

Autism Spectrum Australia (Aspect) uses a Positive Behaviour Support (PBS) approach in working with all people on the autism spectrum to support people safely (see Safeguarding the People we Support policy). PBS also offers a framework for supporting individuals where there are behaviours of concern (see Definitions). This policy details the principles of a PBS approach and how this is addressed across the whole organisation.

What is PBS?

PBS is a comprehensive approach to supporting situations where there are behaviours of concern. PBS combines behavioural approaches with human rights and values. PBS works in respectful collaboration with individuals and their families to use effective evidence-based strategies to increase the quality of life for all involved.

What is the aim of PBS?

Improvement to quality of life is the primary outcome of PBS. This includes physical, emotional and interpersonal wellbeing, independence in everyday life skills, engaging in meaningful activities, community participation, trusting freely given relationships, increased access to personal preferences, choice making and self-advocacy.

What supports and strategies are used in PBS?

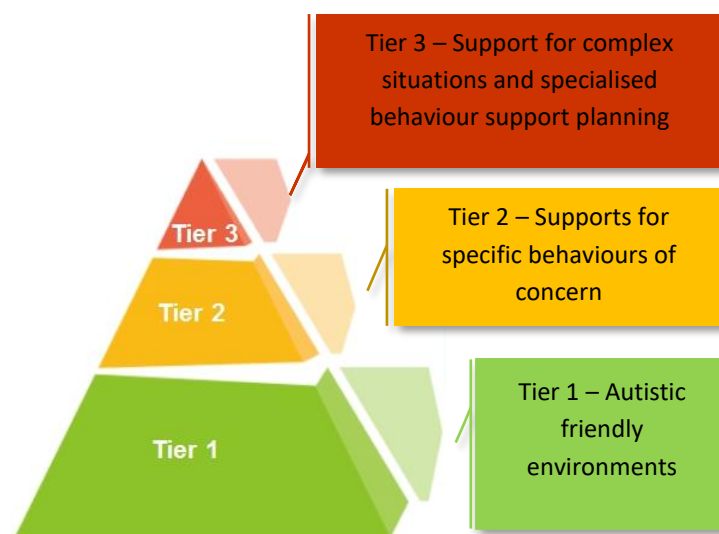
PBS understands that all behaviours of concern have a purpose or reason and is an attempt to communicate or meet a need (this is called the 'function'). PBS uses supports based on a functional behavioural assessment. PBS is both positive and proactive. Positive means increasing and strengthening helpful behaviours and new skills through 'reinforcement' (not using punishment or negative consequences such as 'response cost'). Proactive means developing environments that prevent challenges, anticipating when needs are not being met and planning to avoid responding in an unplanned reactive way when challenges occur. PBS emphasises that strategies have to be able to be used in everyday home, school and/or community routines. Strategies need to have a good fit with the context in which they will be used or implemented. PBS offers support to implement strategies consistently across environments and over time. Supports are evaluated and aim for sustainability and transferability across environments. Through this model the people we support access behaviour support that is appropriate to their needs using a person-centred approach, which incorporates evidence-informed (see Definitions) practice and complies with relevant legislation and policy frameworks.

What does PBS look like at Aspect?

Aspect utilises the PBS framework as part of the Aspect Comprehensive Approach to (ACA) – (see ACA policy) build inclusive, autism-capable environments (see Working in Partnership policy), foster a proactive approach to supporting the individual using a collaborative person-centred and family-focused perspective.

PBS is used by Aspect staff working directly with individuals or in an advisory way in situations where there are behaviours of concern. It is to be addressed at staff induction, through internal training, through Aspect's Comprehensive Approach, in staff Position Profiles and during staff Safety Intervention (SI) training. PBS expectations are clearly articulated in staff position profiles, when developing or reviewing any PBS strategy or plan or after an incident and when providing direct support to any individual.

PBS services are delivered in a capacity building and collaborative way and are structured in a tiered or triangle model along a continuum of intensity of support.



Tier One: Aspect staff implement Tier 1 supports across all settings (for example visual and structured supports) across school environments, community settings and individual programs. This includes using the Five Point Star and other autism-friendly, positive strategies to proactively prevent behaviours of concern, and manage environments for success. Aspect staff are trained in the implementation of Tier 1 supports. Staff with specialised roles in delivering PBS for individuals are provided additional PBS training.

Tier Two: Aspect staff implement Tier 2 supports, as required, where an individual has specific behaviours of concern, after they have had a functional assessment. The supports are specific and targeted and are captured in a PBS Plan that encourages replacement behaviours and skill development and rewards for the individual.

Tier Three: Aspect staff implement Tier 3 supports as required, for and with students/participants with complex care needs. This may involve formulation and implementation of a comprehensive positive behaviour support plan, and participation in a team of internal and external stakeholders to provide a cohesive or “wrap around” approach to support the reduction of behaviours of concern.

