections 1 - 6 of the RPA Submission Form is the first stage of the RPA process. The Status of the RPA Submission Form will be *draft*. ➔ *Refer to **User Guide Part 2: Starting a Submission***.
2	Submit Form Status: New	Clicking on Submit Form after all information has been entered into Sections 1 - 6 , opens up Sections 7—10 of the RPA Submission Form. The status of the RPA Submission Form will change from *draft* to *new*. ➔ *Sections 7 - 10 are explained within this refer to contents page.*
3	Release Form Status: Released	By clicking the Release Form button, the RPA Submission Form is *released* to the Panel. Each Panel member, and the Endorsing Practitioner, will receive a email notification requesting they read the information contained in the RPA Submission Form. An Outcome Summary Form will be generated. The information for the Outcome Summary is entered by the Convenor of the panel. ➔ *Refer to **User Guide Part 4: Recording Outcomes and Decisions***

Submission
Status: New

2.2 Button Descriptors

The below buttons appear at the bottom of the screen while the status of the RPA Submission Form is new:

Withdraw	• This button is used to withdraw a practice for a specific reason, for example, if a submission was created by accident or is no longer required. • The System will provide a prompt to check that the submission is to be withdrawn. • Once a Submission has been withdrawn, you will have to contact the Central Restrictive Practices Team if it needs to be retrieved.
Back	• Clicking on this button will take you back to the list of RPA Forms.
Save	• This button saves all information entered in a RPA Form. • It is recommended that the RPA Form is commenced in advance, and the information is saved. Then the information can be changed or updated easily prior to submitting the form.
Release Form	• This button releases the information to the Endorsing Practitioner and all the Panel members. • The information already entered in the RPA Submission Form will be locked.
Unsubmit	• Once all the information has been released (see above), the information in the RPA Submission Form is locked. • Clicking Unsubmit unlocks the previous section and allows the applicant to edit information, if required. *Once the RPA Form is released again, new notifications are sent to the Endorsing Practitioner and all Panel Members.*
Print	• This button opens up a PDF version of the RPA Form that can be printed or saved. This is what is sent to the NDIS Commission once the entire RPA process has been completed.

Submission
Status: New

3. Lodging a Submission

A RPA Submission form must have been commenced before you can complete the steps outlined in this guide.

➔ *Refer to **User Guide Part 2: Starting a Submission**.*

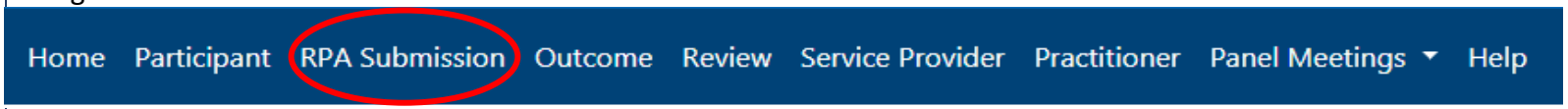
The applicant or endorsing practitioner **cannot** be assigned as a Panel Member for this submission.

3.1 Endorsing a new submission

After the Sections 1 - 6 of the RPA Form have been submitted and the form has changed from *draft* to *new*, it requires endorsement that:

- the consent giver has been advised of the submission of a RRP to the Panel; and
- the Practitioner is aware of the submission.

To endorse the RPA Form:

Step 1	Navigate to 'RPA Submission' in the menu bar: 
Step 2	Search for the Participant by Form number (Submission ID number), name, NDIS Participant ID number, or date of birth.
Step 3	Click the Participant ID hyperlink to access the *new* RPA Form. The *new* RPA Form will open with: • pre-populated Participant detail information. • information which was previously saved.

Scroll down to Section 7 of the RPA Submission Form

Submission
Status: New

3.2 Applicant Details

7. Submission Completed By

The information in Section 7 of the RPA Submission Form is pre-populated based on the log in details of the person who logged into the RPA System. This person is then identified in the System as the applicant.

The applicant is responsible for ensuring that:

- The BSP attached to the application has been developed by a Registered Practitioner.
- Additional information has been provided that may assist the decision making process of the Panel.
- The consent giver has been advised that an RPA Form is being submitted.
- The end-to-end status of the RPA submission is monitored.
- Re-submission occurs before the RPA expiration date.

