

# Implementing Behaviour Support Plans

**Policy area:** Implementing Behaviour Support Plans

**Applicable to:** Silaca Tasmania Pty Ltd

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# Behaviour Support in the NDIS Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to outline Silaca Tasmania Pty Ltd's commitment to providing individualised, evidence-informed behaviour supports that meet the unique needs of each participant and enhance their quality of life. This policy supports our obligation to uphold the rights, dignity, and independence of people with disability, and to ensure that behaviour support is delivered in a safe, ethical, and person-centred manner in accordance with the NDIS Practice Standards and relevant legislative frameworks.

Silaca Tasmania Pty Ltd is committed to the proactive identification and responsive support of behaviours of concern through trauma-informed, strengths-based approaches that prioritise long-term wellbeing. We aim to reduce and, where possible, eliminate the use of regulated restrictive practices, ensuring that any use is carefully monitored, authorised, and only implemented as a last resort to prevent harm. This policy recognises the impact behaviours of concern can have on participants, families, support staff, and the community, and provides a clear framework for delivering positive behaviour support that promotes inclusion, autonomy, and human rights.

Silaca Tasmania Pty Ltd acknowledges that any use of restrictive practices must be authorised in line with the Tasmanian Disability Services Act 2011 and the Disability Services Regulations 2015. Our approach is consistent with the NDIS Commission's Positive Behaviour Support Capability Framework, aiming to support the reduction and elimination of restrictive practices through proactive, person-centred and trauma-informed strategies.

## 2.0 Scope

This policy applies to all staff involved in the provision of behaviour support services, including the development, implementation, monitoring, and review of Behaviour Support Plans. It also applies to any personnel involved in the use, authorisation, reporting, or oversight of regulated restrictive practices, in accordance with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to delivering behaviour support services in accordance with the NDIS Practice Standards, the Positive Behaviour Support Capability Framework, and the rights and dignity of all participants. Our practice is guided by the NDIS Quality and Safeguards Commission Framework, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), and the Positive Behaviour Support Capability Framework.

Silaca Tasmania Pty Ltd must be registered with the NDIS Quality and Safeguards Commission and must operate in full compliance with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018, the Disability Services Act 2011 (TAS), the Disability Services Regulations 2015 (TAS), and all other relevant legislation and regulatory requirements in Tasmania.

As a registered implementing provider, Silaca Tasmania Pty Ltd is responsible for identifying and seeking authorisation for any restrictive practices necessary to ensure the safety of the participants we support. These practices may include chemical restraint, physical restraint, mechanical restraint, containment, seclusion, and restricting access to objects, activities or environments.

All restrictive practices used by the organisation are implemented only, when necessary, proportionate, and in line with all relevant authorisation and reporting requirements.

Silaca Tasmania Pty Ltd ensures its behaviour support practices are consistent with best practice and legal requirements. This includes the delivery of evidence-informed and person-centred positive behaviour support, the development and implementation of Behaviour Support Plans that reflect individual needs, and the ongoing training and professional development of Behaviour Support Practitioners and other relevant staff.

Silaca Tasmania Pty Ltd collaborates with NDIS Commission-approved Specialist Behaviour Support Providers to meet the supplementary requirements of the NDIS Practice Standards and Quality Indicators 2021. Behaviour Support Practitioners engaged in the development, review or implementation of Behaviour Support Plans must be certified by the NDIS Quality and Safeguards Commission as suitable practitioners under the Positive Behaviour Support Capability Framework.

Silaca Tasmania Pty Ltd is committed to providing services in a way that:

- ensure transparency and accountability in the use of restrictive practices
- recognise that restrictive practices should not be used to punish an adult
- understand restrictive practices should not be used in response to behaviour that does not cause harm to the participant or others
- aims to reduce the intensity, frequency and duration of the participant's behaviour that causes harm to themselves or others
- aims to reduce or eliminate the need for restrictive practices.

All restrictive practices used must comply with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 and the relevant Tasmanian authorisation process. Unauthorised restrictive practices and any restrictive practices used without required authorisation or not included in a behaviour support plan must be reported to the NDIS Commission in accordance with the NDIS Incident Management and Reportable Incidents Rules 2018.

### **3.1 Evidence-based practice**

Whilst guided and trained by Specialist Behaviour Support Providers, our team will implement an evidence-based practice approach. The practice may include, but is not limited to:

- using the best available scientific evidence
- reviewing all existing participant data
- individualising evidence for the unique needs and preferences of the participant
- committing to the ongoing expansion of evidence and clinical expertise.

Evidence-based practice includes the completion of a comprehensive Functional Behaviour Assessment (FBA) and the co-design of plans with participants and their support networks. Practitioners must demonstrate capabilities aligned with the Positive Behaviour Support Capability Framework.

### **3.2 Reasonable steps in supporting participant**

Our staff are required to undertake all reasonable steps to support the participant, including:

- working with the participant to engage a Behaviour Support Practitioner
- contributing to the development of Behaviour Support Plans and assessments
- supporting the practitioner to gather information and data for assessments
- collaborating with the practitioner to develop or review the Behaviour Support Plan
- enabling contributions from mainstream service providers in the development of an interim plan.

All supports must be implemented with the participant's informed consent, wherever possible, and must include the active involvement of the participant and their informal supports in developing and reviewing their Behaviour Support Plan.

### **3.3 Eliminating and reducing restrictive practices**

All staff must follow the strategies as determined in the Behaviour Support Plan developed by the Behaviour Support Practitioner. The Behaviour Support Practitioner's role is to train and guide staff on appropriate strategies in eliminating and reducing restrictive practices. Our staff must follow these strategies and consult with the Behaviour Support Practitioner and the participant to determine the best methods to reduce and eliminate restrictive practices.

To this end, restrictive practices are used only after our team have explored and applied evidence-based, person-centred and proactive strategies. Restrictive practices are only used for the shortest possible time, and as a last resort, in response to the risk of harm to the participant or others. The practice will be in proportion to the potential negative consequence or risk of harm.

Restrictive practices must only be used when all other options have been exhausted and there is an imminent risk of harm. They must represent the least restrictive alternative and be proportionate to the

potential harm. Any use of restrictive practices must be clearly documented and authorised, and reviewed regularly with a goal of elimination.

## 4.0 Procedures

To deliver behaviour support, Silaca Tasmania Pty Ltd is registered with the NDIS as an Implementing Behaviour Support Provider (for more information, refer to the NDIS Practice Standards and Quality Indicators 2021 – Module 2A: Implementing Behaviour Support).

### 4.1 Organisation requirements

As legislated under the Disability Service Act 2011, Tasmanian State Government approvals vary according to the type of restrictive practice to be used. Silaca Tasmania Pty Ltd seeks authorisation for the use of restrictive practices via the use of all relevant forms and submissions.

See Table below for required approvals:

| Approval Type                      | Approver                                                                                                                                                                                                                                                                   |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environmental restriction approval | <ul style="list-style-type: none"> <li>the Secretary of the Department of Communities Tasmania for up to 90 days (section 38).</li> <li>the Tasmanian Government Guardianship and Administration Board for a maximum of two years after a hearing (section 42).</li> </ul> |
| Personal restriction approval      | <ul style="list-style-type: none"> <li>the Tasmanian Government Guardianship and Administration Board for up to 90 days without a hearing or up to two years after a hearing (section 42).</li> </ul>                                                                      |

The Managers completes a monthly review of each participant's Behaviour Support Plan to endeavour to eliminate or reduce the use of restrictive practices.

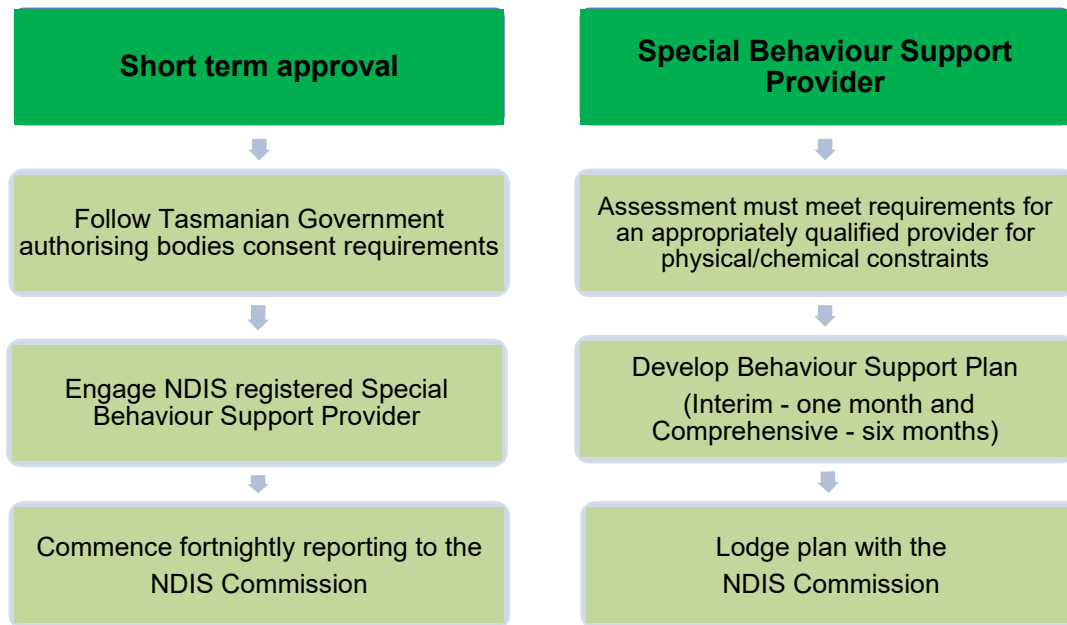
As an implementing provider, Silaca Tasmania Pty Ltd must undertake monthly reporting via the NDIS Quality and Safeguard Commission Portal, even if there has been no use of restrictive practices.

Other aspects of our role include:

- obtaining proper consent for the use of all restrictive practices
- being registered as an Implementing Provider with the NDIS Commission for the requisite registration group (Module 2A)
- complying with the Disability Service Act 2011 restrictive practice authorisation requirements

- training all relevant staff who are involved in developing and delivering behaviour support so that they are appropriately qualified
- monitoring and encouraging the professional development of our staff, so they maintain an understanding of restrictive practices and their associated risks
- engaging a Specialist Behaviour Support Clinical Supervisor to provide clinical supervision of each work practice of the NDIS Behaviour Support Practitioner
- monitoring the use of restrictive practices and providing a monthly report to the NDIS Quality and Safeguards Commission
- reporting unauthorised use of restrictive practices to the NDIS Quality and Safeguards Commission (as necessary)
- supporting participants in making and resolving complaints
- gaining the consent of participants during the submission process
- supporting other providers to implement a Behaviour Support Plan by:
  - delivering services
  - implementing plan strategies
  - evaluating the effectiveness of current approaches used to reduce or eliminate restrictive practices
- notifying the Specialist Behaviour Support Practitioner if the Behaviour Support Plan must be reviewed due to changes in circumstances
- monitoring the use of restrictive practices, including regularly reporting the use of restrictive practices
- recording all use of restrictive practices
- demonstrating a commitment to reducing and eliminating restrictive practices through our policies, procedures, and practices.

**Diagram 1. Behaviour Support Plan including a restrictive practice procedure**



#### **4.2 Support staff**

Silaca Tasmania Pty Ltd support staff are selected for their knowledge and skills related to working with participants who have restrictive practices. These staff members receive training from the Behaviour Support Practitioner and support from Silaca Tasmania Pty Ltd. Support staff must complete all the Behaviour Support Practitioner (e.g. Behaviour Log) to ensure that accurate information is kept and relayed to all stakeholders.

Support workers must attend regular meetings and provide updates and feedback on the participant's behaviour and progress.

#### **4.3 Specialist Behaviour Support Provider**

Silaca Tasmania Pty Ltd only works with Specialist Behaviour Support Providers deemed suitable by the NDIS Commission. It is the responsibility of the Specialist Behaviour Support Provider to:

The role of the Specialist Behaviour Support Provider is to:

- engage behaviour support practitioners deemed suitable by the NDIS Commission
- implement the following timeframes relating to plans:
  - 1 month – interim plan
  - within 6 months of when the regulated restrictive practice was first used – a comprehensive plan
  - 12 months – review plan

- support practitioners to develop plans that meet the NDIS Commission's requirements
- support practitioners to work collaboratively to develop plans with participants, their support networks and implementing providers
- support practitioners to ensure the plans are based on a comprehensive biopsychosocial assessment, including functional behavioural assessments
- support practitioners to outline contemporary, evidence-based, behavioural strategies in the plan, including environmental adjustments to constructively reduce the participant's behaviours of concern
- support practitioners to work towards reducing or eliminating restrictive practices
- support practitioners to develop documents in a form approved by the NDIS Commissioner
- support practitioners who lodged forms with the NDIS Commission
- train and support relevant staff who are implementing the plan.

The Specialist Behaviour Support Provider is responsible for developing and lodging Interim and Comprehensive Behaviour Support Plans with the NDIS Commission, including obtaining and recording all relevant consents and authorisations.

#### **4.4 Participant**

The participant usually:

- receives disability services or services prescribed by regulations and funded under an NDIS participant plan
- has an intellectual or cognitive disability
- behaves in a way that may cause harm to themselves or others

Participants have the right to be informed, consulted, and involved in the development and implementation of their Behaviour Support Plans. Silaca Tasmania Pty Ltd recognises the rights of all participants under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), including the right to liberty, dignity, and freedom from exploitation, violence, and abuse.

#### **4.5 Implementing Behaviour Support Provider**

As an Implementing Provider, Silaca Tasmania Pty Ltd must submit monthly reports to the NDIS Quality and Safeguards Commission on the use of regulated restrictive practices in accordance with each participant's Behaviour Support Plan, including submitting a nil report when no practices have been used.

