NDIS National Quality and Safeguarding Framework

• All Australian governments committed to the using evidence-based behaviour support strategies to improve the quality of life of people with disability and reduce and eliminate restrictive practices

• Consistent with Australia’s international human rights obligations and National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Service Sector

• Joint Commonwealth/state responsibility: Commonwealth leadership in behaviour support and monitoring of restrictive practices role; states retain responsibility for legislation and policy on authorisation/consent of restrictive practices

• Commonwealth’s leadership role will sit with the new NDIS Quality and Safeguards Commission
NDIS Quality and Safeguards Commission – Behaviour Support Function

NDIS Commission’s Senior Practitioner will provide leadership in relation to behaviour support and in the reduction and elimination of the use of restrictive practices by NDIS Providers

- Building the capacity of behaviour support practitioners
- Developing policy and guidance materials
- Education, training and advice to implementing providers
- Monitoring and analysing the use of restrictive practices
- Assisting states and territories in the development of nationally consistent minimum standards for the authorisation and definitions relating to restrictive practices
NDIS Commission Structure

Senior Practitioner
Dr Jeffrey Chan

Clinicians – National
- Strategic policy
- System design
- National Education and support materials
- Plan audits

Clinicians – Regional
- Practitioner and provider support
- Interface with jurisdictions
- Best practice behaviour support
- Plan audits

Research
- Developing the evidence-base
- Supporting the development of education and support materials

Behaviour Support Analysis
- Analysis of behaviour support and restrictive practice data
Behaviour Support – Raising the bar

• Behaviour support aimed at safeguarding the dignity of the person and improving their quality of life

• Contemporary evidence-based practice

• Constructively reducing behaviours that may lead to harm of self or others

• Work towards the reduction and elimination of restrictive practices
Overview of Behaviour Support in the NDIS

1. Funding in the NDIS Plan for Behaviour Support
   - Development of a NDIS plan
   - Behaviour support needs identified
   - Complexity level assessed
   - Funding allocated and approved for behaviour support

2. Behaviour Support Plan Development
   - Engage a specialist behaviour support provider
   - Create interim plan
   - Functional behavioural assessment
   - Consultation with participant, family, carers and implementing providers
   - Create comprehensive plan
   - State and territory authorisation and consent (implementing providers)

3. Implementation and Support
   - Education and guidance
   - Promotion of alternative strategies to restrictive practices
   - Restrictive practices only used as last resort to address behaviour that may cause harm to self and others
   - Adjustments to plan if required

4. Monitoring and reporting
   - Monthly reporting restrictive practice use
   - Reportable incidents for emergency use of restrictive practices

5. Behaviour Support Evaluation and review
   - Annual plan review
   - Evaluation of plan effectiveness
Implementing Provider Requirements

• Providers implementing behaviour support plans that may involve the use of restrictive practices must be registered.

• Any restrictive practices that may be used must be:
  ➢ Implemented in accordance with a behaviour support plan
  ➢ Authorised or consented in line with the state/territory requirements (including short-term approvals)

• Keep records on the use of restrictive practices
Implementing Provider Requirements (continued)

• Providers must report regularly on the use of regulated restrictive practices
  – Monthly reporting of use of restricted practices in accordance with the behaviour support plan (note: for short-term approvals in SA, QLD and TAS this reporting is fortnightly)
  – Comply with reportable incident requirements (e.g. when a restrictive practice requires authorisation but this has not been obtained, if the practice is used it must be reported within 5 days)
• Take all steps to facilitate the engagement of a behaviour support practitioner if a behaviour of concern arises or if a behaviour support plan needs to be reviewed
• Support staff to receive appropriate training in implementing evidence-informed strategies
• Work with the behaviour support practitioner to monitor outcomes for the person with disability and the progress of the behaviour support plan’s implementation
Transition Arrangements

For existing providers transitioning with existing participants

• If behaviour support plan in place and authorisation – notify the Commission within 3 months, arrangements in place until plan review (12 months max) or Commissioner deems otherwise

• If authorisation but no behaviour support plan – facilitate the development of a plan within 6 months or Commissioner deems otherwise

• If authorisation not required and no behaviour support plan – notify the Commission within 1 month, develop an interim plan within 3 months and comprehensive plan within 6 months
Regulated Restrictive Practices

- ‘Restrictive practice’ means any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability: *NDIS Act* s 9

- ‘Regulated restrictive practices’ are:
  - Seclusion
  - Chemical restraint
  - Mechanical restraint
  - Physical restraint
  - Environmental restraint
Regulated restrictive practices can only be used in the context of:

- Reducing the risk of harm to the self or others
- Clearly being identified in a Behaviour Support Plan
- Authorisation (however described) by the State/Territory where required
- Only being used as a last resort
- Being the least restrictive response available
- Being proportionate to the potential harm to self or others
- Being used for the shortest possible time
- The NDIS participant being given opportunities to develop new skills that have the potential to avoid the need for a restrictive practice
Behaviour support practitioners will use the NDIS Commission’s C-BAS Portal to:

- Attach behaviour assessments and any other relevant assessment reports
- Enter behaviour support plans onto the system
- Manage and update current behaviour support plans
- Upload assessments, including functional behaviour assessments
- Associate implementing service providers to plans
List of behaviour support plans written by you.

