CatholicCare
DIOCESE OF BROKEN BAY

Agency Restrictive Practice Policy

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Introduction

Restrictive Practices Authorisation (RPA) is endorsement for identified restrictive practices to be implemented in relation to a particular individual, in a particular service setting, by associated staff and under clearly defined circumstances.

Any decision to provide authorisation will be based on a collection of supporting information and be part of a behaviour support plan (Disability Futures & Seniors) or a Behaviour Support and Engagement Plan (Permanency Support), which is informed by a functional assessment of behaviour.

A restrictive practice is any practice or intervention that has the effect of restricting the rights or freedom of movement of a person, with the primary purpose of protecting the person or others from harm.

Restrictive practice is used as a last resort to stop a person from engaging in behaviours of concern that present a risk of harm to themselves or others.

Legislative Overview

CatholicCare will manage, report, and record restrictive practices and authorisation in accordance with the following legislation, rules and guidelines:

- *Child and Young Persons (Care and Protection) Act 1998*
- *Children and Young Persons (Care and Protection) Regulations 2012*
- *National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018*
- *NDIS Incident Management and Reportable Incidents Rules 2018*
- *NSW DCJ Behaviour support in out-of-home care*
- *United Nations Convention on the Rights of the Child*

Purpose

This policy outlines the process for managing and authorising restrictive practices at CatholicCare, as we aim to reduce and eliminate these practices wherever possible.

This policy must be read in conjunction with the relevant Practice Guideline:

- *Spirit Disability Services - Restrictive Practice Practice Guideline* or
- *PSP Restrictive Practice Authorisation Practice Guideline* (for PSP).

Scope

This policy applies to all staff, authorised carers, contractors and students in our Disability Futures and Permanency Support Programs.

Policy Statement

CatholicCare Diocese of Broken Bay (CatholicCare) is committed to working towards the reduction and elimination of restrictive practices. However, CatholicCare recognises that the use of restrictive practices may be necessary under a worker's duty of care or to preserve the rights and safety of the client, child/young person and others.

CatholicCare will ensure that:

- Positive behaviour support is used to manage behaviours of concern and reduce and eliminate restrictive practices.
- Where required, behaviour support plans will be developed for NDIS clients by a NDIS registered behaviour practitioner.
- If positive behaviour support continues to be ineffective AND there is a risk of harm to the client/child/young person or others, staff may make a formal request for a regulated restrictive practice within a behaviour support plan/behaviour support and engagement plan which will then be submitted for authorisation.
- Where a Behaviour Support Practitioner develops a behaviour support plan with a restrictive practice, they lodge the plan with the NDIS Commission.
- Regulated restrictive practices will be:
    - Used only in response to a risk of harm to the person or others, and as a last resort,
    - Authorised in accordance with legislation and accompanied with an appropriate behaviour support plan,
    - The least restrictive response possible in the circumstances to ensure the safety of the person or others, and
    - In proportion to the risk of harm and used only for the shortest possible time to ensure safety of the person or others.
- Staff and carers will not use restrictive practices without **consent** and will not use prohibitive practices under any circumstances. Consent to use restrictive practices must be given by the person (where they have the capacity to consent) or the person with authority to consent on the person's behalf (where they do not have capacity to consent). Consent for a child should be obtained from the parent or guardian. Where a child is under the parental responsibility of the Minister, consent for the use of a restrictive practice, including chemical restraint, must be obtained from the person with parental responsibility. See the relevant Restrictive Practice Practice Guideline for further information about consent.
- CatholicCare will convene a Restrictive Practice Authorisation Panel to review and authorise submissions. The restrictive practices panel will identity, assess, approve, and evaluate the use of restrictive practices and determine whether the social, cognitive, emotional, and environmental needs of the person are being met. Where CatholicCare is named as an implementing provider in a behaviour support plan for an NDIS participant, authorisation to use the Restrictive Practice will be sought via the NSW Restrictive Practices Authorisation Panel and an Independent Specialist will be nominated from the NSW RPA System to be part of the Panel.
- Staff will be provided with training in the appropriate use of restrictive practices and must be familiar with any agreed upon regulated restrictive practices in the client/child/young person's Behaviour Support Plan/Behaviour Support & Engagement Plan.
- Restrictive practices will not be used:
    - As a punishment, or

- For the convenience of the worker.

