Government of **Western Australia**
Department of **Communities**

Responsibilities for authorisation of restrictive practices in WA

March 2026

In Western Australia (WA) the Authorisation of Restrictive Practice in Funded Disability Services Policy (Policy) is the mechanism by which proposed restrictive practices are considered for approval in NDIS and state-funded disability services.

The authorisation of restrictive practices occurs within a broader behaviour support process which governs the use of restrictive practices. Responsibilities for the use of restrictive practices in WA are outlined below.

NDIS Quality and Safeguards Commission

The NDIS Commission's responsibilities around the use of restrictive practices include:

- Implementing the NDIS Quality and Safeguarding Framework (2016).
- Regulatory oversight of the use of regulated restrictive practices, including reporting requirements.
- Determining suitability of NDIS Behaviour Support Practitioners (Practitioners).
- Quality assurance of Behaviour Support Plans (BSPs) submitted by Practitioners.
- Providing guidance to people with disability and their key stakeholders, providers, Practitioners.

Department of Communities

The Department of Communities (Communities) has published the Policy and the Procedure Guidelines for Authorisation of Restrictive Practices in NDIS Funded Disability Services (Procedure Guidelines) for restrictive practice authorisation and is working towards legislation to provide for future authorisation arrangements in WA.

The Policy and the Procedure Guidelines:

- apply to providers and Practitioners that operate in WA, who provide disability services funded by the NDIS or Communities

- set out the authorisation process, including the use of a Quality Assurance (QA) Panel to make authorisation decisions.

Communities also provides support to the disability sector in implementing the Policy and manages complaints and serious incidents related to state-funded disability services.

Implementing Providers

Disability services providers, funded by the NDIS or Communities, who use restrictive practices in the course of service delivery, are required to comply with the authorisation requirements set out in the Policy and Procedure Guidelines.

Implementing Providers must support people with disability in ways that:

- focus on their strengths
- help them recognise and communicate their needs and choices, using supported decision-making strategies if needed
- enable them to make and resolve complaints.

They must also ensure that medical and/or allied health assessments are obtained to help understand the reason(s) underlying behaviour when considering non-intentional risk behaviours, and that prescriptions of therapeutic/safety devices are available with clear instructions understood by those responsible for using the devices.

Implementing Providers are required to develop internal policies and procedures to govern the operations of QA Panels they convene.

When convening or accessing a QA Panel, Implementing Providers must:

- identify and manage perceived, potential and actual conflicts of interest related to authorisation of restrictive practices
- appoint a Chair for the QA Panel
- arrange for an Independent External NDIS Behaviour Support Practitioner to attend the QA Panel as a decision-making member
- invite non-decision-making members to attend the QA Panel, such as the author of the plan, the person who the plan is about/their key supports or significant others
- arrange administrative support for the QA Panel
- ensure, that there is evidence of engagement and consultation with the person who the BSP is about, and their key supports, in the development of the BSP
- ensure that there is evidence of consultation with the person who the plan is about, and their key supporters, in the development of the BSP

- ensure that the BSP and supporting information has been supplied to QA Panel decision-making members with sufficient time to review ahead of the QA Panel
- confirm that NDIS reporting requirements for notification of authorisation and for monitoring the use of restrictive practices are met. Evidence of authorisation is a completed QA Panel Outcome Summary Report signed by each decision-making member at the QA Panel
- ensure that the person who the plan is about is informed of the outcomes of the QA Panel.

NDIS Behaviour Support Practitioners

Practitioners are required to comply with NDIS and authorisation requirements set out in the Policy and the Procedure Guidelines. In developing BSPs, Practitioners must:

- engage and work collaboratively with the person and all key stakeholders to develop an understanding of the person's needs as well as the needs of those who support them
- clearly identify and describe any restrictive practice proposed to be used, including when and how it must be used
- ensure any restrictive practices are only used in response to a behaviour of concern that poses a risk of harm to the person with disability and/or others
- ensure for each restrictive practice proposed, the BSP addresses each of the five principles for the use of restrictive practice
- include strategies in the BSP that are evidence-based, person-centred and account for the needs underlying the behaviour (that is, the function)
- include or refer to a reduction and elimination plan which outlines the steps to reduce and eliminate the use of the restrictive practice over time. If at the interim plan stage, it should state the steps that will be taken to develop a Reduction and Elimination plan
- detail the intention to use restrictive practices in a format accessible to the person, family, carers, guardian and other relevant persons.

NDIS Practitioners may also be engaged as Independent External Behaviour Support Practitioners (Independent External Practitioners) on QA Panels convened by Implementing Providers. These Independent External Practitioners are responsible for ensuring people’s human rights are safeguarded and restrictive practices are only authorised in response to a risk of harm to the person and/or others.

Contact information

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