



4. Compliance Reporting (Developmental Service Delivery Component *four*)

There are two compliance reporting requirements for providers of disability supports in a supported independent living (SIL) service:

1. Reportable Incident Reporting as per the requirements of the NDIS Quality and Safeguards Commission, and
2. Restrictive Practices reporting as per South Australia’s Department of Human Services Restrictive Practices Authorisation scheme.

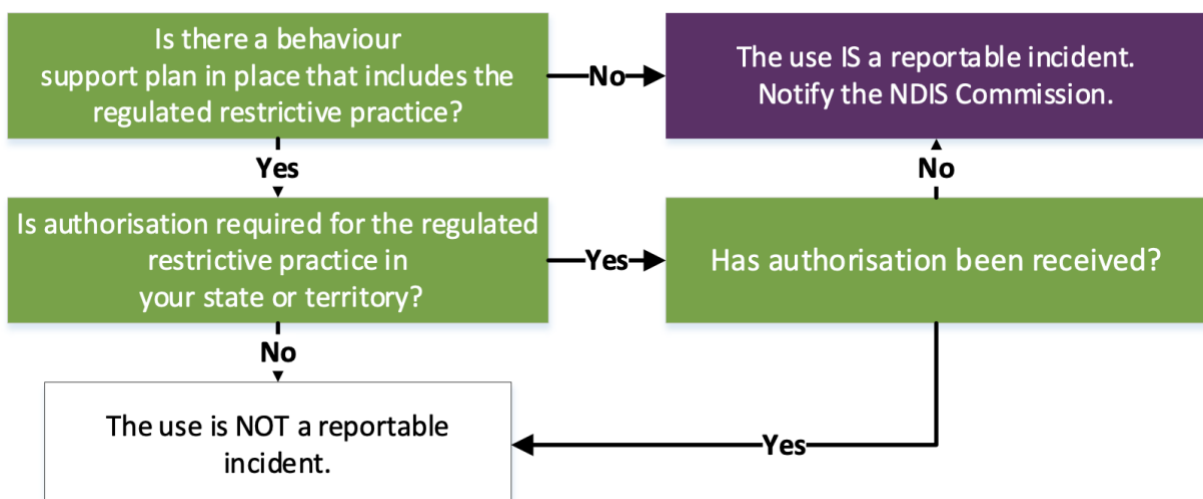
These requirements are a requirement of a providers registration with the NDIS Quality and Safeguards Commission.

1. Reportable Incident Reporting

Reportable incident guidance can be found in the NDIS Commission publication “*Reportable incidents - Detailed Guidance for Registered NDIS Providers.*”

Reportable incidents are defined as serious incidents or alleged incidents which result in harm to an NDIS participant and occur in connection with NDIS supports and services. Specific types of reportable incidents include:

- The death of a person with disability.
- Serious injury of a person with disability.
- Abuse or neglect of a person with disability.
- Unlawful sexual or physical contact with, or assault of, a person with disability (excluding, in the case of unlawful physical assault, contact with, and impact on, the person that is negligible).
- Sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity.
- The use of an unauthorised restrictive practice in relation to a person with disability (unauthorised being the use of a restrictive practice *without* a behavioural support plan guiding the use of the restrictive practice in place – see chart below).





Providers are required to lodge incident reports that qualify as “reportable incidents” on the NDIS Commission website within 24 hours of the occurrence.

2. Restrictive Practices

Restrictive practice guidance can be found in the NDIS Commission publication “*Regulated Restrictive Practices Guide*”.

Restrictive practices are defined in the NDIS Act 2013 as ‘*any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability*’. Furthermore, under the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018, there are five restrictive practices that are subject to regulation and oversight by the NDIS Commission. These are chemical restraint, mechanical restraint, physical restraint, environmental restraint and seclusion.

The use of restrictive practices for people with disability can present serious human rights breaches. Therefore the decision to use a restrictive practice needs careful clinical and ethical consideration, taking into account a person’s human rights and the right to self-determination. Restrictive practices should be used only within a positive behaviour support framework that includes proactive, person-centred and evidence-informed interventions.

NDIS **providers** implementing regulated restrictive practices need to keep records on their use of restrictive practices and report use to the NDIS Commission on a monthly basis, including the use of PRN medications on a monthly basis.

[see website link “Nganana_Restrictive Practice Report” and “Nganana_PRN Medication Administration Record].]