

NDIS Workshops

Understanding the National Disability Insurance Scheme (NDIS)



Disability *loop*
Are you in the loop?

This workshop has been developed by the Australian Federation of Disability Organisations (AFDO) through the AFDO Disability Loop project. The materials were developed through funding provided by the Victorian Government NDIS Transition Support Package.

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Introduction

Welcome to our workshop. It is called Understanding the NDIS. This workshop has been designed to make the National Disability Insurance Scheme (NDIS) easier to understand. We will cover lots of different parts of the NDIS; from knowing who is eligible to get into the NDIS, working out what support you can get from the NDIS in your NDIS plan, to actually using the funds in your NDIS plan to live a better life in the community.

The workshop has been developed by the Australian Federation of Disability Organisations (AFDO). AFDO is an organisation in the disability sector representing people with lived experience of disability. AFDO and its member organisations are run by and for people with lived experience of disability. This includes organisations which represent service providers, as well as those representing families and carers.

AFDO played a key role in the campaign for the NDIS. As the NDIS has moved through the trial phase to a wider rollout, AFDO and its members have worked with the National Disability Insurance Agency (NDIA) as well as Commonwealth and State and Territory governments to provide feedback to help fix any issues.

How are these workshops different?

One of the key strengths of AFDO is the fact that many staff members are people with disability, and this allows all of our work to keenly focus on the needs of people with disability. For example, this workshop was written by a team of people with disability, some who are also NDIS participants. We also ran this workshop with a small group of people with disability and their supporters to get their valued feedback. Afterwards, we used their suggestions to improve this workshop. We want to thank the people who attended our pilot workshop for providing their valuable feedback. Having people with disability strongly involved in the development and running of this workshop allows it to better meet the needs of people with a lived experience of disability.

While AFDO works closely with the NDIA and state and territory governments, we are independent and allowed to have strong opinions! We pride ourselves on having a great deal of transparency about the complications, changes and intricacies of the NDIS and disability support more generally. Because of this, we try to make sure that the workshop environment is a safe space where people can share their questions and concerns without worrying about any judgement.

Part 1:

How does the NDIS work?



Before the NDIS

Before 2013 when the NDIS started, each state and territory of Australia had a different disability support system. All these systems were run in different ways with different names and rules. This was because each of these systems was run by individual state or territory governments.

People with disability had lots of problems with the different disability support systems. A different system in each state and territory meant moving from one to another made people no longer eligible for the disability support they were receiving where they lived. People then needed to apply for the disability support system in their new location. The long waiting periods meant people were often stranded without any disability support for long periods of time. Other people did not move even if they needed or wanted to, because they were worried they would lose their disability supports.

Another problem was that the different disability support systems were not consistent or fair. As an example, someone in New South Wales could have been told they would receive a certain amount of support (\$20,000 for example) if they waited 6 months, however if they lived in Victoria they may have had to wait a year or longer to receive support, but they may have received more support (\$25,000). It did not make any sense and it was not fair!

The differences between state and territory disability support services was like a postcode lottery, meaning the type and amount of support people with disability received had more to do with where they lived than their actual disability related needs. This was not fair, and the NDIS will help to make this right.

Why is the NDIS needed?

People with disability and their families have had many problems with state and territory funded disability supports. Problems have included long waiting lists to get support, no support being available, and some people getting more support than others without reason. Most people with disability have had to fight hard to receive any support. It has been even more difficult to receive a sufficient amount of support to enable people with disability to live the life they want to live.

People with disability were constantly denied their basic human rights; including a lack of timely access to equipment such as wheelchairs and hearing aids, inadequate personal care funding - leaving many people with high care needs stranded in bed, as well as rationed access to speech, behavioural, physio, and occupational therapies.

People with a state or territory funded disability support package did not have much choice about the amount and type of supports provided to them, as they were told what they could and could not do.

Families and carers of people with disability struggled as they had little access to respite and other forms of support, making them very tired and stressed. Finally, the disability services sector was overstretched and under resourced, creating waiting lists for services people with disability and their families urgently needed. Something needed to change, and the NDIS is the change. In 2012 the NDIS Act was introduced to Parliament, and the NDIS began as a trial in 2013. So, what is the NDIS?



PLEASE SEE FACT SHEET 1 FOR MORE INFORMATION ABOUT THIS

The NDIS explained

The National Disability Insurance Scheme (NDIS) is a completely new system of disability support in Australia. It has started to replace many of the state, territory, and local government disability support systems. The NDIS will continue to gradually replace these existing disability support systems until late 2019, when the NDIS will be available throughout all of Australia.

The aim of the NDIS is to support people with a permanent and significant disability that affects their ability to take part in everyday activities. Both children and adults can also access early intervention support through the NDIS if this would benefit the person by reducing their future need for disability support; slow the deterioration of their medical condition; or give them increased functionality.