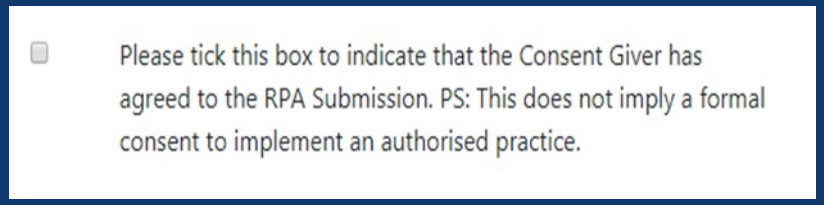
Submission
Status: New

3.3 Step One of the Two Step Consent Process

8. Consent

There is a two step consent process within the RPA System.

The first step is completed at this stage of the RPA Submission Form:

Step 1	Ticking the consent box when lodging a submission indicates that the consent giver has been advised that the proposed RPA Form is being submitted to the Panel. 
Step 2	Once the RPA Panel has met and made a decision, formal consent will be required. Formal consent is entered in the RPA System in the ***Outcome Summary*** form by the Panel Convener. ➔ *Refer to* ***User Guide Part 4: Recording Outcomes and Decisions***

For further information about consent, refer to User guide Part 4—Recording Outcomes and Decisions:

- Section 7 - Evidence of Formal Consent
- Appendix 3: Consent

Submission
Status: New

3.4 Practitioner Endorsement

9. Endorsement of Behaviour Support Practitioner/Clinician

Step 1	Select the Practitioner who has developed the BSP (or is currently involved) from the drop-down list under 'Endorsed By'. The System will pre-populate their name, email address and phone number in the fields below.  Note: If the Practitioner you require is not listed in the drop-down list, the Service Provider can create a Practitioner account for them. ➔ *Refer to **User Guide Part 1: Accessing the System**.*
Step 2	Once the Practitioner has been selected, they will automatically receive a notification via email stating that a submission has been uploaded into the System, identifying the Practitioner as the author of the associated Behaviour Support Plan. The applicant will not be able to release the submission until the Practitioner

The Practitioner will be able to log into the System and view the RPA Submission.

Subject: NSW Restrictive Practices Authorisation - BSP Endorsement

Dear Practitioner,

A new RPA Submission for [Participant's name] by [Service Provider's name] from [Organisation name] has been created into the NSW restrictive practice authorisation (RPA) portal which identifies you as the author of the associated Behaviour Support Plan.

Please log in to the portal via https://rpa.facs.nsw.gov.au to view the submission.

4. The Restrictive Practices Panel

Submission
Status: New

Implementing Service Providers must use a properly constituted RPA Panel. The Panel acts as the mechanism for the authorisation and review of restrictive practices.

4.1 Roles required on the RPA Panel

There are 3 roles required for an RPA Panel to occur:

Senior Manager is the Panel convener and is responsible for coordinating administrative support for the Panel, recording panel information in the System, and accepts responsibility for endorsing the implementation of the practice on behalf of the organisation.

Specialist in Behaviour Support ensures the application is evidence-based, is the least restrictive option, and can be safely implemented. The Behaviour Support Specialist representative cannot have written or endorsed the BSP or proposed the RRP submitted for approval.

Independent is independent of the Participant and Service Provider of the RPA submission. The Independent challenges the need and rationale for strategies, explores resource challenges, and ensures the panel is impartial and that decisions are transparent.

A Senior Manager of the implementing Service Provider must always be represented on the Panel.

Required for both Interim and Planned Submissions

These two roles can be fulfilled by one person where they meet the requirements of both.

When supplied by DCJ they are the **Independent Specialist**.

Only required for Planned RPA Submissions

There can be additional members on the Panel, such as allied health professionals, community members or advocates. These additional members will be required to be listed as Panel Members and approve the submission.

4.2 How to Assign Panel Members in the NSW (DCJ) RPA System

Submission
Status: New

People registered in the RPA System as Key Support Staff, Operation Manager or Service Provider Administrator can assign Panel Members.

➔ *Refer to **User Guide Part 1: Accessing the System**.*

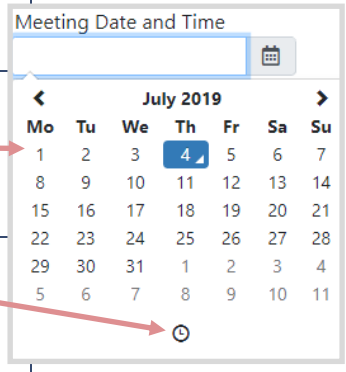
10. Assign Panel Members

Before assigning Panel Members, check that the proposed Panel Member:

- has agreed to sit on the Panel
- has no conflict of interest in this submission
- is available for the proposed date of the Panel, and
- has not submitted a Proposed Restrictive Practice for this Panel.

Panel Members **cannot** bring an application for the Panel's consideration.

