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Communities  
& Justice

## NSW Restrictive Practices Authorisation (RPA)

### News

RPA Newsletter - March 2021

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### In this Issue

Welcome to the March 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.

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## 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. The first link relates to behaviour support and restrictive practices:

### New Resource

- [Guidelines on the rights of people with disability in health and disability care during COVID-19](#)
  - [For your information NSW Health has just launched it's new 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](#)
  - [Coronavirus Disease 2019 \(COVID-19\) Outbreaks in Residential Care Facilities](#)
  - [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 conducting two webinars in April 2021. One will focus on the end-to-end process of submitting and approving restrictive practices in the NSW RPA System. The other will focus on authorisation requirements.

### Webinar 1 - RPA Requirements in NSW

Date: 22 April 2021

Time: 10:30 am – 12 noon

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.

For Registration: Please register via this [link](#).

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

Date: 29 April 2021

Time: 10:30 am – 12 noon

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 Registration: Please register via this [link](#).

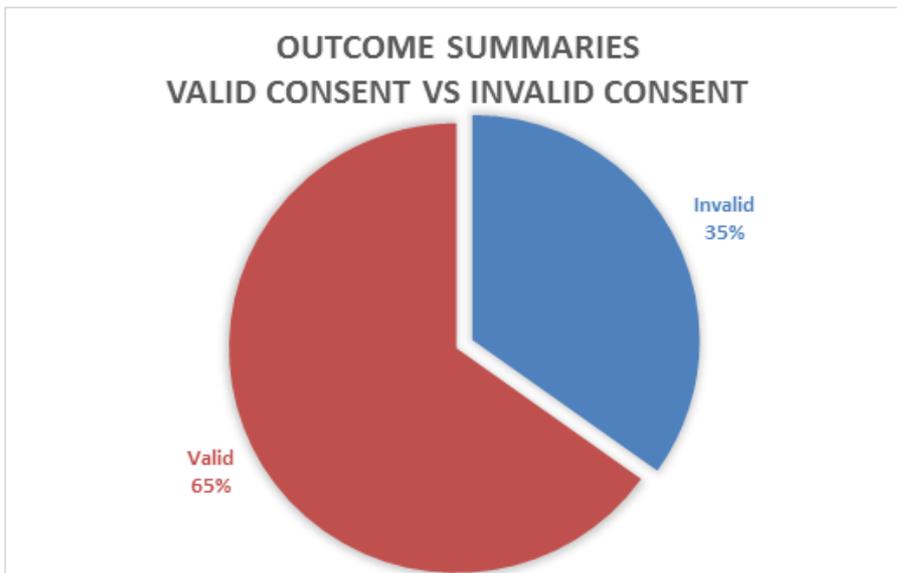
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## Let's Talk Quality

In our February RPA Newsletter we told you that we were undertaking a review of all outcome summaries completed in the NSW RPA System from January 2021. Below is a summary of our findings, and the actions taken so far.