The biggest part of the NDIS is providing funding through people's individual NDIS plans. This is what we will talk about the most in this workshop. However, there are other parts of the NDIS. For example, the Information, Linkages and Capacity Building (ILC) program is a large component of the NDIS. ILC includes Local Area Coordinators (LACs), another important part of the NDIS.

The NDIS is different

When people use the NDIS it will be very different to how people used existing disability services. Firstly, there will be a lot more resources available to people with disability as the sector will receive almost twice as much funding as it did before the NDIS. This large increase in funding will go towards making it much more likely for everybody to get the support they need.

Secondly, it will not matter where people with disability live in Australia, because the NDIS will eventually operate the same way in every state and territory. This was a problem with the old system of disability support in Australia, as people with disability and their families needed to reapply for different funding schemes if they moved interstate. With the NDIS, an NDIS plan will follow the person with disability if they move interstate, meaning they will not need to reapply for funding.

Thirdly, the way the NDIS works will allow people with disability to have much more choice about the supports they need, and who provides the supports.

NDIS related definitions

Because the NDIS is a new system of disability support, it has brought with it lots of new language. It is important to properly understand many of the systems and terms used when talking about the NDIS. In this section we will explain some of this important language:

The NDIA

The National Disability Insurance Agency is commonly called the NDIA. It was set up by the federal government when the NDIS was introduced. The NDIA, along with the federal, state, and territory governments is responsible for how the NDIS is run. The people that are employed by the NDIA make the NDIS work by following what is written in the NDIS Act and the NDIS Operational Guidelines. Because each of these documents is very important to this workshop and the NDIS, we will describe the purpose of each of them now.

The NDIS Act

It is easier to call the National Disability Insurance Scheme Act 2013 the NDIS Act. This is the national law the entire NDIS is based on. To say it another way, without the NDIS Act there would be no NDIS. The NDIS Act provides the high level legal framework which explains what is lawful and what is unlawful. This means the NDIS Act explains what the NDIS is allowed to do, and what it is not allowed to do.

The NDIS Operational Guidelines

The NDIS Operational Guidelines is another group of documents that is separate from the NDIS Act. The NDIS Operational Guidelines are developed from the NDIS Act by the people working for the NDIA. Compared to the NDIS Act, the NDIS Operational Guidelines give even more detail about how the NDIS should run. The NDIS Operational Guidelines are used to help NDIS Planners and other NDIS representatives make consistent decisions.

NDIS Planners and other NDIS representatives

An NDIS Planner, or an NDIS representative, is the person working for, or on behalf of the NDIA that people with disability may meet with during the planning process. This is normally a Local Area Coordinator or an Early Childhood Early Intervention provider for people six years of age and under. Regardless of which NDIS representative is helping you with your NDIS plan, they are all responsible for following the NDIS Act and NDIS Operational Guidelines when helping develop your NDIS plan.

What is an NDIS plan? It is an official document that includes all the reasonable and necessary supports an NDIS participant has been given funding from the NDIS. NDIS representatives use the NDIS Act and NDIS Operational Guidelines to work out what supports are reasonable and necessary for each individual person with disability. We will talk more about NDIS planning, as well as the concept of reasonable and necessary a bit later on in this workshop.

Part 2:

The NDIS access process

Who can access the NDIS?

Because over 4 million Australians have varying levels of disability or chronic illness, not everyone will be able to receive support from the NDIS. Instead, roughly 460,000 people will be accessing support from the NDIS by the end of 2019. This number is much lower than the 4 million Australians who have any type of disability or illness. Why is this? It is because the NDIS aims to support people who need the most support, defined by the NDIS Act as those who have a significant and permanent disability who need assistance with every day activities.

People can also access the NDIS for early intervention if they do not meet the permanent and significant disability requirements. For early intervention, people can receive support from the NDIS if it will slow the deterioration of their medical condition or give them increased functionality.

All people with disability need to go through the NDIS access before they can receive support from the NDIS. To be eligible for the NDIS people with disability must meet some basic requirements, as defined by the NDIS Act. These include:

- Having a permanent and significant disability that affects their ability to take part in everyday activities
- Be aged less than 65 when first accessing the scheme
- Be an Australian citizen, a permanent resident or a New Zealand citizen who holds a Protected Special Category Visa

Permanent and significant disability

One of the requirements needed to access the NDIS is evidence of what the NDIS calls a permanent and significant disability. The NDIS defines a permanent and significant disability as having all the following factors:

- The person has an impairment or condition that is likely to be permanent (i.e. it is likely to be lifelong)
- The impairment of the person substantially reduces their ability to participate effectively in activities, or perform tasks or actions
- The person's impairment affects their capacity for social and economic participation
- The person with disability is likely to require support under the NDIS for their lifetime