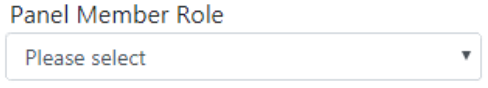
Step 1	**Preferred method of meeting:** • Select the type of Panel being held - face-to-face, voice (telephone) or video
Step 2	**Meeting Date and Time:** • Select the proposed Panel date (after discussion with all panel members) • Select the agreed Panel Meeting time
Step 3	**Proposed Meeting Region:** • Select the region the proposed Panel will be held in
Step 4	**Suburb:** • Provide the specific suburb where the Panel Meeting will be held.



Quick Reference Guides

Quick Reference Guide - Assign Panel Members and Release RPA Form

Submission
Status: New

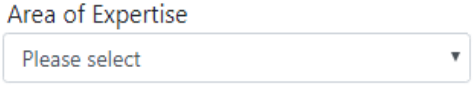
Step 5	• To add a Panel Member, click the **+ Add Panel Member** button. • This needs to be completed for *each person* on the Panel. • The RPA System is designed to filter for the most suitable DCJ funded Independent Specialist, according to the information provided.
Step 6	**Panel Member Role:** • Select a role from the drop-down list  ➔ *Refer to **User Guide Part 1: Accessing the System** for further information regarding roles in the RPA System.*

DCJ Independent Specialist

DCJ can provide a funded Independent Specialist that fulfils 2 roles on the Panel.

Refer to Section 7 of this Guide (page 18)

Submission
Status: New

Step 6	**Area of Expertise:** • Select an area of expertise which relates to the Participant and/or the RPA Submission, if applicable. • Only applicable when choosing a DCJ Independent Specialist or Other Panel Member. 
Step 7	**Panel Member:** • Select the desired Panel Member  ➔ *Refer to **Section 7 of this Guide (page 17)***
Step 8	Once all Panel Members have been entered into the System and the Practitioner has endorsed the Behaviour Support Plan, click the **Release Form** button. The status of the RPA Form will then change from *new* to *released*.

Once all Panel Members have been assigned, they will each receive a notification advising that they are assigned to a Panel via email.

Subject: NSW Restrictive Practices Authorisation - Panel Member Assigned

Dear panel member,

You have been identified as a panel member for an application for the authorisation of a restrictive practice regarding [Participant's name], [DOB] on the NSW restrictive practice authorisation portal.

You can access this application and all associated material at https://rpa.facs.nsw.gov.au

Please ensure you review all material associated with this application before the panel meeting.

Should you have any questions regarding this application, please contact the panel convenor, [Panel convenors name] at [email] or [phone number].

Submission
Status: New

5. Requesting a DCJ funded Independent Specialist

A DCJ funded Independent Specialist is a Behaviour Support Practitioner who has been engaged by the DCJ Central Restrictive Practices Team via a tender process to provide behaviour support expertise and independence on RPA panels.

5.1 When to request a DCJ funded Independent Specialist

If a Service Provider cannot find a specialist in behaviour support and an Independent for their Panel, or a Panel Member who can fulfill both these roles, a request can be made for a DCJ funded Independent Specialist.

Business Rules:

- Only Independent Specialists recognised by the Central Restrictive Practices Team can be allocated to a RPA Panel as a DCJ funded Independent Specialist.
- A RPA submission must be completed on the System before a request can be made to acquire the services of a DCJ funded Independent Specialist.

Response Timeframes

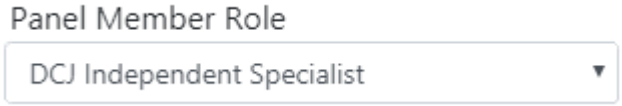
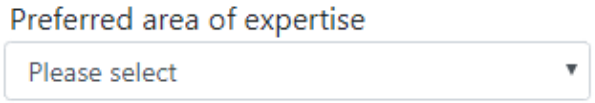
When requesting a DCJ funded Independent Specialist the following timeframes **must** be adhered to:

- **Service Providers** must request a DCJ funded Independent Specialist at least **15 days** before the date of the proposed RPA Panel.
- **The Central Restrictive Practices Team** must respond to an allocation request within **5 working days**.
- **DCJ funded Independent Specialists** must respond to requests within **2 working days**.

Submission
Status: New

5.2 How to request a DCJ funded Independent Specialist

To request a DCJ funded Independent Specialist, **complete Steps 1 - 4** on page 13.
(Section 4.2 of this Guide - How to Assign Panel Members in the RPA System).

