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NSW Restrictive Practices Authorisation (RPA)

News

RPA Newsletter - September 2021

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Welcome to the September 2021 issue of the NSW RPA Newsletter. In this issue we will be discussing:

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We encourage you to help spread the word and forward the monthly RPA Newsletter on to your colleagues. Help us keep the NSW sector informed about restrictive practice authorisation in NSW.

COVID - 19

The NDIS Quality and Safeguards Commission, NSW Government and Council for Intellectual Disability (CID) links below provide information, resources and advice on the management of COVID19 for service providers.

Resources

- [NDIS Commission Fact Sheet COVID-19 Vaccination and Restrictive Practices](#)
 - [Information for people with disability about COVID-19 vaccines](#)
 - [Guidelines on the rights of people with disability in health and disability care during COVID-19](#)
 - [NSW Health accessible resources on COVID-19](#)
 - [Coronavirus \(COVID-19\): Behaviour support and restrictive practices](#)
 - [Coronavirus Disease 2019 \(COVID-19\) Outbreaks in Residential Care Facilities](#)
 - [NDIS Commission coronavirus \(COVID-19\) information](#)
 - [NSW Government COVID-19 Website](#)
 - [Looking after your health during Coronavirus](#)
 - [Information for Service Providers \(DCJ\)](#)
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NSW RPA Webinars

DCJ are currently running regular webinars and will be conducting each of our two webinars fortnightly. One webinar focuses on authorisation requirements. The other focuses on the end-to-end process of submitting and approving restrictive practices in the NSW RPA System. The webinars will now alternate between Tuesdays and Thursdays.

Webinar 1 - RPA Requirements in NSW

Thursday, 7 October 10.30am - 12.30pm

Tuesday, 19 October 10.30am - 12.30pm

This session is recommended for anyone who is new to RPA in NSW or who would like a better understanding of the requirements for authorising a restrictive practice. Participants will have the opportunity to ask policy-related questions.

Webinar 2 - End-to-end NSW RPA system demonstration

Thursday, 14 October 10.30am - 12pm

Tuesday, 26 October, 10.30am - 12pm

This session is recommended for new users of the RPA System who have not attended previous information sessions. It will focus on how to submit and approve restrictive practices in the NSW RPA System. The webinar will also include an overview of roles and responsibilities according to the function (i.e. Behaviour Support Practitioner) and how key dashboard components can assist with the monitoring of practices.

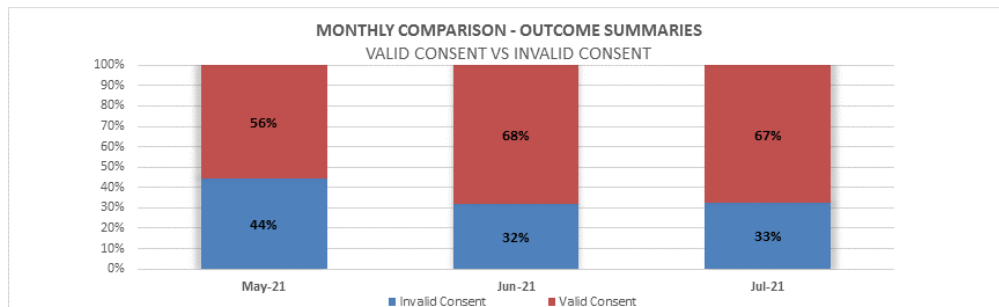
For more information, or to register for any of the webinars, please go to our Eventbrite page [here](#).



Let's Talk Quality

The Central Restrictive Practices Team (our team) has now completed the review of all outcome summaries finalised in the NSW RPA System for July 2021. Below is a summary of our findings, and the supports we can provide you.

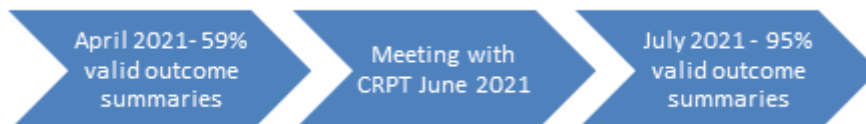
Consent



Of the 538 outcome summaries completed in July 2021, we considered 33% (i.e. 175 Outcome Summaries) to be invalid because appropriate consent was not provided. As you can see from the graph above, this is a similar result to June 2021.

