

6. Process map on the role of the Appointed Program Officer

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

Disability Services Provider

Appointment of an APO

- A disability services provider (provider) must appoint an Appointed Program Officer (APO) if it intends to use restrictive practices
- Provider identifies an employee with experience and expertise in positive behaviour support and the use of restrictive practices to perform the role of APO
- Provider applies to the Senior Practitioner to have the appointment of the APO approved. A proposed APO cannot nominate themselves
- 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

Appointed Program Officer

Application to use Restrictive Practices

- Provider identifies a behaviour of concern in a person with disability
- Provider ensures a Behaviour Support Plan is prepared by a behaviour support practitioner
- 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 identifies a need for the use of restrictive practices, the behaviour support practitioner lodges the plan with the NDIS Commission and the provider applies for authorisation for the use of restrictive practices from the Senior Practitioner
- The application must identify an APO for the person with disability
- The application to use restrictive practices can be prepared by the provider or the APO

Independent Person

Independent Person

- The APO identifies a suitable Independent Person. The APO must ensure the will and preference of the person with disability is considered
- 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
- Ideally, the Independent
 Person is a friend or family
 member of the person and has
 an interest in their wellbeing
- The independent person cannot be an employee of the provider or the behaviour support practitioner
- If the APO is unable to identify a suitable Independent Person, they must notify the Senior Practitioner and provide an explanation as why a suitable person cannot be found. In these instances, the Senior Practitioner will appoint a suitable person.

Senior Practitioner

Authorisation of Restrictive Practice

- Provider submits an application and a copy of the behaviour support plan to the Senior Practitioner for authorisation to use restrictive practices
- The Senior Practitioner authorises (with or without conditions) or refuses to authorise the use of restrictive practices
- 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
- Provider lodges evidence of authorisation with the NDIS Commission
- If the person, the provider or the Independent Person is not satisfied with the decision, they can seek a review by the Senior Practitioner and/or TASCAT

Appointed Program Officer

Oversight of Restrictive Practices

- The APO ensures that the Independent Person explains to the person with disability the proposed use of the restrictive practice and their rights to have the decision reviewed
- The APO ensures that the use of restrictive practices is only used in accordance with the authorisation and the behaviour support plan
- The APO ensures the use of restrictive practices is the least restrictive of the person as possible
- The APO ensures the Independent Person explains to the person any change to a behaviour support plan if the changes are more restrictive
- Provider must report the use of authorised restrictive practices to the Senior Practitioner monthly or as requested

