

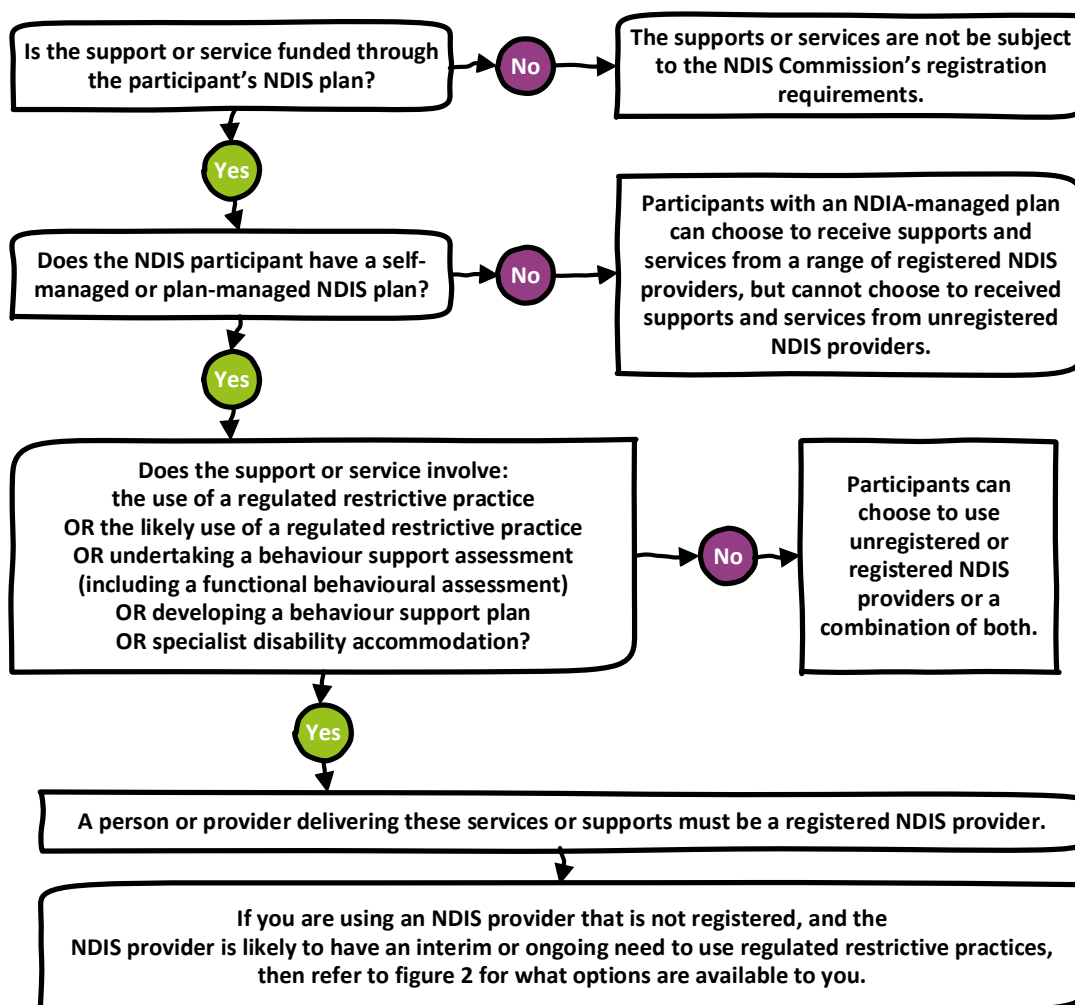


Registration requirements for the use of regulated restrictive practices

Information for self and plan-managed participants

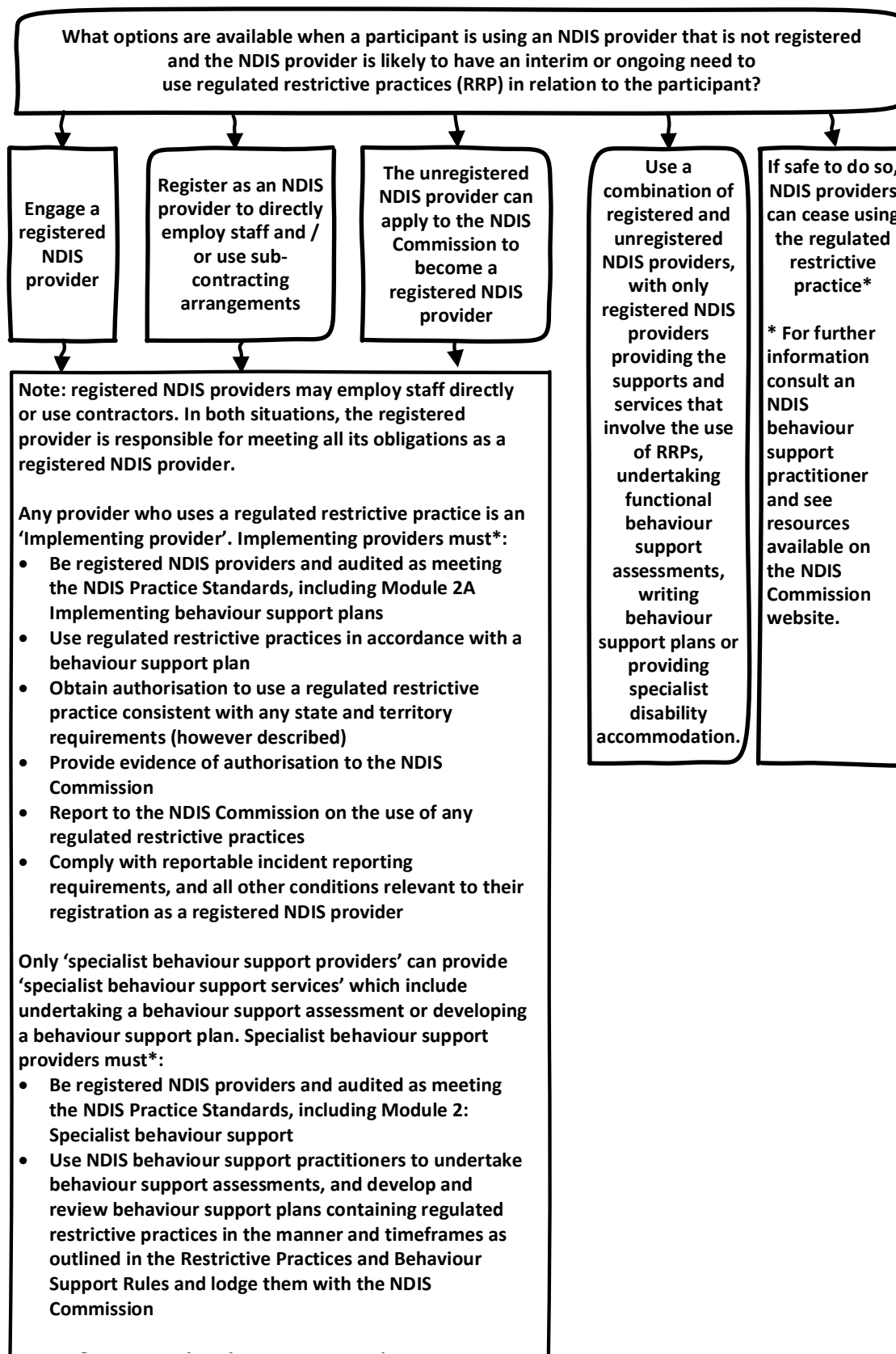
This flow chart helps participants and their families identify the types of supports that only a registered NDIS provider can deliver. It also identifies the options available when an unregistered provider is currently involved and using a regulated restrictive practice. These options enable participants to exercise their choice and control whilst also ensuring the necessary quality and safeguards are in place, and legislative obligations complied with. More information about [registration](#), [restrictive practices](#) and [behaviour support](#) are available on our [website](#).

