



National Disability  
Research Partnership

# Government action to reduce and eliminate restrictive practices

Evidence to Action Brief for the National Disability Research Partnership

March 2026



## About this briefing

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This briefing has been prepared to support pre-reading for the NDRP Evidence to Action event on Safety of people with disability, held on 9 April 2026.

It draws on information provided by the NDIS regulation and policy areas and outlines current actions across Commonwealth, state and territory governments in relation to restrictive practices within the NDIS and aged care systems.

The briefing incorporates input from:

- NDIS Regulation, Department of Health, Disability and Ageing (DHDA)
- Practice Quality Division, NDIS Quality and Safeguards Commission
- Strategic Regulatory Matters Branch, Quality and Assurance Division, Ageing and Aged Care Group, DHDA



# Government action to reduce and eliminate restrictive practices

## ➤ Why this matters for safety

Restrictive practices such as seclusion and physical, chemical, mechanical or environmental restraint carry significant risks to the safety, rights and wellbeing of people with disability and older people. Evidence from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (DRC) and the NDIS Review: Working together to deliver the NDIS (NDIS Review) found that restrictive practices remain widespread, inconsistently applied and poorly understood at a system level, with limited visibility of where risks are emerging or whether reforms are improving outcomes.

Governments are responding to these findings by strengthening safeguards, improving data and oversight, and supporting practice change aimed at reducing and ultimately eliminating restrictive practices.

## ➤ Commonwealth action underway

### National Disability Insurance Scheme

The Commonwealth is leading a first phase of foundational reform focused on improving safety, evidence and accountability in relation to restrictive practices in the NDIS.

Key actions include:

#### **A nationally coordinated Joint Action Plan**

The Department of Health, Disability and Ageing is working with the NDIS Quality and Safeguards Commission (NDIS Commission), the Australian Institute of Health and Welfare (AIHW) and all state and territory governments to develop a Joint Action Plan to reduce and eliminate restrictive practices in the NDIS. This work responds to DRC recommendations 6.39 and 6.40 and Action 18.1 of the NDIS Review. The Joint Action Plan is intended to provide a coordinated, whole-of-government pathway for reform rather than isolated jurisdictional responses.

## Improving data, monitoring and visibility of risk

A core focus of current work is addressing long-standing gaps in data on restrictive practices. The Commonwealth is supporting:

- development of nationally consistent definitions and sub-types of restrictive practices to enable comparable data
- consideration of AIHW recommendations on data collection methods, monitoring metrics and national reporting
- work towards performance indicators and targets to track progress over time.

Improving data quality and comparability is a critical prerequisite to identifying safety risks, understanding who is most affected, and assessing whether reforms are leading to real reductions in restrictive practice use.

## Strengthening behaviour support

Behaviour Support Plans (BSPs) are a key mechanism through which restrictive practices are authorised and implemented in the NDIS. Commonwealth policy work is examining how BSP quality, implementation and review processes can be strengthened so they function as intended, as a practical tool to reduce restrictive practices and improve quality of life. This work recognises current evidence showing wide variation in BSP quality and implementation, and the risks this poses to participant outcomes.

## Why this work matters

This foundational phase aims to respond directly to well-known problems including but not limited to:

- Inadequate data metrics and sharing protocols
- Variation in restrictive practices definitions and reporting
- Variation in Behaviour Support Plan quality and implementation
- Fragmented governance across jurisdictions, making it difficult to achieve national consistency.

## Aged Care

### Restrictive practices in aged care – a last resort

The Aged Care Act 2024 and Aged Care Rules 2025 are designed to regulate and strengthen restrictive practice arrangements for Australian Government-funded residential aged care providers. These include:

- a reinforced “last resort” principle
- requirements that practices be the least restrictive option, used for the shortest possible time
- informed consent and documentation requirements
- a Statement of Rights and a supported decision-making model to uphold autonomy and dignity.

These strict legislative requirements apply to registered providers of residential aged care. These requirements aim to uphold the rights of older persons and support a person-centred approach through eliminating the inappropriate use of restrictive practices.