Our organisation will comply with all NDIS reportable incident requirements. For example, when a restrictive practice requires authorisation and authorisation has not been obtained, the use of the restrictive practice must be reported to the NDIS within five days. If the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

As the Implementing Behaviour Support Provider, we will:

- work with Behaviour Support Practitioners to meet the requirements of the National Behaviour Support Capability Framework and to improve our skills base
- take all steps to facilitate the engagement of a Behaviour Support Practitioner if the behaviour of concern arises or if a Behaviour Support Plan needs to be reviewed
- provide staff with appropriate training in implementing evidence-informed Behaviour Support Plan strategies
- work collaboratively with the Behaviour Support Practitioner to monitor outcomes for the participant and the progress of the implementation of the Behaviour Support Plan
- provide appropriate support to participants to achieve positive outcomes relating to their plan
- ensure that any restrictive practices used must be:
  - implemented following a Behaviour Support Plan
  - authorised or consented in line with TAS Government's legislative requirements
- maintain records on the use of restrictive practices
- consult with the Behaviour Support Practitioner
- complete documentation as required to inform practice
- undertake the least restrictive practice as per the participant's Behaviour Support Plan
- attend meetings as required
- complete all reporting processes as determined to be necessary by the Behaviour Support Provider.

## 5.0 Related documents

- Behaviour Log
- NDIS Plan
- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)
- [Guardianship and Administration Board - Form 10](#)

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- Positive Behaviour Support Capability Framework (2021)
- Tasmanian Authorisation Framework – [Guardianship and Administration Board Forms and Procedures]
- NDIS Commission Behaviour Support Plan Guidance Materials
- NDIS Practice Standards and Quality Indicators 2021
- NDIS Quality and Safeguards Commission Framework
- United Nations Convention on the Rights of Persons with Disabilities

# Regulated Restrictive Practices Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to ensure that all Silaca Tasmania Pty Ltd staff involved in supporting participants with Behaviour Support Plans understand their responsibilities in relation to the use of regulated restrictive practices. This policy promotes consistent, ethical, and safe practices that uphold the rights, dignity, and wellbeing of participants at all times.

Silaca Tasmania Pty Ltd is committed to ensuring that regulated restrictive practices are only ever used as a last resort, when necessary to prevent harm, and only in a manner that is least restrictive and proportionate to the risk. The policy provides clear guidance for staff on their role in identifying, documenting, and contributing to the authorisation and oversight of restrictive practices within the behaviour support framework.

## 2.0 Scope

This policy applies to all Silaca Tasmania Pty Ltd staff who implement, monitor, supervise, report, or make decisions related to the use of regulated restrictive practices in Tasmania. It also applies to those involved in the development, implementation, and reporting of Behaviour Support Plans in accordance with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 and the Tasmanian Authorisation Framework for Restrictive Practices, established under the Disability Services Act 2011 (TAS) and the Disability Services Regulations 2015 (TAS).

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to the safe, lawful, and ethical use of restrictive practices in accordance with the NDIS Commission's regulatory framework and the authorisation requirements of relevant Tasmanian authorities. Restrictive practices are only used as a last resort to prevent harm, and only when properly authorised, documented, and monitored.

Behaviour Support Plans that include regulated restrictive practices must be developed by a Specialist Behaviour Support Practitioner who is certified under the Positive Behaviour Support Capability Framework and lodged with the NDIS Quality and Safeguards Commission.

As the Implementing Provider, Silaca Tasmania Pty Ltd is responsible for accessing and implementing the Behaviour Support Plan once it has been lodged with the NDIS Quality and Safeguards Commission, and for seeking authorisation for the use of any regulated restrictive practices through the appropriate Tasmanian authority. This may include the Senior Practitioner (Tasmania), the Secretary

of the Department of Communities Tasmania, or the Guardianship and Administration Board, depending on the type of restrictive practice and the participant's individual circumstances.

All relevant staff are required to implement, document, and report on the use of restrictive practices in accordance with Tasmanian legislation and NDIS requirements. Staff work in collaboration with Behaviour Support Practitioners to evaluate the effectiveness of current strategies and support the implementation of evidence-based approaches aimed at reducing and ultimately eliminating the use of restrictive practices.

All regulated restrictive practices used by Silaca Tasmania Pty Ltd must:

- Be clearly identified in a Behaviour Support Plan developed by a Specialist Behaviour Support Practitioner;
- Be authorised through the relevant Tasmanian legislative mechanisms (either the Department of Communities Tasmania or the Guardianship and Administration Board);
- Be lodged with and approved by the NDIS Commission;
- Be used only as a last resort to prevent harm, and only when all other less restrictive interventions have been attempted;
- Be proportionate to the risk of harm and time-limited;
- Be reviewed regularly with the aim of reducing or eliminating the practice over time;
- Not be used for discipline, punishment, or convenience.

As an implementing provider, Silaca Tasmania Pty Ltd must undertake monthly reporting via the NDIS Quality and Safeguard Commission Portal, even if there has been no use of restrictive practices.

If a restrictive practice is used outside of authorisation or in an emergency, Silaca Tasmania Pty Ltd will:

- Follow our Reportable Incidents involving the use of a Restrictive Practice Policy and Procedure in accordance with its obligations under the NDIS (Incident Management and Reportable Incidents) Rules 2018
- Review the incident in collaboration with the Behaviour Support Practitioner and other relevant stakeholders to determine next steps and ensure safeguards are in place

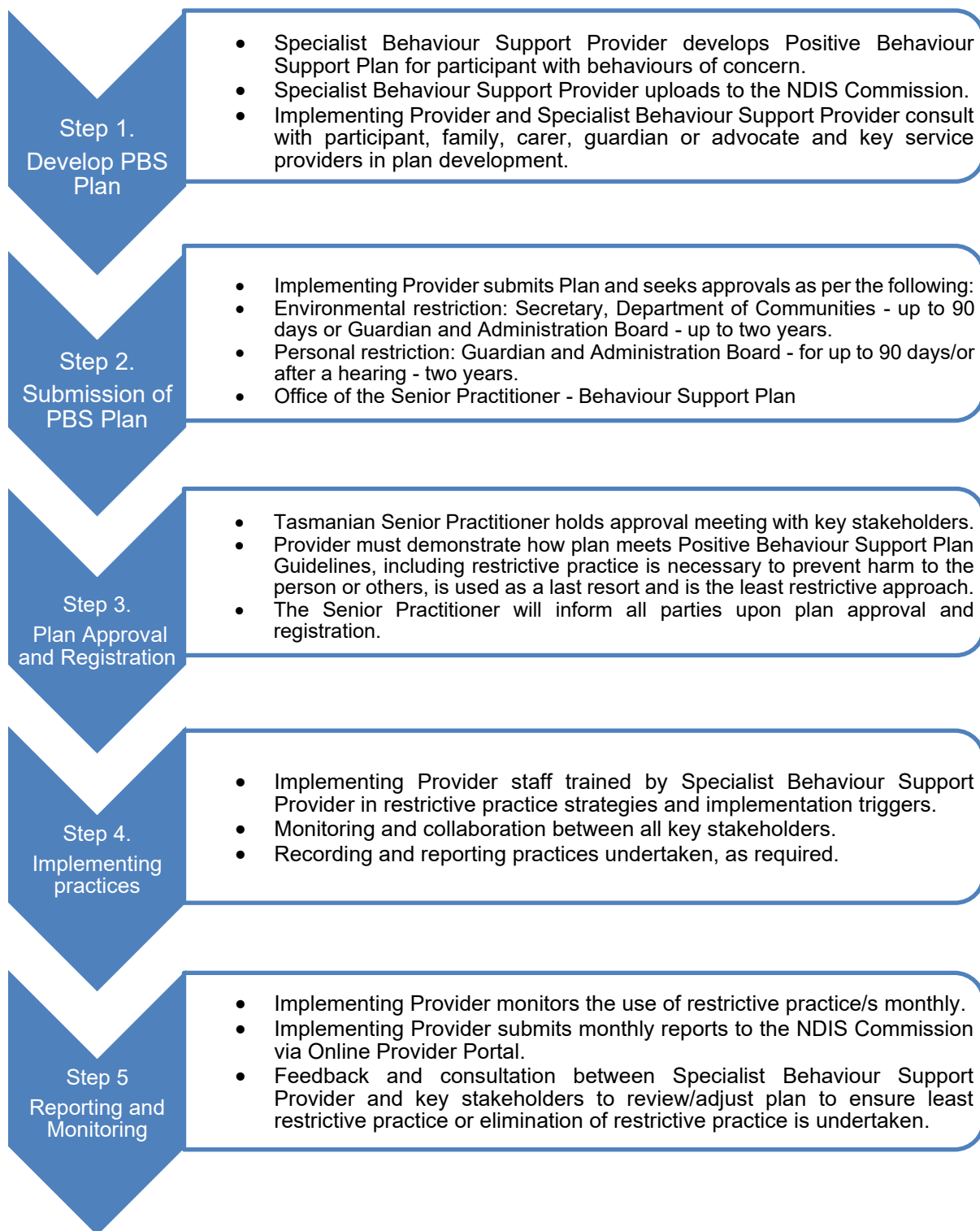
All staff responsible for implementing restrictive practices must be trained and assessed as competent under the Positive Behaviour Support Capability Framework. Training is provided by the Specialist Behaviour Support Provider and recorded in Silaca Tasmania Pty Ltd's Staff Training Record. Staff must maintain appropriate skills to support participants and engage with all stakeholders effectively. All staff must act in accordance with the NDIS Code of Conduct.

Ongoing capability building is supported by the Professional Development Policy and Procedure, which ensures that all staff have access to continuous learning opportunities. The designated Managers

conducts a formal performance review with each staff member at least once per year, with a focus on competence in behaviour support and restrictive practice implementation.

## 4.0 Procedure

**Diagram 1. Use of regulated restrictive practices authorisation procedure**



## **4.1 Documents**

The Application for Approval to Carry Out Restrictive Intervention Form is available at the Department of Communities Tasmania, Office of the Senior Practitioner website:

[https://www.dpac.tas.gov.au/\\_data/assets/word\\_doc/0027/227880/Template-OSP-Application-for-approval-to-carry-out-Restrictive-Intervention-Form-2022.docx](https://www.dpac.tas.gov.au/_data/assets/word_doc/0027/227880/Template-OSP-Application-for-approval-to-carry-out-Restrictive-Intervention-Form-2022.docx)

The Guardianship and Administration Board Tasmania Restrictive Intervention - Form 10 and the Health Care Report are located on their website at: <https://www.tascat.tas.gov.au/guardianship/forms2>

Forms required are outlined in Appendix 2: Application Process for Planned Use of Restrictive Intervention.

## **4.2 Working with the Specialist Behaviour Support Provider**

Behaviour Support Plans and restrictive practices require Silaca Tasmania Pty Ltd to be transparent concerning all responsibilities and ensure that all clinicians know their obligations. The collaborative approach that we undertake with the Specialist Behaviour Support Provider requires our staff to:

- communicate with the Specialist Behaviour Support Provider/Practitioner regarding the effectiveness of the plan
- record data on the current approach
- provide feedback on the current approach
- work with the Behaviour Support Practitioner to review and evaluate the Behaviour Support Plan.

Silaca Tasmania Pty Ltd only works with Specialist Behaviour Support Practitioners who are deemed suitable by the NDIS Commission. These practitioners are responsible for developing interim and comprehensive Behaviour Support Plans, which must be:

- Lodged within 1 month (interim)  
Developed within 6 months of when the regulated restrictive practice was first used.
- (comprehensive)
- Reviewed annually or more frequently if required

## **4.3 Determining if a practice is a regulated restrictive practice**

To assist our organisation in determining whether a practice constitutes a regulated restrictive practice, the Managers will refer to the restrictive practice decision-making trees as outlined in Appendix 1. Restrictive Practice Decision Trees.

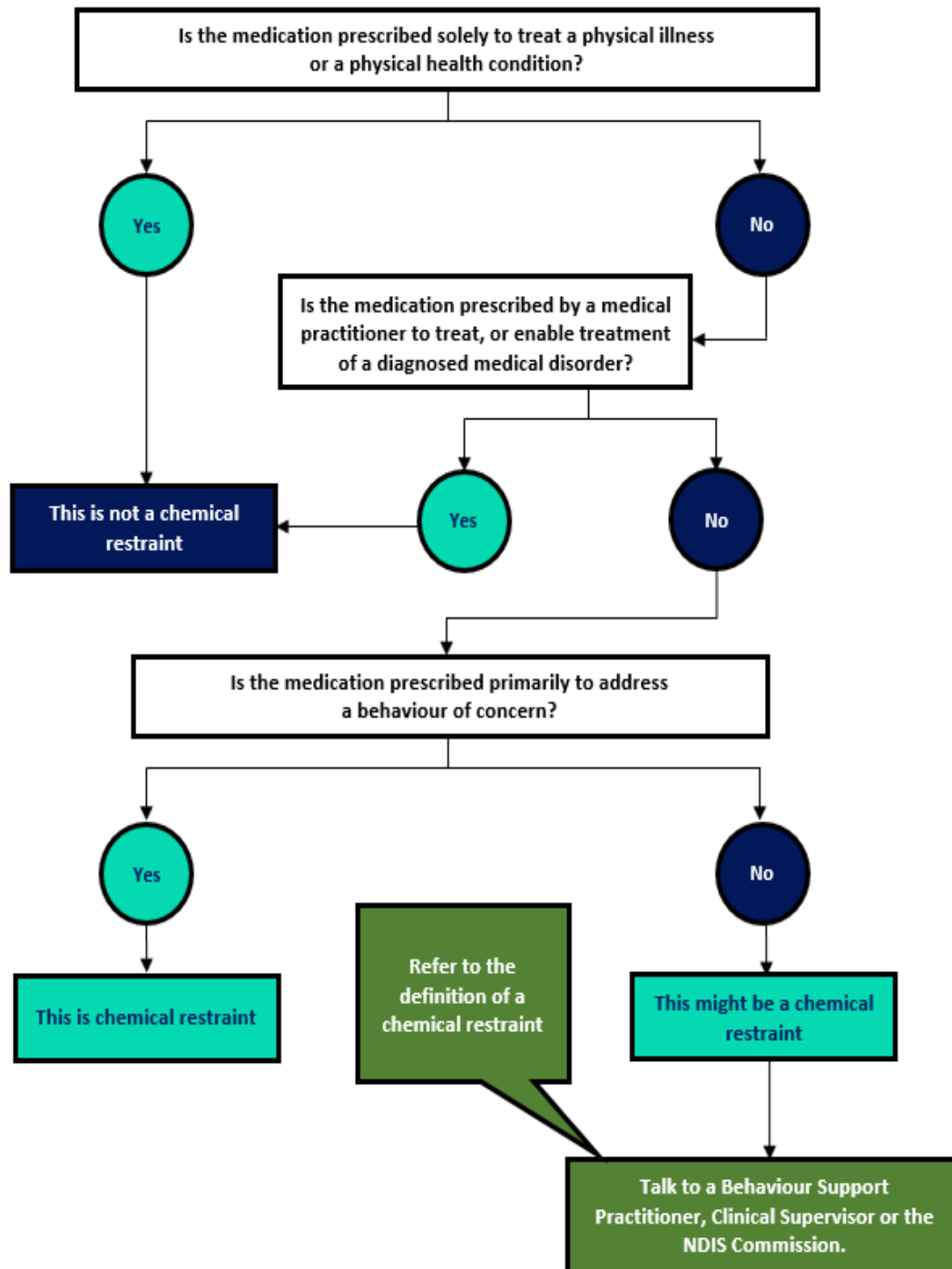
When our organisation is in doubt as to whether a practice constitutes a regulated restrictive practice, the Managers will consult with the Specialist Behaviour Clinical Supervisor in the first instance and then contact the NDIS Commission, if necessary.