PLEASE SEE FACT SHEET 2 FOR MORE INFORMATION ABOUT THIS

Defined Programs

People with disability who currently receive supports through certain state or territory government programs (for example, a Victorian Individual Support Package) will access the NDIS easier. This is because the NDIS understands that people in Defined Programs already meet the criteria to access the NDIS, and they will enter the NDIS without needing to prove they meet the disability requirements. Importantly, people with disability who receive supports through these programs do not need to contact the NDIS, as the NDIS National Access Team will contact them when the NDIS is available in the area. There is a list of these Defined Programs available online; the NDIS calls this list, List C.

If the person with disability is not receiving support funded through a Defined Program, they need to contact the NDIS and put in an access request. This involves completing some documents to show they are eligible for the scheme. The Evidence of Disability Form is one of these documents. To make filling out this document easier, there is a List A of conditions that the NDIS accepts will mean people will be eligible for the NDIS.

There is also a List B of conditions, including impairments where the functional capacity of the person is variable, and the NDIS requires further assessment and evidence of their disability before the person can be accepted as an NDIS participant. This does not mean people with List B conditions are not eligible for the NDIS; they must simply complete more of the Evidence of Disability forms than those required by people with a List A condition.

It is important to know that the NDIS places more importance on the functional capacity of a person with disability, rather than their specific diagnosis of disability or illness. This means the NDIS looks at what supports a person with disability needs to live an ordinary life, and not the health effects of their disability or illness.

Why can't I access the NDIS right now?

The NDIS began to roll out the full scheme progressively in 2016 and move beyond the trial phase. The NDIS is being introduced in stages between 2016 and 2019 because it is a big change for people with disability, and that means it is important not to rush things and make mistakes.

Although using the NDIS will be the same, the roll out of the NDIS is happening in slightly different ways in different states and territories of Australia. For example, in Victoria the NDIS is rolling out based on geographical location (where people live). In some other states and territories, the NDIS is being rolled out based on the age of people with disability. This is why some people who meet the NDIS disability criteria can access the NDIS now, and others cannot - simply because the NDIS is not available in their area yet.

Part 3:

Why the NDIS is different to older disability support

The NDIS provides resources for people with disability

The NDIS will provide resources to eligible people with disability in Australia to purchase services and support. We use the word resources instead of money, because NDIS generally does not pay money directly into the bank account of the person with disability. This is because even though people with disability purchase supports and services using real money from the NDIS, it is not like normal spending money. Instead, the resources can only be used to purchase reasonable and necessary supports. These supports must relate directly to the person's needs, and the provider of this support receives payment from the NDIS on behalf of the person with disability.

People with disability can choose to self-manage the supports they receive from the NDIS. In this case NDIS participants pay for services and supports, and are provided money by the NDIS after providing evidence of their reasonable and necessary purchases.

The NDIS is not income support

It is important to know that the NDIS is not income support. The Disability Support Pension (DSP) is an example of income support. The DSP is defined as being for Australians with a physical, intellectual or psychiatric disability unable to work for more than 15 hours per week because of their disability.

The NDIS is different to Social Security payments like the DSP, as it is a type of disability support designed specifically to provide resources for disability related needs. Support from the NDIS is not means tested. This means the support people with disability are eligible to receive from the NDIS does not change based on people's income. This works differently to income support, including the DSP, where the support available to people with disability only kicks in when people do not have any other sources of income.

The NDIS is completely new and works alongside income support, employee assistance programs, and other disability support programs. Because the NDIS works alongside other existing support programs, it means the NDIS does not replace, and has no effect on other disability support systems, including the Disability Support Pension (DSP).

The NDIS brings choice and control

Before the NDIS existed, funding for disability support would often go directly to a service provider, which could result in people being locked in to using their services. This meant that people did not have much choice about which service provider supported them because they could not easily change provider if they were not happy. People with disability usually cannot reach their full potential and are not given the same opportunities as others if they do not have a say in who supports them, or how they are supported. This is commonly referred to as a lack of choice and control. This is something the NDIS wants to try and fix.

NDIS participants can choose when, where and how they get the support they need. NDIS funding for disability support is controlled by the person with disability themselves, and they decide which organisation can give them support. This gives the person with disability more choice and control over their lives. If a person feels that a support or service provider is not helping them as much as they could, the NDIS participant can change provider any time that they want. There is no need to wait for an NDIS Plan Review to change service providers.

The NDIS is growing quickly

There is going to be an extremely large growth in NDIS participants between 2016 and 2019. This is because the NDIS is moving from the trial phase to the transition to full scheme. Between 2016 and 2019 the NDIS will need to develop NDIS plans for over 430,000 new NDIS participants. This is in addition to the 30,000 NDIS participants who were already accessing the NDIS between 2013 and 2016.

