



Restrictive practices

The flipbook guides have been designed as supplementary supports for the learning modules. The guides include key messages and insights for your continued reflection.

Need to know: Restrictive practices

Restrictive practices must only be used as a last resort, in the least restrictive form and for the shortest time possible.

Restrictive practices must only be used to prevent harm to the older person or others and after consideration of the likely impact on the older person. There are five types of restrictive practices, including:



Before a restrictive practice is used, best practice alternative strategies must be considered and tried to the extent possible. A restrictive practice must only be used to the extent that is necessary and in proportion to the risk of harm.

The Aged Care Act includes a Statement of Rights outlining the rights that older people have when accessing aged care services. The rights help ensure older people and their needs are at the centre and include the right to:

- be safe and free from violence
- be free from cruel, inhumane or degrading treatment
- privacy
- an adequate standard of living, including access to adequate food, clothing and housing
- the highest possible standard of physical and mental health
- have access to family and social connections.

Restrictive practices impact the rights and dignity of older people and can result in serious physical and psychological harm and, in some cases, death.

Registered providers have legal requirements to minimise the inappropriate use of restrictive practices by meeting a number of conditions before, during and after the use of any restrictive practice.

What does this mean for aged care providers?

Providers must implement a multidisciplinary, individualised model of care for people who need behaviour support as a proactive strategy to support quality of life and minimise the inappropriate use of restrictive practices. The Aged Care Act outlines that providers must deliver quality and safe aged care services and follow the rules in relation to reporting incidents and use of restrictive practices.

Restrictive practices: Obligations and accountabilities

To minimise the inappropriate use of restrictive practices there are legislated obligations and requirements for providers under the *Aged Care Act 2024* and the *Aged Care Act 2025*.

Please also view the [Consent for restrictive practices - Information for aged care providers](#) or [Frequently asked questions about consent](#) resources for more information on informed consent.

Please take a moment to review each of obligations on the following pages.



Aged Care Act 2024



Aged Care Quality Standards



Aged Care Rules 2025



Statement of Rights



Code of Conduct



Aged Care Provider Requirements



Serious Incident Response Scheme



National Aged Care Quality Indicator Program



Behaviour Support Plans

Restrictive practices: Obligations and requirements (continued)

Aged Care Act 2024

The Aged Care Act is the main law that sets out how the aged care system operates. It puts the rights of older people first and makes sure that people who use Australian Government-funded aged care services are treated with respect and live their best lives.

Aged Care Rules 2025

The Aged Care Rules sit under the Aged Care Act and explain how to put the law into practice. The Rules can be reviewed and changed to stay in line with best practice.

Before the Aged Care Act started on 1 November 2025, the Quality of Care Principles (QoC) 2014 included restrictive practice responsibilities. The QoC principles are no longer in force. The Aged Care Rules include restrictive practice requirements.

Division 2 of the Aged Care Rules 162-15 requires the use of the restrictive practice to comply with the Quality Standards.

Restrictive practices: Obligations and requirements (continued)

Aged Care Quality Standards

The use of restrictive practices is also assessed under a number of the Aged Care Quality Standards. For example, Standard 3, outcome 3.2, delivery of funded aged care services and Standard 5, outcome 5.6 Cognitive impairment.

The Standards require that clinical care is best practice and supported by a clinical governance framework that delivers best practice behaviour support and minimises the inappropriate use of restrictive practices.

The Standards clearly outline that providers must have organisation-wide governance systems for regulatory compliance.

Aged Care Code of Conduct (Code)

The Code describes how registered providers, their responsible persons (for example, board members and chief executive officers) and aged care workers (including volunteers) need to behave and treat people using funded aged care services.

Division 2 of the Aged Care Rules 162-15 requires the use of the restrictive practice to comply with the Code.

Statement of Rights

The Aged Care Act includes a Statement of Rights that explains older people's rights when using aged care. These rights put older people and their needs at the centre of care.

Division 2 of the Aged Care Rules 162-15 requires the use of the restrictive practice to be consistent with the Statement of Rights.

Restrictive practices: Obligations and requirements (continued)

Serious Incident Response Scheme (SIRS)

The SIRS helps stop and reduce the risk of incidents of abuse and neglect in funded aged care. Under the SIRS, providers need to report incidents and near misses in their incident management system (IMS). This is to make sure they respond to incidents quickly and in the right way .

National Aged Care Quality Indicator Program

The QI Program requires providers to report against specific quality indicators on a regular basis to help providers improve their service.

The **QI Program** requirements include reporting on the use of restrictive practices, and medication management.

Informed consent for restrictive practices

Informed consent for the use of any restrictive practice must be obtained. Informed consent must be given by the:

- older person, or
- a Restrictive Practices Substitute Decision-Maker (RPSDM), if the older person lacks capacity to give that consent.

