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## NSW Restrictive Practices Authorisation (RPA)

### News

RPA Newsletter - December 2020

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### In this Issue

Welcome to the November 2020 issue of the NSW RPA Newsletter. In this issue we will be discussing:

- [COVID - 19](#)
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We encourage you to help spread the word and forward the monthly RPA Newsletter on to your colleagues. Help us keep the NSW sector informed about restrictive practice authorisation in NSW.

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## COVID - 19

The NDIS Quality and Safeguards Commission, NSW Government and Council for Intellectual Disability (CID) links below provide information, resources and advice on the management of COVID19 for service providers. The first link relates to behaviour support and restrictive practices:

### New Resource

- [Guidelines on the rights of people with disability in health and disability care during COVID-19](#)
  - [For your information NSW Health has just launched it's new accessible resources on COVID-19](#)
  - [Easy read version of What you must do under new Coronavirus rules](#)
  - [Coronavirus \(COVID-19\): Behaviour support and restrictive practices](#)
  - [Coronavirus Disease 2019 \(COVID-19\) Outbreaks in Residential Care Facilities](#)
  - [NDIS Commission coronavirus \(COVID-19\) information](#)
  - [Help us save lives](#)
  - [Staying safe from Coronavirus](#)
  - [Service Providers](#)
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## Shutdown Dates for the Central Restrictive Practices Team

The Central Restrictive Practices Team will be closed during the Christmas/New Year period from Friday 25 December 2020 to Friday 8 January 2021. Any correspondence or

emails received, or requests for a DCJ Independent Specialists, will not be answered during this time. In addition, DCJ will not be able to provide any DCJ Independent Specialists for RPA panels scheduled during this closedown period.

Any requests for a DCJ Independent Specialist for RPA Panels to be held between 11 January 2021 and 18 January 2021 were required to be submitted to the RPA Bookings Team, and submissions finalised, no later than Friday 18 December 2020. For any requests made for DCJ Independent Specialists or submissions completed after this date, the RPA Panel will need to be scheduled after 18 January 2021.



## NSW RPA System Update - Withdraw Outcome Summary

An upcoming update to the NSW RPA System will include a feature that allows Outcome Summaries that are no longer required to be withdrawn. This change will be in the system from mid-January 2021.

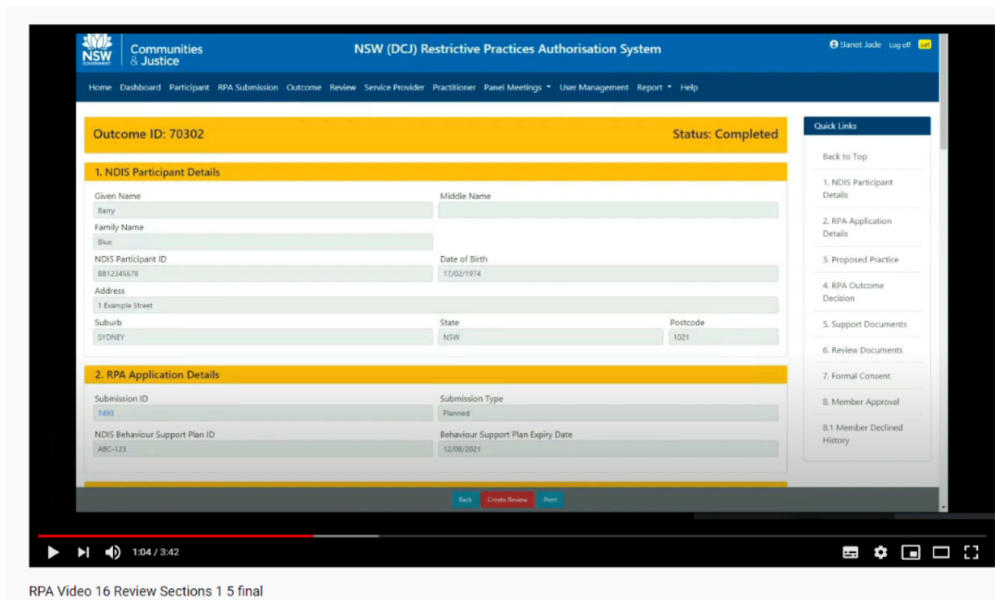
This feature will allow one Outcome Summary to be withdrawn without having to withdraw the entire submission. This feature can be used in cases where, for example, an Outcome Summary has been added by mistake or in cases where Consent has been declined for a particular practice. Other Outcome Summaries for the submission will be able to be completed as usual. Practices in withdrawn Outcome Summaries are considered to be unauthorised.