While the fast growth of the NDIS is great news for people with disability and their families, it makes it even more important to learn as much as you can about the NDIS independently. This is because NDIS staff will likely be very stretched for time.

The NDIS will promote the growth of new services

The ability of NDIS participants to more easily choose where to purchase services and supports from is a new and important shift for people with disability in Australia. Before the NDIS, it was difficult for people with disability to shop around and find the most appropriate service provider. It was even more difficult to change service provider if the needs of the person with disability changed, or they found the service provider no longer met their needs.

Being able to shop around for the best service providers and products under the NDIS means NDIS participants help determine what supports and services will be available to people with disability more generally. This is because service providers that do not offer what people with disability want will shrink and close, while new service providers will pop up and make the most of the new marketplace.

To gain and maintain customers, and be of high-quality, service providers and product manufacturers will need to adapt to the NDIS marketplace and have a strong customer focus that will likely lead to growth in the new environment.

The principle of reasonable and necessary

Reasonable and necessary is an important but complicated topic. Supports funded by the NDIS for people with disability must be reasonable and necessary. It is very important to understand what reasonable and necessary means because the NDIS talks about it all the time, especially during NDIS planning. Before supports and services can be funded by the NDIS, they must be reasonable and necessary for the person with disability. However, what does reasonable and necessary actually mean?

Necessary means the type of supports are required for the NDIS participant to build their capacity and participate in society in a dignified manner. These supports are required due to the NDIS participant's disability, as somebody without their disability would not need these supports at all. Without these necessary supports, the NDIS participant would not be able to participate in society as an equal citizen.

Supports and services must also be reasonable. This means the supports and services funded by the NDIS must be fair, and do not offer more than what an ordinary person would expect to receive. People with disability want to have the same opportunities as everyone else, and this means being given the supports and services that enable people with disability to participate equally with others. People with disability want things to be fair; they do not want to be given an advantage others do not have, people want to be given the same opportunities. This is why the NDIS only funds reasonable supports and services.



PLEASE SEE FACT SHEET 3 FOR MORE INFORMATION ABOUT THIS

Value for money

The next principle is value for money. Before services or support can be considered reasonable and necessary by the NDIS, they must bring value for money to the NDIS, and the NDIS participant. Value for money does not mean services and supports must be the lowest price possible, it just means they must bring the best benefit to the NDIS participant in relation to their cost. Put simply, value for money is a saying used to describe something you buy that is well worth the money spent on it.

In terms of the NDIS Act and NDIS Operational Guidelines, the NDIS considers value for money in the following ways:

- Whether there are other supports or services available that do the same thing and provide the same results, but are much cheaper
- If providing the support or service will greatly improve the wellbeing or goals of the person with disability, or provide a long-term benefit
- Whether providing funding for the support or service will reduce costs and save money in the long run. For example, early intervention supports that cost lots of money but reduce reliance on more costly supports in the future, because the person can be more independent

Goals and objectives

Reasonable and necessary supports must always link back to the goals and objectives of an NDIS participant before they can be funded by the NDIS. The goals and objectives of an NDIS participant help work out what services and supports could be funded by the NDIS if they meet the criteria of reasonable and necessary. People with disability need to think carefully about the goals and objectives they have in life. This is often more important than thinking about the actual services and supports a person with disability wants.

For example, an NDIS participant may feel they need a new electric wheelchair. In this case, the electric wheelchair may help the NDIS participant work towards their goal to access the community independently. If, in this case the electric wheelchair would help the NDIS participant achieve their goals and objectives, then it is more likely to meet the NDIS definition of reasonable and necessary and mean it would be funded.

Having goals and objectives is very important, and building the skills of an NDIS participant in different areas of life is an effective way of reaching these. Thinking about how to achieve goals and objectives can be applied to many different areas of a person's life, including:

- Where a person lives
- Relationships a person has with others, or wants to have
- Health and wellbeing
- Education, and other learning opportunities
- Work, both volunteer and paid
- Social and community activities

The goals and objectives of an NDIS participant are unique for each individual person with disability. This means the NDIS looks at each goal and objective individually when thinking about what services and supports would be reasonable and necessary for each NDIS participant.

Choice and control

Choice and control is another extremely important principle of the NDIS. The NDIS wants NDIS participants to be able to choose who provides their supports and services, and have control over how these supports and services are delivered. Having choice and control is extremely important, because it puts people with disability in charge of their own lives.