Step 5	To add a DCJ funded Independent Specialist, click the + Add Panel Member button.
Step 6	**Panel Member Role:** Select DCJ Independent Specialists from the drop-down list. 
Step 7	**Area of Expertise:** Select the category that most fits the Participant and/or the RPA Submission. This is a mandatory field and will assist in assigning the most suitable FACS Independent Specialist to the Panel. 

When requesting a DCJ funded Independent Specialist, please ensure the correct RPA Panel role in the System (DCJ *Independent Specialist*) is selected.

Quick Reference Guides
Quick Reference Guide - Assign Panel Members and Release RPA Form

Submission
Status: New

Step 8	**Panel Member:** If you know which DCJ funded Independent Specialist to request, select their name from the drop-down list.  Please contact them prior to selection to ensure they are available.
Step 9	**DCJ to assign panel member:** Tick this box if there is no DCJ Independent Specialist available under the Panel Member drop-down, or your desired Practitioner is not listed in the drop-down list. DCJ Central Restrictive Practice Team will contact a DCJ funded Independent Specialist and arrange to have them attend the Panel Meeting on the date entered by the applicant in the RPA System. Once the DCJ funded Independent Specialist has been arranged, DCJ will enter the information in the RPA System. An email notification will be sent to the Service Provider from the RPA System and the DCJ funded Independent Specialist will be listed as a Panel Member on the Submission.

DCJ funded Independent Specialists are available throughout NSW.

If there is no one available within your area, we can arrange to have them attend Panel meetings by video or phone.

Submission
Status: New

Step 10	The DCJ funded Independent Specialist will then accept or decline this request: **Accepted:** All communications about the Panel occur between the Service Provider and all Panel Members, including the DCJ Independent Specialist. **Declined:** The System will automatically tick the box next to 'DCJ to assign Panel Member' and send a notification email to the Service Provider and the Central Restrictive Practices Team. The Central Restrictive Practices Team will then coordinate and assign a DCJ Independent Specialist to the Panel.
Step 11	Click the **Save** button.

The Service Provider and the DCJ Independent Specialist will receive notifications throughout this process.

Once all Panel Members have been entered into the System, click the **Release Form** button.

Refer back to Section 6 on page 14 of this Guide.

Advise all Panel Members & the Central Restrictive Practices Team via RPABookings@dcj.nsw.gov.au as soon as possible if the Panel is cancelled, postponed or the Submission has been withdrawn.

Appendix 1: Consent

Consent **for** the BSP is separate to consent for the RRP.

Consent is the permission given by the person (where they have the capacity to consent), or the person with authority to consent on that person's behalf (where they do not have capacity to consent).

Consent must be voluntary, informed, specific and current. Consent requirements for RRPs are summarised in the below table: RPA Consent Requirements. *Refer to section 4.3 of the Restrictive Practices Authorisation Policy for further information.*

Consent is needed to use a RRP as a component of an overall BSP.

The Service Provider must ensure that the person, or their consent giver, has been informed of the use of RRPs; the requirement for the RRP to be submitted to the System; and the Outcome Summary from the Panel.

Consent must be obtained from the participant or their guardian at two different points within the System:

1. Submit a RRP in the System

- Ticking the box at this point indicates that the Consent Giver is aware that an RPA submission is underway.
- Ticking the box does not imply a formal consent to implement an authorised practice. The Service Provider must ensure that the Consent Giver has been informed – this could be by the Practitioner or the Service Provider.

2. Consent to the Outcome Summary

- Providing evidence of Formal Consent at this point indicates that the Consent Giver has been informed of the outcome of the Panel. The panel convenor is required to complete this section and is responsible for ensuring the Consent Giver is notified of the outcome.

Person	Practice			
	Physical or Mechanical Restraint	Chemical Restraint	Environmental Restraint	Seclusion
Children (under 18 years) ***not*** subject to court order reallocating parental responsibility	Parent of Guardian*	Parent of Guardian*	Parent of 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 or 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

* *With approval of the principal officer of the designated agency in accordance with Clause 26 of the Children and Young Persons (Care and Protection) Regulation 2012 as appropriate.*

\+ *For children who are subject to a court order reallocating parental responsibility, evidence of the court order must be provided.*

± *The RPA mechanism may direct that an authorised environmental restraint (e.g. response cost or restricted access) strategy may be implemented in the absence of consent in certain circumstances.*

Notes:

1. Androgen-reducing medications prescribed to control behaviour, while not psychotropic, fall under Special Medication (or dental) Treatment and can only the Guardian Division can consent.
2. The consent of the person(s) with appropriate legal authority does not release the registered NDIS provider from the ethical imperative to have access to or to establish and maintain a RPA mechanism which evaluates, authorizes and monitors all instances of the use of a regulated restrictive practice by its staff.