

Policy Guidance: Behaviour Support Assessment, including Functional Behaviour Assessment.

Purpose and Overview

This document outlines the NDIS Commissioner's expectations of specialist behaviour support providers and NDIS behaviour support practitioners when undertaking a behaviour support assessment, including a functional behaviour assessment (FBA). These expectations are consistent with good practice and the legislated requirements as set out in the <u>National Disability Insurance Scheme Act 2013</u> (the NDIS Act), <u>National Disability Insurance Scheme</u> (Restrictive Practices and Behaviour Support) Rules 2018 (Behaviour Support Rules) and <u>National Disability Insurance Scheme</u> (Provider Registration and Practice Standards) Rules 2018

This document complements the <u>NDIS Commission's policies and practice guidance</u> and the <u>Positive Behaviour Support Capability Framework</u>. This policy guidance should be read in conjunction with <u>developing behaviour support plans</u>, the safe reduction and elimination of regulated restrictive practices and working within your knowledge skills and experience policy guidance.

Behaviour support assessment

Behaviour support assessment is a broad term that recognises the holistic and varied assessment considerations that go beyond functional assessment procedures. It is a human rights and values led approach that involves understanding human rights principles and actively promoting and protecting those rights. It incorporates person-centred approaches that consider the various dimensions of wellbeing and quality of life directed by the person's values and preferences. It should include a full biopsychosocial assessment to understand the broader context of the person's life, circumstances, and rights and how this supports a holistic formulation as to why behaviour occurs. The functional behaviour assessment is only one component of a comprehensive behaviour assessment.

Functional behaviour assessment

Functional behaviour assessment is defined in section 5 of the Behaviour Support Rules as the process for determining and understanding the function or purpose behind a person's behaviour. This may involve the collection of data, observations and information to develop an understanding of the relationship of events and circumstances that trigger and maintain behaviour. This functional understanding of behaviour should then be placed in the broader context of the person's life and circumstances to inform holistic formulation about why the behaviour occurs.

Registration and Suitability Requirements

To undertake a behaviour support assessment (including a functional behaviour assessment) or develop a behaviour support plan a NDIS provider must:

- Be registered under section 73E of the NDIS Act to provide specialist behaviour support services.
- Use NDIS behaviour support practitioners to provide specialist behaviour support services. A
 person is a NDIS behaviour support practitioner where they are assessed as suitable by the NDIS
 Commissioner to undertake behaviour support assessments and develop behaviour support plans
 that may contain the use of restrictive practices.

Specialist Behaviour Support providers must adhere to the conditions of their registration as a registered NDIS Provider. The <u>Behaviour Support Rules</u> outline the conditions of registration that apply to Specialist Behaviour Support providers. This includes that:

- when developing a comprehensive behaviour support plan for a person with disability, the specialist behaviour support provider must undertake a behaviour support assessment, including a functional behavioural assessment (FBA).
- the comprehensive behaviour support plan must include strategies that are evidence-based, person-centred and proactive and that address the person with disability's needs and the functions of the behaviour.

Under the NDIS Act, all activities associated with undertaking behaviour support assessment, including functional behaviour assessment can **only** be completed by NDIS behaviour support practitioners. However, family members, support workers and others should play a role in the collection of raw data and providing information to the NDIS behaviour support practitioner.

Expectations

It is expected that specialist behaviour support providers and their NDIS behaviour support practitioners:

- Adopt a person-centred approach by including the person in the assessment and data gathering
 process. This should include meeting the person (either in-person or via <u>Tele PBS</u>) and may
 involve the use of supported decision-making tools and other communication aids to support
 their participation.
- 2. Collaborate with people who know the person well by including them in the assessment and data gathering process (e.g., family, guardian, carers, NDIS providers, support workers). This includes working collaboratively with relevant specialists and/or professionals who have the expertise to meet the person's needs and/or referring on where additional expertise or assessment is required (e.g., communication needs, regular access to healthcare).
- 3. Maintain confidentiality and protect the person's dignity and right to privacy. This includes obtaining informed consent from the person and/or their guardian, to collect, use, disclose and hold personal information (including sensitive information) about the person, and only collecting information that is reasonably necessary. All reasonable steps must also be taken to protect personal information from misuse, interference, loss or unauthorised access, in accordance with the Privacy Act 1988 (e.g., password protection and access controls for electronic data).
- 4. Appraise the risks and ensure an interim behaviour support plan is in place to minimise the risk of harm to the person and others whilst a behaviour support assessment, including functional behaviour assessment is undertaken.