- CatholicCare does acknowledge the right of staff to protect themselves or other persons in crisis situations which may include the use of unauthorised restrictive practice such as physical restraint but only on a temporary basis and only to the extent necessary to prevent injury. Should this occur, the use of this intervention must be reported as soon as possible to the line supervisor through submitting an incident report in the online incident reporting system (CTARS or Elker), and steps may need to be taken to apply for an *Urgent Interim Authorisation* if it seems likely the restrictive practice will need to be used again.
- Any unauthorised use of Restrictive Practices or use of Prohibited Practices is a reportable incident and must be reported to the Safeguarding Team who will investigate and manage the external reporting.
- CatholicCare will continually evaluate and review its use of restrictive practices to inform improvement activities.

Critical Incident – Urgent Interim Authorisations

A crisis response may be required in situations involving a client, child, or young person where:

- They engage in a new behaviour or there is a previously unexperienced degree of severity in the escalation of their behaviour,
- There is a clear and immediate risk of harm linked to that behaviour(s), and
- There is no Behaviour Support Plan in place to manage this.

Refer to the relevant Restrictive Practice Authorisation Practice for further information on interim authorisations.

Compliance

All staff are required to comply with the obligations outlined in this Policy and all other applicable CatholicCare policies and related documents. Failure to comply with this Policy may subject the staff member to disciplinary action and/or notification to external agencies. The nature of any disciplinary action will be determined by CatholicCare in its absolute discretion in accordance with the *Managing Unsatisfactory Performance & Misconduct Policy.*

Staff are required to ask their manager or supervisor if they are uncertain or do not understand any aspect of this policy.

This policy and related procedures do not constitute a part of the employment contract.

Related documents

- *Medication Management Policy*
- *Positive Behaviour Support Policy*

Spirit Disability Services

- *Implementation of Behaviour Support Plans Practice Guidelines*
- *Restrictive Practice Practice Guidelines*

Permanency Support

- *PSP Behaviour Support and Engagement Plan Development Practice Guidelines*
- *PSP Restrictive Practice Authorisation Practice Guidelines*

External resources

- *DCJ Restrictive Practice Authorisation Policy*
- *DCJ Roles and Responsibilities for Restrictive Practice Authorisation in NSW*
- *DCJ Behaviour Support in Out of Home Care*
- *DCJ Restrictive Practices Guidance: Chemical Restraint*
- *NDIS Behaviour Support and Restrictive Practices*
- *NDIS What is a Restrictive Practice Info Guide (Easy Read)*
- *NDIS Practice Proposed to be Prohibited*
- *United Nations Convention on the Rights of the Child*

Legislation

- *Children and Young Persons (Care and Protection) Act 1998*
- *Children and Young Persons (Care and Protection) Regulation 2012*
- *National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018*.
- *National Disability Insurance Scheme (NDIS Behaviour Support Practitioner Application) Guidelines 2020*
- *Work Health and Safety Act 2011 (NSW)*

Glossary

Client

A client in this policy refers to a vulnerable adult who is a person with disability in receipt of disability support services under the NDIS and is a participant in our Disability Futures program.

NDIS

National Disability Insurance Scheme

Positive behaviour support is the term used to describe the integration of the contemporary ideology of disability service provision with the clinical framework of applied behaviour analysis. Positive behaviour supports are supported by evidence demonstrating effective strategies and methods that aim to increase the person's quality of life and reduce challenging behaviour.

PSP

Permanency Support Program

Restrictive practice is defined as any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability, with the primary purpose of protecting the person or others from harm.

RPA

Restrictive Practice Authorisation

Sign off and review

This document remains valid until it is either superseded by a new version or officially revoked.

CatholicCare values your input and welcomes feedback on this policy. Your suggestions help us improve and better support your work. Please send any feedback to policy.updates@catholiccaredbb.org.au.

Version	Authorised by	Approved date	Review cycle	Review due
1.0	Executive Leader Quality, Practice and Risk	15 November 2019	2 Years	November 2021
2.0	Executive Manager Quality, Safeguarding, Compliance and Risk	1 June 2021	2 Years	June 2023
3.0	Executive Manager Quality, Safeguarding, Compliance and Risk	19 June 2023	2 years	June 2025
4.0	Executive Manager Quality, Safeguarding, Compliance and Risk	19 May 2025	3 years	May 2028

History

Version	Description	Author	Amended date
1.0	Policy	PSP Manager, Quality and Practice	15 October 2019
1.1	Policy	General Manager Clinical Services	28 March 2020
2.0	Policy	Quality Practice Manager PSP/GM Disability Futures/Policy Specialist/Safeguarding Officer	1 June 2021
3.0	Policy	Policy Specialist	19 June 2023
3.1	Policy	Policy Specialist	18 July 2023
4.0	Minor changes	Policy Specialist	19 May 2025