

2018

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SENIOR PRACTITIONER BILL 2018

SUPPLEMENTARY EXPLANATORY STATEMENT

**Presented by
Rachel Stephen-Smith MLA
Minister for Disability, Children and Youth**

SENIOR PRACTITIONER BILL 2018

CLAUSE NOTES

Part 5 – Complaints and investigations

Clause 31 Investigation of complaint

Clause 31(5) provides that the senior practitioner must not disclose a particular detail of a complaint if doing so may have an adverse effect on the ‘relevant person for a complaint,’ and may instead include a general statement about the detail.

A ‘relevant person for a complaint’ is defined at Clause 31(6) to protect the interests of persons subjected to a restrictive practice that is then raised as a complaint to the senior practitioner by a third party.

Schedule 1 Reviewable decisions

This Schedule sets out matters which comprise reviewable decisions under the Act, as mentioned in Part 7 of the Act.

An entity mentioned in schedule 1, column 4 in relation to the decision under column 3 may apply to ACAT for review of a reviewable decision. Item 5, column 4 of Schedule 1 provides that a person who is the subject of a plan may apply to ACAT for review of the senior practitioner’s decision to cancel registration of a positive behaviour support plan.