In addition, the Government funds specialist behaviour support services to manage behavioural and psychological symptoms of dementia. Aged care providers and carers can, at any stage, seek support through these services.

## State and territory action

State and territory governments play a critical role in authorisation, oversight and practice leadership relating to restrictive practices, particularly through senior practitioner functions.

Current actions include:

### Participation in national reform

All states and territories are actively participating in the development of the Joint Action Plan for the NDIS, including work on nationally consistent definitions, data and monitoring approaches, and alignment with existing authorisation frameworks.

### Senior Practitioner leadership and national consistency

State and territory Senior Practitioners, working with the NDIS Commission through the Senior Practitioner Leadership Group, are progressing nationally consistent definitions and approaches to restrictive practices. This work is intended to improve clarity for practitioners and providers, reduce variation across jurisdictions, and strengthen the integrity of national data.

### Jurisdiction-specific reform and oversight

Many jurisdictions are reviewing and strengthening restrictive practices legislative and policy frameworks across disability, health, education and justice settings. While approaches vary, the shared focus on rights-based safeguards, stronger oversight and reducing reliance on restrictive practices.

## The role of regulators and national bodies

### NDIS Quality and Safeguards Commission

The NDIS Commission leads regulatory oversight of restrictive practices in the NDIS, including:

- authorisation and monitoring requirements
- compliance and enforcement action for unauthorised use
- initiatives to uplift practitioner capability and BSP quality
- public reporting on restrictive practices through annual reporting and quality snapshots.

The NDIS Commission is also undertaking a major data and regulatory system transformation to improve the quality and usability of restrictive practices data.

### Aged Care Quality and Safety Commission

The Aged Care Quality and Safety Commission (ACQSC) gathers and assesses information on the use of restrictive practices to ensure registered providers are using restrictive practices in line with:

- legislative obligations
- the Statement of Rights
- the Aged Care Quality Standards.

The ACQSC Behaviour Support and Restrictive Practices Unit supports registered aged care providers to understand the requirements on the use of restrictive practices in aged care. This includes preventative approaches and the use of alternative strategies to manage an older person's behaviours of concern to minimise the use of restrictive practices.

### Australian Institute of Health and Welfare

AIHW is providing expert advice on data gaps, definitions and metrics to support nationally consistent monitoring of restrictive practices. This work underpins the development of indicators and targets and supports evidence-informed policy decisions.

## ➤ What this means for safety of people with disability in policy and practice

These actions reflect a shift towards:

- treating restrictive practices as a safety and human rights issue requiring system-level oversight
- recognising that consistent data and definitions are essential to identifying risk and measuring change
- using behaviour support and practice quality as key levers for reducing harm
- acknowledging that while reform momentum is strong, further evidence is needed on what drives sustained practice change.

The work underway is foundational. Decisions are not final, and governments continue to test, refine and learn as evidence improves. This creates an important opportunity for researchers, practitioners and people with lived experience to inform how evidence is generated, shared and translated into safer practice.

## ➤ Background

Restrictive practices refer to *“any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability”*. Under certain conditions, restrictive practices may be used as a last resort to minimise the risk of harm. However, restrictive practices can also have adverse impacts and lead to significant violations of a person’s human rights. Within the NDIS context, all reasonable steps must be taken to reduce and eliminate restrictive practices, consistent with Australia’s obligations under the United Nations Convention on the Rights of Persons with Disabilities.

The Commonwealth has invested \$1.2 million to establish a whole of government approach to reduce and eliminate the use of restrictive practices in the NDIS. This initial phase focuses on improving data collection and reporting on restrictive practices and progressing targets and performance indicators to drive the reduction and elimination of restrictive practices in the NDIS. This work is aimed at addressing long-standing gaps in information and oversight that limit national visibility of restrictive practices use. Strengthening the quality, consistency and comparability of data is critical to improving accountability, identifying emerging risks and supporting evidence-based practice improvement. These efforts are intended to build the foundations for a nationally consistent, rights-based approach that

improves outcomes for people with disability.





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