As you may know, we have individual conversations with NDIS Providers on consent requirements. This has resulted in improvements in most providers' ability to meet the consent requirements. Two examples of this are shown in the figure below.

Organisation 1:



Organisation 2:



Our team had discussions with seven NDIS providers in July 2021, and nine providers in August 2021, and are looking forward to reviewing the improvements in the coming months.

The top five reasons why consent was considered invalid in July 2021 outcome summaries are listed below; the figure in brackets is the percentage of outcome summaries with invalid consent that contained this error:

- Consent was not provided by an authorised person (24%). This includes instances where no evidence was provided that the person providing consent had a guardianship order with a restrictive practices function.
- Incomplete consent information attached (15%). An example of this is where a consent document was attached to the outcome summary, but it did not contain the specific practices that consent was being provided for.
- Consent provided by unauthorised person AND insufficient evidence of consent for practice attached (14%). These are situations where both of the above are the case. There is no evidence that the person providing consent has a guardianship order with a restrictive practices function, AND the consent information attached to the outcome summary did not contain the specific practices that consent was being provided for.
- Evidence of consent for the practice was not attached (13%). It is important to ensure that consent is uploaded to each outcome summary attached to a submission.
- Consent to share information, not to implement a restrictive practice (10%). An example of this is where the consent attached to the outcome summary provides consent for the submission to be taken to an RPA Panel, but does not provide consent to the implementing provider to implement the specific restrictive practices.

Consent is required at two stages in the RPA Process:

1. Consent to take the restrictive practices and all accompanying documents to panel. This is the tick box in section 8 of the RPA Submission that indicates that the consent giver has agreed to the RPA Submission. This does not imply a formal consent to implement a restrictive practice.
2. Consent to implement the restrictive practice. Evidence of consent to implement a restrictive practice must be attached to the outcome summary in the NSW RPA System in order for the practice to be authorised.

As there is still a lot of room for improvement, our team will be conducting further reviews of consent attached to outcome summaries completed in August and September 2021, and will keep you informed of the results.

Your supports

Our team can provide you with a number of supports to assist you to get consent correct; these include:

- Having regular meetings with providers to discuss the results of the review specific to your organisation, and to provide some capacity building around consent requirements under the NSW RPA Policy; these meetings will continue over the coming months. [Email us to arrange a meeting to discuss consent requirements](#)
- Giving you feedback on your consent requirements specific to a practice; please [email us](#) for more information
- DCJ Independent Specialists can provide you with information on the consent requirements at RPA Panels for the practices that are being authorised.

- Having additional focus on consent requirements in the RPA Webinars that are hosted regularly by our team.

Status: Released

‘Releasing’ Submissions and Reviews in the RPA System

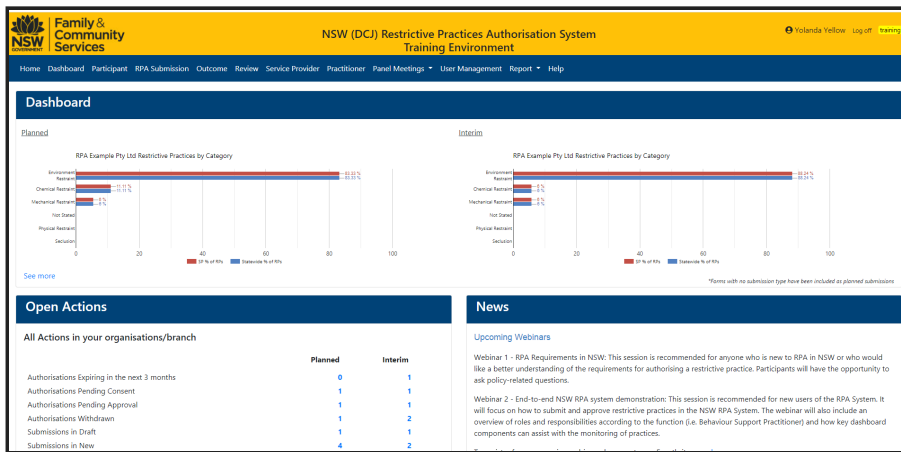
One of the steps in preparing a submission or a review for a RPA panel is to ensure that it is released before the panel meets. This is a very important step and it must be completed before the RPA panel meets.