If there is uncertainty about whether a practice constitutes a regulated restrictive practice, it must not be used until guidance is received from a Specialist Behaviour Support Practitioner, the clinical supervisor, or the NDIS Commission. All staff must prioritise participant safety, dignity, and the least restrictive alternative at all times.

## Appendix 1. Restrictive Practice Decision Trees.

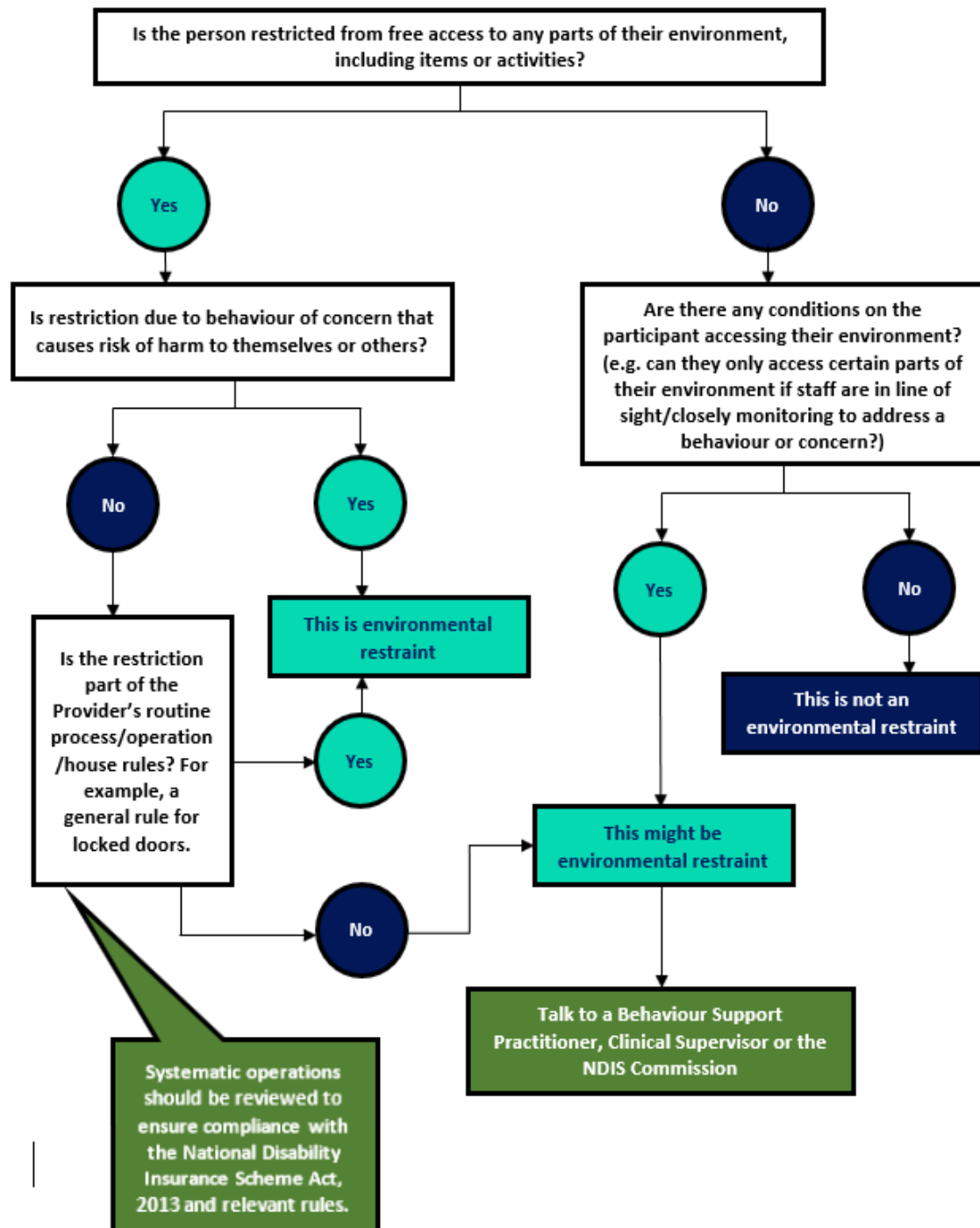
### Chemical restraint decision tree

This tool aims to guide whether a practice could be a form of chemical restraint.



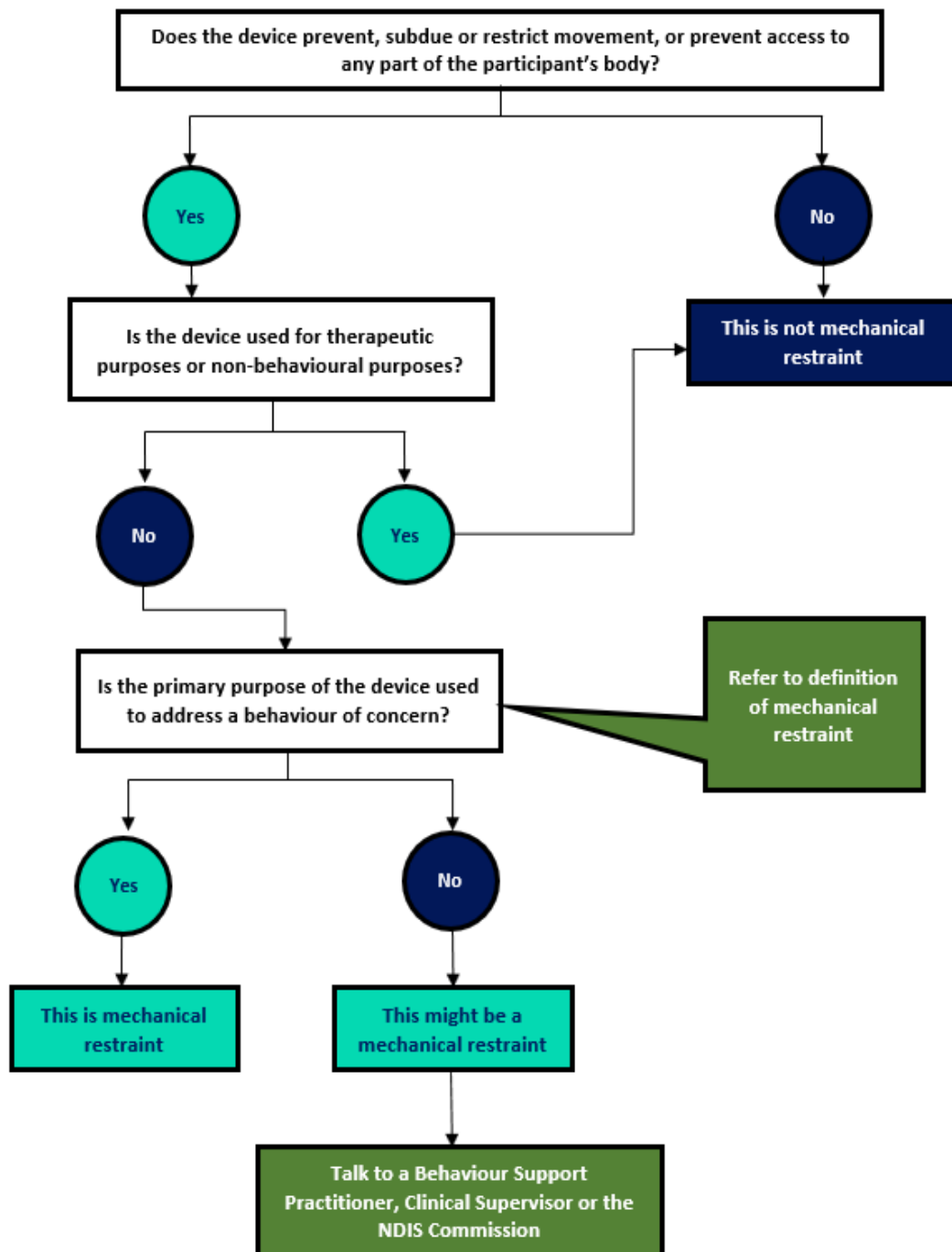
## Environmental restraint decision tree

This tool aims to support decision-making and guide whether a practice could be a form of environmental restraint.



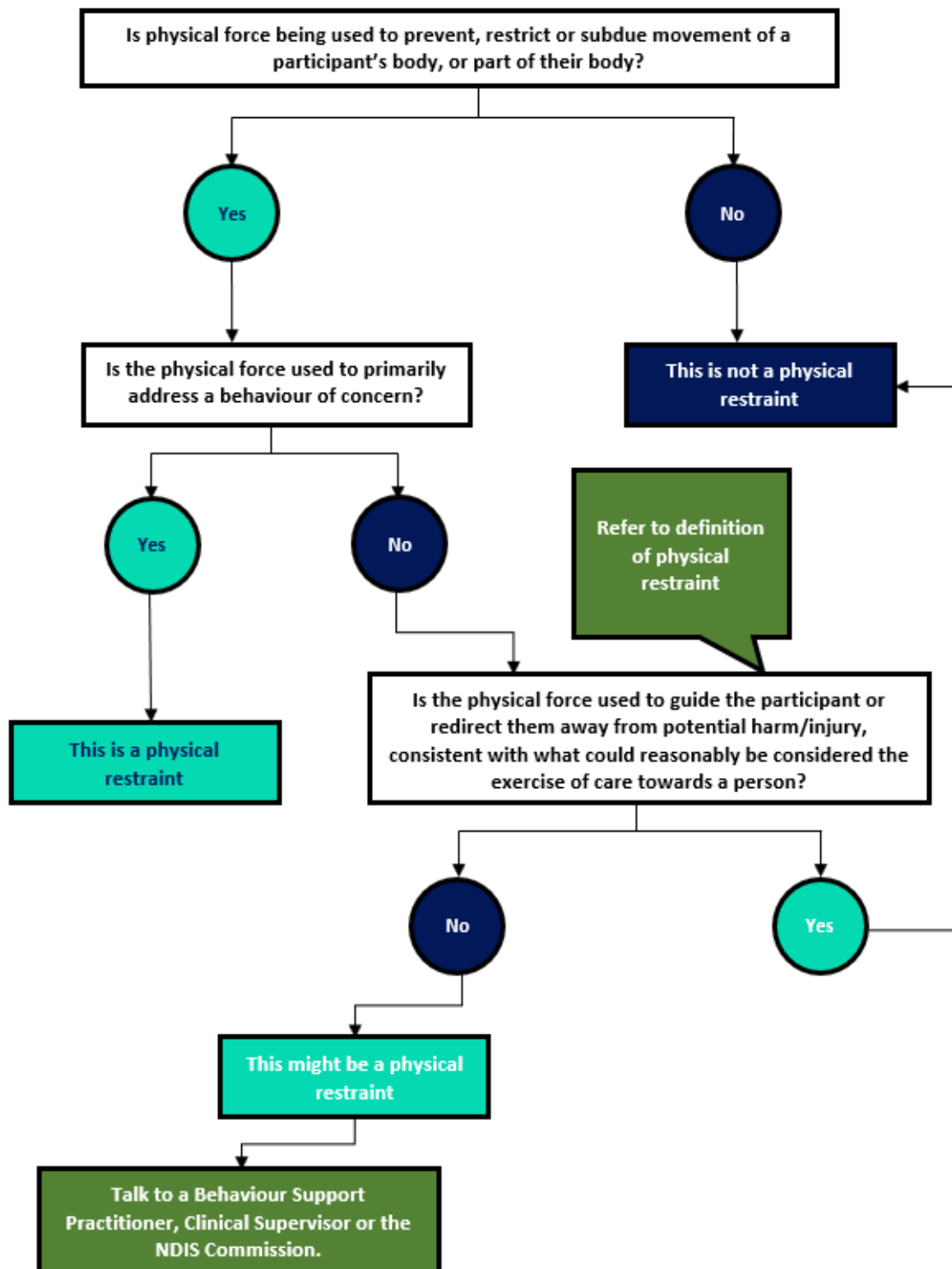
## Mechanical restraint decision tree

This tool aims to support decision-making and guide whether a practice could be a form of mechanical restraint.