To withdraw an Outcome Summary, click on the 'Withdraw' button at the bottom of the page. You will be prompted to add a reason for the withdrawal.

Please note that in cases where all Outcome Summaries for a Submission have been withdrawn, the submission will also be withdrawn.

Should you have any issues in utilising the RPA System, please contact the NSW Central Restrictive Practices Team at [restrictivepracticesauthorisation@facns.nsw.gov.au](mailto:restrictivepracticesauthorisation@facns.nsw.gov.au).

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## RPA Video Tutorials

The Central Restrictive Practices Team has updated the series of NSW RPA System video tutorials following the upgrades that went live in September 2020. These short videos demonstrate how to use the NSW RPA System. This suite of tutorials complement the existing RPA System resources available on the NSW Restrictive Practices Authorisation web page.

These videos are available on the [User guide and Video Tutorials](#) tab on the NSW Restrictive Practices Authorisation web page.

## New RPA Decision Tree



A new decision tree has been developed to support providers in NSW determine if Restrictive Practice Authorisation is required for a practice. The decision tree, entitled 'Do I need Restrictive Practice Authorisation?', asks a series of questions to help the reader

decide if authorisation is required, is not required or if they should seek further guidance from the Central Restrictive Practices Team.

The decision tree is available [here](#).

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## Case Study

Vernon is a 14 year old with a mild intellectual disability who attends an NDIS-funded overnight respite one weekend a month. Respite and behaviour support are the only services Vernon accesses that are funded by the NDIS.

While in the front yard of his respite placement, Vernon noticed his mother driving up the driveway and commenced throwing objects such as rocks and gardening tools towards his mother and her car. Staff heard the commotion and came out of the house. Vernon commenced throwing items at staff. In response, staff approached Vernon from behind and grabbed his arms, and, after a brief struggle, held Vernon's hands behind his back (physical restraint) until staff were able to support his mother inside the respite unit. Staff released Vernon's hands once his mother was inside. When Vernon settled, he went inside, however, became unsettled again and went to hit another client. A staff member 'tackled' Vernon to the ground and kept him on the ground until he had settled. Whilst Vernon has a behaviour support plan (BSP) the Plan does not contain any restrictive practices.

Upon review of the incident, the practices used by staff were considered in breach of several policies and legislation including the [Children and Young Persons \(Care and Protection\) Regulation 2012](#) and the [NSW Restrictive Practices Authorisation policy](#). Although the restraints were used to avoid injury to Vernon and others, the staff responses were considered prohibited practices as the level of force used was considered to be more than 'reasonable' and the practices were not prescribed in his BSP.

The incident was therefore reported to the NDIS Quality and Safeguards commission as a reportable incident. The service provider also completed the Mandatory Reporting Guide to confirm whether a Child Protection Helpline Report was required and made enquiries with Police as to whether the allegation reached the criminal threshold for assault. Contact was also made with Office of the Children's Guardian to determine whether the level of force used reached the definition of 'assault' or 'ill treatment' requiring notification as a reportable conduct allegation.

In response to this incident, the respite provider requested Vernon's BSP be reviewed as, this incident aside, they felt Vernon's strategies were not always effective in managing his behaviour. Vernon's mother also arranged a medication review as Vernon's behaviours were becoming increasingly aggressive in the family home. The medication review recommended the introduction of PRN medication (chemical restraint) when Vernon becomes agitated.

As part of the BSP review, the behaviour support practitioner conducted a functional analysis of the behaviour and identified that Vernon had difficulty transitioning between activities; this was most pronounced when he had to transition between physical environments (e.g. going between home and respite).

The practitioner therefore put in place strategies to prepare Vernon for transitioning between environments using visual cues, and also suggested his mother wait in the car for Vernon to approach rather than coming into the respite placement. The updated BSP also contained strategies for how the respite provider is to implement PRN medication. The new BSP was submitted to the service provider's RPA panel and authorisation was provided for a period of 12 months, with quarterly reviews.