Clicking the ‘Release Form’ button on a submission (or the ‘Release’ button on a review) shows that the information provided to the RPA panel is the final version of the submission or review, including the attached documents. If the submission or review is not released before the meeting, the panel’s ability to effectively review and consider the evidence for providing approval for the proposed practice/s is compromised. A panel should not go ahead if the submission or review is not at ‘Released’ status in the RPA system.

The submission or review should be released with enough time for the panel members to review the information to evaluate the proposed use of any restrictive practice, in order to make a decision to approve or decline authorisation. Ideally, submissions and reviews are released a minimum of two days prior to the scheduled RPA Panel date.

Submissions and reviews can only be released once the Behaviour Support Practitioner has provided their endorsement and all panel members have been assigned, and panel members have accepted their allocation to the panel (where required).

If you require further information on releasing submissions or reviews, please contact the Central Restrictive Practices Team at RestrictivePracticesAuthorisation@facsnsw.gov.au.



NSW RPA System Training Environment

The RPA System Training Environment is now available for use and can be accessed at <https://trainingrpa.facs.nsw.gov.au>. This environment allows users to experience the features and functionalities of the RPA System, without the risk of affecting real data. This environment uses generic login credentials; this access information is available under the 'Help' menu of the RPA System. Please note that your usual login credentials will not work in the RPA System Training Environment.



Case Study - Residential Aged Care

Anna and Ninnart live in a residential aged-care facility which they share with 38 other individuals. Both are aged 62, have a mild intellectual disability, and are NDIS participants. Except for the staff office where medications are stored, both Anna and Ninnart can access all areas of their home and the community when they want to.

Anna and Ninnart sometimes display behaviours of concern; whilst incidents are infrequent they can be quite severe as they place themselves and others at risk of serious injury. As a means to manage the behaviour and improve their quality of life, Anna and Ninnart's treating doctor has prescribed them with the PRN medication, Valium.

Anna and Ninnart now have the chemical restraint of PRN and their service provider (the residential aged-care service) is now obliged to seek restrictive practices authorisation under NDIS (Restrictive Practices and Behaviour Support) Rules 2018 and the NSW Restrictive Practices Authorisation Policy.

Neither Anna nor Ninnart have behaviour support funding in their NDIS Plan so their service provider contacts the local area coordinator to arrange for a 'change of circumstances' review to their NDIS Plan to obtain funding for behaviour support.

On receiving behaviour support funding, Anna and Ninnart each engage a practitioner to write a behaviour support plan which contain positive behaviour support strategies, skills building opportunities, and strategies which outline how to use the PRN to manage behaviours of concern. Their behaviour support plans also outline how the staff at the residential aged-care facility are to be trained, and person-centered strategies to fade-out the use of the PRN medication.

Anna is able to consent for herself and consents to the implementation of the practice. Ninnart has a legally appointed guardian with a restrictive practices function who wishes to wait until after the RPA Panel approves the practice before they provide consent. Both Anna and Ninnart's guardian have consented to the practice and supporting documents going to the Panel.

The residential aged-care provider completes an RPA application for authorisation in the NSW RPA System. They then convene a restrictive practice authorisation panel which hears and approves the use of the restrictive practices for Anna and Ninnart.

In NSW, a restrictive practice is considered authorised when a behaviour support plan outlining the practice has been developed, when an RPA panel approves the use of the restrictive practice, and valid consent to implement the practice has been obtained. As Anna is able to consent and the RPA panel has approved this practice, Anna's restrictive practice is considered authorised. However, Ninnart's restrictive practices will only be considered authorised once his legally appointed guardian provides consent to implement the practice.

QUIZ!

Test your knowledge!

Question 1: How many days before the RPA Panel meeting should a submission ideally be released?

Question 2: How many stages of consent are there during the NSW Restrictive Practice Authorisation process?

Question 3: True or False? While waiting for a guardian with restrictive practices function to be appointed for an adult, a person responsible can consent to Mechanical Restraint?



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



Test Your Knowledge Answers:

Q1: A submission should ideally be released at least 2 days prior to the RPA Panel meeting date.

Q2: There are two stages of consent. Firstly, consent to take the submission to the RPA Panel, which is recorded in the tick box in Section 8 of the submission. Secondly, consent to implement the restrictive practice, which is recorded in the Outcome Summary.

Q3: False. If an adult does not have the capacity to consent for themselves, consent for Mechanical Restraint cannot be obtained until a guardian with restrictive practices function is appointed. This also means that the practice is not authorised until the guardian is appointed and consent is obtained.

Our mailing address is:
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