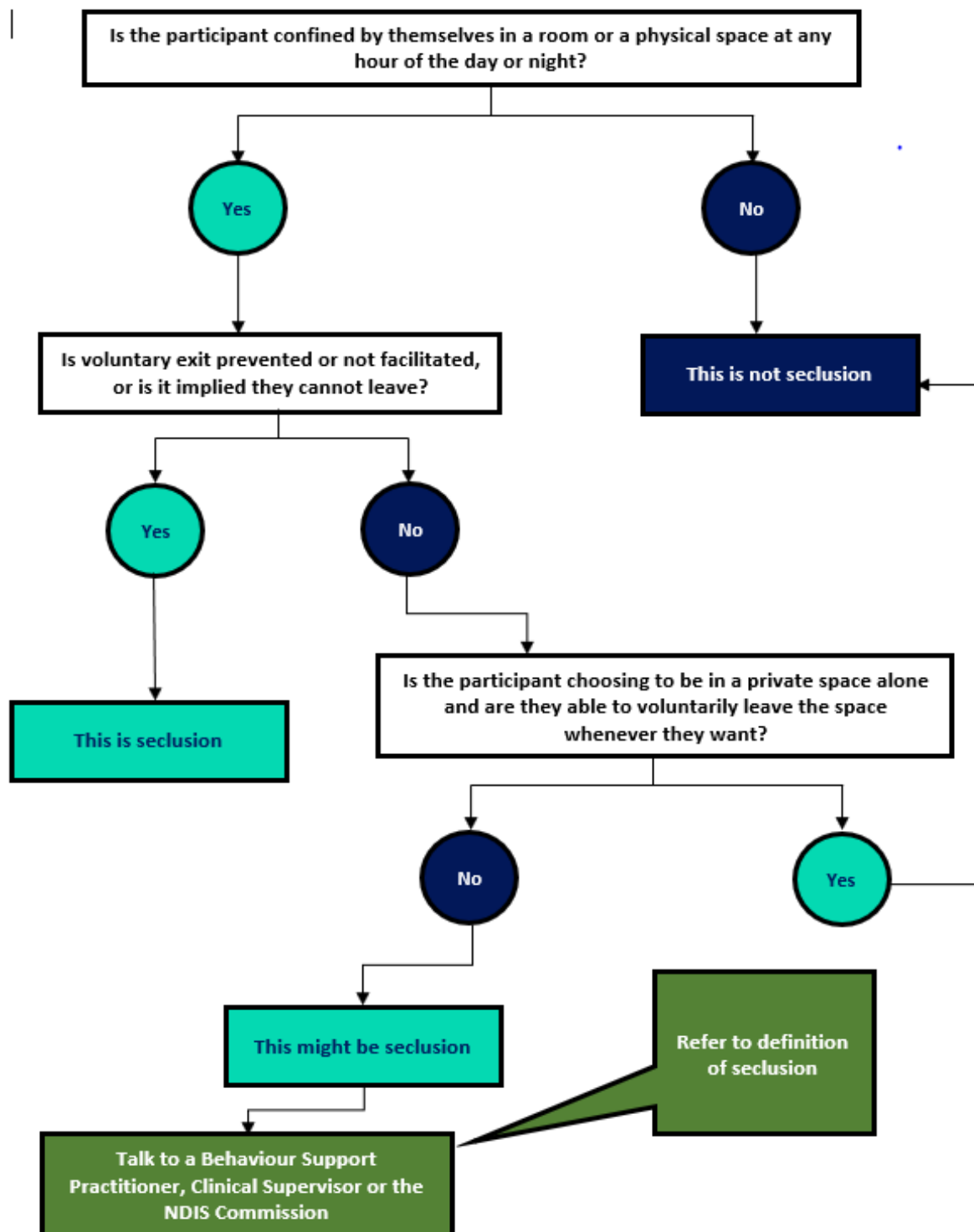
## Physical restraint decision tree

This tool aims to support decision-making and guide whether a practice could be a form of physical restraint.

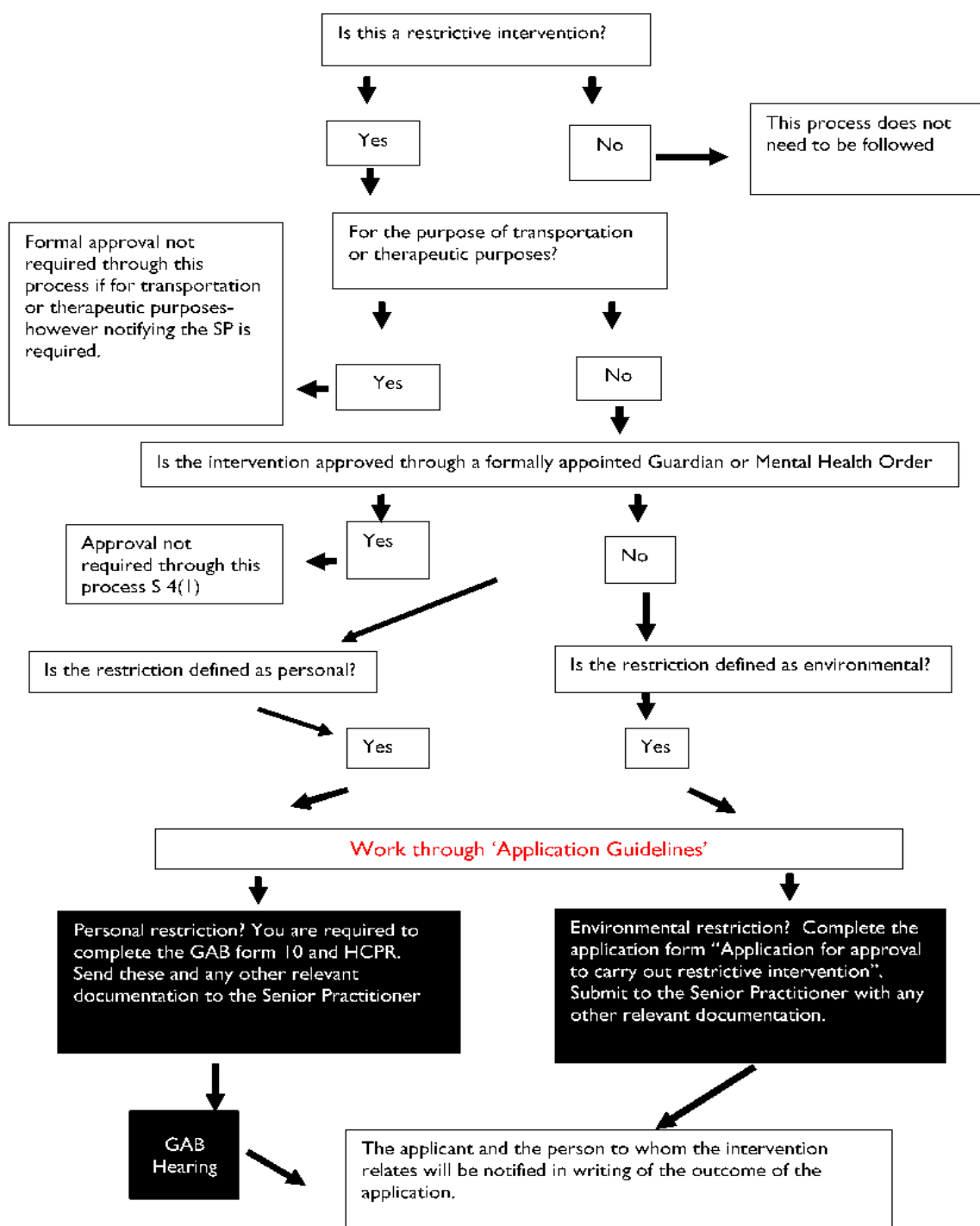


## Seclusion decision tree

This tool aims to support decision-making and provide guidance on whether a practice constitutes seclusion.



## Appendix 2: Application Process for Planned Use of Restrictive Intervention



Source: Department of Communities Tasmania – Office of the Senior Practitioner: Application Process for Planned Use of Restrictive Intervention. <https://www.dpac.tas.gov.au/divisions/cpp/community-and-disability-services/office-of-the-senior-practitioner/information-and-information-gathering-for-restrictive-interventions-guideline/application-flowchart-for-planned-use-of-restrictive-intervention>

## 5.0 Related documents

- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)
- [Guardianship and Administration Board - Form 10](#)
- [Guardianship and Administration Board – Health Care Professional Report](#)
- [Office of the Senior Practitioner - Application for Approval to Carry Out Restrictive Intervention Form](#)
- Behaviour Log
- Behaviour Support Plan and Functional Behaviour Assessment
- Data Collection Summary
- Easy Read Consent Form – Behaviour Support and Restrictive Practices
- Lifestyle Plan (refer to Support Plan)
- Support Plan
- Staff Training Record
- Staff Training Plan
- Statement of Attendance Certificate
- Annual Organisational Training Register and Review
- Training Needs Analysis
- Training Matrix for Individual Worker
- Training Attendance Register – In House Training
- Individual Risk Assessment Profile
- Individual Participant Profile
- PRN Protocols – Restrictive Practices
- PRN Care Plan
- PRN Intake Checklist
- Chemical Restraint Monitoring Log
- Medication Administration Chart
- Medication Administration Record
- Medication Collection and Storage Register
- Medical Reports (from health practitioners)
- Medication Chart
- Consent Form – Use of Restrictive Practice
- Consent Form – Restrictive Practices – Submission
- Restrictive Practice Register
- Restrictive Practice Action Plan

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS Positive Behaviour Support Capability Framework
- NDIS Practice Standards and Quality Indicators 2021
- NDIS (Incident Management and Reportable Incident) Rules 2018
- NDIS Code of Conduct
- NDIS Positive Behaviour Support Capability Framework (2021)
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- Tasmanian Office of the Senior Practitioner: Restrictive Practice Authorisation Guidance
- Guardianship and Administration Board Tasmania – Form 10 and Procedures NDIS Commission Guide to Positive Behaviour Support Planning

# Monitoring and Reporting Use of Regulated Restrictive Practices Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to outline Silaca Tasmania Pty Ltd's commitment to the safe, lawful, and transparent monitoring and reporting of all regulated restrictive practices in Tasmania (TAS).

Silaca Tasmania Pty Ltd upholds the rights, dignity, and wellbeing of NDIS participants by ensuring all restrictive practice reporting processes are trauma-informed, person-centred, and aligned with the goal of reducing and ultimately eliminating the use of restrictive practices. All reporting is carried out in line with the expectations of the NDIS Commission and Tasmania's restrictive practices authorisation and reporting framework.

## 2.0 Scope

This policy applies to all staff involved in the delivery, documentation, monitoring, and reporting of regulated restrictive practices. It also applies to staff involved in the review, analysis, and submission of reports to the NDIS Commission and in seeking authorisation for the use of regulated restrictive practices through the Tasmanian restrictive practices' authorisation process.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to transparent, lawful, and ethical reporting of all regulated restrictive practices in accordance with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 and the NDIS (Incident Management and Reportable Incidents) Rules 2018, The Disability Services Act 2011 (TAS) and associated Disability Services (Restrictive Practices) Regulations 2014.

All regulated restrictive practices used by Silaca Tasmania Pty Ltd must be reported to the NDIS Commission on a monthly basis via the NDIS Commission Portal, including nil-use reporting when no restrictive practices have been used during the period.

The Managers is responsible for monitoring restrictive practice reports to ensure compliance, identify opportunities for improvement, and support the reduction and elimination of restrictive practices. These reports will be used to:

- Identify actions for improving participant outcomes
- Provide feedback to:

- Staff members
- Participants and, with their consent, their informal supports or network
- Specialist Behaviour Support Providers

Silaca Tasmania Pty Ltd uses restrictive practice data to inform reflective practice, strengthen positive behaviour support approaches, and reduce or eliminate the use of restrictive practices over time.

## 4.0 Procedure

The designated reporting officer/s follow reporting guidelines outlined in the [NDIS Commission Portal User Guide for implementing providers: Reporting on the use of regulated restrictive practices](#).

If an unauthorised restrictive practice is used, staff must notify their supervisor immediately. This must be reported to the NDIS Commission as a reportable incident within five (5) business days. If the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

The designated reporting officer will work with Behaviour Support Practitioners to analyse the data, assess implementation fidelity, and recommend updates to Behaviour Support Plans where necessary.

Where consent is obtained, Silaca Tasmania Pty Ltd will share relevant restrictive practice data with participants, families, and external stakeholders to support collaborative decision-making and plan refinement.

### 4.1 Staff reporting

- Relevant staff must inform the designated officer/s when a restrictive practice is undertaken.
- Relevant staff must record the use of the restrictive practice via the organisation's reporting method (e.g. Behaviour Log).

Refer to the Reportable Incidents Involving Use of a Restrictive Practice Policy and Procedure for more information regarding additional reporting requirements.

### 4.2 Monitoring of restrictive practices

The designated reporting officer must complete and submit a monthly NDIS Commission report to the including when there is no use (nil report). Where a short-term authorisation is in place, monthly reporting still applies, unless otherwise specified by the NDIS Commission.

### 4.3 Recordkeeping and reporting

Our reporting process documents:

- compliance in the use of regulated restrictive practices
- reduction, minimisation and elimination of Regulated Restrictive Practices and the use of alternatives, where possible.

Records should include:

- proposed and authorised Behaviour Support Plans
- a description of the use of the regulated restrictive practice, including:
  - the impact on the participant or another person
  - any injury to the participant or another person
  - whether the use of the restrictive practice was a reportable incident
  - why the regulated restrictive practice was used
- a description of the participant's behaviour that led to the use of the regulated restrictive practice
- the time, date and place (relating to when the regulated restrictive practice started and ended)
- names and contact details of the persons involved in the use of the regulated restrictive practice
- names and contact details of any witnesses to the use of the regulated restrictive practice
- actions that were taken in response to the use of the regulated restrictive practice
- details of other less restrictive options considered or used before using the regulated restrictive practice
- actions taken leading up to the use of the regulated restrictive practice, including implementation of strategies focused on preventing the use of the practice.

Silaca Tasmania Pty Ltd must report to the NDIS Commission:

- monthly reports regarding the use of regulated restrictive practices, including when there is nil use of a regulated restrictive practice
- fortnightly reports where approval has been obtained for short term use of a regulated restrictive practice and while the approval is in force.

Record keeping and reporting will comply with Tasmanian Government and NDIS Commission regulatory requirements. Records will be held for a minimum of seven years from the day the record was made.

Records will be reviewed monthly as part of our quality management system. Information gathered will be analysed to identify patterns, improve person-centred supports, and evaluate whether the Behaviour Support Plan strategies are being implemented effectively.

Staff responsible for implementing restrictive practices will participate in supervision and reflective practice sessions to review data, enhance practice, and reduce reliance on restrictive measures.

## **5.0 Related documents**

- Behaviour Log
- Behaviour Support Plan

- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)
- Reportable Incident Involving the Use of Restrictive Practice Policy and Procedure
- Positive Behaviour Support Plan Review

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- [NDIS Commission Portal User Guide for Implementing Providers: Reporting on the use of regulated restrictive practices](#)
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS Code of Conduct
- NDIS Positive Behaviour Support Capability Framework
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- NDIS Practice Standards and Quality Indicators 2021 – Module 2a
- Tasmanian Office of the Senior Practitioner – Authorisation Guidelines
- NDIS Positive Behaviour Support Planning and Reporting Guidelines
- NDIS Behaviour Support Capability Framework (2021)

# Supporting the Assessment and Development of Behaviour Support Plans Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to guide the implementation of evidence-based behaviour support practices that are ethical, person-centred, and aligned with best practice frameworks.

