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NSW Restrictive Practices Authorisation (RPA)

News

RPA Newsletter - June 2021

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Welcome to the June 2021 issue of the NSW RPA Newsletter. In this issue we will be discussing:

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We encourage you to help spread the word and forward the monthly RPA Newsletter on to your colleagues. Help us keep the NSW sector informed about restrictive practice authorisation in NSW.

COVID - 19

The NDIS Quality and Safeguards Commission, NSW Government and Council for Intellectual Disability (CID) links below provide information, resources and advice on the management of COVID19 for service providers.

Resources

- [NEW! Information for people with disability about COVID-19 vaccines](#)
 - [Guidelines on the rights of people with disability in health and disability care during COVID-19](#)
 - [NSW Health accessible resources on COVID-19](#)
 - [Easy read version of What you must do under new Coronavirus rules](#)
 - [Coronavirus \(COVID-19\): Behaviour support and restrictive practices](#)
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 - [NDIS Commission coronavirus \(COVID-19\) information](#)
 - [Help us save lives](#)
 - [Staying safe from Coronavirus](#)
 - [Service Providers](#)
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NSW RPA Webinars

DCJ are increasing the frequency of our webinars and will be conducting each of our two webinars fortnightly in June and July. One webinar will focus on authorisation requirements. The other will focus on the end-to-end process of submitting and approving restrictive practices in the NSW RPA System.

Webinar 1 - RPA Requirements in NSW

17 June 10.30am - 12.30pm

8 July 10.30am - 12.30pm

This session is recommended for anyone who is new to RPA in NSW or who would like a better understanding of the requirements for authorising a restrictive practice. Participants will have the opportunity to ask policy-related questions.

Webinar 2 - End-to-end NSW RPA system demonstration

24 June 10.30am - 12pm

15 July 10.30am - 12pm

This session is recommended for new users of the RPA System who have not attended previous information sessions. It will focus on how to submit and approve restrictive practices in the NSW RPA System. The webinar will also include an overview of roles and responsibilities according to the function (i.e. Behaviour Support Practitioner) and how key dashboard components can assist with the monitoring of practices.

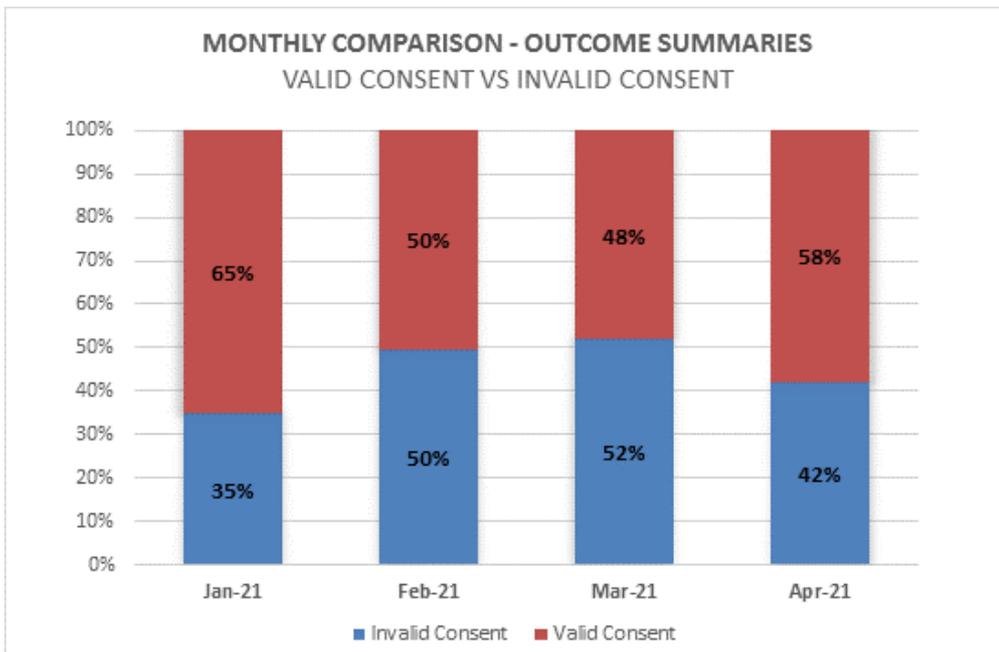
For more information, or to register for any of the webinars, please go to our Eventbrite page [here](#).



