



Coronavirus (COVID-19) Vaccines: Informed consent, preparing for the vaccine, and restrictive practices

This information is to assist NDIS providers to better understand their obligations when supporting people with disability to receive the COVID-19 vaccine.

Key points

- Receiving the COVID-19 vaccination is voluntary.
- NDIS participants must have the opportunity to provide informed consent for any medical treatments or procedures, including the COVID-19 vaccine.
- People with disability who receive behaviour supports may need a regulated restrictive practice to enable them to receive the COVID-19 vaccination. The use of any regulated restrictive practice must comply with the requirements outlined in the NDIS (Restrictive Practices and Behaviour Support) Rules 2018.
- If restrictive practices are not used in accordance with a behaviour support plan and/or without authorisation from the relevant state or territory, it is a reportable incident to the NDIS Commission.

Information about COVID-19 Vaccines roll-out

The Australian Government Department of Health published a [Disability Provider Alert](#) on 24 February 2021 that recommends disability providers assist people you support to prepare for the COVID-19 vaccine by:

- discussing the COVID-19 Vaccination Program with them, and their families, carers and workers, including the benefits of getting the vaccine
- working with people with disability who are eligible for Phase 1a to seek informed consent
- consulting with families and carers to engage people with disability around the vaccine and work through consent issues before vaccination day.

For NDIS participants, there is an [information for people with disability about COVID-19 vaccines](#) webpage on the Department of Health website, including [Easy Reads](#) about the vaccine and consent.

Provider obligations

As an NDIS provider, you have obligations under the NDIS Code of Conduct and the NDIS Practice Standards, as well as your conditions of registration, to deliver safe, quality supports and services, and manage risks associated with the supports you provide to NDIS participants.

Regarding the administration of the COVID-19 vaccine, providers should:

- encourage all workers, participants, carers and family members to consider getting the COVID-19 vaccination when they become eligible to receive it



- support participants by having discussions about the vaccine and facilitating informed consent for the vaccine in consultation with their families, carers and guardians
- continue to reinforce COVIDSafe practices, especially hand hygiene, using face masks, and respiratory/cough etiquette.

Informed consent

The COVID-19 vaccination is voluntary for all Australians, including for NDIS participants. Before receiving the vaccine, participants (and their guardian, or other decision-maker) must give informed consent.

You can use the same processes to facilitate informed consent from participants receiving the vaccine as you would for any other medical procedure. These processes should be in accordance with the relevant state or territory requirements for seeking consent for medical procedures.

To facilitate informed decision-making, consider offering the participant an independent support person.

Providers must keep a written record of participant's consent or refusal to consent to provide to the vaccine administration team. In addition to written consent, informed consent can be evidenced by a participant's enthusiastic participation in the vaccine. For example, if a participant makes choices about which arm in which to receive the vaccine or the nurse that they would like to administer the vaccine.

The Department of Health has [developed resources](#), including [consent forms](#), to help with providing informed consent to get a COVID-19 vaccination.

Preparing for the COVID-19 vaccine

Planning for the COVID-19 vaccine in consultation with participants

- Engage and communicate regularly with participants about the COVID-19 vaccination.
- Inform participants about the purpose of the COVID-19 vaccination. If appropriate, consider involving a person the participant is familiar with or trusts (e.g. a family member/guardian, friend or a particular staff member).
- Consider key concerns the participant may have about receiving the vaccine, such as anxiety or aversion to injections for a range of reasons, including past experience with medical procedures or aversion to pain. Think about strategies to alleviate the participant's anxiety by seeking advice from a family member/guardian, their GP, specialist medical practitioner, the NDIS behaviour support practitioner or staff members who are most familiar with the participant.

Tips for supporting participants to prepare for their COVID-19 vaccination

- Consider explaining the COVID-19 vaccination procedure to participants through the use of social stories, role-playing and/or regular rehearsal, as this may reduce any concerns or anxiety.
- Ask the participant who they would like to support them on the day of their vaccination.
- Encourage the participant to bring to their vaccination something that is comforting for them (such as their favourite music, an iPad or similar device to watch a movie, a stress-ball etc.).
- If appropriate, consider motivational activities, such as going out to do a rewarding activity after they receive the vaccine.
- Seek advice from the NDIS behaviour support practitioner regarding strategies to assist the participant to reduce vaccine-related anxiety.
- It may also be useful to explain to participants that they may experience potential side-effects, such as pain or swelling at the injection site.