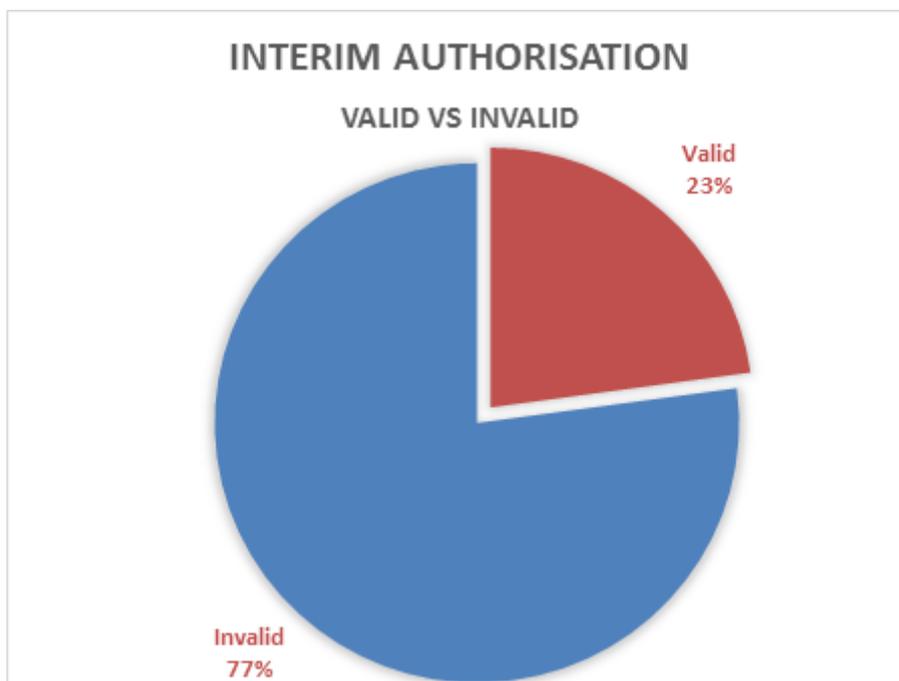
### Consent



Of the 301 outcome summaries reviewed, 105 (35%) were considered invalid due to inappropriate consent being provided. The reasons consent was deemed invalid were:

- No evidence of consent for practice attached
- Consent was provided for the behaviour support plan, not for implementation of the practice
- Consent was not provided by a person with the correct authority
- Consent was not provided by a person with the authority to consent AND no evidence of consent for the practice was attached
- Consent expires before the authorisation period

### Interim Authorisation



Of the 35 interim authorisations reviewed, 27 (77%) were considered invalid for the for the following reasons:

- Interim authorisation sought for a previously authorised practice
- The date the practice was first used is more than 6 months ago
- Authorisation provided for longer than 6 months from the date the practice was first used.

#### Actions taken by the Central Restrictive Practices Team

- Correspondence has been sent to all of the organisations who had invalid interim authorisations identified to inform them of the issues identified and advise them of the actions required to rectify the issues identified, and their reporting requirements to the NDIS Quality and Safeguards Commission.
- Additional focus on the consent requirements has been added to the RPA Requirements Webinars that are hosted monthly by the Central Restrictive Practices Team.
- Correspondence has been sent to all users of the NSW RPA System highlighting the issues found around consent and providing advice around the consent requirements for restrictive practices authorisation.
- DCJ Independent Specialists will highlight the consent requirements at RPA Panels for the practices that are being authorised.

A review of the outcome summaries completed in February 2021 is underway and the Central Restrictive Practices Team will keep you informed of the results.

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## Independent role on an RPA Panel

The DCJ Central Restrictive Practice Team has become aware of some service providers holding RPA Panels consisting of a service provider manager and a behaviour support practitioner from the same organisation. Please be aware, RPA Panels must consist of at least two members, fulfilling 3 roles: service provider manager, behaviour support practitioner and independent. If a behaviour support practitioner from the implementing provider attends the panel as the behaviour support practitioner, another member must be included in the panel, to fulfil the role of independent.

The NSW Restrictive Practice Procedural Guide describes the role of independent member of the RPA Panel as "a person who is independent of the service provider" (Section 4.2, page 16). A panel without such a member is not a properly constituted panel for the purpose of authorising Restrictive Practices in NSW. Service Providers convening a RPA Panel must ensure there is always an independent panel member. The independent person must also meet the capabilities of a Behaviour Support Practitioner set by the NDIS Commission.

If a service provider is unable to source an independent panel member, DCJ can provide an Independent Specialist at no cost to the service provider. To secure a DCJ Independent Specialist for a panel meeting, follow the steps on pages 18-20 of the [NSW RPA System User Guide - Part 3](#). The bookings function of the Central Restrictive Practice team can also be contacted at [rpabookings@facs.nsw.au](mailto:rpabookings@facs.nsw.au) if you require further assistance.

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## NDIS Commission Provider Alert: Polypharmacy

The NDIS Quality and Safeguards Commission has released a new Provider Alert on Polypharmacy. It provides guidance on supporting people with disability who take multiple medications, to help reduce the risks involved.

The alert states Polypharmacy is "often defined as the use of five or more medications, or two or more psychotropic medications, at the same time". It highlights that polypharmacy increases the risk of medication-related adverse effects and poorer health outcomes, and advises that those taking multiple medications should have these reviewed every 3-6 months.

This alert is available from the NDIS Commission website [here](#).

