

SUMMER 2_Podcast Ep2

- DG Hi, listeners, and welcome to Reasonable & Necessary, Australia's premier podcast series on everything you ever wanted to know related to the National Disability Insurance Scheme. I'm your host, Dr. George, and on today episode, we're talking about your NDIS plan. If you want to know how to prepare for your first planning meeting and what goes in to an NDIS plan, stay tuned. My guest is Penny Paul. Penny is the Information and Connections Coordinator at the Summer Foundation. Hey, Penny, how are you?
- PP Hi, George.
- DG Penny, planning, people's first NDIS plan. It feels a bit daunting.
- PP It is daunting.
- DG May I say that the NDIS plan is like your passport to the NDIS, is that an accurate way of describing it?
- PP I think that's a good way to describe it because just like going overseas, George, you need to do a lot of planning for your first planning meeting.
- DG Make sure you get your visa, all your shots, everything you need.
- PP Talk to someone who's been before, read everything you can about where you're going.
- DG And listen to this podcast.
- PP Well, hopefully, that's a really good place to start, yeah.
- DG Well, I really hope listeners understand the different parts of a plan so they know what they're going to have to prepare for, so one of the most important parts of the plan are your NDIS goals, your goals about what you want to achieve in your plan, can you tell us what is it that makes a useful and effective NDIS goal?
- PP So I think the most important thing when you're thinking about what your goal is for the next twelve months or your longer term goals and aspirations is to be as broad as possible, think umbrella, think all the things that you want to do each day, the things, the place that you'd like to be in twelve months, in five years, and think about what the broadest term is to describe that, so if in five years, you want to be living on your own in an apartment and have support coming to you, then that's a long term goal and aspiration and your short term goal might be something like looking for appropriate housing and then everything that you need to do to look for appropriate housing could possibly be funded under that goal.
- DG Okay, so try not to be too specific and probably look at the outcomes where you want to end up and also to think about not restricting yourself to a narrow, narrow outcome.

- PP That's absolutely right, I went to a great workshop and going to workshops can be a really good way to pick up advice about how to prepare for your planning meeting and how to get the most out of the NDIS, and at this workshop, they got us to learn and think about the difference between a task and a goal, so a task might be to go swimming, but a goal might be to increase my fitness, my health and my wellbeing, well, I tell you which is going to attract more funding, increasing your fitness, health and wellbeing, not going swimming, so going swimming is something that might be funded under that task if you need support to go swimming, but saying going swimming is a goal, that's not going to get you a good outcome at a planning meeting.
- DG Yeah, and we're not robots, so we might want to start swimming and we might find out that we don't like swimming, so if our goal is to increase our wellbeing, then you might swim or you might take up **tai chi** or yoga or who knows what else you might do, so keep it so that you can be flexible on what you end up doing.
- PP I think that's absolutely right and hopefully, under the NDIS people have got an opportunity to try out new things that they haven't been able to do before, so keeping it broad and having funding that's flexible should help you to do that.
- DG Okay, so your goals and we recommend that people have at least a couple of very broad and clear short-term goals?
- PP Yep.
- DG Yeah, and how were your long-term goals? What would, what's the difference between short term and long term goals and why do you need to think about both of them?
- PP And it seems pretty unnatural, doesn't it, to say, what are your goals for the next twelve months and what are your goals for your long term goals and aspirations, but you're about to embark on a new relationship with the NDIS and this should last for the rest of your life, so I think what they want is to be able to tick off that you've attained things along the way and this, the relationship you're having with them, the funded supports that you get from the agency are actually helping you to lift the life that you want to do and they want to do that for you, they want to do it for them, and I guess they want to do it for the government and the taxpayers, that people are achieving what they want to achieve through this scheme, so yeah.
- DG How do you know what ends up as a short term or a long-term goal?
- PP I think you should take control here and write out some goals before your planning meeting, test them with some people who you know, the people who know a bit about this or take them to workshops or ring up an advocacy agency and start thinking about this is a goal, this is a good goal, and then at our planning meeting, tell your planner, goal one is this, goal two is this, my longer term goals and aspirations are this, I want to be really clear of my planning meeting about.