Pre-appointment medication to facilitate vaccine administration

Some NDIS participants are prescribed medication to take before medical appointments, including vaccinations, to help reduce anxiety or agitation. This would usually be in circumstances where participants have behaviours of concern and already have a behaviour support plan in place.

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 physical condition is generally not considered a chemical restraint.

For this reason, the use of pre-appointment medication for the COVID-19 vaccine is unlikely to meet the definition of a regulated restrictive practice, and is not subject to any reporting requirements to the NDIS Commission.

The participant must be given the opportunity to provide informed consent to the prescribed pre-appointment medication, if this is taking place for the COVID-19 vaccine.

Use of regulated restrictive practices

The NDIS Commission regulates and oversees the use of restrictive practices with NDIS participants.

The use of a physical or mechanical restraint to enable a participant to receive a vaccination is likely to constitute a regulated restrictive practice.

The decision to use a regulated restrictive practice needs careful clinical and ethical consideration, taking into account a person's human rights and the right to self-determination.

In making these considerations, providers must:

- review the definitions of the five types of regulated restrictive practices under the [NDIS \(Restrictive Practices and Behaviour Support\) Rules 2018](#) to identify whether practices being used with a participant to support them receiving a vaccination are regulated restrictive practices. The [Regulated Restrictive Practices Guide](#) provides further guidance on the definition of regulated restrictive practices.
- comply with the conditions of registration outlined in the [NDIS \(Restrictive Practices and Behaviour Support\) Rules 2018](#) if using a regulated restrictive practice, which includes:
 - not using any practice that is prohibited by the relevant state and territory
 - only using restrictive practices as a last resort, be the least restrictive response, used for the shortest possible time, reducing the risk of harm and being in proportion to any potential negative consequence.
 - only using restrictive practices in accordance with state and territory authorisation processes and a behaviour support plan
 - reporting to the NDIS Commission on the use of restrictive practices.

If a regulated restrictive practice is used to enable a participant to receive a medical procedure (including vaccines), the:

- participant must have a behaviour support plan which covers the use of the regulated restrictive practice, and
- restrictive practices must be authorised in accordance with any state or territory requirements and evidence provided to the NDIS Commission.



If a regulated restrictive practice is used, but is not detailed in a behaviour support plan, the provider must:

- notify the NDIS Commission of the use through the [NDIS Commission Portal](#), as it is a [reportable incident](#) under the [NDIS \(Incident Management and Reportable Incidents\) Rules 2018](#) and
- take all reasonable steps to [facilitate the development of a behaviour support plan](#) by a specialist behaviour support provider.

State and territory requirements for authorisation of restrictive practices

Providers are required to obtain informed consent and authorisation for the use of restrictive practices in accordance with the relevant state or territory requirements. There are some differences between state and territory authorisation processes.

The NDIS (Restrictive Practices and Behaviour Support) Rules 2018 require that, where a state or territory has an authorisation process, NDIS providers who use restrictive practices in the course of delivering NDIS supports must provide evidence of authorisation to the NDIS Commission as soon as practicable after the use of a restrictive practice.

Providers should confirm the authorisation and consent requirements directly with the relevant state or territory authorisation agency.

Further information about authorisation requirements

- **ACT:** [Office of the Senior Practitioner](#)
- **NSW:** Department of Communities and Justice, [Restrictive Practices Authorisation Portal](#)
- **NT:** Department of Health, [Restrictive Practices Authorisation](#)
- **QLD:** [Department of Communities, Disability Services and Seniors](#)
- **SA:** [Office of the Public Advocate](#), phone: 08 8342 8200
- **TAS:** [Department of Communities Tasmania](#)
- **VIC:** Department of Health and Human Services, [Authorisation process for the use of regulated restrictive practices by registered NDIS providers](#)
- **WA:** Department of Communities, [Authorisation of restrictive practices](#), Email: ARP@communities.wa.gov.au

Further information from the NDIS Commission

The [Coronavirus \(COVID-19\) information webpage](#) on the NDIS Commission website contains links to updates, training, alerts and other resources.

Contact Us

Call: 1800 035 544 (free call from landlines). Our contact centre is open 9.00am to 5.00pm (9.00am to 4.30pm in the NT) Monday to Friday, excluding public holidays.

Email: contactcentre@ndiscommission.gov.au

Website: www.ndiscommission.gov.au