

PARLIAMENTARY INQUIRY QUESTION ON NOTICE

Department of Health and Aged Care

Senate Standing Committee on Community Affairs Legislation Committee

Inquiry into the Aged Care Bill 2024 (Provisions)

03 October 2024

PDR Number: IQ24-000154

Inappropriate use of restrictive practices in aged care

Written

Senator: Marielle Smith

Question:

How are restrictive practices defined in the Bill, and what action has the government taken to eliminate the inappropriate use of restrictive practices in aged care

Answer:

Restrictive practice in relation to an individual means any practice or intervention that has the effect of restricting the rights or freedom of movement of the individual. This aligns with the definition of restrictive practices applied under the National Disability Insurance Scheme.

The Rules will provide clarification, or set out additional concepts, regarding what a restrictive practice is.

This will allow some flexibility in responding to any newly emerging concerns about practices or interventions that are considered restrictive and may be inappropriate and/or harmful in a residential aged care home.

Initiatives implemented to eliminate the inappropriate use of restrictive practices in aged care include:

- strengthened legislative requirements for the use of restrictive practices, which will be continued as part of the Aged Care Bill
- increased education and training services to support aged care providers in identifying and adopting alternate behaviour management strategies
- reporting requirements for all providers in relation to the inappropriate use of restrictive practices through the Serious Incident Response Scheme (SIRS)

- reporting requirements for residential aged care providers on restrictive practices and medication management under the National Aged Care Mandatory Quality Indicator Program (QI Program), and
- requirements for compliance with the Aged Care Quality Standards and Charter of Aged Care Rights, which will be instead included in the Statement of Rights under the Bill.

We are closely monitoring the impact of these initiatives to ensure that the sector is changing its approach to the use of restrictive practices.