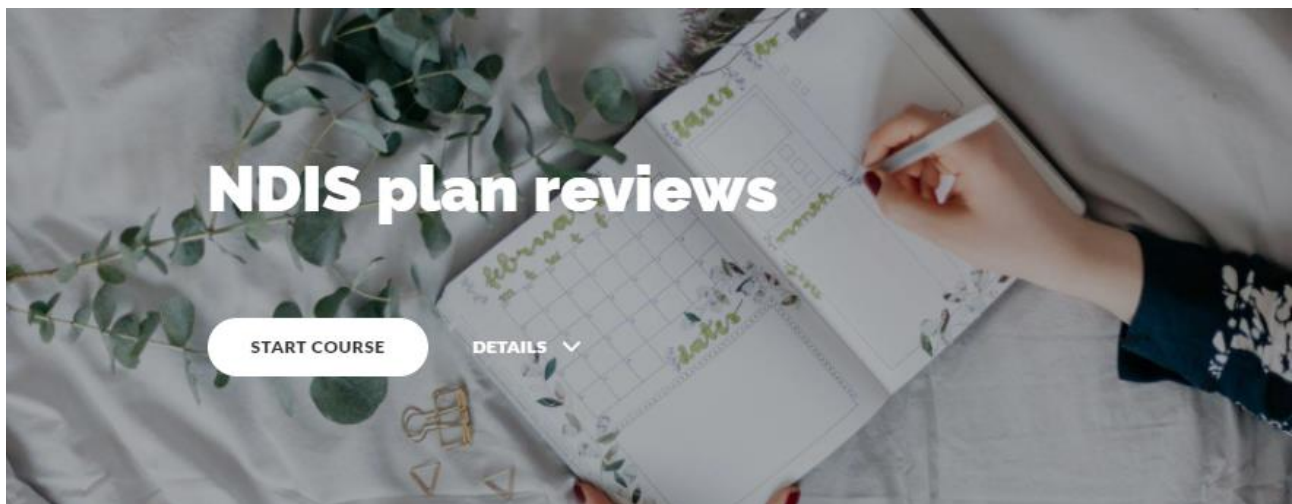


This PDF is available as an additional resource to complement the interactive training module.

Significant functionality is lost with the translation to PDF and we recommend all staff to complete the online version.



This training is designed for people who may be supporting NDIS participants during the plan review process.

The information in this module is general in nature. Every organisation does things differently and has different policies and procedures, so please interpret the content in this module with your organisation in mind and discuss any discrepancies with your line manager.

Duration: Approximately 30 minutes (note. you can close the training and pick up where you left off at a later date).

Last updated: February, 2022

Content and links in this training were correct at the time of publication. We check these regularly; however, if you find broken links or errors please contact transitionsupport@flinders.edu.au

Course Outline

- ≡ Training objectives
- ≡ COVID-19 update
- ≡ Scheduled plan reviews
- ≡ Unscheduled plan reviews
- ≡ Advocacy in the NDIS



Training objectives

There are two types of plan reviews in the NDIS: scheduled and unscheduled.

Scheduled review - end of plan

Part of the standard review cycle for plans. They usually happen every 12 months (can be longer depending on the person's needs and goals). It is an opportunity to review the plan and make changes for the following plan cycle.

Unscheduled review

A request to change a plan outside of the standard review cycle. Includes a request to change a plan due to a change of circumstance, or because the person doesn't think their plan is suitable.

This training will provide an overview of the two review types. By the end of this module you will:

- ☐ Understand how the NDIS review process works
- ☐ Know what options are available to someone who needs to change their plan
- ☐ Understand the role of providers in preparing for plan review

This is an introductory training module for anyone providing NDIS services. It is designed to give you the knowledge to be able to answer participant questions about the processes and to understand how the NDIS system works.



We have a number of individual training modules on the NDIS; this module assumes an understanding of the following aspects of the NDIS. If you have not yet completed these you can find them on the training page of our website.