While NDIS participants have total choice and control over their goals and aspirations, this does not mean the NDIS could, or should fund everything a person with disability wants to do in their life. In fact, the reality is the principle of reasonable and necessary comes before the principle of choice and control. This does not mean choice and control is not important, but it does mean any supports or services must first meet the criteria of reasonable and necessary for an NDIS participant before they can have full choice and control over that support or service.

This is okay, because the NDIS is designed to make sure people with disability have the same opportunities as everyone else in the community. The same opportunities means NDIS participants can have a level playing field when it comes to deciding what they want from their life. Importantly, a level playing field does not mean people with disability are given any unfair advantages. Instead, the NDIS will help to remove the barriers people with disability face.

You may have heard the NDIS talking about how it will help people with disability live an ordinary life. The concept of an ordinary life is not a bad thing, because it means being given the same opportunities others have. As a result, the NDIS will not pay for the activities everyone else in the community has to pay for themselves. So, while the NDIS will provide the supports and services needed to live an ordinary life, each person with disability is in control of their own destiny - this means that living an extraordinary life is up to the person!

GROUP ACTIVITY: “WILL THE NDIS FUND THAT?”



Part 4:

Planning for the NDIS



The 3 stages of NDIS planning

The NDIS works with NDIS participants to identify the reasonable and necessary supports needed to live life the way the individual person with disability wants to live. Supports funded by the NDIS help people with disability achieve their goals, including those relating to independence, community involvement, education, employment, as well as health and wellbeing. This is done through the funding provided in NDIS plans to purchase individualised supports.

Before a person with disability can access the NDIS, they need to find out if they are eligible to get supports. We talked about who is eligible for the NDIS earlier. Once the National Access Team of the NDIS has confirmed the person with disability meets the initial NDIS access requirements, or the person is in a Defined Program, they will become an NDIS participant.

Three steps are needed before the NDIS participant receives an NDIS plan:

1. Getting Plan Ready (working out support needs)
2. The Planning Conversation
3. NDIS Plan Approval

While we are going to go into these three steps in detail now, the NDIS website has lots of resources on their website to help you get ready for your planning meeting. Because the resources are updated all the time when the NDIS changes and improves, it is best to go to the NDIS website or call them to find the latest versions of these documents:

- www.ndis.gov.au
- 1800 800 110

Planning Stage 1 - Getting Plan Ready

To make the process of getting an approved NDIS plan as fast and as painless as possible, it could be a good idea for people with disability who are eligible for the NDIS to collect as much data about themselves as possible. This data should focus on the functional capacity of the person, meaning what they can and cannot do without support, rather than focusing on the diagnosis of the person. This is because while information about a diagnosis may have been useful when accessing the NDIS, it is not needed during planning. Instead, it is a better idea to collect evidence about the supports that would help the person live an ordinary life.

This means it could be a good idea for people with disability to show the NDIS letters from professionals such as Occupational Therapists and Physiotherapists about the type, and amount of supports that would be beneficial to the person with disability. The letters from these professionals help the NDIS better understand what is reasonable and necessary for the individual person with disability; however, it is important to remember these letters are not mandatory and would only be used as a guide to make the planning process quicker for the person with disability and the NDIS.

During planning, people with disability also need to think hard about what changes to their lives are most important in the next year, because this is what their first NDIS plan will be focused on. The areas of life people with disability might need to get fixed quickly could include assistive technology, personal supports, and community access. Again, this depends on the individual. The person with disability then takes the information and letters to their meeting with an NDIS representative.

Planning Stage 2 - The Planning Conversation

The Planning Conversation is the formal discussion, or discussions between a person with disability and an NDIS representative. This representative could be a Local Area Coordination (LAC), an NDIS Specialist Planner, Early Childhood Intervention provider, or other approved NDIS representative.

The Planning Conversation is another name for the (face to face or sometimes telephone) meeting between the person with disability and the NDIS. The purpose of the Planning Conversation is to work out what supports will be included in an NDIS plan.

Your first NDIS Planning Conversation

In the meeting to discuss your NDIS plan, the NDIS representative will ask a range of questions designed to work out your most urgent disability support needs. The NDIS representative's questions will help work out what reasonable and necessary supports will help meet the support needs of the NDIS participant. This goes into what is called the Participant Statement.

The Participant Statement is normally completed by people with disability with an NDIS representative in person, either at your home or an office. People with disability are asked to describe their daily life, including education, work, and social activities. The Participant Statement encourages people with disability to talk about their current living arrangements and the supports they receive from other people. The aim of collecting this information is to find out what role informal supports (e.g. family and friends) and formal supports (e.g. physios and disability support workers) play in their life.

Finally, the Participant Statement asks questions about goals; what the short-term goals are and what problems are stopping people with disability from achieving their goals. You are encouraged to get input on your Participant Statement from a variety of people close to you, as they can help you think of things you may not have thought about yourself.