Let's Talk Quality

The Central Restrictive Practices Team has now completed the review of all outcome summaries finalised in the NSW RPA System for April 2021. Below is a summary of our findings, and the actions we have taken.

Consent



Of the 432 outcome summaries reviewed from April 2021, 182 (42%) were considered invalid due to inappropriate consent being provided. We were pleased to see a 10% improvement from the previous month. The reasons consent was deemed invalid were:

- Insufficient details recorded for the verbal consent obtained (2)
- Consent provided by unauthorised person AND no evidence of consent for practice attached (5)
- Consent for BSP not to implement practice (19)
- Guardianship order attached but no consent to implement practice (21)
- Incomplete consent document attached (29)
- No evidence of consent for practice attached (32)
- Consent provided by unauthorised person (74)

Interim authorisation

The Central Restrictive Practices Team has been busy working on the ([Persons with Disability \(Regulation of Restrictive Practices\) Bill 2021](#)). The consultation period has now closed and we are currently holding round-table discussions with relevant stakeholders to iron out issues. We will not be continuing to review interim authorisations at this time, and will provide guidance to the disability sector on the requirements for interim authorisation once the new legislation is enacted.

Actions taken by the Central Restrictive Practices Team

- DCJ Independent Specialists will continue to highlight the consent requirements at RPA Panels for the practices that are being authorised.
- Additional focus on consent requirements will continue to be included in the RPA Requirements Webinars that are hosted regularly by the Central Restrictive Practices Team.
- The Central Restrictive Practices Team will be making contact with some providers to go through the results of the review specific to their organisation to provide some capacity building around consent requirements under the NSW RPA Policy.

The Central Restrictive Practices Team will be conducting further reviews of consent attached to outcome summaries completed in May 2021 and June 2021, and will keep the sector informed of the results.

Registering in the NSW RPA System: Organisation or User Account?

When engaging with the Restrictive Practice Authorisation process in NSW, it is important to know whether you and/or your organisation need to be registered in the online NSW RPA System.

Registering as an Organisation

Service Providers that will be implementing restrictive practices should register as an organisation in the NSW RPA System. Organisations can add participants for whom restrictive practice authorisation is sought. Organisations may also add multiple branches. Service providers who only provide behaviour support as practitioners, and do not implement restrictive practices, do not need to register as an Organisation in the NSW RPA System.

Registering Individual User Accounts

Anyone who will be engaged in the authorisation process can register for a user account in the online NSW RPA System. This includes staff of implementing organisations who will be creating the submissions, senior managers who will be sitting on panels, practitioners who will be endorsing submissions as well as Independent Specialists. For staff in organisations who are registered in the system, the Administrator for your organisation can create your user account. For any users, the Central Restrictive Practice Team can create your account when you email the completed User Access Request Form to restrictivepractices@facs.nsw.gov.au.

To register an Organisation:

[Registration Form](#)

Use this form to register your organisation with the RPA Portal.

To register for an individual user account:

[User Access Request Form](#)

Use this form to register individual users within your organisation.





Case Study

Abby is a 31 year old woman who lives in an NDIS-funded group home with another individual. Both Abby and her housemate are known to run away from their house which means that all the external doors and windows to the property are locked. They have been living in this residence for over 10 years and are very well known to their support staff.

There are times when Abby's house mate frustrates her and Abby does not have the coping skills to manage her emotions; during these times Abby can destroy items in her environment as well as hit both her housemate and staff. On a number of occasions, Abby has injured both her housemate and staff when she is frustrated.

As a response strategy, Abby's behaviour support practitioner suggests Abby's housemate and staff should retreat to the staff office and lock the door when she is engaging in this behaviour. This is documented in Abby's behaviour support plan as environmental restraint with the practitioner not documenting a fade-out strategy because they 'did not think fade-out strategies were possible at this time'.