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## Case Study - VOOHC

Jason is a 15 year old with a moderate intellectual disability and minimal verbal communication skills. He lives with his parents and attends NDIS-funded overnight respite once a fortnight. Jason does not have a behaviour support plan in place.

On a recent stay, Jason became agitated and started making loud noises at night. This woke up everyone in the respite placement and, despite their best efforts, his support staff (Ellis) was unable to calm him. When all of Ellis' attempts failed, Ellis told Jason that he would not be allowed to go on his favourite ride at the Easter Show the following day as he was 'being naughty and woke everyone up'.

The next day at the Easter Show, Jason wanted to go on his favourite ride but Ellis informed him "you can't go on this ride, remember you were naughty and disrupted everyone's sleep last night". Upon hearing this, Jason became angry and hit Ellis; although taken aback, Ellis was not injured. The rest of the day continued as planned.

When Ellis discussed this incident with the staff team, it was confirmed that the strategy used by Ellis (ie not allowing Jason to go on his favourite ride) was a prohibited practice (response cost) under the Children and Young Persons (Care and Protection) Regulation 2012 and the [NSW Restrictive Practices Authorisation Policy](#), and not part of Jason's authorised behaviour support strategies. The incident was therefore reported to the NDIS Quality and Safeguards commission.

The staff team, however, acknowledged that they had also had some difficulty in keeping Jason calm at night and were of the view that PRN medication may be of assistance. The service provider therefore requested that Jason be referred to a behaviour support practitioner for further assessment and consideration of interventions.

Upon completing their assessment, the behaviour support practitioner found Jason becomes vocal when he is excited; during these times he is best supported by providing him with validation on what he is excited about. Conversely when Jason is not validated he becomes angry which will often result in him hitting out in a similar manner to his response at the Easter Show when he was unable to go on the ride. It was noted that these incidents typically last for a very short period.

Given the low-risk and low-impact nature of Jason's behaviours, the practitioner developed behaviour support guidelines, such as visual support and breathing exercises, and trained staff on how to implement these strategies. The practitioner did not recommend PRN medication because they believed these strategies could safely and adequately support Jason without the need for restrictive practices. The practitioner therefore recommended that respite try these strategies for two months and collect data on Jason's responses to the strategies. After the two months the data revealed that Jason responded to the strategies 100% of the time and that his staff team felt confident in their ability to support Jason without the need for PRN medication.

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# SPOTLIGHT



**Jyoti Chaudhary**

Assistant Project Officer

DCJ Central Restrictive Practices Team

How did you get to where you are today?

I started with Restrictive Practices Team in July 2020 and this is my first ever job in the disability sector. Previously to joining this team I always worked in various functions of HR. During COVID I was going through some very personal difficult time and realised I want to work where I feel that I am contributing or returning to society, if not directly then it could be through my work. Lucky me, I got this opportunity to work in CRPT team.

In your role you see a lot of submissions and outcome summaries, what advice would you give to panel members?

If unsure of anything please visit to our FACS RPA website [FACS RPA Portal](#) where there are several resources which are very helpful.

What do you like about working in the Central Restrictive Practices Team?

Since I have joined the Central Restrictive Practices Team every day is a new learning and the most rewarding part of my job is personal satisfaction.

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## Test your knowledge!

Question 1: True or False? The consent-giver's signature on the Behaviour Support Plan is sufficient to indicate consent for practices to be implemented?

Question 2: In the NSW RPA System, what is the difference between the 'Unsubmit' button and the 'Withdraw' button?

Question 3: Can the role of Independent on an RPA Panel be filled by someone who works for the same organisation that is bringing the application to the panel?



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](mailto:RestrictivePracticesAuthorisation@facs.nsw.gov.au)

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## Test Your Knowledge Answers:

Q1: False. To indicate consent for restrictive practices to be implemented, a separate signed document should be provided to indicate consent for the specific practices to be implemented, or a record of the person consenting in person.

Q2: The 'Unsubmit' button will move a submission from New back into Draft. The 'Withdraw' button will delete the entire submission.

Q3: No. The role of independent on an RPA Panel must be filled by a person who is independent of the organisation that is bringing the application to the panel and also not connected to the participant.



Our mailing address is:

[RestrictivePracticesAuthorisation@facs.nsw.gov.au](mailto:RestrictivePracticesAuthorisation@facs.nsw.gov.au)

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