- ☐ NDIS explained
- ☐ NDIS access and psychosocial disability
- ☐ Preparing for NDIS planning meetings
- ☐ Reasonable and necessary in the NDIS
- ☐ Understanding NDIS plans

COVID-19 update

COVID-19 changes

The NDIA have made a number of short-term changes to the way that people can use their NDIS funding as a result of COVID-19. Some of the content discussed in these training modules may not apply to the current context. A summary of the major COVID-19 related changes is discussed here, including links to further resources. These changes are likely to be reviewed in the coming months.

Key changes

New line items for support coordination

From 25 March 2020, the support items for Support Coordination were temporarily duplicated into the Core Support Category – Assistance with Daily Life – so that participants can have greater access to support coordination services if they need them. Read more on the [COVID-19 updates Support Coordination page](#).

Increased plan flexibility

Core funding is now completely flexible, people with any core funding can use this funding to purchase any services/supports across the four categories. There are also several new capacity building line items to provide further flexibility using capacity building budgets and an easier process to request a transfer of funds from capacity building to core if necessary. This is a continually evolving space, we recommend staying up to date by regularly checking the NDIS ['using your budget'](#) updates.

Phone planning

Planning and review meetings are now held over the phone instead of face to face. Existing plans will be automatically extended by 12 months until a plan review can be scheduled. Read about planning on the ['your plan'](#) page.

Provider flexibility

There are a number of changes to service delivery including broadening the criteria for charging for cancellations, and allowing an increased price loading in some circumstances.

All relevant information including updates, FAQs and information packs can be found on the NDIS Coronavirus information and support page.

Coronavirus (COVID-19) information and support

We know that participants, their families and NDIS providers may be looking for workers to deliver disability supports, and provide extra cover at the moment. For participants, there are a number of online matching platforms that can help you quickly and easily connect to support workers.

READ MORE NDIS

Scheduled plan reviews

Scheduled reviews happen regularly as part of the NDIS funding cycle. They are an opportunity for participants to:

- ☐ Consider how they are progressing toward their personal goals
- ☐ Explore new goals
- ☐ Consider which supports are working well
- ☐ Identify supports that are not working well or are no longer needed
- ☐ Discuss any changes in their life

What to expect from a plan review meeting

WHO WILL BE THERE?

A representative of the NDIA (either a planner or an LAC/NDIA community partner) will be at the meeting. Where possible, the NDIA will aim to ensure the NDIA representative has specialist knowledge of psychosocial disability.

Participants can also choose to bring other people with them to the meeting. Trusted others can include their support worker, carer, family or friends.

WHAT HAPPENS AT THE MEETING?

The plan review meeting is an opportunity for the participant and the NDIA representative to meet and discuss the person's plan and their support needs over the next year. The NDIA will ask questions about:

Goals: how a person has used their plan to work toward their goals, how this is going and if the goals need to change.

Supports: what supports have been accessed, if there have been any difficulties accessing supports, which need to continue and which new ones need to be added.

Functional impairments: usually the WHODAS functional assessment will be conducted at every review meeting. If there are changes to the person's disability support needs this can be discussed as well. If the person has recently completed a functional assessment (e.g., the WHODAS or the LSP-16) they can bring this to the meeting.

The NDIA will use the information collected at the planning meeting to determine what supports should be funded in the next plan. It is a good idea for people to think about their goals and support needs in advance of this meeting and bring along any new assessments or other evidence that may support a request for ongoing or changing supports. If participants have a support coordinator funded in their plan, the support coordinator can often help with the preparation.

WHEN WILL IT BE HELD?

The participant's plan will say when the current plan expires. The NDIA representative will contact participants before this time to schedule the plan review meeting date. Often people start preparing for their plan review (e.g., gathering supporting information, thinking about their goals and supports) a few months before their review meeting.

WHERE WILL IT BE HELD?

The participant is in charge of where the meeting will be held. It will most often be face-to-face unless the person requests otherwise. The participant can choose to attend their local NDIA office or ask the NDIA representative to meet them at a location where they feel comfortable.

During COVID-19 all plan review meetings are happening over the phone. Sometimes plans will be automatically extended to allow service continuity. See the [NDIS website](#) for more information.