The practitioner provided staff training in the implementation of Vernon's BSP and the service provider also conducted education sessions for all their staff members on positive behaviour support, restrictive practices and prohibited practices using a variety of resources including:

- [The Department of Communities and Justice \(DCJ\) enAble tool](#)
- [Videos developed by the Office of the Children's Guardian](#)
- [Information available on DCJ's website](#)
- [Information on the NDIS Quality and Safeguards Commission's website](#)

Included in this training was a discussion of the limited circumstances in which physical restraint can be used in an emergency under s 158 of the Children and Young Person (Care and Protection) Act 1998 and the level of force that may be used.



## Pam Cuelho

Senior Project Officer

DCJ Central Restrictive Practices Team

How did you get to where you are today?

I began working in disability services in 2007, after a number of years working in our family business. After a few different roles, I found my place in the Community Justice Program (CJP). My main role was coordinating the intake for the CJP, and I also assisted the CJP with their vacancy management processes. I moved across to the Statewide Behaviour Intervention Service (SBIS) as a Senior Project Officer in 2015, where I spent much of my time on a Clinical Governance Framework project. I think it was here that I really developed my passion for helping services to deliver genuine person centred approaches and supporting people with disability to live full and productive lives.

With the transition of the majority of disability services to the NGO sector, I thought many times that it was my time to transfer. However once SBIS transferred, I found myself in the Performance Improvement directorate, assisting the remaining disability services to meet their obligations under the Reportable Incidents Scheme. I also spent some time on the Central Restrictive Practices Team, and was involved at various stages while the new RPA Policy was developed and implemented in NSW. I spent a lot of time providing support and advice to service providers on the new system and how it intersects with the Commonwealth system.

Now that all disability services have transitioned, I sit full time in the Central Restrictive Practices Team as Senior Project Officer.

In your role you see a lot of submissions and outcome summaries, what advice would you give to panel members?

Always keep in mind that any restrictive practice restricts the rights or freedom of a person with disability. The authorisation process provides a level of oversight and safeguarding to ensure that the practices implemented are the least restrictive response to a behaviour. Wherever possible, the person with a disability should be engaged throughout the RPA process. Where appropriate, consider ways that the person with a disability can participate in the RPA Panel meeting. The outcome summary is a good place for the panel convenor to document the person's involvement in the RPA Process.

We have a number of panel resources on our web page, including a panel simulation video. I would encourage everyone to have a look at this video and give some thought on how you can involve your participants in the RPA process.



What do you like about working in the Central Restrictive Practices Team?

I'm really proud of how far the Central Restrictive Practices Team (CRPT) has come in such a short amount of time. We have a great team that communicates well and always supports each other, which has been particularly important this year. I like the variety of work that I get to do in a day. Some time is usually spent monitoring a mailbox and responding to various requests and questions from providers. Some are quite easy, like setting up new accounts or adding new users to the NSW (DCJ) RPA System. And some are quite complex, such as policy questions that require some research before a response can be provided. I also like the project work that we get to do, and feel a real sense of achievement when a project is completed, or a new resource is finalised. I'm excited for the future of the CRPT!



Test your knowledge!

Question 1: Can a submission be withdrawn in the NSW RPA System once its status is 'Completed'?

Question 2: Can Outcomes be completed in the NSW RPA System without the NDIS Behaviour Support Plan ID?

Question 3: Can an RPA Panel be scheduled during the DCJ Central Restrictive Practices Team shutdown period of 25 December – 8 January?

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RPA News will be published monthly on the Department of Communities and Justice [Restrictive Practices Authorisation web page](#). If you would like to suggest a colleague or service to be included in Spotlight On... or Provider in Focus, or if you have any questions about restrictive practices authorisation or this newsletter, please email: [RestrictivePracticesAuthorisation@fac.s.nsw.gov.au](mailto:RestrictivePracticesAuthorisation@fac.s.nsw.gov.au)

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## Test Your Knowledge Answers:

Q1: No, a submission can only be withdrawn in the NSW RPA System when the status is Draft or New.

Q2: No, the NSW RPA System will not allow Outcomes to be completed if the NDIS Behaviour Support Plan ID is missing.

Q3: No, as the DCJ Central Restrictive Practices Team will not be able to provide administrative support in the NSW RPA System for any RPA Panels held during this time, we ask providers not to schedule RPA Panels in this period.

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Our mailing address is:  
RestrictivePracticesAuthorisation@fac.s.nsw.gov.au

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