



This information was provided to AFSA by the NDIA Quality and Safeguards Commission Victoria in response to a member query at our 2022 AGM. It was written by Heather Mates, Director, Behaviour Support Victoria.

Who can develop a Behaviour Support Plan (BSP)

All funding that is provided to participants for specialist behaviour support must be used to engage a registered behaviour support provider who will provide a practitioner to develop a behaviour support plan. All practitioners must be approved by the NDIS Quality and Safeguards Commission (NDIS Commission). This is a requirement for all behaviour support plans regardless of whether there are restrictive practices implemented as part of the participant's support or not.

The process for developing a BSP

The NDIS (Restrictive Practices and Behaviour Support) Rules 2018 apply to all BSPs that include restrictive practices. The Rules do not apply to BSPs developed for participants that have no restrictive practices, however the practice standards still apply to all BSPs and these require that BSPs are monitored and reviewed annually to ensure that each participant has a current BSP which meets their needs and improves their quality of life.

Under the Rules the process for developing a BSP which includes the use of restrictive practices is as follows:

- Within one month of engagement the behaviour support provider must develop an interim BSP which evaluates the risk from the behaviours of concern, contains responsive strategies, a description of the restrictive practices and some positive behaviour support strategies to be implemented.
- A functional behaviour assessment (FBA) is completed following the implementation of the interim BSP. This is a thorough assessment of the participant's history, health, impacts of medications, sensory needs, communication needs and any other relevant information. The FBA includes an identification of the function of behaviour to enable the practitioner to develop a "functionally equivalent replacement behaviour" to teach the participant to use instead of the behaviour of concern to get their needs met. E.g. a non-verbal participant who bangs their head to get out of an unpleasant situation such as too much noise may be taught to use a card to signal that they want to leave.
- Within six months of engagement the behaviour support provider must develop a comprehensive BSP which contains person centred strategies that include skill development for the participant, environmental changes and clear goals to reduce the incidence of behaviours of concern and reduce the need for restrictive practices. The BSP implementation is monitored through data collection and information sharing.
- Every 12 months the comprehensive BSP to be reviewed to ensure that it is meeting the needs of the participant and reducing the incidence of behaviours of concern. An earlier review is required if the participant's circumstances change e.g. moving into new accommodation.

- All BSPs that include the use of restrictive practices must be lodged with the NDIS Commission. There is no requirement to lodge BSPs that do not include restrictive practices.
- All restrictive practices that are implemented by NDIS funded supports must be authorised through the State Government Authorisation process.

Format for BSPs

While the NDIS Commission has templates available for use by behaviour support providers there is no current direction from the NDIS Commissioner that these templates must be used.

In Victoria the Victorian Senior Practitioner (VSP) has responsibility for the authorisation of restrictive practices implemented by providers and the VSP has issued a directive that all BSPs submitted for authorisation must be on the NDIS Commission's template or the VSP's own template.

BSPs should be provided to participant's and their supports in a way that is accessible for them to understand and implement.

Our website has fact sheets for participants in relation to different aspects of behaviour support which may be helpful for your members to refer to. They can be found at [Participant Fact Sheets for Behaviour Support](#)

The Commission hope that this information has been helpful and if you have any specific queries in relation to a family member they can contact the Quality and Safeguards Commission Behaviour Support team – Victoria at vicbehavioursupport@ndiscommission.gov.au