

PRACTICE EXCELLENCE POLICY IMPLEMENTING BEHAVIOUR SUPPORT PLANS

1. POLICY PURPOSE:

This policy outlines our responsibilities when implementing behaviour support plans. This policy supports us to apply the NDIS Practice Standards, in particular the Implementing Behaviour Support Plans 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 implementation of behaviour support plans.

In the **implementation** of behaviour support plans 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 regulated restrictive practice that meets South Australian 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 is only subject to a restrictive practice that is reported (however required) to the Commission and any other required body;
- each client has a current behaviour support plan that reflects their needs, and works towards improving their quality of life, reducing behaviours of concern, and reducing and eliminating the use of restrictive practices;
- 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

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- each client with an immediate need for a behaviour support plan receives an interim behaviour support plan based on evidence-informed practice, which minimises risk to the client and others.

4. ROLES AND RESPONSIBILITIES:

4.1 Minda Board

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

4.2 Chief Executive Officer and Executive Team:

- Promote a culture of shared responsibility for the implementation of behaviour support plans
- Regularly evaluate and review risks and other relevant information in relation to the implementation of behaviour support plans.
- 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 implementation of behaviour support plans 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

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- 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

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

6. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:

Internal Resources:

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

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

7.1 Implementing Behaviour Support Plans

In the implementation of Behaviour Support Plans, demonstration of compliance with this policy will include:

7.1.1 Behaviour Support in the NDIS

- Knowledge and understanding of the NDIS and state and territory behaviour support legislative and policy frameworks.
- Demonstrated appropriate knowledge and understanding of evidence-informed practice approaches to behaviour support.
- Demonstrated commitment to reducing and eliminating restrictive practices through policies, procedures and practices.

7.1.2 Regulated 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 regulated restrictive practices included in a behaviour support plan.
- Where state or territory legislation and/or policy requires authorisation (however described) to, the use of a regulated restrictive practice, such authorisation is obtained and evidence submitted.
- Regulated restrictive practices are only used in accordance with a behaviour support plan and all the requirements as prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018. Regulated restrictive practices are implemented, documented and reported in a way that is compliant with relevant legislation and/or policy requirements.

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- Work is undertaken with specialist behaviour support providers to evaluate the effectiveness of current approaches aimed at reducing and eliminating restrictive practices, including the implementation of strategies in the behaviour support plan.
- Workers maintain the skills required to use restrictive practices and support the client and other stakeholders to understand the risks associated with the use of restrictive practices.

7.1.3 Supporting the Assessment and Development of Behaviour Support Plans

- The specialist behaviour support provider is supported to gather information for the functional behavioural assessment and other relevant assessments.
- Collaboration occurs with the specialist behaviour support provider to develop each client's behaviour support plan and the clear identification of key responsibilities in implementing and reviewing the plan.
- Relevant workers have the necessary skills to inform the development of the client's behaviour support plan.
- Relevant workers have access to appropriate training to enhance their skills in, and knowledge of, positive behaviour supports and restrictive practices.

7.1.4 Behaviour Support Plan Implementation

- Policies and procedures that support the implementation of behaviour support plans are developed and maintained.
- Work is actively undertaken with the specialist behaviour support providers to implement each client's behaviour support plan and to align support delivery with evidence-informed practice and positive behaviour support.
- Workers are supported to develop and maintain the skills required to consistently implement the strategies in each client's behaviour support plan consistent with the behaviour support skills descriptor.

Specialist behaviour support providers are supported to train the workers of the providers implementing behaviour support plans in the use and monitoring of behaviour support strategies in the behaviour support plan, including positive behaviour support.

- Workers receive training in the safe use of restrictive practices.
- Collaboration is undertaken with other providers that work with the client to implement strategies in the client's behaviour support plan.
- Performance management ensures that workers are implementing strategies in the client's behaviour support plan appropriately.

7.1.5 Monitoring and Reporting the Use of Regulated Restrictive Practices

- Demonstrated compliance with monthly online reporting requirements in relation to the use of regulated restrictive practices, as prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.
- Data is monitored to identify actions for improving outcomes.
- Data is used to provide feedback to workers, and with the client's consent, their support network, and their specialist behaviour support provider about the implementation of the behaviour support plan to inform the reduction and elimination of restrictive practices.

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7.1.6 Behaviour Support Plan Review

- The implementation of the client's behaviour support plan is monitored through a combination of formal and informal approaches, including through feedback from the client, team meetings, data collection and record keeping, other feedback and supervision.
- Information is recorded and data is collected as required by the specialist behaviour support provider and as prescribed in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.
- Identification of circumstances where the client's needs, situation or progress create a need for more frequent review, including if the client's behaviour changes.
- Contributions are made to the reviews of the strategies in a client's behaviour support plan, with the primary focus of reducing or eliminating restrictive practices based on observed progress or positive changes in the client's situation.

7.1.7 Reportable Incidents Involving the Use of a Restrictive Practice

- The client's immediate referral to, and assessment by a medical practitioner (where appropriate) is supported following an incident.
- Collaboration is undertaken with mainstream service providers, such as police and/or other emergency services, mental health and emergency department, treating medical practitioners and other allied health clinicians, in responding to the unauthorised use of a restrictive practice.
- The Commissioner is notified of all reportable incidents involving the use of an unauthorised restrictive practice in accordance with the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018.
- Where an unauthorised restrictive practice has been used, the workers and management of providers implementing behaviour support plans engage in debriefing to identify areas for improvement and to inform further action. The outcomes of the debriefing are documented.
- Based on the review of incidents, the supports to the client are adjusted, and where appropriate, the engagement of a specialist behaviour support provider is facilitated to develop or review the client's behaviour support plan or interim behaviour support plan, if required, in accordance with the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018.
- Authorisation processes (however described) are initiated as required by South Australian Legislation.
- The client, and with the client's consent, their support network and other stakeholders as appropriate, are included in the review of incidents.

7.1.8 Interim Behaviour Support Plans

- Collaboration is undertaken with mainstream service providers (such as police and/or other emergency services, mental health and emergency departments, treating medical practitioners and other allied health clinicians) in contributing to an interim behaviour support plan developed by a specialist behaviour support provider.
- Work is undertaken with the specialist behaviour support provider to support the development of the interim behaviour support plan.



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- Workers are supported and facilitated to receive training in the 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:-

| Word | Definition |
|---------------------|--|
| <i>Human rights</i> | <p><i>are often defined in different ways. The Australian Human Rights Commission defines human rights as:</i></p> <ul style="list-style-type: none"> <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