Evidence-based practice integrates the best available research, the professional expertise of Behaviour Support Practitioners, and the input and lived experiences of participants. This approach ensures that Behaviour Support Plans (BSPs) are tailored to the individual needs, preferences, and circumstances of each person.

At Silaca Tasmania Pty Ltd, our goal is to implement evidence-informed strategies that promote quality care, meaningful engagement, and positive outcomes for all participants.

All Behaviour Support Plans must be person-centred, trauma-informed, and based on a comprehensive Functional Behaviour Assessment (FBA). The development of both the FBA and BSP must uphold the participant's rights to dignity, autonomy, and informed consent, ensuring that the process is respectful, empowering, and supportive of the participant's individual needs.

## 2.0 Scope

This policy applies to all Silaca Tasmania Pty Ltd staff involved in collecting evidence and building an understanding of each participant's needs. It includes collaboration with the participant and, where appropriate, their family, carers, guardians, and other authorised implementers. All information must be gathered with the participant's informed consent and in line with privacy, confidentiality, and safeguarding obligations.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to providing high-quality care and services through evidence-based practices that enhance participant outcomes. Our staff must possess the qualifications, skills, and experience necessary to effectively implement Behaviour Support Plans. All Behaviour Support Practitioners engaged by Silaca Tasmania Pty Ltd are required to be certified by the NDIS Quality and Safeguards Commission and meet the Positive Behaviour Support Capability Framework.

We utilise evidence-based practices in collaboration with Behaviour Support Practitioners to gather information for Functional Behaviour Assessments and other assessments. Our management team

ensures that staff have the appropriate skills to contribute to the development of Behaviour Support Plans. The strategies developed by Behaviour Support Practitioners are grounded in validated practices, research, and relevant laws and regulations.

Silaca Tasmania Pty Ltd promotes ongoing communication to review and evaluate evidence-based practices. We use various communication methods, including staff meetings, emails, phone, or video conferencing, depending on availability. These methods also facilitate gathering evidence from relevant stakeholders.

All relevant staff will receive training to enhance their understanding of positive behaviour supports and restrictive practices.

Silaca Tasmania Pty Ltd ensures that all Behaviour Support Practitioners are NDIS Commission-certified and operate within the Positive Behaviour Support Capability Framework, adhering to lawful and ethical standards in accordance with the Disability Services Act 2011 (TAS), the Tasmanian Positive Behaviour Support Framework, and applicable human rights frameworks.

## 4.0 Procedure

### 4.1 Evidence-informed practice

Our team collaborates with the Behaviour Support Practitioner and provides them with information on plan implementation. Data from only the most reliable and high-quality sources is collected and systematically evaluated to:

- plan and implement actions that will result in effective outcomes (short-term and long-term)
- consider the capacity of the participant, our organisation and the community
- understand and react sensitively to the specific context in which a health issue may occur (i.e. a setting, culture, history and available resources)
- recognise the moral, ethical, cultural and spiritual values that determine our organisation's actions
- identify how improvements will be made to a participant's health and development.
- be applied systematically to enable appropriate evaluation methods of the Behaviour Support Plan.

Functional Behaviour Assessments (FBAs) are completed by Behaviour Support Practitioners as part of the development of Comprehensive Behaviour Support Plans. Silaca Tasmania Pty Ltd supports this process by providing detailed observations, incident reports, behaviour logs, and environmental context to the practitioner.

All information must be gathered in a manner that safeguards participant dignity, respects their privacy, and follows informed consent procedures.

## **4.2 Collaborating with Behaviour Support Practitioners**

Our organisation's collaboration with Behaviour Support Practitioners include:

- providing feedback on Behaviour Support Plan implementation to:
  - deliver services
  - assess strategies in the plan
  - evaluate the effectiveness of current approaches used to reduce or eliminate restrictive practices
- reviewing and discussing the Behaviour Support Plan with the practitioner
- gathering evidence as required by the Behaviour Support Practitioner to provide complete insight into what is occurring for the participant
- identifying barriers, discussing evidence and responses to strategies during staff meetings (face-to-face, videoconference or teleconference)
- using information gathered to assist the Behaviour Support Practitioner's review process
- permitting staff to undertake person-focused training, coaching, and mentoring by the Specialist Behaviour Support Provider to understand a participant's Behaviour Support Plan strategies, including their positive behaviour support strategies.

Implementing Providers have a key role in ensuring the BSP is implemented as intended, monitored, and regularly reviewed. Silaca Tasmania Pty Ltd supports practitioners to review interim BSPs within one month of implementation, develop comprehensive plans within 6 months of when the regulated restrictive practice was first used, and review all plans at least annually or as required by changes in circumstances.

Staff are supported to participate in ongoing mentoring and reflective practice sessions with Behaviour Support Practitioners to ensure strategies are applied consistently and effectively.

## **4.3 Staff requirements**

In addition to relevant qualifications and experience, staff must also demonstrate commitment to rights-based, person-centred, and trauma-informed approaches when supporting participants with behaviour support needs. Silaca Tasmania Pty Ltd ensures ongoing training is available to meet these requirements.

## 5.0 Related documents

- Behaviour Log
- Individual Risk Assessment Profile
- Behaviour Support Plan and Functional Behaviour Assessment
- Lifestyle Plan (see Support Plan)
- Medical Reports (from health practitioners)
- Behaviour Management Meeting Agenda and Minutes
- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)
- Consent Form – Use of Restrictive Practice
- Annual Organisational Training Register and Review

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS (Provider Registration and Practice Standards) Rules 2018
- NDIS Code of Conduct
- NDIS Practice Standards – Module 2a: Implementing Behaviour Support
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- Positive Behaviour Support Capability Framework (2021)
- Tasmanian Guardianship and Administration Board Authorisation Procedures

# Behaviour Support Plan Implementation Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to guide the implementation of Behaviour Support Plans (BSPs) in a way that prioritises the rights, safety, dignity, and wellbeing of participants. We are committed to ensuring that our approach aligns with evidence-based practices that are ethical, person-centred, and consistent with best practice frameworks.

Our focus is on reducing and eliminating restrictive practices wherever possible, integrating the best available research, the expertise of Behaviour Support Practitioners, and the lived experiences of participants. This ensures that each BSP is tailored to meet the unique needs, preferences, and circumstances of the individual.

## 2.0 Scope

This policy applies to all staff responsible for implementing behaviour support strategies, including any regulated restrictive practices. Staff are required to adhere to TAS authorisation protocols and meet NDIS reporting obligations as part of their duties.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to working closely with Behaviour Support Practitioners to ensure the effective implementation of Behaviour Support Plans. These plans are developed in accordance with the NDIS Commission's requirements and are authorised before any regulated restrictive practices are used.

As an implementing provider in Tasmania (TAS), Silaca Tasmania Pty Ltd utilises the NDIS Commission's Online Provider Portal to lodge Behaviour Support Plans and complete mandatory monthly reporting on the use of regulated restrictive practices, including nil-use reporting when applicable. Only Behaviour Support Practitioners certified by the NDIS Quality and Safeguards Commission are permitted to develop and submit Behaviour Support Plans.

Behaviour support plans that contain restrictive practices are authorised through Tasmania's Restrictive Practices Authorisation Process, in compliance with the NDIS Quality and Safeguards Commission's guidelines and Tasmanian regulations. Silaca Tasmania Pty Ltd upholds strict adherence to the Positive Behaviour Support Capability Framework throughout the implementation process. Unauthorised restrictive practices are strictly prohibited by Silaca Tasmania Pty Ltd. Any emergency or unauthorised

use must be reported to the NDIS Commission within five business days. If the incident has resulted in harm to a person with disability, it must be reported within 24 hours.

Staff are continually supported through training to ensure they have the skills to effectively implement strategies outlined in the Positive Behaviour Support Capability Framework, including the use of restrictive practices. The Managers oversees staff performance to ensure the correct application of Behaviour Support Plan strategies.

Each staff member undergoes an annual performance review, which evaluates their competency in implementing the strategies outlined in participant Behaviour Support Plans. If additional training or retraining is needed, the Managers ensures it is promptly arranged.

### **3.1 Cultural sensitivity**

All participants have the right to enjoy and benefit from their own culture, practise their religion and use their language. The supports and services we provide to participants are family-centred and culturally inclusive. When delivering supports, our staff consider the participant's culture, religion, beliefs, linguistic circumstances, family requirements and gender.

Staff must also apply trauma-informed practice and seek cultural consultation or liaison when working with Aboriginal and Torres Strait Islander participants or those from culturally and linguistically diverse backgrounds.

## **4.0 Procedure**

### **4.1 Working with Specialist Behaviour Support Providers**

Silaca Tasmania Pty Ltd works with the Specialist Behaviour Support Provider to:

- implement strategies as per plan
- determine the best means of gathering evidence-based information
- collect evidence-based practice information
- provide positive behaviour support to the participant
- assist our staff in gaining the required skills to implement restrictive practices consistently
- provide staff training in the use and monitoring of behaviour support strategies and positive behaviour support.

While the Specialist Behaviour Support Provider is responsible for developing and lodging the Behaviour Support Plan with the NDIS Commission, Silaca Tasmania Pty Ltd supports the implementation by collecting data, monitoring fidelity, and providing regular feedback.

Staff must be actively involved in the evaluation of plan effectiveness and contribute to review processes within:

- 1 month – Interim Plan
- 5 months – Comprehensive Plan
- 12 months – Plan Review

#### **4.2 Collaboration with other providers**

When collaborating with other providers Silaca Tasmania Pty Ltd will:

- identify all other service providers working with a participant
- contact the other service providers to arrange a meeting or consultation
- share information with other providers (with the participant consent) to determine best supports and care for the participant
- record shared information to advise the Specialist Behaviour Support Provider, as necessary.

When multiple providers are involved, Silaca Tasmania Pty Ltd will collaborate to ensure consistency in the implementation of the Behaviour Support Plan and the appropriate use of any restrictive practices. This includes sharing the most up-to-date BSP with consent, and confirming that all staff across providers understand and implement the strategies appropriately.

#### **4.3 Staff training**

Silaca Tasmania Pty Ltd undertakes staff induction that includes all requirements of the NDIS Positive Behaviour Support Capability Framework and the NDIS Practice Standards and Quality Indicators 2021. Staff are trained in the safe use of restrictive practices as per the Behaviour Support Plans.

Staff must complete mandatory training in the Positive Behaviour Support Capability Framework domains, including values-based and trauma-informed care, person-centred approaches, functional behaviour assessment, and safe implementation of restrictive practices.

Staff involved in the use of restrictive practices must also receive ongoing supervision and competency evaluations to ensure safe, lawful and ethical implementation.

The Managers undertakes an annual performance review with each staff member, where professional development and currency are reviewed. The annual performance review requires staff to undertake a self-assessment against their position description and any allocated key performance indicators.

Reflective practice, peer feedback, and ongoing professional development will be embedded through staff supervision, training registers, and implementation review sessions. These meetings allow for open discussion, peer review and adjustment of practices and ongoing professional development.

## 5.0 Related documents

- Staff Training Plan
- Staff Training Record
- Training Matrix for Individual Worker
- Training Needs Analysis
- Annual Organisational Training Register and Review
- Training Attendance Register – In House Training
- Worker Performance Management Review
- Behaviour Support Plan
- Behaviour Management Meeting Agenda and Minutes
- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)
- Consent Form – Use of Restrictive Practice
- Annual Organisational Training Register and Review
- [NDIS Reportable Incident Forms: Immediate and 5-Day Forms](#)

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS Practice Standards and Quality Indicators 2021
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- NDIS Code of Conduct
- NDIS Positive Behaviour Support Capability Framework
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- Tasmanian Office of the Senior Practitioner – Authorisation Framework
- NDIS Behaviour Support Plan Capability Assessment Tools

# Behaviour Support Plan Review Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to ensure that Behaviour Support Plans are reviewed regularly and in line with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018. Reviews are intended to promote the reduction or elimination of restrictive practices and support participants' changing needs, circumstances, and goals. Silaca Tasmania Pty Ltd is committed to safeguarding participant rights through timely, collaborative, and evidence-informed plan reviews.

## 2.0 Scope

This policy applies to all staff involved in the review, evaluation, and monitoring of Behaviour Support Plans. It includes those responsible for coordinating and participating in formal BSP reviews, contributing to the assessment of behaviour support strategies, and working in collaboration with Behaviour Support Practitioners to ensure plans remain current, effective, and aligned with the participant's needs and goals.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to a collaborative, person-centred approach to the monitoring and review of Behaviour Support Plans that include regulated restrictive practices. We encourage open communication and effective information sharing among all relevant parties to ensure behaviour support remains appropriate, ethical, and aligned with the participant's needs and goals.

An NDIS Behaviour Support Practitioner must review a Behaviour Support Plan that includes a regulated restrictive practice:

- when there is a change in circumstances (e.g. participant need, situation or progress creates a need for a more frequent review) requiring the plan to be amended as soon as practicable after the adjustment occurs
- at least every 12 months while the plan is in force.

## 4.0 Procedure

The Behaviour Support Plan is monitored using a combination of formal and informal approaches, including:

- feedback from the participant
- team meetings
- data collection
- recordkeeping
- incident reports
- feedback from other stakeholders
- supervision

Silaca Tasmania Pty Ltd will follow the NDIS (Restrictive Practices and Behaviour Support) Rules 2018 and work with the Behaviour Support Provider to record information and data as required. Silaca Tasmania Pty Ltd will contribute to Behaviour Support Plan strategy reviews focusing on reducing or eliminating restrictive practices based on observed participant progress or positive changes.

Staff must notify the Managers immediately where they observe:

- escalation in behaviours of concern
- incidents involving use of restrictive practices
- medication changes impacting behaviour
- positive behaviour improvements indicating the possible fading out of a restrictive practice.

The Managers will coordinate the collation of relevant data, incident reports, stakeholder input, and staff observations and forward this to the Specialist Behaviour Support Practitioner for formal review.