- 5. Clearly describe the behaviour in observable and measurable terms. Consistent with the behaviour support templates approved by the NDIS Commissioner, this should include identifying the frequency, duration, and intensity/severity of the behaviour. The identified triggers and maintaining consequences of behaviour should also be described in observable terms.
- 6. Conduct a comprehensive and holistic assessment to help others better understand the person and meet their needs. This should involve consideration of the broad range of biological, psychological, social, and environmental factors which contribute to and/or maintain the risks of harm.
- 7. Select and use direct (e.g., observations, behaviour recording charts) and indirect (e.g., interviews, consultations, standardised measures) methods of assessment. This should include consideration of previous behaviour support assessments and other assessments (e.g., allied health assessments, medical reports). It also involves the collection of data in all relevant environments and the use of valid and reliable assessment tools.
- 8. Analyse and integrate all available information into a cohesive understanding of the function(s) of behaviour. This should be used to develop a formulation to inform the prioritisation of supports and the design of function-based strategies and skills that have potential to reduce and eliminate the need for regulated restrictive practices. The formulation should consider the broader factors that contribute to and maintain the risks of harm to provide a shared, evidence-informed, and holistic understanding of why the behaviour occurs.
- 9. Meet ethical and legal requirements to uphold the rights of the person. This involves assessing whether the use of regulated restrictive practices (RRPs) is necessary and exploring and promoting the use of alternatives. The use of RRP requires authorisation in line with State and/or Territory requirements and evidence that the RRP is used only as a last resort, is least restrictive, reduces the risk of harm, is proportionate and is used for the shortest possible time.
- 10.Understand that a behaviour support assessment is not a one-time event but part of an ongoing process of assessment, intervention, monitoring, and data-based decision making. As such, the assessment should be revisited and where necessary updated and expanded at least every 12 months, or sooner if there is a change in circumstances (e.g., if new risks of harm present, there is a change in the person's living arrangements or personal and/ or environmental context). The behaviour assessment is the foundation for determining proposed strategies in the development and/ or review of the person's comprehensive behaviour support plan and the reduction and elimination of RRP.

Resources

- <u>Deciding With Support</u> a supported decision-making toolkit designed for behaviour support developed by Flinders University and funded by the NDIS Commission.
- <u>Evidence matters: Developing Quality Behaviour Support Plans</u> a literature summary by University of Queensland and funded by the NDIS Commission.
- <u>Compendium of resources for positive behaviour support</u> provides behaviour support
 practitioners with a comprehensive list of positive behaviour support assessment tools that can
 be used for the purposes of behaviour support assessment, planning, intervention, monitoring,
 and review.

- <u>Evidence-informed practice guide</u> outlines the NDIS Commission's position on evidence-informed practice and what is expected of NDIS providers.
- <u>Policy Guidance: Working Within Your Knowledge, Skills, and Experience</u> outlines the NDIS
 Commissioner's expectations of providers and practitioners to work within their scope of practice when developing behaviour support plans and reduce and eliminate restrictive practices.
- <u>The Positive Behaviour Support Capability Framework</u> outlines the knowledge and skills required to deliver contemporary, evidence-informed behaviour support and is used to consider a practitioner's suitability.
- <u>Position Statement: Practices that present high risk of harm to NDIS Participants</u> outlines
 practices that present an unacceptable risk of harm to participants and must not be used by
 registered and unregistered NDIS providers.
- Interim and Comprehensive Behaviour Support Plan Templates revised BSP templates (V3.0) reflect contemporary evidence-informed practice informed by consultation with people with disability, family members, practitioners, providers, peak bodies and the state and territory restrictive practice authorisation bodies.
- <u>Interim and Comprehensive Behaviour Support Plan Checklists</u> tools that outline good practice and the requirements when developing behaviour support plans.
- <u>Delivering positive behaviour support remotely</u> resources designed to support participants and practitioner to use Tele PBS effectively.
- Practice Guides around restrictive practices

Legislative links

This document is in furtherance of the NDIS Commissioner's functions as set out in sections 181E, 181F and 181H of the NDIS Act 2013, and the requirements as outlined in the NDIS Code of Conduct, NDIS (Provider Registration and Practice Standards) Rules 2018 and part 3 of the NDIS (Restrictive Practices and Behaviour Support) Rules 2018