

# Process map for disability services providers seeking authorisation for the use of restrictive practices

Under the Disability Rights, Inclusion and Safeguarding Act 2024, the Senior Practitioner regulates the use of all restrictive practices in Tasmania

### **Registration** (Commonwealth)

- A disability services provider (provider) seeking to use restrictive practices is encouraged to obtain provider registration from the **NDIS Commission**
- Information on becoming a registered provider can be found at:

https://www.ndis.gov.au/provi ders/becoming-ndis-provider

## **Disability Services Provider**

#### **Appointment of APO**

- A provider identifies a suitable person for appointment as an Appointed Program Officer (APO) prior to seeking authorisation for the use of a restrictive practice from the Senior Practitioner
- A provider submits an application on the approved application form to the Senior Practitioner to approve the appointment of the proposed APO
- The Senior Practitioner approves (with or without conditions), or refuses to approve, the appointment of the APO and advises the provider of the decision in writing
- If the provider is not satisfied with the decision, they can seek a review by the Senior Practitioner and/or TASCAT

# **Disability Services Provider**

#### **Behaviour Support Plan**

- Provider identifies a behaviour of concern in a person with disability
- · Provider engages a behaviour support practitioner
- Behaviour support practitioner prepares a NDIS Behaviour Support Plan
- If the behaviour support plan does not identify the need for the use of restrictive practices, the provider proceeds to implement the plan
- If the behaviour support plan does identify a need for the use of a restrictive practice, and the provider proposes to use a restrictive practice, the provider must lodge the plan with the NDIS Commission and seek authorisation for the use of a restrictive practice from the Senior Practitioner
- An NDIS Behaviour Support Plan must be reviewed every 12 months or when the person's circumstances change

# **Disability Services Provider**

### Authorisation of Restrictive Practice

- The APO identifies a suitable Independent Person. The APO must ensure the will and preference of the person with disability is taken into account
- The proposed Independent Person must be a person who is willing and able to explain the proposed use of the restrictive practice, as well as the person's rights (including the rights of review) to the person
- Provider submits an application on the approved application form to the Senior Practitioner for authorisation to use a restrictive practice. The application form must include the details of the proposed Independent Person, the behaviour support plan and other relevant material as specified in the application.



# **Office of the Senior Practitioner**

- Staff from the OSP considers the application and consults with the person the application is about
- The Senior Practitioner determines if they are, or are not, satisfied that Part 7 of the Act has been met
- The Senior Practitioner authorises (with or without conditions) or refuses the authorisation of the restrictive practice
- The Senior Practitioner provides written notification of their decision to the provider and to the person the application is about. The notification must be in a format that best supports the understanding of the person
- The authorisation period cannot exceed 12 months
- The Senior Practitioner notifies the Disability Commissioner of the decision within 5 days
- Provider lodges evidence of authorisation with the NDIS Commission
- If the provider is not satisfied with the decision, they can seek a review by the Senior Practitioner and/or TASCAT