What is the difference between the first plan meeting and plan review meetings?

First plan meeting

This was the first time the person had met with the NDIA. The first plan is an opportunity to see what the NDIS can do. It may have been the first time a person was asked to think about their goals for the NDIS. In most instances people used their experience with existing supports to decide what types of things they wanted in their plans.

Plan review meeting

At this point people are more familiar with the NDIS. They may have had a chance to try a new type of support, or have started thinking about new, bigger goals. They will also have had an opportunity to use NDIS funding and understand the new system a bit more.

What to bring



Planning workbooks

Planning booklets like:

- Reimagine my life ([go to website](#))
- NDIS Participant booklet 2 ([go to website](#))

These are great participant resources that help people think about their goals and their support needs. Writing everything down can help keep the meeting on track and make sure the person addresses everything they need to.

Assessments

New reports or assessments that have been conducted during the plan period are really helpful. They can show the NDIA if a person's disability support needs have changed or be used as supporting evidence for a request to increase or add supports.

Provider reports

Most providers will keep notes on the services they have delivered in the NDIS and may be able to prepare a summary to bring to a plan review meeting. This can help when a person wants to continue using a service in their next plan. Helpful information from providers include:

- What supports have been provided to date
- How they are supporting someone to achieve their goals.

- What they plan to do in the future to keep progressing toward the goal or address new goals.

After the plan review meeting the person will be provided with a **new** NDIS plan. The supports included in the new plan will be decided by applying the reasonable and necessary criteria. This means that the next plan may include different support budgets than the first plan.

Knowledge check

If a person hasn't spent all of their funding, this will be rolled over in to the next plan.

- ☐ True
- ☐ False

Provider role when preparing for review

Support coordinator

Support coordinators can help people to prepare for their plan review. This often involves filling out a report with the person about their service use and their goals. They will also need to report on their role including how they have linked the person in with NDIS, informal, community and mainstream supports. If support coordination is needed in subsequent plans they can also provide evidence to support this.

NDIS service provider

Service providers can be really helpful in preparing reports or assessments that participants can use to support their request for new or ongoing supports.

Unspent funds



If a person hasn't spent their NDIS funding it can give the impression that the supports weren't needed. Often however, it means that a person couldn't find the right provider or had some other difficulties finding ways to spend the funding. If this is the case, make sure it is very clear why the money couldn't be spent, including what was done to try and find suitable providers.

Scenario

Preparing for plan review

Click through to see an example of how someone might prepare for a plan review meeting.

START >

Step 1

Meet Zoe



Zoe is about to go to her first plan review meeting. She is preparing for it reflecting on the services she used this year and thinking about her goals.

One of Zoe's goals is to be able to access the community independently. She has severe social anxiety and has struggled to use public transport. She has been using some of her funding to pay for public transport training and for support to increase her social skills.

Step 2

Is the goal still relevant?



Zoe has found the supports useful and is now able to use public transport when her carer is with her. She would like to continue working toward this goal so that she may be able to go out without her carer in the future.

Step 3

Supporting evidence



Zoe would like to continue working with the same service providers to continue with this goal in her next plan. She asks each of them to prepare a brief summary of the work that they did with Zoe this year and how they will continue to support her to work toward her goal in the future. Zoe brings these reports along to her review meeting.

Summary

This was quite a simple example of how to think about supports for future plans by reflecting on an existing plan. Thinking about how the funding has been used in relation to goals (and where it should continue, increase or decrease) for each funding category is a good way to prepare for a plan review meeting.

Unscheduled plan reviews

Unscheduled reviews occur when something needs to change during the plan period which would require a new plan to be developed before the scheduled review.

The steps for an unscheduled review are as follows:

- 1 Determine why the change is needed
- 2 Contact the NDIA to discuss the change request
- 3 NDIA will advise next steps depending on the nature of the change
- 4 If the change request is not granted the person may choose to review the decision

During COVID-19 there are new processes in place to help people who need to make changes to their plans to accommodate the changing environment, visit the [NDIS website](#) for more information.

What type of change?

