



Disability Services Commission

# Western Australian National Disability Insurance Scheme (WA NDIS) Operational Policy

## Funded Supports in the Plan - Reasonable and Necessary

### 1. Keywords

Funded support, reasonable and necessary, plan, social and economic participation, goals, strategies, choice and control, local decision making, review.

### 2. Policy statement

This operational policy describes the requirements that must be met for the strategies identified in an individual's plan to be considered for funding in the WA NDIS trial.

### 3. Principles

People with disability, their families and carers are in the best position to determine their own needs and goals, and to plan for their future.

People with disability have choice and control in the selection, design and implementation of their supports and services.

The goals and strategies outlined in the plan reflect the uniqueness of the individual and their circumstances.

Planning will incorporate individualised strategies that encourage and prioritise the use of informal and local community connections in preference to formal, paid supports and services.

Investment in the capacity of eligible people with disability aims to minimise lifetime support costs.

### 4. Introduction

With the assistance of a Local Coordinator, a person with disability develops a plan based on their identified goals and the exploration of a range of strategies and options to achieve these goals. The person with disability drives the development of their plan, with support from the Local Coordinator, to the level that the person wishes.

Plans reflect and acknowledge the importance of informal, natural supports such as friends, neighbours, and local community connections. In addition to the individual's goals for a good life, the plan documents the strategies to achieve these, including informal supports and those related to the disability services and supports that require funding.

All plans will be reviewed and renewed on at least an annual basis to ensure appropriate supports are provided based on the person's goals.

All plans need to be considered and endorsed by the Local Coordinator. Where funded supports are included, the plan will need to be approved as is outlined in the Delegation Framework for Approval of WA NDIS Plan Funding. The Delegation Framework ensures streamlined processes and decision making can occur at the local level.

In endorsing each plan, the Local Coordinator will take into consideration the planning principles, WA NDIS policies and the need to ensure the financial sustainability of the scheme. Additionally, where funded supports are identified in a plan, the Local Coordinator ensures that the relevant Support Clusters and Price Framework are applied.

As part of the plan development process, consideration will be given to existing funded supports. For example, when there are changes to circumstances (of the individual and/or the broader disability sector), access to supports will continue to be provided which facilitate achievement of similar outcomes to those in place prior to the change. In exceptional circumstances, approval may be given to fund supports and services to ensure continuity of services. Where continuity of support is outside the criteria outlined below, out-of-policy decisions require approval by the Executive Director Local Operations.

## **5. Definition**

### **Reasonable and necessary supports**

Reasonable and necessary supports relate to the disability of the individual and meet each of the following criteria:

- a. The support will assist the individual to pursue the goals and vision set out in the plan
- b. The support will assist the individual to undertake activities that facilitate their social and economic participation
- c. The support represents value for money in that the costs of the support are reasonable, relative to both the benefits achieved and the cost of alternative support (see explanatory notes in Attachment 1)
- d. The support will be, or is likely to be, effective and beneficial for the individual, having regard to current good practice (see Attachment 1)
- e. The funding or provision of the support takes account of what it is reasonable to expect families, carers, informal networks and the community to provide (see Attachment 1)

- f. The support is most appropriately funded or provided through WA NDIS, and is not more appropriately funded or provided through other service systems:
  - i. As part of a universal service obligation (for example, accessible public transport), or
  - ii. In accordance with reasonable adjustments required under a law dealing with discrimination on the basis of disability.

For further explanation, refer to WA NDIS Operational Policy Responsibility for Supports – WA NDIS and Mainstream Government Agencies.

## **6. Implementation**

### **The funding decision**

In deciding the supports to be funded under the plan, consideration will need to be given to:

1. the individual's circumstances
2. the individual needs assessment
3. how the strategies outlined in the plan contribute to the individual's identified goals
4. the supports that can be funded in the plan
5. the supports that cannot be funded in the plan
6. plan tested against the Reference Package
7. general considerations, for example whether the strategies in the plan are aligned with WA NDIS principles.