Restricted & Prohibited Practices

Aspect maintains strict procedures and a reference guide that outlines its definitions of restrictive and prohibited practices based on state and regulatory body requirements and good autism practice including information regarding which practices are prohibited (see Definitions). These procedures and guidelines are led by the National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Service Sector (2013); and aim to:

- protect the human rights of the people we support;
- allow Aspect staff to work safely in challenging situations within an open, transparent and agreed framework;
- fulfil commitments to state and territory governments restrictive practices criteria for use, approval and fading; and
- prevent prohibited practices and the misuse of restrictive practices.

Restrictive Practices

Aspect recognises that different strategies may be required to keep people safe in crisis situations where there is risk of harm. The use of restrictive practices (see Definitions) may also be required as part of Aspect's duty of care and commitment to a continuous culture of safety and wellbeing. These strategies can impact on a person's human rights, be risky to the person, or have the potential to be misused. As such, the use of restrictive practices, either planned use or an emergency response to a safety situation, are required to be to be closely monitored, recorded and their use regularly reviewed and evaluated.

The goal is to reduce and where possible eliminate the use of the restrictive practices over time with better matched environments, improved support and skill development for the individual and the team supporting them.

A planned restrictive practice is only used at Aspect as set out in a behaviour support plan which meets best practice requirements. Outside of a prescribed and authorised behaviour support plan, Aspect staff may use a restrictive practice in an emergency situation to safeguard an individual against imminent danger, where the risk of not using the restrictive practice is greater than the risk of using the practice.

Prohibited Practices

Aspect also regards that some other strategies are inappropriate at all times and are therefore prohibited organisation wide as they may be punitive, harmful, do not meet the goals of positive behaviour support or do not represent good autism practice. The ongoing use of unauthorised restrictive practices without efforts to include in a behaviour support plan and seek authorisation may be considered prohibited practices. Aspect considers the use of prohibitive practices as unethical and wrong. Prohibited practices are not used at Aspect.

External Framework

The Positive Behaviour Support policy illustrates Aspect's adherence to the:

- NDIS Practice Standards (2018) and NDIS Code of Conduct, specifically within the NDIS Practice Standards & Quality Indicators:
 - Core Module: 1. Rights and Responsibilities, under all Outcomes.

- Core Module: 2. Provider Governance and Operational Management, under the relevant Outcomes.
- Core Module: 3. Provision of Supports, under the relevant Outcomes.
- Core Module: 4. Support Provision Environment, under the relevant Outcomes.
- Supplementary Module: 2. Specialist Behaviour Support Module, under all Outcomes.
- Supplementary Module: 2a. Implementing Behaviour Support Plans, under all Outcomes.
- Supplementary Module: 3. Early Childhood Supports, under all Outcomes.
- Disability Standards for Education (2005), specifically:
 - Part 3: Making Reasonable Adjustments.
 - Part 5: Standards for Participation.
 - Part 6: Standards for Curriculum Development, Accreditation and Delivery.
 - Part 7: Standards for Student Support Services.
 - Part 8: Standards for Harassment and Victimisation.
- NESA Registered and Accredited Individual Non-government Schools (NSW Manual), specifically:
 - 3. Requirements for Registered Non-government Schools, under requirements for Staff; Curriculum; and Safe and Supportive Environments.
- Standards for Registration and Review of Registration of Schools in South Australia, specifically the relevant quality related criteria for:
 - Standard 2 Student Learning and Assessment.
 - Standard 3 Student Safety, Health and Welfare

Critical Definitions

Behaviour of Concern or Challenging Behaviour – any persistent behaviour that causes risks to a person’s- or others’ safety and limits a person’s ability to have a good life. This does not include coping behaviour sometimes used by Autistic people such as self-stimulatory behaviour or ‘stimming’. Challenging behaviour or behaviour of concern is understood as part of an interaction between:

- an individual, their current and past experiences, and what they have been taught;
- the other people in their lives;
- the environments, communities and cultures in which they live.

Behaviour is called ‘challenging’ because it challenges the individual and everyone who supports the person to understand why it is happening and to work together to find a solution. The terms behaviour of concern or challenging behaviour can be used interchangeably.

Culture of Safety and Wellbeing – refers to an organisational culture which takes a preventative, proactive and participatory stance on safeguarding the people we support by:

- putting the safety and wellbeing of the people we support as a paramount consideration when developing activities, policies and management practices;
- valuing and embracing the opinions and views of the people we support; and
- encouraging and assisting the people we support to build skills that will assist them to participate in society and taking action to protect the people we support from physical, sexual, emotional and psychological abuse, and neglect and exploitation.

Evidence based – Aspect defines 'Evidence-Based Practice' as strategies that:

- have the highest quality available research showing positive impacts for Autistic people and their families in real-world settings;
- meet the aspirations, preferences and values of people on the autism spectrum;
- fit with Aspect's 50 years of expertise in autism practice and assists the work of our educators, therapists and support staff;
- are positive and not painful or distressing, respect the full diversity of Autistic people and can contribute towards an Autistic person's satisfaction with their quality of life and their inclusion in society.

