

Department guidance on behaviour support, restrictive practices and contacting Victorian government schools: for NDIS behaviour support providers and practitioners

This guidance has been developed for registered National Disability Insurance Scheme (NDIS) providers and NDIS behaviour support practitioners supporting NDIS participants who attend Victorian government schools. It may also be of interest to students and their families. This guidance must be read in conjunction with the department's [Restraint and Seclusion Policy](#).

Key points

- ✓ Children and young people with disability can receive support through multiple service providers and systems including child and family services, privately funded services, the Department of Education (the department), and the NDIS.
- ✓ Service providers have different authorisation, consent, and reporting requirements consistent with their relevant legislation, policy and /or procedures.
- ✓ The department and the NDIS have different obligations in relation to restrictive practices.
- ✓ Victorian government schools are not permitted to plan for, or schedule, the use of physical restraint or seclusion.
- ✓ Physical restraint and seclusion are only permitted within Victorian government schools in exceptional circumstances where immediately required and reasonably necessary to protect the safety of a student or another person.
- ✓ Victorian government schools report incidents of physical restraint and seclusion to the department, not to the NDIS Commission.
- ✓ Schools are encouraged to support students and their parent/guardian/carer(s) in exercising a level of choice and control with their NDIS Supports.
- ✓ Assuming parent/guardian/carer(s) consent has been obtained, NDIS behaviour support practitioners must request permission to attend a school site from the school's principal before attending.
- ✓ It is the responsibility of the school principal to determine whether a NDIS behaviour support practitioner can attend the school site and whether student information can be provided to them. In some cases, disclosure of student information may also require consent from the student's parent/guardian/carer(s).

Behaviour support in Victorian government schools

The department applies behavioural science and Schoolwide Positive Behaviour Support (SWPBS) to understand behaviour and provide supports.

Victorian government schools are supported with information and advice on promoting positive behaviour, prevention and early intervention strategies, a multi-tiered approach for student behaviour, responding to challenging behaviours, and professional learning opportunities for school staff.

For more information refer to the department's [Behaviour – Students Policy](#).

Department behaviour support plans

A department behaviour support plan (BSP) is a document that outlines the ways to support the student to learn new/alternative behaviour. A department BSP includes:

- known triggers of the behaviour
- known situations that make the behaviour more likely or cause the behaviour to occur
- strategies to reduce or remove triggers
- strategies to address circumstances that may trigger the behaviour
- strategies to teach the student how to meet their needs without using the behaviour
- how the alternative behaviour is reinforced
- how staff should respond to the behaviour, or warning signs to the behaviour, without reinforcing the behaviour
- when the BSP will be reviewed
- how the BSP will be evaluated.

A BSP template to assist schools with this process is available from the [Guidance](#) tab of the department's [Behaviour – Students](#) topic.

If a student has particularly challenging behaviour, the school may undertake a functional behavioural assessment (FBA) first to inform a behaviour support plan and address the reasons why the behaviour is occurring. Resources to assist schools with this process are available from the [Guidance](#) tab of the department's [Behaviour – Students](#) topic.

A department BSP can be written by any staff member, and a department FBA can be conducted by a skilled professional with appropriate knowledge. This can include teachers, school leaders, allied health staff and regional staff.

More than one plan

Children and young people with disability may have more than one plan and separate BSPs for their school and non-school settings. This is often unavoidable because of different policy and legislative requirements. Attempts must be made to have supports and interventions that are consistent across settings documented.

Not all strategies designed for one environment (e.g., at home) are appropriate for a school setting and vice versa. This is because the environments and supports available are different and can elicit different behaviours.

Department and NDIS BSPs also differ on restrictive practices. Victorian government schools are not permitted to plan for, or schedule, the use of physical restraint or seclusion, and chemical and

mechanical restraints are not permitted. The concept of “environmental restraint” is not applicable in school environments.

Restrictive practices and plans

Physical restraint and seclusion are only permitted within Victorian government schools in exceptional circumstances where immediately required and reasonably necessary to protect the safety of a student or another person.

For this reason, no one – including parent/guardian/carer(s), clinicians, NDIS behaviour support providers and practitioners, or students themselves – can authorise, consent to, or approve the use of physical restraint or seclusion in a Victorian government school.

The department’s [Restraint and Seclusion Policy](#) details when physical restraint and seclusion are permitted to be used in Victorian government schools and lists practices that are not permitted.

Every incident involving physical restraint or seclusion must be reported to the department.

If you witness a restrictive practice in a school, first discuss this with the principal and then follow the department’s [complaints process](#).