A RPSDM is a person or body that can give informed consent to the restrictive practice and to the prescription of medication in the case of a chemical restraint. Consent must follow the laws of the state or territory in which the older person is receiving aged care.

Restrictive practices: Obligations and requirements (continued)

Behaviour Support Plans (BSP)

It is a requirement for all residential aged care providers to have Behaviour Support Plans (BSP) in place for any older person that needs one.

This means a BSP must be developed for an older person that experiences changed behaviours (behaviours that require support), and/or has a restrictive practice considered or used as part of their care.

In aged care, having BSPs in place for anyone that needs behaviour support is best practice. BSPs protect the rights, safety and wellbeing of older Australians, putting them at the centre of care planning and service delivery.

Behaviour support and restrictive practices

Registered providers have specific responsibilities under the *Aged Care Act 2024* and *Aged Care Rules 2025* around behaviour support and restrictive practices. Proactive and person-centred behaviour support approaches are strategies to minimise the need for a restrictive practice and ensure any use of a restrictive practice is a last resort. Sometimes providers may need to use a restrictive practice to support an older person and to prevent harm. However, you must meet several requirements first.

These requirements protect older people's rights and ensure providers deliver quality and safe care. It is essential you have an effective clinical governance framework that delivers best practice behaviour support and oversees and manages restrictive practices, including minimising the inappropriate use. This framework needs to make sure your organisation uses restrictive practices in line with the:

- Aged Care Rules
- Aged Care Quality Standards (Quality Standards)
- Statement of Rights
- Aged Care Code of Conduct, and
- meet the requirements (if any) of the law of the state or territory in which the restrictive practice is used.

Behaviour support and restrictive practices (continued)

The Aged Care Rules sets out the specific requirements for behaviour support and restrictive practices.

 **Part 9 – Restrictive Practices – approved residential care homes**, of the Aged Care Rules sets out:

- requirements relating to restrictive practices; and
- requirements relating to behaviour support; and
- immunity from civil or criminal liability in relation to the use of restrictive practices in certain circumstances.

As an organisation, you must understand all requirements, have clear and current guiding policies and procedures, and ensure all workers are well trained to implement all requirements to ensure safe and quality care for older people.



Part 9 - Division 2: sets out requirements relating to the use of restrictive practices. This includes requirements for the use of any restrictive practice, plus:

- additional requirements for the use of a restrictive practice other than chemical restraint (i.e. environmental, mechanical, physical, and seclusion)
- additional requirements for the use of a restrictive practice that is chemical restraint
- additional requirements include the assessment of the restrictive practice and how these must be documented in the behaviour support plan
- requirements to ensure the use of the restrictive practice complies with the Aged Care Quality Standards, Aged Care Code of Conduct and is not inconsistent with the Statement of Rights.

Behaviour support and restrictive practices (continued)

The Aged Care Rules sets out the specific requirements for behaviour support and restrictive practices.

✓ Part 9 - Division 2: Requirements relating to nominations of restrictive practice nominees

To ensure providers take reasonable steps to:

- Prevent coercion and duress in making, varying or revoking restrictive practice nominations
- Assisting the individual regarding the nomination
- Keep records of the nomination



Part 9 - Division 3: sets out requirements relating to behaviour support

This includes requirements relating to when a behaviour support plan (BSP) is required and what specific matters that must be outlined in the older person's BSP relevant to their circumstances. This means providers must ensure the BSP includes all relevant information regarding the older person and effective implementation of that plan.

A BSP is required when:

- An older person experiences changed behaviours (behaviours that require support) and/or
- A restrictive practice is considered or used.

BSPs must be reviewed and revised on a regular basis and as soon as practicable after any change in the older person's circumstances. For example, a change can include a new medication, ongoing behaviour occurrences, decline in health and well-being, hospital admission.

In preparing, reviewing or revising a BSP, a provider must consult the older person, their relevant decision-maker (if required) and any health practitioners with expertise relevant to the older person's behaviours.

Behaviour support and restrictive practices (continued)

The Aged Care Rules sets out the specific requirements for behaviour support and restrictive practices.



Part 9 - Division 4: sets out immunity from civil or criminal liability in relation to the use of restrictive practice in certain circumstances

Division 4 sets out an immunity provision so that providers and other relevant individuals such as workers, volunteers and medical practitioners, are not subject to criminal or civil liability under state and territory laws for relying on consent provided by a person authorised to give that consent under the Commonwealth laws. The immunity provision will only be available where all the legal requirements around who may consent to the use of a restrictive practice are strictly followed.



