



Communities
& Justice

Restrictive Practices Authorisation (RPA) in NSW

**Authorisation via panel utilising an Independent
Specialist**

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What is Restrictive Practices Authorisation in NSW?

In NSW, Restrictive Practices Authorisation (RPA) is **endorsement** for identified restrictive practices to be implemented in relation to a **particular individual** with disability, in a **particular service setting** by **associated staff under clear defined circumstances**

NSW RPA Requirements

In NSW, there are **three** requirements for the use of a restrictive practice:

1. A **Behaviour Support Plan** is developed, and
 2. **Informed consent** is obtained by the participant or their guardian, and
 3. **Authorisation** is approved by a RPA Panel managed through internal policy and procedures of the NDIS provider.
- The RPA Panel's decision to authorise a regulated restrictive practice is to be **unanimous** and not exceeding **12 months or the expiration date of the Behaviour Support Plan**.
 - RPA Panel decisions do not constitute consent, or replace the requirement for consent to use a restrictive practice.

Who is required to sit on an RPA Panel

An **RPA Panel** must include a minimum of **three roles**:

- a **senior manager** familiar with the operational considerations around the use of a restrictive practice in the intended service setting, who convenes and chairs the RPA Panel,
- a **specialist with expertise in Behaviour Support**, can be provided by DCJ or sourced by other means, and
- a person who is **independent** of the service provider.

Where behaviour support expertise comes from a person external to the NDIS provider who is also not connected to the NDIS participant, they may serve both behaviour support and independent roles on the RPA Panel and the RPA Panel is comprised of:

1. a **senior manager familiar** with the operational considerations around the use of a restrictive practice in the intended service setting, who convenes and chairs the RPA Panel
 2. a **specialist with expertise in behaviour support**, and who is independent of the NDIS provider.
- DCJ can provide Independent Specialists to ensure that local RPA Panels have access to independent behaviour support expertise.
 - Neither the behaviour support practitioner who wrote the plan nor the person who completed the RPA Submission can sit on the Panel.

Independent Specialist

DCJ provides a pool of qualified Independent Specialists

- The NSW Government has established a pool of RPA Independent Specialists to ensure that registered NDIS providers have access to appropriately qualified behaviour support practitioners to support the operation of provider RPA Panels.
- Selection occurs through a Tender process
- IS guide available
- 6-weekly IS scrums
- Annual face to face development day.

Strengths

Weaknesses

Experience

Qualifications

Robust
tender
process

Independent
view

Safeguarding

Unpacking
Inquisitive

Insight into
the sector

Free service

Consistency
in decision
making

Availability

Burdensome
for smaller
providers

Conflicts of
Interest

Thin market

RPA Decision Principles

- 1. The regulated restrictive practice is consistent with a comprehensive assessment, reflective of sound evidence-based reasoning, and uses a contemporary approach to positive behaviour support.**
- 2. The regulated restrictive practice forms part of an integrated plan for behaviour and lifestyle support and is clearly aligned to the assessment.**

RPA Decision Principles (contd.)

- 3. The regulated restrictive practice enables the participant in regard to enhancement of their quality of life.**
- 4. The regulated restrictive practice represents the least restrictive option that includes adequate evidence base for reducing or eliminating the behaviour and improving the safety of the person and/or others.**

RPA Decision Principles (contd.)

- 5. The regulated restrictive practice is appropriate and reasonably available to the person.**
- 6. The regulated restrictive practice can be effectively and reliably implemented in the identified contexts.**

RPA Decision Principles (contd.)

- 7. The regulated restrictive practice will be monitored in relation to implementation, review and evaluation for the purposes of safeguarding and timely reduction and removal as applicable.**

Questions / Comments / Feedback