### **1. Information about the person and their current circumstances**

Through discussion, the Local Coordinator gets to know the person and their current circumstances, in the context of their family, friends and community, their experiences and their goals. This discussion may also include any person the individual, and/or substitute decision makers, choose to assist, including current providers of services where relevant.

The Local Coordinator takes into consideration how the funded supports compliment other funded supports in the individual's environment (for example WA NDIS Plans for siblings, other family members or co-residents living with the individual).

Local Coordinators should seek to minimise disruption to the person and to the current supports.



## **2. The information gained through the needs assessment**

The Local Coordinator will use information about the individual's circumstances that they have gathered, and will use the Planning and Assessment Tool which captures an individual's support needs, in determining reasonable and necessary supports. Other information from a range of sources, such as the eligibility assessment and medical/clinical reports, will also inform decisions.

## **3. How the strategies requiring funding outlined in the plan contribute to the identified goals**

The plan reflects an individual's goals for a good life and the Local Coordinator supports a person to explore a range of strategies and options to achieve these goals.

## **4. Supports that can be funded in the plan**

In approving the disability related supports outlined in the individual's plan which require funding, the Local Coordinator and all required delegated decision makers (see the Delegation Framework for Approval of WA NDIS Plan Funding) must be satisfied that all of the reasonable and necessary criteria are met in relation to each support. Definitions and further explanatory information is provided in Attachment 1.

## **5. A support will not be funded through WA NDIS if:**

- a) it is likely to cause harm to the individual or pose a risk to others; or
- b) it is not related to the person's disability; or
- c) it duplicates other supports provided to the person; or
- d) it relates to day-to-day living costs (for example, rent, groceries and utility fees) that are not attributable to a person's disability support needs; or
- e) the provision of the support would be contrary to:
  - (i) a law of the Commonwealth; or
  - (ii) a law of the State or Territory in which the support would be provided; or
- f) a support that consists of income replacement.

## **6. Plan tested against the Reference Package**

The Local Coordinator compares the funded supports against a Reference Package Funding Range Indicator. This tool indicates whether an individual's annual plan funding is comparable with the expected funding level for the individual (based on key characteristics).

Where the recommended funded support is outside the boundaries of the estimated level of support, the reasons are documented and further consideration is required by the line manager and/or Regional Manager.

## **7. General considerations**

In approving each plan, consideration must be given to WA NDIS policies, planning principles and the need to ensure the financial sustainability of the Scheme. One of these requirements is that, where funded supports are managed by or through disability sector organisations, the relevant Support Clusters and Price Framework is applied.

The Support Clusters and Price Framework has been developed to provide service providers and coordinators with the information about the types of services and associated prices that will be paid for reasonable and necessary supports identified in a person's plan. There is a Framework for the metropolitan area and one for the Lower South-West WA NDIS site.

### **Approval process**

All plans are required to be considered and endorsed by the Local Coordinator. Where funded supports are included, the plan will need to be approved as is outlined in the Delegation Framework for Approval of WA NDIS Plan Funding. The first delegation level requires the Local Coordinator to endorse a plan. Depending on the level of funding requested, the plan may be required to then progress to the Area Manager, Regional Manager, Executive Director or Director General for a final decision.

### **Review of decision**

WA NDIS decisions on reasonable and necessary supports are reviewable decisions. The individual will be advised of the decision; that the decision can be reviewed, and of the review and appeals process. See also WA NDIS Operational Policy – Reviewing and Appealing WA NDIS Decisions

## **7. Related documentation**

WA NDIS Planning Framework, October 2012, Disability Services Commission  
Disability Services Act 1993 and Disability Services Regulations 2004  
Individualised Funding Policy, August 2013, Disability Services Commission  
Family Members as Paid Support Workers Policy, February 2012, Disability Services Commission  
WA NDIS Operational Policy – Reviewing and Appealing WA NDIS Decisions  
WA NDIS Operational Policy – Support Need Assessment  
National Disability Insurance Scheme (Supports for Participants) Rules 2013  
National Disability Insurance Scheme (Plan Management) Rules 2013  
WA NDIS Perth Metropolitan: Support Clusters and Price Framework  
WA NDIS Lower South West: Support Clusters and Price Framework

