

## PRACTICE EXCELLENCE POLICY SPECIALIST BEHAVIOUR SUPPORT

### 1. POLICY PURPOSE:

This policy outlines our responsibilities where Specialist Behaviour Support Practitioners provide services to Minda clients. This policy supports us to apply the NDIS Practice Standards, in particular the Specialist Behaviour Support Module.

### 2. POLICY SCOPE:

This policy applies to all paid staff, contract workers, temporary agency workers, students on placement and volunteers. Staff are expected to be familiar with and apply this policy in the delivery of services to clients. This policy is owned by the Chief Executive Officer

### 3. POLICY CONTEXT AND STATEMENT:

We recognise all people with disability have human and legal rights which should be respected at all times. We promote and protect those rights as an integral component of each and all our services. Our clients are at the centre of our thoughts, our actions, our service intent, expectations and experiences.

This policy supports us to achieve our responsibilities in the provision of specialist behaviour support services to clients.

In the **provision** of specialist behaviour support we ensure:

- each client accesses behaviour support that is appropriate to their needs which incorporates evidence-informed practice and complies with relevant legislation and policy frameworks;
- each client is only subject to a restrictive practice that meets any state and territory authorisation (however described) requirements and the relevant requirements and safeguards outlined in Commonwealth legislation and policy;
- each client's quality of life is maintained and improved by tailored, evidence-informed behaviour support plans that are responsive to their needs;
- each client's behaviour support plan is implemented effectively to meet the client's behaviour support needs;
- each client has a current behaviour support plan that reflects their needs, improves their quality of life and supports their progress towards positive change. The plan progresses towards the reduction and elimination of restrictive practices, where these are in place for the client;
- each client that is subject to an emergency or unauthorised use of a restrictive practice has the use of that practice reported and reviewed; and
- each client with an immediate need for a behaviour support plan receives an interim behaviour support plan which minimises the risk to the client and others.

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### 4. ROLES AND RESPONSIBILITIES:

#### 4.1 Minda Board

- Ensures there is an organisation-wide approach to the delivery of specialist behaviour support services.
- Ensures there are effective organisation-wide systems in place for managing and governing all aspects of specialist behaviour support.

#### 4.2 Chief Executive Officer and Executive Team:

- Promote a culture of shared responsibility for the provision of specialist behaviour support services.
- Regularly evaluate and review risks and other relevant information in relation to the provision of specialist behaviour support services.
- Delegate the day-to-day responsibility for ensuring the activities related to this policy are implemented and monitored by the relevant senior managers
- Ensure there are appropriate escalation processes in place for the provision of specialist behaviour support services that could result in substantial liability and/or have the potential to come to the attention of the Chief Executive Officer.

#### 4.3 Senior Managers and Managers:

- Have responsibility for ensuring the activities related to this policy are implemented and monitored.

#### 4.4 Employees, Contractors, Volunteers, and Students will:

- Adhere to the principles and aims of this policy and its related procedures and guidelines.

### 5. LEGISLATIVE REQUIREMENTS:

#### Commonwealth Legislation

- United Nations Convention on the Rights of Persons with Disability 2006
- Australian Human Rights and Equal Opportunities Act 1986
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Code of Conduct) Rules 2018
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- National Disability Insurance Scheme (Restrictive Practices and Behavioural Support) Rules 2018
- National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018

#### South Australian Legislation

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- Disability Inclusion Act 2018 (SA)
- Disability Inclusion (NDIS Worker Check) Regulations 2020 (SA)
- Disability Inclusion (Restrictive Practices) Regulations (when released)

### 6. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

#### Internal Resources:

All Specialist Behaviour Support documents are available via Practice Excellence Framework and Minda internal SharePoint site

### 7. KEY PERFORMANCE INDICATORS (KPI), RECORDS, AUDIT:

#### 7.1 Provision of Specialist Behaviour Support

In the provision of Specialist Behaviour Support, demonstration of compliance with this policy will include:

##### 7.1.1 Behaviour Support in the NDIS

- The National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 are understood and applied.
- All NDIS behaviour support practitioners have been assessed as suitable to deliver specialised positive behaviour support, including assessments and development of behaviour support plans.
- Each NDIS behaviour support practitioner undertakes ongoing professional development to remain current with evidence-informed practice and approaches to behaviour support, including positive behaviour support.
- A specialist behaviour support clinical supervisor provides clinical supervision of each work practice of the NDIS behaviour support practitioner.
- Demonstrated commitment to reducing and eliminating restrictive practices through policies, procedures and practices.

##### 7.1.2 Restrictive Practices

- Knowledge and understanding of regulated restrictive practices as described in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 and knowledge and understanding of South Australian legislation and/or policy requirements and processes for obtaining authorisation (however described) for the use of any restrictive practices included in a behaviour support plan.
- Each Behaviour Support Practitioner undertakes professional development to maintain an understanding of practices considered restrictive and the risks associated with those practices.
- Each client and, with the client's consent, their support network, providers implementing behaviour support plans, and other relevant stakeholders are engaged in discussions about the need for restrictive practices and they understand the risks

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associated with their use. Alternatives to the use of restrictive practices are promoted as part of these discussions.