- DG I also reckon to be safe, make sure that the goals that you think definitely you want funded this time around, that they're in the short term goals because it's more likely that they'll fund short term goals now as opposed to long term goals which theoretically, they might say, wait for plan number fifteen, when it's too late and you've changed what you want to do, anyway, so I think that's a good tip for people to keep in mind. Okay, so people have their goals and they started and they've got some good goals, what sits underneath the goals? Now I understand that basically, all your funding needs to be closely tied to the goals, but what kind of things can fit under your goals?
- PP So closely tied is the understatement, they will only fund things that relate to your goals, so it's really important to get your goals right, what sort of things sit under it? There are three domains of funding in an NDIS plan, capacity building, capital and core supports.
- DG Okay, and what's the difference between the three?
- PP So capacity building supports are supports that are meant to increase your ability to do things for yourself, and we expect that we will see the amount of funding you get for capacity to decline over time as your capacity to do stuff for yourself increases, so it's really about skilling you up.
- DG Okay.
- PP Capital supports are for things like assistive technology, home modifications, equipment and SDA for people who are eligible for specialist disability accommodation, and then we've got core supports, so that's your day to day funding for all things that you need to, if you need assistance to get out of bed, assistance with showering, assistance with getting dressed, meal preparation, all of that type of thing.
- DG Okay, and how much flexibility is there in terms of what you actually purchase with your core supports or your other areas of support?
- PP So core supports I think are pretty flexible, some, you might find some stated support items within any of these budgets, and a stated support means that you can only use the funding to purchase that particular item, so in core supports, you might have seven different things listed and one of them's stated when you have to buy that stated support, but maybe for the other seven things, it's flexible how you use that funding, and then within the other items, so with capacity building, for example, there's a number of domains of capacity building and they're listed in the price guide and you can swap around what you purchased within any of those domains.
- DG Yeah, because I imagine that you might find that there's something that you don't need any more, but you need some more of something else, or there might be a more effective way of achieving a goal if you're able to achieve something that might not have been thought of before that you might discover would even be helpful, so

flexibility is important answer, in terms of how you can achieve maximum flexibility, I understand that that can be through self management.

PP Yeah, I think a lot of people might be familiar with that from Victoria, for example, having an ISP, an individual support package.

DG And tell me, in terms of the benefits and the things, when you have self management, there are benefits, but there are also some drawbacks and someone's thinking about self managing their funding, what might they think about?

PP Well, you have to do all your own admin for that, you have to do all your own service bookings and monitor all the payments and make sure everyone gets paid and that the government work that they billed you for, so there's a lot of administration I think in self management, but it means that you've got the flexibility to employ anyone you like at any price you like.

DG Okay, and in terms of the different types of management plan, what are the other ones?

PP So the other one would be plan management, and this is the one I really recommend, so here you've got another organisation that can manage your service bookings to do all your invoicing and make sure that the providers that you want to provide if they're not registered, that they're okay, so you've still got someone who would have a sense about whether they're okay or not and who can probably get rid of them if they're not okay for you and that might be easier than sacking someone yourself.

DG And do you think that the option you said of plan management would be one that they might choose because they want the benefits of personal control, that they could get self management but they don't want their, the paperwork involved?

PP Absolutely, I think, and if you haven't done this before, plan management might be a god way to start and there is you can get capacity building funding for the plan manager to build your capacity to ultimately self manage, so that would be definitely something to think about it, whether you want to work towards self management and have the most control you can possibly can over your funding in the long term, so that's the difference between the short term goal and the long term goals, isn't it?

DG That's right, and most people, though, I'm hearing are choosing agency managed, what's agency managed?

PP So I think agency managed is pretty much the default option and the less you say your plan meeting that you want to do something different, you'll end up with most of your supports except transport being agency managed, and basically, the agency you have to use a registered provider and then the provider bills the agency and the agency pays the provider, but you still have to do all your service bookings and stuff.