## **8. Evaluation and review date**

30 June 2017 or earlier if required.

### **For further information contact**

Scheme Policy & Program Transition Manager  
Policy and Planning Directorate  
Date 30 June 2016

## **ATTACHMENT 1: Explanatory notes**

### **Value for money**

In deciding whether a support represents value for money in that the costs of the support are reasonable, relative to both the benefits achieved and the cost of alternative support, the following matters must be considered:

- (a) whether there are comparable supports which would achieve the same outcome at a substantially lower cost;
- (b) whether there is evidence that the support will substantially improve the life stage outcomes for, and be of long-term benefit to, the participant;
- (c) whether funding or provision of the support is likely to reduce the cost of the funding of supports for the participant in the long-term (for example, some early intervention supports may be value for money given their potential to avoid or delay reliance on more costly supports);
- (d) for supports that involve the provision of equipment or modifications
  - (i) the comparative cost of purchasing or leasing the equipment or modifications; and
  - (ii) whether there are any expected changes in technology or the participant's circumstances in the short-term that would make it inappropriate to fund the equipment or modifications;
- (e) whether the cost of the support is comparable to the cost of supports of the same kind that are provided in the area in which the participant resides;
- (f) whether the support will increase the participant's independence and reduce the participant's need for other kinds of supports (for example, some home modifications may reduce a participant's need for home care).

The value for money criterion for service strategies offered by providers on the Commission's Panel Contract for Individually Funded Services has been determined when establishing the provider's Service Agreement.

In determining the price component of the value for money criterion for services purchased using self-managed funds, the cost of equivalent supports in the local area and the range of costs for equivalent supports as per the Commission's Panel Contract for Individually Funded Services should be considered.

Where it has been determined that the proposed support does not meet the value for money criteria based on the price, but the support meets all other reasonable and necessary criteria, an individual who self-manages funding for that support may choose to top up from their personal funds, the difference between the funded amount and the cost for that same support.

### **Effective and beneficial for the participant**

In deciding whether a support will be, or is likely to be, effective and beneficial for a participant, having regard to current good practice based on the available evidence of the effectiveness of the support for other people in like circumstances. The evidence may include:



- Published and peer-reviewed literature and any consensus of expert opinion, or
- The lived experience of the participant or their carers, or
- Anything WA NDIS has learnt through the trials.

In determining whether a support will be, or is likely to be, effective and beneficial for a person, having regard to current good practice, it must also take into account and, if necessary seek, expert opinion.

### Reasonable family, carer and other support

In deciding whether funding or provision of a support takes into account of what it is reasonable to expect families, carers, informal networks and the community to provide, the following matters must also be considered:

- For all individuals
  - i. the desirability of supporting and developing the potential contributions of informal supports and networks within their communities.

and

- For a child in WA NDIS:
  - i. That it is normal for parents to provide substantial care and support for children, and
  - ii. Whether, because of the child's disability, the child's care needs are substantially greater than those of other children of a similar age, and
  - iii. The extent of any risks to the wellbeing of the participant's family members or carer or carers, and
  - iv. Whether the funding or provision of the support for a family would improve the child's capacity or future capacity, or would reduce any risk to the child's wellbeing.

or

- For an adult in WA NDIS:
  - i. The extent of any risks to the wellbeing of the individual arising from the person's reliance on the support of family members, carers, informal networks and the community, and
  - ii. The suitability of family members, carers, informal networks and the community to provide the supports that the person requires, including such factors as:
    - The age and capacity of the person's family and/or carers, including the extent to which family and community supports are available to sustain them in their caring role, and
    - The intensity and type of support that is required and whether it is age and gender appropriate for a particular family member or carer to be providing that support, and
    - The extent of any risks to the long-term wellbeing of any of the family members or carers (for example, a child should not be expected to provide care for their parents, siblings or other relatives or be required to limit their educational opportunities), and
  - iii. The extent to which informal supports contribute to or reduce an individual's level of independence and other outcomes.