Silaca Tasmania Pty Ltd will:

- Monitor participant progress through daily records, incident reports, behaviour logs, and stakeholder feedback
- Ensure all restrictive practices are reviewed collaboratively with the Behaviour Support Practitioner
- Contribute data and insights to ensure review decisions are based on accurate, up-to-date evidence
- Escalate review requests to the Behaviour Support Practitioner when a significant change is observed (e.g., change in behaviour intensity/frequency, injury, new medication, risk increase)
- Ensure the updated Behaviour Support Plan is submitted to the NDIS Commission and reauthorised under TAS law if any restrictive practices change.

## 5.0 Related documents

- Behaviour Support Plan and Functional Behaviour Assessment
- Behaviour Log
- Support Plan Review Report
- Positive Behaviour Support Plan Review
- Consent Form – Use of Restrictive Practice
- Consent Form - Restrictive Practice Submission
- [NDIS Immediate Form](#)
- [NDIS 5-Day Form](#)
- Behaviour Management Meeting Agenda and Minutes
- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS Practice Standards and Quality Indicators 2021
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS Code of Conduct
- NDIS Behaviour Support Plan Capability Framework (2021)
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- Tasmanian Office of the Senior Practitioner – Authorisation and Review Guidelines
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

# Reportable Incidents Involving the use of Restrictive Practice Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to ensure a timely, lawful, and trauma-informed response to all emergency and unauthorised uses of restrictive practices. Silaca Tasmania Pty Ltd is committed to upholding the rights and dignity of participants and works to eliminate unauthorised use of restrictive practices through comprehensive reporting, review, and continuous quality improvement processes.

All emergency or unauthorised use of restrictive practices must be reported to the required regulatory bodies. As such, this policy provides clear guidance for Silaca Tasmania Pty Ltd staff on how to respond appropriately in these situations, ensuring accountability and safeguarding participant wellbeing.

## 2.0 Scope

This policy applies to all Silaca Tasmania Pty Ltd staff involved in any situation where a restrictive practice is used in an emergency or without authorisation. It covers the actions required to respond, report, and review such incidents to ensure the safety and rights of participants are upheld.

The policy applies across all service settings and supports a consistent, lawful, and person-centred approach to managing unauthorised or emergency use of restrictive practices.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to upholding the highest standards of safety, dignity, and human rights for all participants. In alignment with the NDIS Practice Standards, the NDIS Code of Conduct, and relevant Commonwealth, state, and territory legislation, we prioritise person-centred care and safeguarding measures.

Silaca Tasmania Pty Ltd staff are responsible for always ensuring the safety of our participants. Following an incident, and where appropriate, staff members must ensure that the participant is immediately referred to and assessed by a qualified medical practitioner.

All staff are required to act in accordance with the NDIS Code of Conduct, which includes obligations to act with integrity, ensure quality and safety, and respect the rights of participants.

All responses to restrictive practices must prioritise least restrictive, positive behaviour support strategies consistent with a participant's Behaviour Support Plan (BSP). In the event of an unauthorised restrictive practice, staff must:

- Immediately ensure the safety and wellbeing of the participant.
- Report the incident per the NDIS (Incident Management and Reportable Incidents) Rules 2018.
- Seek and document participant feedback (where appropriate), and
- Use this feedback to guide debriefing, care plan reviews, and ongoing support adjustments to ensure a person-centred approach

## 4.0 Procedure

The responsibilities of the Managers during an incident include:

- Providing immediate support to ensure the safety and wellbeing of the participant and others involved.
- Ensuring that any restrictive practice used is the least restrictive option, used only as a last resort, and consistent with the participant's Behaviour Support Plan and authorisations.
- Guiding staff through the situation, especially if they need support in safely applying the restrictive practice or making quick decisions.
- Communicating with relevant people, such as senior management, guardians, or emergency contacts, as required by internal policies and the seriousness of the incident.
- Ensuring that accurate records are kept and any relevant evidence (e.g. incident notes or surveillance footage) is preserved for review and reporting.
- Making sure the incident is clearly documented in the organisation's incident management system, in line with NDIS (Incident Management and Reportable Incidents) Rules 2018 and internal procedures.
- Ensuring that the incident is reported to relevant external authorities such as the NDIS Commission, within required timeframes, especially if the use of restrictive practice meets the criteria for a reportable incident.

### Regulated restrictive practices as reportable incidents

#### 5-day notification

Silaca Tasmania Pty Ltd must complete a [5-Day Notification online form](#) through the 'My Reportable Incident' page on the NDIS Commission Provider Portal. When a participant discloses an incident in the past, it will be treated in the same way as any other reportable incident, noting that the immediate response may differ.

#### Immediate notification – report within 24 hours

Silaca Tasmania Pty Ltd must complete an [Immediate Notification online form](#) through the NDIS Commission Provider Portal. The form must be completed within 24 hours of Silaca Tasmania Pty Ltd

becoming aware of a reportable incident or allegation occurring in connection with NDIS supports or services and the event of:

- the death of an NDIS participant
- serious injury of an NDIS participant
- abuse or neglect of an NDIS participant
- unlawful sexual or physical contact with, or assault of, an NDIS participant
- sexual misconduct committed against, or in the presence of, an NDIS participant, including grooming of the NDIS participant for sexual activity
- unauthorised use of a restrictive practice.

### **Unauthorised use of restrictive practice**

All staff must immediately report any unauthorised or emergency use of a restrictive practice. These are considered reportable incidents and must be reported to the NDIS Commission within required timeframes.

Each unauthorised use must be:

- Reported immediately to the Managers
- Logged in the Behaviour Log and Incident Register
- Entered into the Incident Register, and
- Reported to the NDIS Commission as a reportable incident within the required timeframes as applicable:
  - 24 hours
  - 5 business days

In response to an emergency or unauthorised use of the restrictive practice, Silaca Tasmania Pty Ltd will collaborate with mainstream providers, including:

- police or other emergency services
- mental health and emergency departments
- treating medical practitioners
- other allied health professionals.

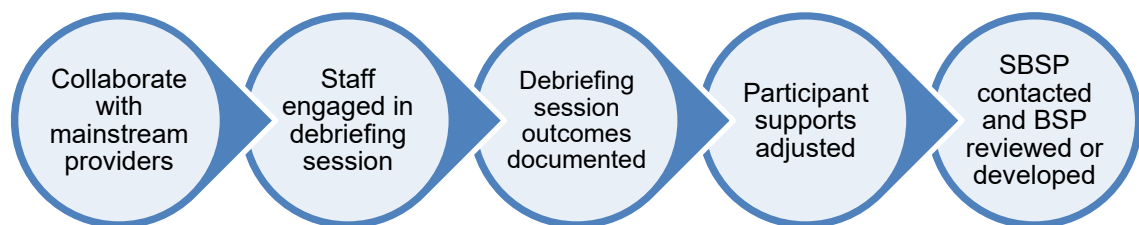
Medical review following any restrictive practice must occur if there is:

- Actual or suspected injury
- Known adverse medication reaction
- Signs of distress or trauma following the practice

After an incident, the Managers will conduct a debriefing session with relevant staff and the participant, to identify improvement areas to inform future practices. All debriefing outcomes will be documented (e.g. Debriefing Form - Staff). If required, a debriefing with the participant will also be held and documented (e.g. Debriefing Form - Participant).

Supports are adjusted from information gained through the engagement of the Behaviour Support Practitioner, who will develop and review the Behaviour Support Plan as per NDIS (Restrictive Practices and Behaviour Supports) Rules 2018.

**Diagram 1. Debriefing and plan adjustment process**



Following the use of a reportable restrictive practice, a structured post-incident response process is undertaken to support continuous improvement and safeguard participant wellbeing:

- Collaborate with Mainstream Providers:
  - The provider consults and coordinates with external and mainstream service providers involved in the participant's care to ensure holistic understanding and continuity of supports.
- Staff Engaged in Debriefing Session
  - All relevant staff involved in the incident participate in a debriefing session. This provides an opportunity to reflect on the incident, explore contributing factors, and assess practice alignment with the participant's Behaviour Support Plan (BSP).
- Debriefing Session Outcomes Documented
  - The outcomes of the debrief are recorded, including key observations, identified issues, and recommendations. This documentation supports transparency and informs necessary updates to participant supports.
- Participant Supports Adjusted
  - Based on insights from the debrief, adjustments are made to the participant's daily supports, environmental factors, or staff interaction strategies to reduce future reliance on restrictive practices.
- Specialist Behaviour Support Practitioner (SBSP) Contacted and BSP Reviewed or Developed
  - If warranted, a Specialist Behaviour Support Practitioner is contacted. The participant's BSP is reviewed or newly developed in alignment with the NDIS (Restrictive Practices and Behaviour Support) Rules 2018, ensuring it reflects up-to-date positive behaviour support strategies.

**The Managers is responsible for:**

- Initiating and overseeing the entire post-incident process, including staff debriefing, documentation, and communication with external providers.
- Organising, facilitating, or delegating the facilitation of debriefing sessions to ensure meaningful staff reflection and timely response to incidents.
- Ensuring debriefs outcomes, incident reports, and any adjustments to supports are accurately documented in accordance with organisational procedures and NDIS rules.
- Leading the review and modification of participant supports in collaboration with support workers, therapists, and behaviour practitioners.
- Contacting the relevant Specialist Behaviour Support Practitioner, coordinating the review or development of the Behaviour Support Plan, and ensuring any restrictive practice is appropriately authorised and reviewed.
- Monitoring that all actions taken are compliant with the NDIS (Incident Management and Reportable Incidents) Rules 2018, the NDIS Practice Standards, and relevant state/territory legislation.

#### **4.1 Crisis response**

A crisis response may be required in situations where:

- there is a clear and immediate risk of harm linked to behaviour(s), specifically new or a previously inexperienced degree of severity in the escalation of behaviour, and
- there is no Interim or Behaviour Support Plan in place.

Our crisis response should:

- involve the minimum amount of restriction or force necessary
- use the least intrusive restrictive practices, which must only be applied for as long as is needed to manage the risk
- never be used as a systematic behaviour support strategy.

A crisis response involving the application of an unauthorised regulated restrictive practice constitutes a reportable incident. Until authorisation is obtained, it remains an unauthorised restrictive practice. Each occasion where the practice is used constitutes a reportable incident. The NDIS (Incident Management and Reportable Incident) Rules 2018 are followed, and the NDIS Commission is informed of crisis incidents.

The Office of the Senior Practitioner will be informed upon the emergency use of the restrictive practice.

It is anticipated that a crisis response will be needed again. It must be included in a Behaviour Support Plan or Interim Behaviour Support Plan, and authorisation for its use must be sought.

A registered Behaviour Support Practitioner must be engaged to develop:

- an Interim Behaviour Support Plan that includes provision for the use of the regulated restrictive practice within one month after being engaged to create the plan
- a Behaviour Support Plan that includes provision for the use of the regulated restrictive practice within six months after being engaged to develop the plan.

Any unauthorised use of a restrictive practice in a crisis must be reported to the NDIS Commission as a reportable incident. The restrictive practice cannot continue to be used unless it is included in an Interim Behaviour Support Plan or a Comprehensive Behaviour Support Plan and has been authorised by the appropriate Tasmanian body.

**Diagram 2. Behaviour support plan development and review timeline**



## **4.2 Restrictive practice authorisation**

A restrictive practice may only be used as part of a planned response to an adult participant's behaviour that causes harm. It has been demonstrated that such a response is the least restrictive way of ensuring the participant's safety or others, as is practicable in the circumstances. The Behaviour Support Practitioner undertakes the appropriate assessment and develops a Behaviour Support Plan.

The participant's Behaviour Support Plan must be registered with the Office of the Senior Practitioner as per procedures listed in the Regulated Restrictive Practices Policy and Procedure. The registration is recorded in the participant's documentation with the identified outcomes from the Office of the Senior Practitioner.

Staff are required to follow the Behaviour Support Plan.

Guidance on restrictive practice is outlined in the table below, and this information is used in the event of the emergency use of the restrictive practice.

| Restraint descriptions    | What a restraint is NOT           |
|---------------------------|-----------------------------------|
| <b>Chemical restraint</b> | <b>Chemical restraint is NOT:</b> |

| Restraint descriptions                                                                                                                                                                                                                                    | What a restraint is NOT                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The use of medication or chemical substances for the primary purpose of influencing a person's behaviour.                                                                                                                                                 | The use of a chemical substance prescribed by a medical or nurse practitioner for the treatment, or to enable the treatment of a mental or physical illness or condition, and a chemical substance per the prescription.      |
| <b>Environmental restraint</b><br><br>Any action or system that limits a person's ability to freely access the person's surroundings or a particular thing or engage in an activity.                                                                      | <b>Environmental restraint is NOT:</b><br><br>The use of reasonable safety precautions such as a fence around a primary school playground.                                                                                    |
| <b>Mechanical restraint</b><br><br>The use of a device to prevent, restrict or subdue the movement of all or part of a person's body.                                                                                                                     | <b>Mechanical restraint is NOT:</b><br><br>The use of the device to ensure the person's safety when travelling; or the use of a device for therapeutic purposes.                                                              |
| <b>Physical restraint</b><br><br>The use or action of physical force to stop, limit or subdue the movement of a person's body or part of the person's body.                                                                                               | <b>Physical restraint is NOT:</b><br><br>The reflex action of reasonable physical force and duration is intended to guide or direct a person in the interests of the person's safety where there is an imminent risk of harm. |
| <b>Seclusion</b><br><br>The solitary confinement of a person, at any time of the day or night, in a room or other space from which free exit is prevented, either implicitly or explicitly, or not facilitated.                                           | <b>Seclusion is NOT:</b><br><br>Social isolation is where a child or vulnerable person is in a space away from others.                                                                                                        |
| <b>Verbal directions or gestural conduct of a coercive nature</b><br><br>The use of verbal or non-verbal communication that degrades humiliates, or forces a person into a position of powerlessness or a verbal threat result in a restrictive practice. | <b>Coercion is NOT:</b><br><br>Stating expectations or rules<br>Giving a person directions or instructions to assist them to self-regulate.                                                                                   |

Restrictive practices must be accompanied by a positive Behaviour Support Plan that emphasises developing positive, socially valued skills and strategies for reducing challenging behaviour. The objective of this plan is to eliminate as much as possible the need for restrictive practice.

Silaca Tasmania Pty Ltd will collaborate with all service providers providing the participant services and always follow the Behaviour Support Plan. The Behaviour Support Plan details the restrictive practice requirements, including planned responses that our staff must follow.