The NDIS refers to the NDIS Act and Operational Guidelines when deciding if supports are reasonable and necessary. Different types of supports can be funded, depending on the individual circumstances of the person. These might include recurring, hourly tasks like personal care for people with a physical disability, or sign language interpreting for a person who is deaf. Supports by the NDIS can also include occasional, capital purchases, such as a wheelchair or bathroom modifications. We talked about how the NDIS determines what is reasonable and necessary in more detail earlier on in this workshop.

At the end of the Planning Conversation the person with disability will need to choose their plan management method. During this conversation, the NDIS representative will explain what plan management is and the options available. The plan management method chosen by the person with disability can be changed if it is not suitable, or there has been a change in their circumstances. However, you cannot change the method until the next NDIS plan review. We will talk more about plan management shortly.

Once the Planning Conversation has finished, the NDIS representative will write up the NDIS plan and send it to the NDIS team for formal approval.

The Planning Conversation (for the years beyond your first NDIS plan)

The NDIS reviews individual NDIS plans every year. This is a way of making sure that the needs of the person with disability are being met, and it is a way of monitoring and making changes if they are needed. When going through the Planning Conversation again (after the first year) the NDIS representative will develop another Participant Statement with the NDIS participant. The NDIS representative will begin to talk about how effective supports have been in the past year for the NDIS participant, and work out whether these supports need to be changed. For example, other reasonable and necessary supports may need to be included to help the person achieve the goals in their Participant Statement.

More capacity building activities (like therapies and learning new skills) are likely to be included in your future NDIS plans when compared to your first NDIS plan. This is because the first NDIS plan aims to give people disability access to important supports as quickly as possible. However, future NDIS plans are a great opportunity to think more about capacity building, and people with disability will have more opportunity to discuss with an NDIS representative what type of supports will help them reach their objectives. Once the Planning Conversation has finished the NDIS representative will write up the new NDIS plan and send it to the NDIS team for approval.

Planning Stage 3 - NDIS Plan Approval

After the Planning Conversation has finished and the NDIS has approved your reasonable and necessary supports, you will receive your NDIS plan. NDIS plans are often referred to as Individualised Funding Packages. They are also sometimes called the Statement of Supports. Most people will receive a hard copy of the NDIS plan in the mail, and it is also available online through the NDIS myplace Participant Portal.

It is important that the person with disability feels comfortable with the conversation they have with the NDIS representative. This is because whether it is for your first NDIS plan or a later NDIS plan; after the NDIS representative has put the information into the system the NDIS plan will be live. This means any changes required will need to wait until the next NDIS plan review. Normally an NDIS plan review will happen every 12 months. The person with disability can only ask for a review earlier than 12 months if their life circumstances have changed greatly, and this means they need different supports.

Part 5:

Taking action with your NDIS plan

Putting NDIS plans into action

After going through both NDIS access and the NDIS planning process, the person with disability can begin to use their approved NDIS plan to help them live life the way they want. This happens when you start to actually access the reasonable and necessary supports funded in your NDIS plan to help you reach your goals and objectives. To do this, people with disability need to get active by shopping around for their providers of choice.

Understanding marketing messages

The NDIS is bringing lots of changes to the disability support sector. One of the changes is that service providers will need to compete with each other to encourage people with disability to choose them to provide their supports. This is like how fast food chains compete; they offer similar food and service, but they are all slightly different and people have different preferences. Just like the fast food chains, service providers will need to provide the best product in their class for people to want to buy it. In addition, these service providers will increase their advertising and marketing efforts because of the increase in competition in the NDIS environment.

Many smart service providers have already started to change their services to better meet the individual needs of people with disability. They have also increased their advertising gradually as the NDIS has become available in different parts of Australia. While service providers that offer great services are likely to be rewarded through winning customers, other service providers may unfortunately offer the same services as they did before the NDIS but advertise them in a way that is designed to be very appealing to people with disability. So, the question is how does a person with disability tell the difference between a good service provider and a bad one? Clearly, the time has come for people purchasing disability support to learn more about marketing and learn to better understand the advertising produced by service providers.

Sony salespeople question

Say you already own a Sony TV. It has not caused you many problems and it has been OK, but it is old and is starting to break down. You decide to visit the Sony store because you want to buy a new TV. You have not done any research, but you think the salespeople at Sony can help you because you have bought a TV from them before. The salesperson tells you that the new TV they are offering is the best, and you are convinced by their enthusiasm.