Contacting your client’s school about behaviour support

Assuming parent/guardian/carer(s) consent has been obtained, the school principal should be your first point of contact when requesting information or access to a student during school times. The principal may then delegate this to another school staff member.

Victorian government schools are encouraged to support students and their parent/guardian/carer(s) in exercising a level of choice of and control over the student’s NDIS supports, but it is the principal who will determine if the school can accommodate requests by NDIS behaviour support practitioners to:

- attend the school for the purpose of observing a student in a classroom or school environment
- discuss a student with a practitioner
- provide copies of documents. Note: that information collected for the Program for Students with a Disability (PSD) and Disability Inclusion is only for the purpose of determining eligibility for these programs so the department will not disclose this information unless the parent/guardian/carer(s), or adult who is a former student, has provided written consent or when required by, or permitted under, law.

For more information refer to the department’s [Requests for Information about Students Policy](#).

For guidance on contacting a school go to the *script guidance for NDIS behaviour support providers and practitioners calling Victorian government schools about behaviour support* later in this document.

Frequently asked questions

Victorian government schools are not required to arrange, or accommodate, new assessments for the primary purpose of supporting a student’s eligibility, or access, to NDIS support.

Parent/guardian/carer(s) can recommend applicants for teacher aide positions to be considered for employment under merit and equity principles.

Complaints

Complaints should first be discussed with the principal as per the department’s [complaints process](#).

Where a matter involves alleged serious misconduct, unsatisfactory performance, or sexual harassment, contact the Employee Conduct Branch: employee.conduct@education.vic.gov.au.

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Contact:

Questions about this guidance or the department's [Restraint and Seclusion Policy](#) can be directed to:

Principal Behaviour Support Adviser

Email: restraint.seclusion@education.vic.gov.au

If you have any questions about the National Disability Insurance Scheme (Restrictive Practices and Behaviour Support) Rules, contact:

Victoria Behaviour Support Team

Email: VICBehavioursupport@ndiscommission.gov.au

Script guidance for NDIS behaviour support providers and practitioners calling Victorian government schools about behaviour support

Preface to script guidance

- Victorian government schools are encouraged to support students and their parent/guardian/carer(s) in exercising a level of choice of and control over their NDIS supports.
- Victorian government schools are busy places, especially when school days begin and end. There may be a delay between leaving a message for the school principal and receiving their response or a response from the principal's delegate.
- The decision to allow you to observe your client in the classroom or Victorian government school environment rests with the school principal.
- It is the responsibility of the school principal to determine whether student information can be provided to you and in some cases, disclosure of student information may also require consent from the student's parent/guardian/carer(s).
- Victorian government schools are not required to arrange, or accommodate, new assessments for the primary purpose of supporting a student's eligibility, or access, to NDIS support.

Script guidance – key messages

You are:

- providing behaviour support to [INSERT STUDENT'S NAME]
- a registered NDIS behaviour support practitioner
- consulting with [INSERT STUDENT'S NAME], their parent/guardian/carer(s), and other relevant people
- requesting access to [INSERT STUDENT'S NAME] information /records
- wanting to observe [INSERT STUDENT'S NAME] in their classroom or school environment for the purpose of [WHAT]
- wanting to discuss the behaviour of [INSERT STUDENT'S NAME] with relevant school staff for the purpose of [WHAT]
- respectful of the school's resources and staff time.

Suggested script

Greetings.

State your name and organisation.

My name is [INSERT NAME]. I am calling from [INSERT NAME].

State the purpose of your call and provide necessary details.

I am providing behaviour support for [INSERT STUDENT'S NAME] as part of their NDIS Plan.

I would like to: [CHOOSE ONE OR MORE]

- *access to student information/records for [INSERT STUDENT'S NAME]*
- *observe [INSERT STUDENT'S NAME] in their classroom or school environment*
- *discuss [INSERT STUDENT'S NAME]'s behaviour with relevant school staff.*

So that I can: [CHOOSE ONE OR MORE]

- *identify behaviour support needs for a new NDIS plan*
- *evaluate the effectiveness of the current NDIS behaviour support plan*
- *update the existing plan with current behaviour support requirements.*

Abandon the script as necessary, but consider saying:

NDIS plans must be developed in consultation with the person with a disability, their support network and implementing provider before being approved.

I can provide my NDIS Worker Screening Check and NDIS Commission Registration numbers and a copy of the final approved plan for your records if requested.

Confirm the information you have been given and information/advice you have promised to provide.

Thank [PRINCIPAL/STAFF MEMBER] for their time.