

## Bureaucratic Components of Developing a Behaviour Support Plan Inclusive of Restrictive Practices, under the NDIS

The NDIS Registered Behaviour Support Practitioner is responsible for lodging the BSP on the NDIS Commission's Portal for Provider to report on.

There is no consistency between practitioners in regard to knowledge about behaviour support and what constitutes a regulated restrictive practice, the contents and layout of behaviour support plans, or the bureaucratic components of the Restrictive Practice System.

Commonwealth Legislation, Rules and Guidelines  
Including the *National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018*.



NDIS funds Participant's Behaviour Support Plan (BSP)  
(May require NDIS Review of Participant's NDIS Plan)



Behaviour Support Practitioner registered with  
NDIS Commission, contracted by Participant  
(not the provider that requires the Restrictive Practice)  
to develop BSP



Interim or Comprehensive BSP inclusive of Restrictive  
Practice developed to meet the different requirements of  
1. NDIS Commission  
2. NSW Communities & Justice Services



Consent by the Participant or their Legal Guardian required  
A 'person responsible' cannot consent to a restrictive practices  
on behalf of an adult with a disability other than for chemical restraint.  
Arrange the appointment of a Guardian with restrictive  
practice authority through NSW Civil and  
Administrative Tribunal (Guardianship Division)



Behaviour Support Plan with Consent lodged with  
NSW Communities & Justice Services (Restrictive Practices)



Behaviour Support Plan authorised by TJW  
Restrictive Practice Authorisation (RPA) Panel using  
NSW RPA Independent Specialist



NSW RPA advised of outcome of RPA Panel



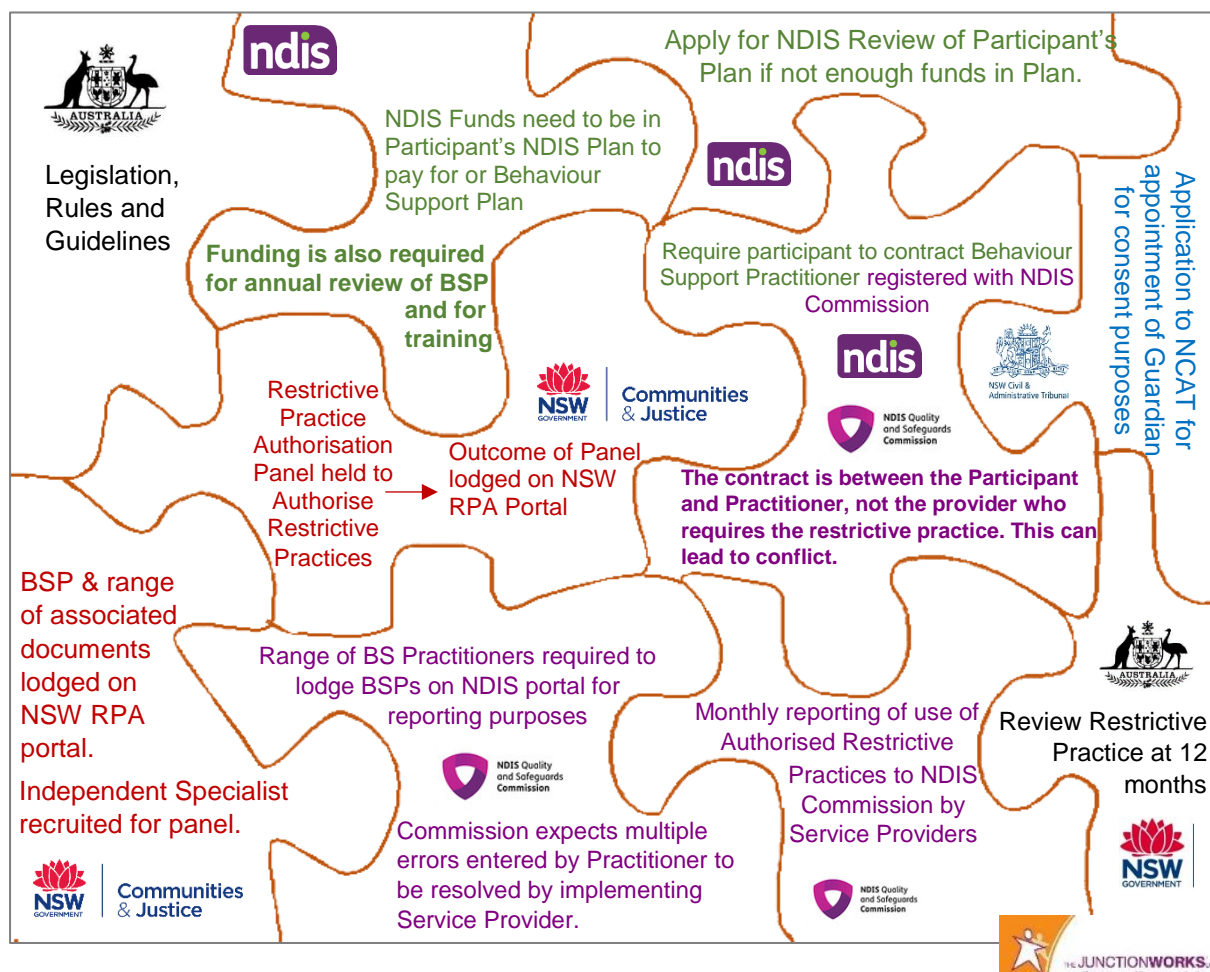
Monthly reporting of use of Restrictive Practice by  
Implementing Provider to NDIS Commission



Legal requirement to review restrictive practice  
at least every 12 months



In reality the process of Developing a Behaviour Support Plan inclusive of Restrictive Practices looks more like this...



## Restrictive Practices

A restrictive practice is any practice or intervention that has the effect of restricting the rights or freedom of movement of the person.

New NDIS behaviour support requirements are intended to reduce and eliminate restrictive practices.

Under the NDIS, authorised restrictive practices are categorised as follows:

- **Seclusion** – where a person is kept in a room or space at any time where their exit is prevented.
- **Physical restraint** – where physical force is used to prevent or restrict a person's movement.
- **Mechanical restraint** – where a device is used to prevent or restrict a person's movement.
- **Environmental restraint** – where a person's access to parts of their environment, including items or activities, is restricted.
- **Chemical restraint** – where medication is used for the primary purpose of influencing a person's behaviour, and not for treatment of a diagnosed mental disorder, physical illness or physical condition.