**DO YOU THINK THE PERSON WILL BE HAPPY WITH THEIR NEW SONY TV?
WILL IT BE THE BEST OPTION? COULD THEY HAVE DONE SOMETHING ELSE
BEFORE PURCHASING? IF SO, WHAT?**



Sony salespeople answer

You take the TV home, set it up and you are not happy. The TV you bought does not look as good as the Panasonic TV your friend owns. Disappointed, you do some research online and find out that the salespeople at Sony get paid extra each TV they sell. You also discover the TV you bought has been getting some bad reviews online. Feeling upset, you take the Sony TV back for a full refund.

Having learnt your lesson, you do not buy the Panasonic TV just because your friend owns it. Instead, you research online and find that the best TV for your needs is made by LG. You purchase the model you researched, even though the LG salesperson encourages you to buy the larger model. You have done your research and you are happy with your choice.

Understanding conflict of interest

It is important for people with an NDIS plan to take responsibility and control in working out which service providers meet their needs the best. Part of the poor experience of buying the Sony TV was the issue of conflict of interest. Conflict of interest happens when somebody tells you to do something, or suggests something you should buy and use, but the person suggesting things benefits from you following their advice.

The TV example might seem silly and unrelated to disability and the NDIS, however conflict of interest can be a real issue of concern for people with disability. For instance, some service providers could recommend products or services to people with disability just because they provide them, even though these may not be suited to the individual needs of the person with disability and would not be the best option for them.

Not only is it important for you to understand what conflict of interest is, you also need strategies to identify and solve any problems conflict of interest may cause. We will now discuss a number of ways to avoid or reduce the effects of conflict of interest.

Understanding being a shopper

Before the NDIS, it was difficult for people with disability to shop around and find the most appropriate service provider. It was even more difficult to change service provider if the needs of the person with disability changed, or they found the service provider no longer met their needs. There are many benefits that come from NDIS participants being able to choose where to purchase services and support from.

Shopping around is important for everybody, not just people with disability. Shopping around involves weighing up different options to work out what option suits you best. However, what makes an option the best changes with each person's circumstances and preferences. For example, while a home-cooked meal with ingredients bought from the supermarket is normally a healthy and cheaper option, sometimes if you are rushed for time, or simply have a craving, you may want fast food. Shopping around means you can have choice and control over picking the products and services that meet your needs at that particular time.

In terms of the NDIS, one really big benefit is that being able to shop around for the best service providers and products means NDIS participants help shape the general growth and direction of supports and services. These supports and services will then be available to the entire disability community. This is because service providers that do not offer what people with disability want will lose business, meaning they shrink and close down, while new service providers will pop up and make the most of the new marketplace. To be high-quality, service providers and product manufacturers will need to adapt to the NDIS marketplace and have a strong customer focus.

Research available disability service providers

It is important for people with disability to gather opinions and research from a wide variety of sources, as this helps reduce the chances of conflict of interest appearing. Gathering information from a wide variety of sources reduces the impact of biased opinions, as they are balanced out by other, independent research. The research process can be difficult for people with disability; it can be time-consuming and confusing. However, the research process is extremely important because it helps maximise the chances of people with disability finding high-quality service providers.

What is plan management ?

The NDIS provides people with disability resources to purchase reasonable and necessary support. Plan management involves budgeting, keeping records, and paying for the supports included in an NDIS plan. Plan management is often casually described as managing your money from the NDIS, or paying for your supports. The four options of managing your NDIS plan are:

- Agency managed
- Plan management provider
- Self managed
- A combination of the above



PLEASE SEE FACT SHEET 4 FOR MORE INFORMATION ABOUT THIS

Part 6:

Is there anything else I should know about the NDIS?

Local Area Coordinators can help everyone

Local Area Coordinators, also known as LACs, aim to make it easier for people with disability to access mainstream programs and services in their local community. At the moment, the main role of a LAC is to help people with disability develop their NDIS plan by going through the NDIS planning process. Here, a LAC will also help the person with disability explore what supports and services are available, and help them use their NDIS plan to achieve their goals and objectives. This is often called an implementation meeting.

Importantly, Local Area Coordinators will also work with their local community to make sure programs and groups are accessible, welcoming and inclusive of people with disability. LACs are important as they help the wider community by answering any disability questions they might have and help them understand the NDIS and its benefits.

LACs can also help a person with disability whether or not they are in the NDIS. LACs can help people who do not have an NDIS plan in many ways. This includes providing information about the NDIS and linking people with disability without an NDIS plan to places like community groups and sporting clubs. LACs can also build the skills of people with disability, their family, and carers, as well as help community organisations better understand the needs of people with disability. If a person with disability is in the NDIS, a LAC will be available to help with advice and support to help people make the most of their NDIS plan.

Like every part of the NDIS, LACs will not copy or replace services that are carried out or should be the responsibility of mainstream services - such as schools, hospitals or mental health services. LACs will also not provide supports that can be included as funded supports in an NDIS plan.