Silaca Tasmania Pty Ltd will only use a restrictive practice where it:

- complies with the consent of the relevant decision-maker
- is necessary to prevent the participant's behaviour from causing harm to themselves or others
- is the least restrictive way of ensuring the safety of the participant or others (as is practicable in the circumstances)
- complies with the Behaviour Support Plan.

Authorisation of the restrictive practice depends on:

- whether the use of the restrictive practice is planned or unplanned
- the type of restrictive practice (containment or seclusion, chemical, mechanical, physical restraint, or environmental)
- approval from the relevant authorising body
- currency of the approval (approval must be within the review date stated in the Outcomes of the submission)

Restrictive practices must not be implemented unless they are clearly authorised under a lodged Behaviour Support Plan or Interim Behaviour Support Plan developed by a Specialist Behaviour Support Practitioner deemed suitable by the NDIS Commission.

#### **4.2.1 Reporting restrictive practice use**

Restrictive practice use must be reported:

- Monthly via the NDIS Commission Portal, even when nil use occurs

### **4.3 Minimum requirements for the use of regulated restrictive practices**

The regulated restrictive practice must:

- be identified in the Behaviour Support Plan
- be authorised under Office of the Senior Practitioner's processes
- be used only as a last resort in response to the risk of harm to the person with a disability or others, and after the Provider has explored and applied evidence-based, person-centred and proactive strategies
- be the least restrictive response possible in the circumstances to ensure the safety of the person or others
- reduce the risk of harm to the participant or others
- be in proportion to the potential negative consequence or risk of harm
- be used for the shortest possible time to ensure the safety of the participant or others.

The participant must also be given opportunities to be involved in community activities and develop new skills that can potentially assist in reducing or eliminating the need for regulated restrictive practices in the future.

### **4.4 Consent**

Consent must be obtained from the participant or their guardian before authorising a regulated restrictive practice. Consent must be voluntary, informed, specific and current.

**Voluntary consent:** A participant must be free to exercise genuine choice about giving or withholding consent. Meaning they have not been pressured or coerced into a decision, and they have been provided with all information they need in a format they understand. Voluntary consent requires that the participant be not affected by medications or other drugs or alcohol.

**Informed consent:** A participant's capacity to make decisions will vary depending on the type of decision or its complexity, or how they feel on the day. The way information is provided to a participant will also affect their capacity to make decisions. Choices must be offered in a way that the participant understands (e.g., using images or signing). Support, where required, will be provided for the participant to communicate their consent.

**Specific consent:** Consent must be sought from the participant, guardian or advocate for a particular restriction every time authorisation is requested.

**Current consent:** Consent cannot be assumed to remain the same indefinitely as the participant's circumstances will likely change. The participant, guardian or advocate are entitled to change their minds and revoke consent later.

All consent must be supported in accordance with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Silaca Tasmania Pty Ltd promotes supported decision-making and the participant's right to say no. Consent is not valid if obtained under pressure, misunderstanding, or without appropriate support.

## 5.0 Related documents

- Debriefing Form – Participant
- Debriefing Form - Worker
- Incident Report
- Incident Investigation Form
- Incident Investigation Final Report
- Incident Register
- [NDIS Behaviour Support Plan](#)
- [NDIS Interim Behaviour Support Plan](#)
- Consent Form – Use of Restrictive Practice
- Consent Form Restrictive Practice – Submission
- Easy Read - Consent Form Behaviour Support Plans and Restrictive Practices
- For additional forms, see Appendix 2:
  - NDIS Reportable Incident – Immediate Notification
  - NDIS Reportable Incident – 5-Day Notification

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS Code of Conduct
- NDIS (Restrictive Practices and Behaviour Supports) Rules 2018
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- [NDIS Commission Portal User Guide for implementing providers: Reporting on the use of regulated restrictive practices.](#)
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)  
Positive Behaviour Support Capability Framework (2021)
- NDIS (Behaviour Support Plan Development) Guidelines
- Tasmanian Office of the Senior Practitioner – Restrictive Practice Authorisation Procedures
- NDIS Practice Standards – Module 2a: Implementing Behaviour Support

# Interim Behaviour Support Plans Policy and Procedure

## 1.0 Purpose

The Interim Behaviour Support Plan focuses on mitigating risks for a participant and the people around them. The purpose of this policy is to ensure that participants with an immediate need for a Behaviour Support Plan receive an Interim Behaviour Support Plan based on evidence-based practice.

An Interim Behaviour Support Plan must be developed by a Specialist Behaviour Support Practitioner who is considered suitable by the NDIS Commission. Silaca Tasmania Pty Ltd supports this process by providing data, observations, and implementation oversight in line with the Positive Behaviour Support Capability Framework.

The goal of the Interim Behaviour Support Plan is to implement the least restrictive, evidence-informed strategies for managing behaviours of concern while a comprehensive Functional Behaviour Assessment and Behaviour Support Plan are developed. It must be lodged with the NDIS Commission within one month of implementation.

An Interim Behaviour Support Plan provides authority to use a restrictive practice for a maximum of five months while assessments are undertaken, and a Behaviour Support Plan is developed.

Silaca Tasmania Pty Ltd will attach the Interim Behaviour Support Plan when informing the NDIS Commission of restrictive practices and commence monthly reporting via the NDIS Commission's C-BAS Portal. Silaca Tasmania Pty Ltd works with the Behaviour Support Plan Provider to assess and develop all Behaviour Support Plans, as required.

## 2.0 Scope

Silaca Tasmania Pty Ltd works with the Specialist Behaviour Support Provider to develop the Interim Behaviour Support Plan and facilitate relevant staff training sessions.

Our staff are required to follow the NDIS Code of Conduct when implementing Behaviour Support Plans.

This policy applies to all Silaca Tasmania Pty Ltd staff involved in the implementation of Interim Behaviour Support Plans. It does not apply to Specialist Behaviour Support Practitioners, who are responsible for developing and lodging Interim Plans with the NDIS Commission.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to working in partnership with Specialist Behaviour Support Providers and mainstream service providers (e.g. police, emergency services, mental health practitioners, emergency departments, treating medical practitioners and other allied health clinicians) to contribute meaningfully to the development of Interim Behaviour Support Plans.

Silaca Tasmania Pty Ltd collaborates with Behaviour Support Practitioners to support the timely and effective development of Interim Behaviour Support Plans. Staff are supervised, supported, and provided with training to ensure that behaviour support strategies, including any regulated restrictive practices, are implemented in accordance with the plan, the NDIS Practice Standards, and human rights principles.

Where appropriate, the Behaviour Support Provider may develop an Interim Behaviour Support Plan that includes behaviour supports and regulated restrictive practices. These plans should prescribe:

- Preventative strategies to reduce the likelihood of the behaviour of concern;
- Escalation strategies to intervene early and reduce risk;
- Incident management strategies to respond safely and effectively during occurrences of the behaviour of concern, to de-escalate and resolve the incident swiftly;
- Information recording and reporting processes, including mandatory reporting of restrictive practices to the NDIS Commission.

For each participant, the following must be undertaken within one month:

- participant consent should be obtained
- the interim authorisation should be sought from the Managers.
- the Managers (or a suitable delegate) will consider the content of the Interim Behaviour Support Plan for behaviour supports
- the Managers must be satisfied that the strategies outlined in the plan represent the least restrictive options with an adequate evidence base for managing the risk
- the Managers (or a suitable delegate) will specify the interim authorisation duration, which should be the shortest duration required to manage the risk and must not be longer than five months.
- The Managers (or a suitable delegate) will report fortnightly to the NDIS Quality and Safeguards Commission on any use of restrictive practices for the interim authorisation duration.

For each participant, the following must be undertaken within six months:

- authorisation obtained for their Behaviour Support Plan
- restrictive practice is discontinued if it is not approved or contained in the Behaviour Support Plan.

Where approval for the short-term regulated restrictive practise has been obtained, Silaca Tasmania Pty Ltd must submit reports to the NDIS Commission every two weeks or as negotiated while the approval is in force.

## 4.0 Procedure

The Interim Behaviour Support Plan (IBSP) is developed using the best available information and an immediate assessment of risk to ensure the safety of the participant and others. While a full Functional Behaviour Assessment (FBA) may not yet be completed, the Specialist Behaviour Support Practitioner must begin this assessment concurrently with the development of the Interim Plan.

The development of the plan involves obtaining the participant's informed consent and consulting with all relevant stakeholders, including family, carers, substitute decision-makers, NDIS providers, and mainstream services. This ensures that all proposed supports are appropriate, reasonable and necessary, and are accepted by the Implementing Provider.

The NDIS Quality and Safeguards Commission provides a nationally approved Interim Behaviour Support Plan template, consistent with Section 23 of the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018, which guides the required format and content of the Interim Plan.

The Interim Behaviour Support Plan must outline the immediate supports required for the participant's safety and wellbeing, as well as any support services necessary to manage behaviours of concern. The plan must include interim strategies and protocols that are safe, evidence-informed, and modifiable once the full assessment process concludes and a Comprehensive Behaviour Support Plan is in place.

Consent for the Interim Behaviour Support Plan must be documented using the Consent to Share Information Form or equivalent. This consent must be signed by the participant or their legally appointed decision-maker in accordance with the Disability Services Act 2011 (TAS), the Disability Services Regulations 2015, and the Tasmanian Authorisation Framework for Restrictive Practices. This documentation must be retained in the participant's record and uploaded to the NDIS Commission portal where required.

While the Interim Plan is in place, the Specialist Behaviour Support Practitioner must take the following steps to prepare for the comprehensive plan, including but not limited to:

- Conducting risk evaluations for the participant and others
- Consulting with family, carers, substitute decision-makers, and other involved parties
- Collaborating closely with the Implementing Provider and support staff
- Ensuring regular, clear communication with all stakeholders
- Recording and reporting behaviours accurately and in a timely manner
- Identifying and reviewing available behaviour data and incident reports
- Recommending protective environmental adjustments (e.g., routines, spaces, activities)

- Delivering training and coaching to the Implementing Provider
- Engaging with relevant professionals or clinical specialists, where required  
Applying flexible interim strategies that are safe to adjust or withdraw over time
- Coordinating with emergency services or police where relevant for high-risk situations

All activities undertaken must also align with the Tasmanian Disability Services Act 2011 and the Tasmanian Restrictive Practices Authorisation Framework for NDIS providers, including required applications to the relevant Tasmanian government authority, as stipulated by the Tasmanian legislation and guidelines, and compliance with all other relevant Tasmanian government guidelines, authorisation processes, and safeguarding legislation. Silaca Tasmania Pty Ltd will ensure that they are aware of, and adhere to, the current Tasmanian government authority, and application process.

## 5.0 Related documents

- [NDIS Interim Support Plan](#)
- [NDIS Comprehensive Behaviour Support Plan](#)
- Behaviour Support Plan and Functional Behaviour Assessment

## 6.0 References

- Disability Service Act 2011 (TAS)
- Disability Services Regulations 2015 (TAS)
- NDIS (Provider Registration and Practice Standards) Rules 2018
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- NDIS Practice Standards and Quality Indicators 2021
- NDIS Commission Portal User Guide for implementing providers: Reporting on the use of regulated restrictive practices
- NDIS Commission: Interim Behaviour Support Plan Guidance
- NDIS (Behaviour Support) – Monthly Reporting via C-BAS Portal – Provider Guide
- Positive Behaviour Support Capability Framework (2021)
- Tasmanian Guardianship and Administration Board (GAB) – Restrictive Practice Authorisation Guidelines
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

# Professional Development Policy and Procedure

## 1.0 Purpose

The purpose of this policy is to ensure that Silaca Tasmania Pty Ltd actively supports and promotes the ongoing professional development of all employees. We are committed to fostering a culture of continuous learning to ensure our workforce maintains up-to-date skills, knowledge, and the ability to deliver high-quality, evidence-based, and person-centred supports.

Through structured learning opportunities, training, and reflective practice, Silaca Tasmania Pty Ltd aims to empower staff to grow professionally, meet changing participant needs, and uphold the standards expected under our quality framework. This commitment directly contributes to the delivery of safe, effective, and responsive services for all participants.

## 2.0 Scope

This policy applies to all Silaca Tasmania Pty Ltd staff who are involved in the implementation, coordination, monitoring, or oversight of Behaviour Support Plans. It includes Behaviour Support Practitioners, Clinical Supervisors, support staff, and any team members responsible for the delivery of behaviour support services or the use of regulated restrictive practices.

## 3.0 Policy

Silaca Tasmania Pty Ltd is committed to fostering a highly skilled, knowledgeable, and professional workforce. We recruit employees who are experts in their respective fields and support their continuous growth through structured professional development (PD) initiatives.

To uphold our commitment to excellence, Silaca Tasmania Pty Ltd provides relevant opportunities for professional development and implements systems to monitor and support each employee's ongoing performance. This includes both internal training and the provision of time to attend external PD activities that are identified as beneficial to the individual and the organisation.

In alignment with the NDIS Practice Standards Module 2A – Implementing Behaviour Support Plans, Silaca Tasmania Pty Ltd ensures that employees involved in behaviour support or the implementation of restrictive practices have the necessary skills, training, and supervision to carry out their responsibilities in accordance with positive behaviour support principles. This includes:

- Understanding and applying proactive and person-centred strategies;

- Complying with authorisation and reporting obligations under the NDIS (Restrictive Practices and Behaviour Support) Rules 2018; and
- Participating in reflective practice, coaching, and skill-building activities to strengthen behavioural competency.

While Silaca Tasmania Pty Ltd actively supports and encourages lifelong learning, each employee and contractor is ultimately responsible for their own professional development. This includes maintaining current industry knowledge, upholding best practice standards, and ensuring compliance with relevant legislation and NDIS Quality and Safeguards Commission expectations.

## 4.0 Procedure

Professional development for industry currency, skills and knowledge can include, but is not limited to:

- attendance at relevant professional workshops, seminars and conferences on learning or assessment
- participation in networking, communities of practice or mentoring activities
- reviewing data from industry networks/stakeholders
- researching information from regulatory bodies
- reading of industry journals
- participating in industry projects
- engaging with professional and relevant industry bodies
- undertaking further training and/or accredited courses.