- Each client and, with the client's consent, their support network, their providers implementing behaviour support plans and other relevant stakeholders are engaged in the development of behaviour support strategies that are proportionate to the risk of harm to the client or others.
- Restrictive practices are only included in a client's behaviour support plan in accordance with relevant Commonwealth legislation and/or policy requirements, and South Australian legislation and/or policy requirements for obtaining authorisation (however described) for the use of any restrictive practices.
- Regulated restrictive practices in behaviour support plans comply with the conditions prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.
- Each client's behaviour support plan or interim behaviour support plan includes strategies that will lead to the reduction and elimination of any restrictive practices included in the plan.
- Support is provided to other providers implementing a behaviour support plan, in delivering services, implementing strategies in the plan and evaluating the effectiveness of current approaches aimed at reducing and eliminating restrictive practices.

### 7.1.3 Functional Behaviour Assessments and Behaviour Support Plans

- Work is undertaken with each client and their support network to undertake a behaviour support assessment that identifies unmet client needs, the function and/or purpose of behaviours, and identify strategies to address behaviours of concern.
- Behaviour support plans take into account all appropriate sources of information such as the behaviour support assessment, and with the consent of the client, the client's support network, the providers implementing behaviour support plans, and assessments carried out by other collaborating providers and mainstream service providers.
- Behaviour support plans are consistent with evidence-informed practice, including proactive strategies.
- The interface between a reasonable and necessary supports under a client's plan and any other supports or services under a general system of service delivery that the client receives, are considered, and strategies and protocols are developed to integrate supports/services as practicable.
- Behaviour support plans are developed in consultation with the providers implementing behaviour support plans, and the behaviour support plan is given to those providers for their consideration and acceptance.
- All behaviour support plans containing a regulated restrictive practice are provided to the Commissioner in the time and manner prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.

### 7.1.4 Supporting the Implementation of the Behaviour Support Plan

- Assistance is given to ensure that the providers implementing behaviour support plans understand the relevant state or territory legislative and/or policy requirements for

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obtaining authorisation (however described) for the use of a restrictive practice included in a behaviour support plan, including any conditions around the use of restrictive practices.

- Reasonable measures are taken to ensure the client, and with the client's consent, the client's support network, and the providers implementing behaviour support plans, understand the rationale underpinning the behaviour support plan. Instructions and guidance are developed to support the client, the providers implementing behaviour support plans and the client's support network to effectively implement the behaviour support plan.
- Providers implementing behaviour support plans are made aware of the reporting requirements prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.
- Person-focused training, coaching and mentoring is facilitated or delivered to each of the providers implementing behaviour support plans, and, with each client's consent, their support network (where applicable). It covers the strategies required to implement a client's behaviour support plan, including positive behaviour support strategies.
- Development of behaviour support plans for each client, in collaboration with the providers implementing the behaviour support plan.
- Where the specialist behaviour support provider recommends that workers implementing a behaviour support plan receive training on the safe use of a restrictive practice included in a plan, oversight is retained to ensure the training addresses the strategies contained within each client's behaviour support plan.
- Ongoing support and advice is offered to providers implementing behaviour support plans, and, with the client's consent, their support network (where applicable), to address barriers to implementation.

### *7.1.5 Behaviour Support Plan Monitoring and Review*

- The progress and effectiveness of implemented strategies are evaluated through regular engagement with the client, and by reviewing, recording and monitoring data collected by providers implementing behaviour support plans.
- Modifications to the strategies contained in each client's behaviour support plan are made based on engagement with the client and the results of the information and data analysis, and with the client's consent, these changes are communicated and training is provided (where required) to their support network on the modified strategies.
- Opportunities to reduce the use of restrictive practices based on documented positive change are pursued.
- The Commissioner is notified and work is undertaken with the Commissioner to address such situations: a) where effective engagement with providers implementing behaviour support plans is not possible for any reason; or b) if the supports and services are not being implemented in accordance with the behaviour support plan.
- Each client's behaviour support plan is reviewed at least every twelve months. Consideration is given to whether the client's needs, situation or progress create a need for more frequent reviews, including if the client's behaviour changes, or if a new provider is required to implement the plan.

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- The Commissioner is notified of changes in each client's behaviour support plan in the manner and timeframe prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.

### 7.1.6 Reportable Incidents Involving the Use of Restrictive Practices

- Support is given to the providers implementing each client's behaviour support plan in responding to a reportable incident involving the use of restrictive practices.
- Each client, and with the client's consent, their support network, the providers implementing behaviour support plans and other stakeholders are included in the review of incidents.

### 7.1.7 Interim Behaviour Support Plans

- When a client develops an immediate need for behaviour support, the client and the providers implementing behaviour support plans are involved in evaluating the risks posed to the client and others by the client's behaviour, and an interim behaviour support plan is developed that appropriately manages that risk.
- Advice and guidance is given to the providers implementing behaviour support plans and, with the client's consent, their support network on the effective implementation of the interim behaviour support plan.

## 7.2 Audit & Review

- This policy is subject to internal and external audit
- This policy will be reviewed and updated as required by our document management processes or as legislation requires.

## 8. DEFINITIONS:

*For the purpose of this procedure the following definitions apply:*

<b>Word</b>	<b>Definition</b>
<i>Human rights</i>	<i>are often defined in different ways. The Australian Human Rights Commission defines human rights as:</i> <i>-the recognition and respect of people's dignity</i> <i>-a set of moral and legal guidelines that promote and protect a recognition of our values, our identity and ability to ensure an adequate standard of living</i> <i>-the basic standards by which we can identify and measure inequality and fairness</i> <i>-those rights associated with the Universal Declaration of Human Rights.</i>

## 9. Document Approval:

**Approved by: Kym Shreeve, Chief Executive Officer**

**Date: 10/09/2021**