

Restrictive Practice Authorisation: information for families



This is a brief information sheet to inform families about what they need to know when a NDIS provider wants to use a **restrictive practice**. **Restrictive practices can present serious human rights infringements.**

Restrictive practices can only be used to address a behaviour that poses a risk of harm to the person or others. A restrictive practice can only be used if it's part of a behaviour support plan developed by a NDIS behaviour support practitioner. This is required to meet the conditions of registration.

In NSW NDIS providers must have authorisation from a **Restrictive Practice Authorisation Panel** before they can use a restrictive practice. The NDIS provider implementing the restrictive practice is responsible for convening the RPA Panel. If it is necessary to use a restrictive practice due to a crisis before obtaining this authorisation, the NDIS provider must report the use to the NDIS Quality and Safeguards Commission.

When conducting an RPA Panel, the NDIS provider should invite your person to the meeting. Your attendance as a family member is also encouraged.

Types of restrictive practices

There are **five types of practices** which require authorisation:

- **Seclusion** (prohibited for any person under the age of 18) is a restrictive practice involving 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 allowed. *For example, staff placing a person in their bedroom and locking the door because the person is being violent towards other residents in the house.*
- **Chemical restraint** is the use of a medication or chemical substance for the primary purpose of influencing a person's behaviour. This does not include the use of medication prescribed by a medical practitioner for the treatment of a diagnosed mental disorder, physical illness, or condition. *For example, a person is given medication at a day program to calm them down when they begin to show signs of aggression.*
- **Physical restraint** involves the use of action or 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. *For example, a support worker restraining a person's arms to stop them from hurting themselves.*

- **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. *For example, use of a harness in a vehicle to prevent the person from hitting other people in the vehicle.* It does not include the use of devices for therapeutic or non-behavioural purposes. *For example, a pelvic lap belt on a commode for safety and comfort.*
- **Environmental restraint** is a restrictive practice that restricts a person's free access to all parts of their environment, including items and activities. *For example, a lock on the fridge or taking away a mobile phone.*

Using restrictive practices safely

When considering authorisation the RPA Panel and NDIS provider, must ensure the practice:

- is used only as a last resort in response to risk of harm
- be the least restrictive option
- reduces the risk of harm to the person or others
- is used for the shortest possible time to ensure the safety of the person or others

Restrictive practices should never be used as punishment or for staff convenience.

You can ask the NDIS provider for information about how they will ensure that these conditions are met when recommending the use of a restrictive practice.

Authorisation can only be given for periods up to 12 months at a time.

Consent

Authorisation from an RPA Panel is not valid without appropriate consent.

Consent for restrictive practices can be provided by the person if they can make their own decision or by a person responsible or an appointed guardian with a restrictive practices function.



How to make a complaint

If you have a concern regarding a restrictive practice, please speak to your NDIS provider.

The NDIS Commission can be contacted at: contactcentre@ndis.commission.gov.au, should you want further advice or information.



Resources

For more information please see our other resources:

- Restrictive Practice Policy
<https://www.facs.nsw.gov.au/download?file=592755>
- Restrictive Practice Easy Read Guide
<https://www.facs.nsw.gov.au/download?file=664338>
- Going to a RPA Panel Meeting Easy Read Guide
<https://www.facs.nsw.gov.au/download?file=772097>
- What is a Restrictive Practice? Easy Read Guide
<https://www.facs.nsw.gov.au/download?file=772096>
- RPA guidance sheets
<https://www.facs.nsw.gov.au/providers/deliver-disability-services/restrictive-practices-authorisation-portal/rpa-resources/resources>