- Interim and comprehensive plans
- Status

### Behaviour support plans

<table>
<thead>
<tr>
<th>Plan Id</th>
<th>Plan created date</th>
<th>Plan start date</th>
<th>Review date</th>
<th>Plan type</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>a-3ZB13UM</td>
<td>11/05/2018</td>
<td>11/05/2018</td>
<td>10/07/2018</td>
<td>Interim</td>
<td>Active</td>
</tr>
<tr>
<td>a-3ZBCLA6</td>
<td>11/05/2018</td>
<td>11/05/2018</td>
<td>10/07/2018</td>
<td>Interim</td>
<td>Pending</td>
</tr>
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<td>a-3ZBTOU4U</td>
<td>10/05/2018</td>
<td>10/05/2018</td>
<td>09/07/2018</td>
<td>Interim</td>
<td>Active</td>
</tr>
<tr>
<td>a-3ZRNIE2</td>
<td>10/05/2018</td>
<td>10/05/2018</td>
<td>05/04/2019</td>
<td>Comprehensive</td>
<td>Pending</td>
</tr>
</tbody>
</table>
Behaviour support plan overview

Overview of the behaviour support plan at a glance

Notifications

Important notifications for the plan

More than 3 providers: Y

More than 3 restraints: N

Report due: Report due in 14 days

Provider list

<table>
<thead>
<tr>
<th>Provider business name</th>
<th>Review date</th>
</tr>
</thead>
<tbody>
<tr>
<td>The trustee for CBA TRUST</td>
<td>04/04/2019</td>
</tr>
<tr>
<td>J &amp; S Plan Management</td>
<td>04/04/2019</td>
</tr>
</tbody>
</table>
### Uploading Behaviour Support Plans

#### Associating service providers to the plan

**Providers**

<table>
<thead>
<tr>
<th>Primary provider</th>
<th>Name</th>
<th>ABN</th>
<th>Plan status</th>
<th>Review date</th>
<th>Primary contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>DELLAERT, INGE REDGY BERNADETTE</td>
<td>23124157748</td>
<td>Pending</td>
<td>05/04/2019</td>
<td></td>
</tr>
</tbody>
</table>

Select provider to view details.
Record Keeping

- Impact on to the person with disability or another
- Any injury
- Whether the RP was a reportable incident
- Behaviour of concern
- Reason for use of RP
- Time, date and place of RP
- Names and contact details of those involved, including witnesses
- Actions taken in response to RP
- Less restrictive options considered
- Actions and strategies used leading up to use of RP
Reporting Requirements

Implementing providers will use the NDIS Commission’s C-BAS Portal to:

- Report on the monthly use of any regulated restricted practice that is described in the behaviour support plan.

Note: any unauthorised or unplanned use of a restrictive practice is a reportable incident.
Role of the Authorising Reporting Officer

• Responsible for reviewing and submitting monthly reports on the use of restrictive practices

• Fields included are
  • Restrictive practice type and subtype
  • Duration
  • Where was it used
  • Behaviour of concern
  • Free text comments section

• Monthly reports are to be submitted to the commission on the first day of the next month (for the preceding month and are due 5 business days after the end of the month.)
Reporting Requirements

Schedule of restrictive practices

• As agreed in behaviour support plan

• If state authorisation is required, it must be obtained before any restrictive practices are used

Report usage

Schedule of restrictive practices

You are required to submit a monthly report on all restrictive practices. Select 'Report' for each row below.

<table>
<thead>
<tr>
<th>Administration type</th>
<th>Restrictive practice type</th>
<th>Restrictive practice sub-type</th>
<th>Status</th>
<th>Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine</td>
<td>Chemical</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reported usage

Below is a summary of all usages reported for the selected restrictive practice. Monthly reports can be submitted to the commission on the first day of the month following and are due within 5 business days.

<table>
<thead>
<tr>
<th>Administration type</th>
<th>Restrictive practice type</th>
<th>Restrictive practice sub-type</th>
<th>Start date</th>
<th>End date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine</td>
<td>Chemical</td>
<td></td>
<td>11/05/2018</td>
<td>12/05/2018</td>
</tr>
</tbody>
</table>

Select Format, Press Export, and Save Download

Format: Comma Separated Values (CSV)
PRN reporting

Input:

• sub-type
• date
• Duration
• Usage – variation
• Behaviour of concern
• Start Date, end Date and duration
• Location – where was the restraint used?
Reporting Requirements

Routine reporting

• For reporting against an agreed routine schedule – eg. daily dose medication
• Report on the monthly use of any regulated restricted practice that is described in the behaviour support plan.
• Fields included – report usage, start date, end date, behaviour of concern
NDIS Behaviour Support Practitioners

‘A person the Commissioner considers is suitable to undertake behaviour support assessments (including functional behavioural assessments) and to develop behaviour support plans that may contain the use of a restrictive practice’

• During transition, behaviour support practitioners nominated by transitioning providers will automatically be deemed suitable for the short term
• In the longer term, potential NDIS behaviour support practitioners will be formally assessed including against a national competency framework
Specialist Behaviour Support Provider Requirements

- Use behaviour support practitioners deemed suitable by the Commission to deliver these services
- Timeframes – 1 month interim plan, 6 months comprehensive plan, review plan at least every 12 months
- Develop plans that meet Commission requirements
  - Developed in consultation with the person with a disability, their support network and implementing provider
  - Based on a comprehensive biopsychosocial assessment including a functional behavioural assessment
  - Contain contemporary evidence based behavioural strategies including environmental adjustments to constructively reduce behaviours of concern
  - Be aimed at reducing and eliminating restrictive practices
  - Be developed in a form approved by the Commissioner and lodged with the Commission
Contacts

Behaviour Support Team
Email: behavioursupport@ndiscommission.gov.au
Phone: 1800 035 544