

# Restrictive practices and guardianship

## Information for you

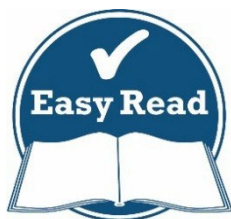
### Easy Read version



## How to use this fact sheet



The Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT) wrote this fact sheet. When you see the word 'we', it means the Guardianship Division.



We have written this fact sheet in an easy to read way.

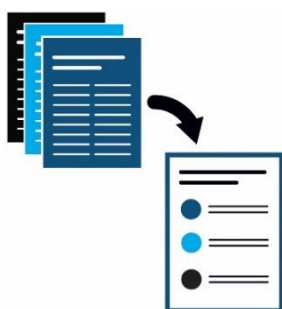
We use pictures to explain some ideas.



We have written some words in **bold**.

We explain what these words mean.

There is a list of these words on page 15.



This Easy Read fact sheet is a summary of another fact sheet.



You can find the other fact sheet on our website at [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au)



You can ask for help to read this fact sheet. A friend, family member or support person may be able to help you.

## **What's in this fact sheet?**

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## What's this fact sheet about?



This fact sheet is about the decisions a **guardian** can make.



Your guardian is someone we choose to make decisions about your life when you can't make decisions on your own.



*The Guardianship Act (1987)* is the law that explains what decisions guardians can make.



When we choose someone to be your guardian, we call it a **guardianship order**.

Your guardian might make decisions about:



- where you live



- what services you need and use



- what health care you need



- what medical or dental treatment you will have





- using **restrictive practices**.



Guardianship orders don't last forever.

## What are restrictive practices?



Restrictive practices are ways to stop people with disability from hurting themselves or others.



Your carers and support workers might need to use restrictive practices to stop you hurting yourself or other people.

Restrictive practices can include:



- putting you into a room or a space you can't get out of



- holding you so you can't move



- using equipment that stops you from moving



- stopping you from going into a room or space you want to be in



- stopping you from getting things you want



- giving you medicine that controls your **behaviour** – what you do.



Restrictive practices should be the very last thing your carer or support worker does to stop you hurting yourself or other people.



## Using restrictive practices



Carers and support workers need **consent** before they can use restrictive practices.



When you give your consent, you say it is okay for someone to do something.



If you can make your own decisions, you can give consent for your carer or support worker to use restrictive practices.



If you can't make your own decisions, your guardian might give consent for restrictive practices to be used.



There are things we must think about before we give your guardian the power to decide if restrictive practices can be used.

They include:



- what you want



- what it says in your *Behaviour Support Plan*



- any information we get from:
  - your family
  - your friends
  - your carers
  - health care services you use
  - service providers you use



- other ways we can stop you hurting yourself or other people



- any other rules that must be followed.

If giving you medicine could be the best way to control your behaviour, we will make sure we know:



- which medicine you need
- how much you should have
- how to give it to you
- when to give it to you
- what other things the medicine might do to you.

We will put restrictive practices in your guardianship order if it is the best choice.

## Making sure things go well



When we make a guardianship order, we like to check how things are going.

We call this a review.



You can ask for a review of your guardianship order at any time.

When we review a guardianship order that includes restrictive practices, we need to know:



- how and when restrictive practices have been used



- why restrictive practices have been used



- why restrictive practices still need to be used



- how any restrictive practices have affected you



- what good things you are doing to control your behaviour.



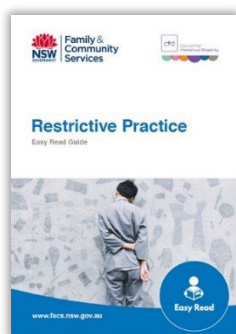
## More information

You can find more information about restrictive practices online:



- the decisions we can make

<http://bit.ly/2KoXDX6>



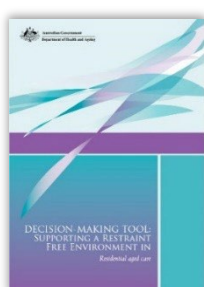
- an **Easy Read guide** from the Department of Communities and Justice

<https://bit.ly/4ark86e>



- **rules for the National Disability Insurance Scheme**

<https://bit.ly/2lqtd4y>



- a **toolkit** for older people and people in aged care

<https://bit.ly/49oQ0ak>



- a **guide** from the NSW Public Guardian

<https://bit.ly/4aNTLHi>

## Word list



### **Behaviour**

What you do.



### **Consent**

When you give your consent, you say it is okay for someone to do something.



### **Guardian**

Your guardian is someone we choose to make decisions about your life when you can't make decisions on your own.



### **Guardianship order**

When we choose someone to be a guardian, we call it a Guardianship order.



### **Restrictive practices**

Restrictive practices are ways to stop someone from hurting themselves or others.

## Contact us



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**[www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au)**



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