ADMINISTRATIVE

Administrative changes e.g., changes to a funding type from agency to self-managed, changes to the names of contact people on plans and so forth can usually be made quite quickly and easily without needing to complete any paper work.

CHANGE OF CIRCUMSTANCE

A change of circumstance is when the person's circumstances change enough to warrant a change to the type of NDIS services they access. The kinds of things that would warrant a change of circumstance review include:

- if living arrangements change
- if informal care arrangements change significantly
- if disability support needs change

Changes to a person's financial circumstances alone would not be sufficient to warrant a review (because the NDIA does not determine support needs based on income). To support a change of circumstance on the basis of disability support needs you would need to have new evidence regarding the person's disability needs that was not presented at the original planning meeting. You can read more about changes of circumstance in the [NDIS operational Guidelines](#).

PLAN NOT SUITABLE

If the plan simply isn't suitable (e.g., plan didn't include sufficient funding, something important was left off a plan) for the person's needs then a person can contact the NDIA to see if an unscheduled review can be considered. Plans are unlikely to be considered for an unscheduled review if:

- Extra funding is being requested because the original funding was not managed appropriately (e.g., due to poor budgeting or misuse of funds)
- The person is requesting a service or new equipment because they learned another participant has been funded for these supports
- The request could be met by informal, community or mainstream supports
- There is no new evidence to support their need for new supports.

Provider role in unscheduled reviews



A request for an unscheduled review must come from the participant. However, as a provider you can play an important role in talking to people about their plans and how their funding can be used, which can help them to make a decision about asking for an unscheduled review. You may also be able to support them to contact the NDIA, depending on your role/relationship with the person.

When is an unscheduled review appropriate?

When requesting an unscheduled review the NDIA will want to see evidence that:

- ☐ There is a clear need for additional support (e.g., what is the impairment the person wants to address, what are the goals, any supporting evidence)
- ☐ That the support need cannot be addressed with the existing plan (e.g., by using the funding flexibly)
- ☐ That the support need cannot be addressed through the mainstream, community or informal support systems.

Example

Mark wants to request an increase in his core funding from \$10,000 to \$15,000 so he can pay for a gardener and a cleaner. A friend of his has this in his plan and he has \$15,000 of core funding. What would you do next?
(tick all that apply)

- ☐ Talk to Mark about his goals and impairments. Does he need the gardener and cleaner because of his disability?
- ☐ Talk to Mark about his current core funding. How is he currently spending it and could it be changed?
- ☐ Talk to Mark about how the NDIS allocate funding on an individual basis, and this means that his friend may have different funding amounts.
- ☐ Support Mark to call the NDIA to review his plan.



Look at the plan and consider how the funding could be used flexibly to meet a person's needs. Perhaps another support needs to be modified/reduced in order to be able to pay for a new support. Also don't forget mainstream and community services - perhaps the support required can be accessed through another system.

Provider tip

What if the change request is denied?

Reviewing a decision

If a person requests the NDIA conduct an unscheduled plan review and the NDIA say no, this becomes a 'reviewable decision'. If the person wishes to pursue the decision, the following steps apply.

START >

Step 1

Internal Review

The participant can request an internal review of the decision. This means a new NDIA representative will review the decision and see if they think the plan should be changed or if they agree with the original decision.

Step 2

External review

If, following an internal review, the NDIA still decide not to change the plan, the person can apply for an external review by the Administrative Appeals Tribunal (AAT). This is when a group of people who are not employees of the NDIA will consider the request to change the plan and determine if they think a change could be made based on the NDIA rules.

Step 3

Review in the Federal Court of Australia

If internal and external reviews have been exhausted a person may be able to appeal to the Federal Court of Australia to question the decision on a matter of law. This option is not automatically available: the person would need to make an application to the court for their consideration.

Summary

A person cannot request external reviews without first pursuing internal reviews (i.e., all steps must be followed). Advocacy services are available to support participants through the NDIA appeals process. You can find out more about plan reviews and changes by reading the [NDIS Planning Operational Guideline](#). For more information on the review process visit the [NDIS website](#).

Pre-planning is key!