Silaca Tasmania Pty Ltd requests employees to provide evidence of ongoing professional development. The purpose of evidence is to tangibly demonstrate a specific achievement or outcome of professional development and learning.

Any employee who completes nationally recognised qualification courses are asked to submit evidence which may include, but is not limited to:

- mapping information to demonstrate industry experience that matches the requirements of the position they currently hold
- schedules or reports on return to industry activities, testimonials, etc.
- certified copies of qualifications (signed by Justice of the Peace)
- a current copy of their resume
- a journal detailing any industry consultation or industry reading completed throughout the year.

Employees must also provide a list of any personal development undertaken for the past 12 months and any proposed personal development plan for the coming 12 months.

The following documents are used to record staff training within Silaca Tasmania Pty Ltd:

- Training Matrix for Individual Worker: Used to demonstrate currency and professional development.
- Training Record: Records training that the employee undertakes; the record is completed and filed in the employee's personnel record.
- Training – Annual Review of Training Provided: Used by the Managers to record all training offered to employees during a prescribed date (usually annually).
- Training Attendance Register – In House Training: Records any in-house training conducted for staff relating to an individual behavioural support requirement or a specific need.

The training documents, used alongside this policy, demonstrate Silaca Tasmania Pty Ltd's systematic approach to our employees' professional development. All staff must submit evidence of PD aligned with the core competencies of their role. For Behaviour Support Practitioners, Silaca Tasmania Pty Ltd will maintain up-to-date Capability Framework mapping and supervision records.

## 5.0 Related documents

- Staff Training Plan
- Staff Training Record
- Training Needs Analysis
- Annual Organisational Training Register and Review
- Training Matrix for Individual Worker
- Training Attendance Register – In House Training
- Worker Performance Management Review
- Statement of Attendance Certificate

## 6.0 References

- NDIS Practice Standards and Quality Indicators 2021
- NDIS (Restrictive Practices and Behaviour Support) Rules 2018
- Positive Behaviour Support Capability Framework (2021)
- NDIS Code of Conduct
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

# Appendix 1 – Definitions

| Term                                   | Descriptions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Behaviour Support Plan</b>          | <p>The BSP is a document or series of linked documents that outlines strategies designed to deliver a level of behaviour support appropriate to a person's needs. A behaviour support plan has a preventative focus and is usually required to have a responsive focus. The plan should include multiple elements, reflecting the level of complexity, assessed needs, parameters and context of the service agreement. A Behaviour Support Plan can be either of the following:</p> <ul style="list-style-type: none"> <li>• Comprehensive Behaviour Support Plan</li> <li>• Interim Behaviour Support Plan.</li> </ul> <p>The use of the restrictive practice must be detailed in a Behaviour Support Plan and only used within a positive behaviour support framework.</p> |
| <b>Behaviour Support Practitioner</b>  | <p>The practitioner has tertiary qualifications in psychology, special education, speech pathology, social work or other relevant discipline or training and experience in providing behaviour support and intervention.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>NDIS Behaviour Support Provider</b> | <p>The Provider is an organisation, or sole trader that the NDIS Commissioner considers suitable to undertake behaviour support assessment (including functional behavioural assessments) and develop Behaviour Support Plans that may contain the use of restrictive practices.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Capacity</b>                        | <p>Participants can consent if they can demonstrate an understanding of the general nature and effect of a particular decision or action and can communicate an intention to consent (or refuse consent) to the decision or action.</p> <p>A participant's capacity to make a particular decision should be doubted only with a factual basis. It should not be assumed that a participant lacks capacity just because they have a particular disability. A participant may have the ability to exercise privacy rights even if they cannot make other important life decisions.</p>                                                                                                                                                                                          |

| Term                                               | Descriptions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Communicating appropriately with the person</b> | <p>It is a requirement under section 20(4) of the NDIS (Restrictive Practice and Behaviour Support) Rules 2018 that the intention to use a regulated restrictive practice is communicated to the participant and their family in an accessible format.</p> <p>Consider obtaining a current communication assessment by a speech pathologist to identify how communication partners can best communicate with the person, such as speech, visual supports, gestures, and simple questions.</p> |
| <b>Consent</b>                                     | <p>Consent refers to the permission given by a participant or their legally appointed guardian (who has the authority to consent to restrictive practices).</p> <p>Consent must be obtained from the participant or guardian before the authorisation of a regulated restrictive practice.</p>                                                                                                                                                                                                |
| <b>Containment</b>                                 | <p>Containment of an adult with an intellectual or cognitive disability means the physical prevention of the adult freely exiting the premises where the participant receives disability services, other than by secluding them. The participant is not contained if they are an adult with a skills deficit only, and their free exit from the premises is prevented by locking gates, doors, or windows.</p>                                                                                |
| <b>Duty of care</b>                                | <p>Duty of care is a legal concept meaning the obligation to take reasonable care to avoid causing harm to another person. A duty of care exists when it could reasonably be expected that a person's actions or failure to act might cause injury to another person.</p>                                                                                                                                                                                                                     |
| <b>Evidence-based</b>                              | <p>A practice/method that combines well-researched interventions with experience and ethics considers participants' preferences to inform the delivery of a treatment or service.</p>                                                                                                                                                                                                                                                                                                         |
| <b>Functional behavioural assessment</b>           | <p>The process of determining and understanding the function or purpose behind a participant's behaviour may involve collecting data, observations, and information to develop an understanding of the relationship of events and circumstances that trigger and maintain the behaviour. This assessment is a critical component in the development of a Comprehensive Behaviour Support Plan. A</p>                                                                                          |

| Term                              | Descriptions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                   | functional behaviour assessment is required under section 20(5) of the NDIS (Restrictive Practice and Behaviour Support) Rules 2018.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Harm</b>                       | <p>Harm to a person means:</p> <ul style="list-style-type: none"> <li>• physical harm to the person</li> <li>• a serious risk of physical harm to the person</li> <li>• damage to property involving a serious risk of physical harm to the person.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Least restrictive</b>          | A restrictive practice must be the least restrictive response possible in the circumstances to ensure the participant's safety or others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>NDIS Commission</b>            | The NDIS Commission is the body that regulates behaviour support for NDIS registered providers and monitors the use of restrictive practices. Providers must comply with NDIS Practice Standards and Quality Indicators 2021 and all incident management and reporting requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Person-centred</b>             | A person-centred approach involves gathering information about a participant's lifestyle, skills, relationships, preferences, aspirations and other significant characteristics to provide a holistic framework in which appropriate, respectful and meaningful behaviour supports may be developed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Positive behaviour support</b> | <p>Positive behaviour support recognises that all participants are endowed with fundamental human rights regardless of their behaviour. Any assessment, intervention or support must respect their human rights and foster the exercise and experience of those rights.</p> <p>Positive behaviour support is a philosophy of practice and a term to denote a range of individual and multisystemic interventions designed to effect change in people's behaviour and, ultimately, their quality of life.</p> <p>Positive behaviour support recognises that all human behaviour serves a purpose, including those behaviours of concern. To bring about adaptive change, it is essential to understand the purpose of participants' existing behaviours, aspirations, and range of knowledge and skills.</p> |

| Term                             | Descriptions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Prohibited practice</b>       | <p>Prohibited practices include:</p> <ul style="list-style-type: none"> <li>• <b>Aversion:</b> Any practice which a person might experience as noxious or unpleasant and potentially painful.</li> <li>• <b>Overcorrection:</b> Any practice where a person is required to respond disproportionately to an event beyond that may be necessary to restore a disrupted situation to its original condition before the incident occurred.</li> <li>• <b>Misuse of medication:</b> The medication administration prescribed to influence behaviour, mood, or level of arousal contrary to the instructions of the prescribing general practitioner, psychiatrist or paediatrician.</li> <li>• <b>Seclusion of children or young people:</b> The isolation of a child or young person (under 18 years of age) in a setting from which they cannot leave for the duration of a particular crisis or incident.</li> <li>• <b>Denial of crucial needs:</b> Withholding support such as owning possessions, preventing access to family, peers, friends and advocates, or other basic needs or supports.</li> <li>• <b>Unauthorised use of a restrictive practice:</b> Any practice that is not authorised correctly has no validity or does not adhere to requisite protocols and approvals. The practice may be degrading or demeaning to the participant and may reasonably be perceived as harassment, vilification, or unethical.</li> </ul> <p>The following practices are also prohibited concerning participants under the age of 18:</p> <ul style="list-style-type: none"> <li>• any form of corporal punishment</li> <li>• any punishment that takes the form of immobilisation, force-feeding or depriving of food</li> <li>• any punishment that is intended to humiliate or frighten the person</li> </ul> |
| <b>Reduction and elimination</b> | <p>From the outset, consideration should be given on how to gradually reduce (and eliminate overtime) the restrictive practice strategies included in the Comprehensive Behaviour Support Plan and informed by the Functional Behaviour Assessment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| Term                                  | Descriptions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Report use</b>                     | NDIS providers implementing regulated restrictive practices must keep records on their use and report to the NDIS Commission (NDIS (Restrictive Practices and Behaviour Support) Rules 2018 under sections 14 and 15.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Restrictive practice</b>           | Any practice or intervention that has the effect of restricting the freedom or right of movement of a person with a disability with the primary purpose of protecting the person or others from harm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Regulated restrictive practice</b> | <p>Any practice (including excluded practice categories) can be a restrictive practice, if:</p> <ul style="list-style-type: none"> <li>• it is used primarily to control or restrict a participant's behaviour or free movement</li> <li>• the person (or their authorised substitute decision-maker) objects to its use.</li> </ul> <p>A restrictive practice is a regulated restrictive practice if it is, or involves, any of the following:</p> <ul style="list-style-type: none"> <li>• <b>Seclusion:</b> The isolated confinement of a participant in a room or a physical space at any hour of the day or night where the voluntary exit is prevented or not facilitated, or it is implied that voluntary exit is not permitted.</li> <li>• <b>Chemical restraint:</b> The use of medication or chemical substances for the primary purpose of influencing a participant's behaviour. It does not include the use of medication prescribed by a medical practitioner to treat or enable treatment of a diagnosed mental disorder, physical illness, or a physical condition, including PRN.</li> <li>• <b>Mechanical restraint:</b> The use of a device to prevent, restrict or subdue a person's movement for the primary purpose of influencing a participant's behaviour but does not include the use of devices for therapeutic or non-behavioural purposes.</li> <li>• <b>Physical restraint:</b> Use or action of physical force to prevent, restrict or subdue movement of a participant's body (or part of their body) for the primary purpose of influencing their behaviour. Physical restraint does not include reflexively using a hands-on technique to guide or redirect a person away from potential harm or injury,</li> </ul> |

| Term                                           | Descriptions                                                                                                                                                                                                                                                                                          |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                | <p>consistent with what could reasonably be considered the exercise of care towards a person.</p> <ul style="list-style-type: none"> <li>• <b>Environmental restraint:</b> To restrict a participant's free access to all parts of their environment, including items or activities.</li> </ul>       |
| <b>Reporting obligations and authorisation</b> | <p>Registered NDIS providers and NDIS Behaviour Support Providers must be aware of reporting obligations to the NDIS Commission. They also need the Tasmanian Senior Practitioner's authorisation, consent and reporting requirements consistent with relevant legislation, policy or procedures.</p> |
| <b>Shortest time and last resort</b>           | <p>A restrictive practice must be used for the shortest possible time and only as a last resort after exploring and applying evidence-based, person-centred and proactive strategies.</p>                                                                                                             |
| <b>Supports should be trauma-informed</b>      | <p>It involves recognising the high prevalence of traumatic experiences relating to a participant, understanding and responding to this trauma, and ensuring that any restrictive practice does not result in further trauma.</p>                                                                     |

## Appendix 2 – Forms

All of the following forms are available on the NDIS Quality and Safeguards Commission website.

| Form                                                                     | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Behaviour Support Provider – Comprehensive Behaviour Support Plan</b> | <p>This template can be used as a guide to complete a comprehensive behaviour support plan. The NDIS Quality and Safeguards Commissioner approves the form for section 23 of the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.</p> <p><a href="https://www.ndiscommission.gov.au/document/1441">https://www.ndiscommission.gov.au/document/1441</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Reportable Incident – Immediate Notification Online Form</b>          | <p>All registered providers must complete an Immediate Notification Online Form through the NDIS Commission Provider Portal.</p> <p>The NDIS Quality and Safeguards Commissioner approve the Reportable Incident Notification Form in the NDIS Commission Portal for sections 20 and 21 of the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018 (NDIS Rules).</p> <p>The Form must be completed within 24 hours of becoming aware of a reportable incident or allegation occurring in connection with NDIS supports or services:</p> <ul style="list-style-type: none"> <li>• the death of an NDIS participant</li> <li>• serious injury of an NDIS participant</li> <li>• abuse or neglect of an NDIS participant</li> <li>• unlawful sexual or physical contact with, or assault of, an NDIS participant</li> <li>• sexual misconduct committed against, or in the presence of, an NDIS participant, including grooming the NDIS participant for sexual activity.</li> </ul> <p>The form should be submitted to the NDIS Commission with copies of documents relating to the incident, including incident reports, file notes, risk management assessments and plans, participant's plans relevant to the incident, and copies of correspondence between relevant persons or other agencies.</p> <p><a href="https://www.ndiscommission.gov.au/document/1516">https://www.ndiscommission.gov.au/document/1516</a></p> |

| Form                                                        | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Reportable Incident – 5-day Notification Online Form</b> | <p>All registered providers must complete a 5-Day Notification Reportable Incident Notification online via the NDIS Commission Provider Portal.</p> <p>The NDIS Quality and Safeguards Commissioner approve the 5-Day Reportable Incident Notification Form in the NDIS Commission Portal for sections 20 and 21 of the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018 (NDIS Rules).</p> <p><a href="https://www.ndiscommission.gov.au/document/1521">https://www.ndiscommission.gov.au/document/1521</a></p> |
| <b>Unauthorised use of restrictive practices reporting</b>  | <p>Registered NDIS providers use the NDIS Commission Portal to notify and manage all reportable incidents.</p> <p>Providers must notify the NDIS Commission within five business days of being made aware of the incident. If the incident has resulted in harm to a person with a disability, it must be reported within 24 hours.</p> <p><b>Important note:</b> The requirement to report to the NDIS Commission does not replace existing obligations to report to other relevant authorities, including child protection agencies or police.</p>          |