

## Disability Act 2006

### Victorian Senior Practitioner Direction

#### Restrictive practice prohibitions under section 27(5B)

#### 1. Purpose

The purpose of this prohibition is to:

- (a) prohibit use of the specified restrictive practices on NDIS participants, DSOA clients and persons with a disability under section 27(5B) of the Act;
- (b) revoke the restrictive practice prohibitions dated 5 September 2019.

#### 2. Authorising provision

This prohibition is made under section 27(5B) of the Act.

#### 3. Term

This prohibition commences on the date it is signed and continues in effect until it is revoked or modified by the Victorian Senior Practitioner.

#### 4. Definitions

In this prohibition:

- (a) 'Act' means the *Disability Act 2006*;
- (b) 'Disability', 'disability service provider', 'registered NDIS provider', 'Senior Practitioner', 'restrictive practices', 'DSOA client', and 'NDIS participant' have the same meaning as in the Act; and
- (c) 'Physical restraint' has the same meaning as in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 (however titled) of the Commonwealth as in force from time to time.
- (d) 'Seclusion' has the same meaning as in the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules 2018 (however titled) of the Commonwealth as in force from time to time.

#### 5. Prohibitions

I, Mandy Donley Victorian Senior Practitioner, under section 27(5B) of the Act:

- (a) revoke the restrictive practice prohibitions made by Dr Frank Lambrick, Victorian Senior Practitioner, dated 20 September 2023;
- (b) prohibit disability service providers and registered NDIS providers from using the following forms of physical restraint on an NDIS participant, DSOA client or any person with a disability:
  - i. the use of prone restraint (subduing a person by forcing them into a face-down position)

- ii. the use of supine restraint (subduing a person by forcing them into a face-up position)
  - iii. pin downs (subduing a person by holding down their limbs or any part of the body, such as their arms or legs)
  - iv. basket holds (subduing a person by wrapping your arm/s around their upper and/or lower body)
  - v. takedown techniques (subduing a person by forcing them to free-fall to the floor or by forcing them to fall to the floor with support)
  - vi. any physical restraint that has the purpose or effect of restraining or inhibiting a person's respiratory or digestive functioning
  - vii. any physical restraint that has the effect of pushing the person's head forward onto their chest
  - viii. any physical restraint that has the purpose or effect of compelling a person's compliance through the infliction of pain, hyperextension of joints, or by applying pressure to the chest or joints.
- (c) prohibit disability service providers and registered NDIS providers from using seclusion for a person under the age of 18 years.

**Signed this 4<sup>th</sup> day of April 2024**

A handwritten signature in black ink, appearing to read 'M Donley'.

**Mandy Donley, Victorian Senior Practitioner**