Never underestimate the importance of pre-planning. We have a [training module](#) that covers this if you need a refresher. The more information that is provided in the initial planning meeting the more likely it is that the plan will adequately match the participant's needs.

FAQ

How long does it take for the NDIA to make changes to plans?

The time taken for the NDIA to approve changes will vary depending on the change. Recent changes at the NDIA mean that administrative reviews can now be done quite quickly. The NDIA have also recently hired more staff to reduce some of the long wait times for plan reviews.

The NDIA is still growing and sometimes there may be delays; the NDIA are aware of the concerns in this area and are working to address them. However, it is important to be aware that sometimes reviews may take some time. This is why you should continue to access services while you wait.

Is it better to wait for the scheduled review?

Sometimes it might be advisable to wait until the scheduled review to address concerns with a plan, particularly if you don't have long to wait until the next review. Other times, for example if a key support category is missing, it won't be in the person's best interests to wait. You need to weigh up these options with the person.

Should a person continue to use their plan while waiting for a decision?

Yes, it is fine to keep using the NDIS plan while waiting for the NDIA to make a decision. When determining how to use the funding during this time you will need to weigh up the person's immediate support needs, but also keep in mind that the request to review the plan may not be approved (so don't count on extra funding being available).

Advocacy in the NDIS

Plan reviews are often a time when participants might need some extra support. As a provider, it is helpful to know how you can help and when you should refer on.

Advocacy in the NDIS

What is advocacy?

Broadly speaking, disability advocacy is:

“acting, speaking or writing to promote, protect and defend the human rights of people with a disability”

- Australian Government Department of Social Services, Disability Advocacy fact sheet

Go to DSS [Disability Advocacy Fact Sheet](#)



The NDIS does not provide funding in NDIS plans for disability advocacy services. This means that if you are providing NDIS supports you should not provide formal advocacy services as part of this support.

A lot of your work may feel like it fits the general definition of advocacy, after all you are always working in the best interest of the person. The key distinction in the NDIS is between building capacity for self-advocacy (e.g., supporting people to build skills and knowledge to make decisions) and formal advocacy (speaking for people and acting on their behalf).

Click on the cards below to learn more about the types of activities that you can do as an NDIS provider, and the things that should be referred to an advocacy provider.



Click to flip ↺

Can:

- provide support with decision making
- educate people about the NDIS
- help people to implement their NDIS supports
- build skills and knowledge for people to stand up for their rights
- work with providers to ensure appropriate service delivery



↻

Can't

- resolve issues associated with government benefits or support services
- act on a person's behalf at a tribunal for example for guardianship or tenancy disputes
- campaign for improvements to existing public services
- act on someones's behalf to resolve complaints

What advocacy supports are available for NDIS participants?

The Australian Government offers a free and independent disability advocacy service for people who require advocacy supports.

You can read more about their service on the [National Disability Advocacy Program website](#)

Advocacy and plan reviews

Consider what you know about advocacy in the NDIS and the things a provider might do when supporting someone with their plan review.

When might you need to step back and engage a formal advocate?

You can certainly work with people to understand their review options, to prepare them for a review meeting (e.g., by gathering evidence for supports) and to help people make decisions about their supports. Here are a few areas where you will need to refer the person to a formal advocate.

- ☐ If the person chooses to review an NDIA decision and proceed to an external review, an independent advocate can support them through this process and help with legal representation.
- ☐ If the person wants a new support or significant increase in supports at their plan review meeting and is not able to ask for this themselves, an independent advocate can be asked to attend the meeting.

Takeaway



It is important to understand what you can do as an NDIS service provider and where you should engage other services. This is a big shift from block funding models where providers often wore multiple hats.

Advocacy support is available if a person is having trouble getting the supports that they want from the NDIA. You can find advocacy providers online using the DSS disability advocacy provider tool.

Disability Advocacy Finder

The Disability Advocacy Finder is a tool that can help you find an advocate. An advocate is a person who is there to help. They provide support, encourage you to make informed decisions, and help people with a disability to learn about their human rights and how to access them.

[READ MORE DSS](#)