The Local Area Coordinator changes depending on where you live, so if you want to find out who your LAC is, it is a good idea to search the NDIS website or call the NDIS.

Changing and reviewing NDIS plans

The NDIS usually reviews the NDIS plan of an NDIS participant each year, and can only review them earlier in exceptional circumstances. The review is not designed to make sure the person is still eligible to access the NDIS, so it should not worry the NDIS participant. Instead, reviewing NDIS plans is a way of seeing how effective it is in helping the person with disability reach their goals. The review also asks the NDIS participant if their goals have changed over the course of the year.

An annual NDIS plan review is also a good time to check whether or not the plan management method chosen is working for the person with a disability, and consider if the person can move towards self-managing some, or more of their NDIS plan.

Sometimes things may go wrong when using the NDIS

Even with the best preparation, things can go wrong when people interact with the NDIS. There can be problems going through NDIS access to become an NDIS participant, as well as dealing with LACs and other NDIS representatives. While the NDIS is a much-improved system of disability support compared to what existed before, it does not mean people with disability will not ever experience any problems with the NDIS. However, it is important to know what to do and where to go if something goes wrong and the person with disability needs help fixing any issues.

The NDIS is about people, and other people with disability are often a great source of information and experience. Advocacy organisations, as well as online forums and helplines can provide NDIS participants and those wanting to access the NDIS some general information and advice about what to do if there are any problems. However, it is also important to know about the official ways of handling problems. We will talk about this now.

Complaints about the NDIS and complaints about disability services and support providers funded through the NDIS are different. Because they are different, the process of making a complaint is also different. NDIS participants having problems with their service provider should first talk to their service provider to resolve problems. If the NDIS participant is not satisfied with the outcome of the complaint, they can talk to the NDIS to explore what other options are available.

Separate to complaints about disability service providers, NDIS participants can disagree with an NDIS representative about what funding for supports and services are included in their NDIS plan. Disagreements usually involve situations where an NDIS participant thinks a support or service is reasonable and necessary, however the NDIS believes it does not meet the criteria of reasonable and necessary.

If the NDIS participant is not happy with their NDIS plan after it has been written, they can contact the NDIS to make an Application for a review of a reviewable decision. To make things easier, we will call this an internal review. This official request needs to be made within three months of the NDIS plan being written. The NDIS participant can have help making this request, including help from the NDIS or a disability advocate. After this request has been made, the NDIS starts the internal review process. During this process, other people in the NDIS look at your NDIS plan, to see if the NDIS representative made the right decision the first time. If the NDIS believes your NDIS plan should be the way it is after the internal review, then you as the NDIS participant would need to take your complaint further if it is very important to you.

Further complaints go to NDIS Appeals at the Administrative Appeals Tribunal (AAT). This must happen within 28 days of finding out the decision from the NDIS internal review. The NDIS participant then gets help from specially funded disability advocates, called Support Persons, to work with the NDIS and fix the complaint. If this discussion fixes the complaint, the process ends. If it does not, the complaint would need to go to a legal hearing at the AAT.

If the NDIS participant does not win the legal hearing at the AAT, the final option is to take the complaint to the Federal Court. If this happens, there may be costs involved for the NDIS participant. This is the last resort, and only very few cases have made it this far, so try not to worry! The good thing is there are options if things do not go to plan.



PLEASE SEE FACT SHEET 5 FOR MORE INFORMATION ABOUT THIS

Go out and live your life

The NDIS is a completely new system of disability support in Australia. It will operate the same in every state and territory so it will no longer matter where people with disability live. Importantly, the disability sector as a whole will receive almost twice as much funding as it did before the NDIS. This will give people with disability so much more support to help them live their own lives!

We know why the NDIS is different, and have discussed what to consider when putting an NDIS plan into action. Now the person with disability needs to shop around for the provider of their choice, accessing the reasonable and necessary supports and services that allow the person to reach their goals and objectives.

Living an ordinary life

An NDIS plan with appropriate supports will allow a person with disability to live an ordinary life. This means a life where people with disability have the same opportunities as people without disability. It will allow people with disability to better feel like they belong in their community, and be involved in making choices relating to their own life.

Living an ordinary life is not a bad thing! An ordinary life means people with disability are given the same opportunities as others, something which was almost impossible to achieve before the NDIS. The NDIS will provide reasonable and necessary supports, so if NDIS participants want to live an extraordinary life it is up to them! This can be exciting and scary at the same time.

NDIS plans will allow the person with disability to go about their day and pursue their goals without worrying about having limited resources and options. Instead, people can focus on many other aspects of their life, including their education, relationships, and career. After going through the process accessing the NDIS and thinking about what supports you need, the hard work is over and you can use your funding to have much more choice and control in your life!

Notes:



Notes:





Disability *loop*
Are you in the loop?