Part 9 - Division 2: Emergency use of a restrictive practice:

- An emergency is a serious or dangerous situation that is unanticipated or unforeseen which requires immediate action.
- Situations where restrictive practices are required in residential aged care in the event of an emergency should be rare.
- Providers should understand and implement best practice alternative strategies relevant to the older person to avoid the need for the emergency use of a restrictive practice.

Aged Care Provider Requirements Search

This tool can you understand the specific restrictive practices requirements for your organisation. It provides a summary of the legislative requirements based on the responses you provide. This tool does not replace the Act or associated Rules — it is a guide to help support you navigate them. For full details, always check the Act and associated Rules.

[Aged Care Provider Requirements Search](#)

Role of the governing body and executives

Governing bodies and executives are required to outline their expectations related to restrictive practices through the design and implementation of policy, as well as engage in continuous oversight, monitoring and assurance activities. Ultimately the role of the Governing Body and Executives is to ensure their provider is upholding older people's rights. This can be done through a variety of methods:

✔ Set the tone and culture

- Assess an organisation's culture regarding restrictive practices.
- Provide visible leadership and guidance surrounding restrictive practices, such as for policies, training and communications.

✔ Listen to the older person's voice

- Establish a restrictive practice reference group to manage the coordination and reporting of older people's insights to governing body meetings.
- Continuously monitor and evaluate older people's insights through reporting and conversations with management.

✔ Use the data

- Regularly review client information, clinical data, and quality indicators to provide oversight of day-to-day operations.
- Regularly assess whether the governing body is receiving the correct information to guide your decision-making regarding behaviour support and restrictive practices.

✔ Ask the right questions

- Ask the right questions in response to the high-level data you receive regarding restrictive practices and behaviour support, including:
 - What reporting do we need to get to ensure policies are being translated into care outcomes?
 - What is the information telling us?

Role of the governing body and executive (continued)

As the governing body you must make sure that workers have the right skills, qualifications and support to deliver safe, quality care.

✓ Understanding of workforce requirements

- Assess your workforce with a person-centred lens, e.g., do we have sufficient numbers and capability of workers who are trained in identifying and supporting to behaviours, including planning care.
- Do we have an adequately sized workforce to enable effective care to ALL older people?

✓ Implement assurance processes

- Regularly engage in independent/external reviews to ensure policies and procedures are current and being followed within the organisation.
- Guide management to perform regular internal assessments with a continuous improvement mindset to ensure policies and procedures are effective and being followed.

✓ Ensure compliance

- Ensure the governing body and executive, management and workforce are all aware of the legislative obligations and reporting requirements regarding restrictive practices.

Additionally, integral to minimising the inappropriate use of restrictive practices is ensuring processes are clearly documented, are well understood and effectively implemented by workers.

Remember, every governing body has the responsibility for identifying and managing risk, and monitoring the provider's compliance with all legal requirements and their own organisational policies.

Good governance is when providers have systems and processes that help them identify and manage any risks.

Tips and next steps

Please review the below action list and brainstorm some additional actions and immediate next steps you could take towards supporting minimising the inappropriate use of restrictive practices in your organisation.

- Establish regular forums and reporting protocols through which the governing body and executive can oversee the management and embedding of safe-quality care.
- Understand what workforce number, capability and skills you need and ensure workers have the appropriate training in delivery of person-centred care, behaviour support, dementia care, and restrictive practices.
- Ensure older people are involved in the planning of their care and services. This can be done by embedding their voice in policies, processes and practices in your organisation.
- Make sure the provider prepares regular reports including key data, such as the number or restrictive practices used, SIRS reporting, strategies to minimise the inappropriate use of restrictive practices.
- Regularly analyse data related to the use of restrictive practices at your service or services to seek assurance that robust processes are in place and opportunities for improvement in care are identified.
- Ensure the necessary systems and processes are in place to identify and understand the underlying cause of changed behaviour and to develop a range of person-centred strategies to minimise the inappropriate use of restrictive practices.
- Ensuring all older people who require Behaviour Support Plans have them as per the requirements.
- Ensure any use of a restrictive practice is appropriately assessed, used only as a last resort, in the least restrictive way, for shortest time possible, and is monitored effectively.
- Ensure that informed consent is provided and appropriately documented for any type of restrictive practice use.
- Have processes (such as incident management systems, quality indicator and data reviews, independent external reviews and audits) to make sure the provider and workers are following policies and procedures and providing safe, quality care.

Additional resources



Please note that some of these resources reference the Quality of Care Principles which are no longer in force. However, the resources still contain relevant information and guidance to support your service's systems and processes relating to behaviour support and restrictive practices. It is your responsibility to know your obligations and legal responsibilities under the Aged Care Act 2024 and Aged Care Rules 2025. Please ensure you refer to the Aged Care Rules 2025 which include restrictive practice and behaviour support requirements.



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