Figure 1: What supports or services can only be delivered by a registered provider?



Refer to the [accessible version of figure 1 flowchart](#).

Figure 2: Options when an unregistered provider is using restrictive practices



Refer to the [accessible version of figure 2 flowchart](#).

Appendix: Accessible versions of the flowcharts

What supports or services can only be delivered by a registered provider?

Question 1: Is the support or service funded through the participants NDIS plan?

- **If No:** The supports or services are not be subject to the NDIS Commission’s registration requirements.
- **If Yes:** Go to [Question 2](#).

Question 2: Does the NDIS participant have a self-managed or plan-managed NDIS plan?

- **If No:** Participants with an NDIA-managed plan can choose to receive supports and services from a range of registered NDIS providers, but cannot choose to receive supports and services from unregistered NDIS providers.
- **If Yes:** Go to [Question 3](#).

Question 3: Does the support or service involve the use of a regulated restrictive practice or the likely use of a regulated restrictive practice or undertaking a behaviour support assessment (including a functional behavioural assessment) or developing a behaviour support plan or specialist disability accommodation?

- **If No:** Participants can choose to use unregistered or registered NDIS providers or a combination of both.
- **If Yes:** A person or provider delivering these services or supports must be a registered NDIS provider.

If you are using an NDIS provider that is not registered, and the NDIS provider is likely to have an interim or ongoing need to use regulated restrictive practices, then go to [Question 4](#).

Options when an unregistered provider is using restrictive practices

Question 4: What options are available when a participant is using an NDIS provider that is not registered and the NDIS provider is likely to have an interim or ongoing need to use regulated restrictive practices (RRP) in relation to the participant?

There are five options available:

- **Option 1:** Engage a registered NDIS provider. For more information: Go to the Note below.
- **Option 2:** Register as an NDIS provider to directly employ staff and / or use subcontracting arrangements. For more information: Go to the Note below.
- **Option 3:** The unregistered NDIS provider can apply to the NDIS Commission to become a registered NDIS provider. For more information: Go to the Note below.
- **Option 4:** Use a combination of registered and unregistered NDIS providers, with only registered NDIS providers providing the supports and services that involve the use of RRP, undertaking functional behaviour support assessments, writing behaviour support plans or providing specialist disability accommodation.

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- **Option 5:** If safe to do so, NDIS providers can cease using the regulated restrictive practice. For further information [consult an NDIS behaviour support practitioner](#) and see resources available on the [NDIS Commission website](#).

Note: Registered NDIS providers may employ staff directly or use contractors. In both situations, the registered provider is responsible for meeting all its obligations as a registered NDIS provider.

Any provider who uses a regulated restrictive practice is an Implementing provider.

Implementing providers must:

1. Be registered NDIS providers and audited as meeting the NDIS Practice Standards, including Module 2A Implementing behaviour support plans
2. Use regulated restrictive practices in accordance with a behaviour support plan
3. Obtain authorisation to use a regulated restrictive practice consistent with any state and territory requirements (however described)
4. Provide evidence of authorisation to the NDIS Commission
5. Report to the NDIS Commission on the use of any regulated restrictive practices
6. Comply with reportable incident reporting requirements, and all other conditions relevant to their registration as a registered NDIS provider.

Only specialist behaviour support providers can provide specialist behaviour support services, which include undertaking a behaviour support assessment or developing a behaviour, support plan.

Specialist behaviour support providers must:

1. Be registered NDIS providers and audited as meeting the NDIS Practice Standards, including Module 2: Specialist behaviour support
2. Use NDIS behaviour support practitioners to undertake behaviour support assessments, and develop and review behaviour support plans containing regulated restrictive practices in the manner and timeframes as outlined in the Restrictive Practices and Behaviour Support Rules and lodge them with the NDIS Commission