Abby's behaviour support plan goes to her service provider's RPA panel and the panel does not authorise the practice. The RPA Panel believes the practice should be classified as seclusion because, when staff are locked in the office, Abby cannot leave her residence. The RPA panel requests the restrictive practice be documented as seclusion along with instructions to Abby's staff on how they are to support her in line with the requirements for seclusion. The RPA panel also provides the feedback that the behaviour support practitioner include a skills building strategy so Abby can develop her distress tolerance skills.

Abby's practitioner re-develops her behaviour support plan to include the practice as seclusion; they include guidelines that Abby cannot be left in the home alone for longer than 15 minutes and that staff must check on her every three minutes. In the new behaviour support plan, Abby's practitioner also includes a skills building component to develop her distress tolerance skills where Abby is taught to recognise the physiological signs of her anger and progressive muscle relaxation skills in response to this; these form the fade-out strategies for Abby's seclusion. The practitioner also includes an in depth staff

training strategy as to how they will train and support Abby's staff to implement the skills building components of her plan. Happy with the revised Plan, the RPA Panel authorises the practice for 12 months with a review scheduled every three months.

SPOTLIGHT



Simon Johnson

Project Officer

DCJ Central Restrictive Practices Team

My introduction to the disability sector came when I was managing a community options service in the north west of NSW (based in Gunnedah) in the mid-1990s. This service was funded primarily under the Disability Services Program (DSP) and Home and Community Care (HACC). "The Department" has had many guises and names, but when I joined it was called Ageing and Disability Department. Over the years my roles have been in contract management, service/sector development, planning and compliance with the odd secondment to DOCS in funding child protection services. I came to the Central Restrictive Practices Team in July 2020.

I have a slightly unusual role in the CRPT as it has a retrospective angle. I deal primarily with invoices and payments to Independent Specialists. This may appear as a rather dry financial process but it actually is the final part of monitoring and quality controlling the RPA System panel process. Invoices can only be paid if the submission process has been correctly conducted and approved. Analysing and remediating issues so that invoices can

be promptly paid is a priority. It is a reflective acquitting of the process. I am also involved in tender processes and drafting of deeds of funding. The updating and maintaining currency of policy and procedure documents is also another area of my work for the team. I have carriage of diarising and administrating the Independent Specialist “scrums”.

The Central Restrictive Practices Team is relatively new and undergoing change (we have just moved from Strawberry Hills to Parramatta). I am proud of what we have become and what we will become in protecting the vulnerable and to safeguard their human rights.



Test your knowledge!

Question 1: In the NSW RPA System, is assigning a person as a Behaviour Support Practitioner the same thing as assigning the person as a DCJ Independent Specialist?

Question 2: True or False? An Independent Specialist may decline to approve an Outcome Summary if they are not satisfied the Outcome Summary contains sufficient information to reflect the discussion and decision at the panel meeting.

Question 3: Can you request a DCJ Independent Specialist to attend your panel by selecting the person from the drop down list in the submission and assigning them to the panel meeting in your submission?



RPA News will be published monthly on the Department of Communities and Justice [Restrictive Practices Authorisation web page](#). 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



Test Your Knowledge Answers:

Q1: No, this is not the same thing. In order to be paid by DCJ, the Independent Specialist must be assigned to the panel in the submission under 'DCJ Independent Specialist'. If the person is assigned under 'Behaviour Support Practitioner', the service provider who arranges the panel may be liable to pay for the Independent Specialist's time.

Q2: True. An Independent Specialist may decline to approve an Outcome Summary (even if they agree with the decision recorded) due to the Outcome Summary recording insufficient information about the discussion at panel, including why the decision was reached.

Q3: In order to request a DCJ Independent Specialist, you must first contact them via phone or email to ask if they are available for your panel, before you add the person in your submission. You can do this through direct contact with the DCJ Independent Specialist, or by contacting the DCJ Central Restrictive Practices team, either by email or through the 'DCJ to assign' function in section 10 of the submission. Do not assign a DCJ Independent Specialist to a submission without first confirming their availability. You can contact the Central Restrictive Practice team regarding booking an Independent Specialist via: rpabookings@facs.nsw.gov.au.

Our mailing address is:
RestrictivePracticesAuthorisation@fac.s.nsw.gov.au

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NSW Department of Communities and Justice - CRPT · L 6 93 George St · Parramatta, NSW 2150 · Australia