



Restrictive Practices and Behaviour Support Plans – Information Sheet

For the purpose of this information sheet – YRSDS OSH Program is an 'Implementing Provider'.

What is a restrictive practice?

Restrictive practice means any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability. Under the [National Disability Insurance Scheme \(Restrictive Practices and Behaviour Support\) Rules 2018](#) certain restrictive practices are subject to regulation. These include seclusion, chemical restraint, mechanical restraint, physical restraint and environmental restraint.

Seclusion

Seclusion is the sole confinement of a person with disability in a room or a 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;

Chemical restraint

Chemical restraint is the use of medication or chemical substance for the primary purpose of influencing a person's behaviour. It does not include the use of medication prescribed by a medical practitioner for the treatment of, or to enable treatment of, a diagnosed mental disorder, a physical illness or a physical condition;

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 but does not include the use of devices for therapeutic or non-behavioural purposes;

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. Physical restraint 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 as the exercise of care towards a person.

Environmental restraint

Environmental restraint restricts a person's free access to all parts of their environment, including items or activities.

What is an implementing provider?

An implementing provider is any NDIS service provider that uses a regulated restrictive practice in the course of delivering NDIS supports to a participant.

Under the NDIS Commission, registered providers who use restrictive practices are required to comply with the [NDIS Quality and Safeguarding Framework](#), which is underpinned by the same high-level guiding principles, including human rights and a person-centred approach as the national framework.

Implementing providers are required to:

- Be registered with the NDIS Commission for the type of support they are providing. They do not need to be registered specifically for behaviour support registration group 110

- Submit monthly reports to the NDIS Commission on the use of restrictive practices
- Ensure staff are appropriately trained to implement positive behaviour strategies or use restrictive practices
- Notify the NDIS Commission in the event of any unplanned or unapproved use of a restrictive practice through the reportable incident process
- Help staff, NDIS participants, their families, and other decision-makers to understand the NDIS Commission's behaviour support function.

What is a specialist behaviour support practitioner?

A specialist behaviour support practitioner is a person who is Registered and Certified by the Quality and Safeguarding Commission. Registration enables a specialist behaviour support practitioner to develop a comprehensive Behaviour Support Plan (BSP) for the use of regulated restrictive practices. Regulated restrictive practices must only be used in accordance with a participant's BSP. The practitioner is also the only person that can review a BSP.

What if an NDIS participant needs a restrictive practice to keep themselves and/or others safe?

Where an NDIS participant's behaviours of concern place themselves or others at risk of harm, and subsequently a regulated restrictive practice is required, a BSP must be developed by a registered NDIS specialist behaviour support practitioner and lodged with the NDIS Commission. Where there is no BSP in place, the implementing provider must take reasonable steps to facilitate the development of an interim BSP when it becomes apparent that a participant they are working with has complex behaviour support needs or that a restrictive practice may be necessary to prevent harm. This must be done within 1 month of a restrictive practice being used or proposed. A comprehensive BSP developed by a specialist behaviour support practitioner will be required within 6 months.

The Rules outline the requirements for developing behaviour support plans containing regulated restrictive practices.

All providers using regulated restrictive practices when delivering NDIS supports are required to meet conditions of registration. The conditions include:

- A restrictive practice can only be used when it is part of a behaviour support plan developed by an NDIS behaviour support practitioner
- If a restrictive practice is used it must:
 - Be the least restrictive response possible in the circumstances
 - Reduce the risk of harm to the person or others
 - Be used for the shortest possible time to ensure the safety of the person or others
- Where required, the implementing provider must obtain authorisation for the use of a restrictive practice from the state or territory
- The implementing provider must comply with monthly reporting requirements to the NDIS Commission

References: National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018
 NDIS Quality and Safeguarding Framework
 NDIS Commission