Evidence informed – Evidence-Informed Practice refers to emerging practices that have yet to develop a research base. Sometimes, it takes time for new research evidence to emerge. Where there is limited research available and strategies meet Aspect's evidence-based practice criteria, Aspect's Research Centre for Autism Practice (ARCAP) conducts research in partnership with the Autistic community to investigate evidence-informed strategies. This might include the use of technology (iPads or telehealth), strategies to support emotional regulation or approaches to training (e.g. the police) to respond positively.

Restrictive practices – any safety strategy, practice or intervention that has the effect of restricting the rights or freedom of movement of a person. These practices are restricted in their use, subject to approval, and the inclusion of these definitions is not an endorsement of their use.

States and Territories are responsible for determining which practices are considered prohibited or restrictive and/or reportable:

- *Chemical Restraint* – use of medication or chemical substance for the primary purpose of influencing a person's behaviour.
- *Environmental Restraint* – restricts a person's free access to all parts of their environment, including items or activities (as relevant to age appropriateness).
- *Mechanical Restraint* – use of a device to prevent, restrict, or subdue a person's movement for the primary purpose of influencing a person's behaviour.
- *Physical Restraint* – use or action of physical force to prevent, restrict or subdue movement of a person's body, or part of their body, for the primary purpose of influencing their behaviour.
- *Seclusion* – sole confinement of a person with disability in a room or a physical space at any hour of the day or night where voluntary exit is prevented, or not facilitated, or it is implied that voluntary exit is not permitted.

Prohibited Practices – practices which are abusive and which constitute assault or wrongful imprisonment, both of which are criminal offences and civil wrongs which could lead to legal action. They also include practices that may not be unlawful, but are unethical. These practices are not to be used.

Legislation References

International

United Nations Convention on the Rights of Persons with Disabilities

United Nations Convention on the Rights of the Child 1989

Universal Declaration of Human Rights 1948

National

Australian Human Rights Commission Act 1986 (Cth)

Crimes Act 1914 (Cth)

Disability Discrimination Act 1992 (Cth)

Disability Services Act 1986 (Cth)

Disability Standards for Education 2005 (Cth)

National Disability Insurance Scheme Act 2013 (Cth)

National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and other measures) Bill 2017 (Cth)

National Standards for Disability Services 2014 (Cth)

Ombudsman Act 1976 (Cth)

Work Health and Safety Act 2011 (Cth)

New South Wales

Anti-Discrimination Act 1977 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Children's Guardian Act 2019 (NSW)

Crimes Act 1900 (NSW)

Disability Inclusion Act 2014 (NSW)

Education Act 1990 (NSW)

Guardianship Act 1987 (NSW)

Ombudsman Act 1974 (NSW)

Work Health and Safety Act 2011 (NSW)

Victoria

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Children Youth and Families Act 2005 (Vic)

Crimes Act 1958 (Vic)

Disability Act 2006 (Vic)

Equal Opportunity Act 2010 (Vic)

Guardianship and Administration Act 1986 (Vic)

Occupational Health and Safety Act 2004 (Vic)

Ombudsman Act 1973 (Vic)

Workplace Safety Legislation Amendment (Workplace Manslaughter and other matters) Act 2019 (Vic)

South Australia

Children and Young People (Safety) Act 2017 (SA)
Consent to medical treatment and Palliative Care Act 1995 (SA)
Criminal Law Consolidation Act 1935 (SA)
Disability Services (Rights, Protection and Inclusion) Amendment Act 2013 (SA)
Education Act 1972 (SA)
Education and Early Childhood Services (Registration and Standards) Act 2011 (SA)
Equal Opportunity Act 1984 (SA)
Family and Community Services Act 1972 (SA)
Guardianship and Administration Act 1993 (SA)
Ombudsman Act 1972 (SA)
Work Health and Safety Act 2012 (SA)

Australian Capital Territory

Children and Young People Act 2008 (ACT)
Crimes Act 1900 (ACT)
Disability Services Act 1991 (ACT)
Discrimination Act 1991 (ACT)
Guardianship and management of property Act 1991 (ACT)
Human Rights Act 2004 (ACT)
Ombudsman Act 1989 (ACT)
Work Health and Safety Act 2011 (ACT)

Queensland


Anti-discrimination Act 1991 (Qld)
Child Protection Act 1999 (Qld)
Criminal Code Act 1899 (Qld)
Disability Services Act 2006 (Qld)
Guardianship and Administration Act 2000 (Qld)
Human Rights Act 2019 (Qld)
Ombudsman Act 2001 (Qld)
Work Health and Safety Act 2011 (Qld)

Northern Territory

Anti-Discrimination Act 1992 (NT)
Care and Protection of Children Act 2007 (NT)
Criminal Code Act 1993 (NT)
Disability Services Amendment Act 2012 (NT)
Guardianship of Adults Act 2016 (NT)
Work Health and Safety (National Uniform Legislation) Act 2011 (NT)

Tasmania

Anti-Discrimination Act 1998 (Tas)
Children, Young Persons and their families Act 1997 (Tas)



Criminal Code Act 1924 (Tas)
Disability Services Act 2011 (Tas)
Guardianship and Administration Act 1995 (Tas)
Work Health and Safety Act 2011 (Tas)