- DG If people are about to go to a planning meeting, what would be your ten words of advice that you'd give them when they're about to rock up to their planning session?
- PP Well, I think I'd want to choose where I held my planning session and who I invited to my planning sessions, so you will get an opportunity to say where you'd like to hold it, so think about somewhere that makes you feel comfortable or alternatively, if you're really unhappy about your living situation, you might want to hold it where you live to show the agency how inappropriate your living situation is, I would invite someone who you find really supportive to come and support you at your planning meeting and to help you if you feel really nervous and just to be able to speak with you and who knows you well to make sure that you've said all the things that you talked about that you wanted to say and to slow it down if it's going too quickly or to fill in some gaps because I guess it's pretty hard to talk about yourself often in a planning meeting, but someone else might be able to provide a bit of extra context, the planner might not understand and you might find it difficult to talk about some of those things yourself.
- DG It's hard to often talk about yourself and I get one of the reasons why people might not like going to an NDIS planning meeting is that they need to talk about all the things that they have difficulty with, that's often where you might benefit from having someone who can be there for you and say, hey, what about this, and this might be hard to talk about, but we should probably tell the planner about your bad days or when things get really hard because once you have a plan, you pretty much expect that you stick to it, aren't you?
- PP I think you are, George, look, the planner might say, don't worry if we don't get this right, you can change it and you can request a review, but in effect, reviews are really slow and they take ages to happen and you don't really want to be involved in this endless back and forth with the agency, it'd be, it's sort of better to get your plan right first shot and just get on with using it, so I think that's really important to try and get your plan as good as it can be, I think the other thing to think about is if you're getting a lot of support from your parents, where you're living at home and that's working for you, or it's not working for you, you need to have a really full and frank discussion in your planning meeting about what your parents do and whether that's appropriate or not, and empower them to say that they don't want to do it any more or for you to be able to say, you don't want them to do it any more and to talk about that before the planning meeting.
- DG Yeah, because I've heard that a lot of people in their planning sessions are expected to explain about all of the support that they get from other people, and it's all well and good to do that, but the fact is that we had these arrangements because there is no entitlement to reason and necessary support, so now that we have this entitlement, it's the law, we should be able to say, hey, I'm forty two years old and it's not okay that my parent showers me every day, so these sorts of things should not be that we have

to put up with in to the future, we need better outcomes and we need the agency to come to the party and fund the things that should be funded.

PP I think you're absolutely right, but I don't think the agency is going to take itself to the party, I think you need to invite the agency to come to the party, so you need to be really clear and say, it's not appropriate and I don't want my parents doing this any more, it's not appropriate for them and it's not appropriate for me because unless you say that, they will just let it continue, they're not going to step in and offer you supports if they think someone else will provide that unfunded.

DG That's right and be prepared to have those very upfront and I call that sort of speaking out for yourself about the difficulties that we tend not to want to talk about, if there's any way we can talk about, then it's at the NDIS planning meeting.

PP Yeah, absolutely you should and then if you don't get a good feeling from the planner or you feel that the planner doesn't understand much about you or doesn't understand much about your disability, this is your time to put that aside, to be as nice and educative as you possibly can because they're not going to know any more unless you tell them, they can't read your mind and if you don't make it explicit and you don't say exactly what you need, you're likely to get what we call a benchmark package.

DG That sounds like something that someone might not want to be, the way you said that.

PP Yeah, that's sort of, I think-.

DG One they prepared earlier.

PP That's right.

DG One that had been through the axiom and maximises sustainability of the scheme, yeah?

PP Yep, exactly.

DG Yeah, and we're not benchmarks, are we? We're human and we often need distinct things that might not have been told off by the agency necessarily.

PP Yeah, I think we all advocated really hard for this scheme on the basis of having access to individualised supports in relation to what a particular person wants and needs, so don't be, speak up at your planning meeting or you'll get a reference package.

DG And Penny, you said earlier, be nice, I don't know, I think that it's not a job interview, I think that you don't need to impress your planner, I think that what you do need to do is provide your planner with all the information that they need to understand what your life is like and what you need, I think that it's really about that frankness and that openness so that they know.

- PP Yeah, they're much better words, be frank and open, but also I think be aware that you know a lot more about you than the planners who are going to, but being frustrated with them is not going to help the situation, so providing them with as much documented evidence for them to take away would be a really good thing, so if you've got reports from allied health therapists or doctors or any evidence that you'll need, give that to them because unfortunately, they do take the words of allied health professionals and other people as really probably over and above what how they view.
- DG Absolutely, yeah, so building evidence base, as they say, a very complex word to say, make it obvious that you need something.
- PP Yeah, because I think people like to justify why they make a decision and have an expert reason as to why they've made a particular decision, the other thing to be aware of is your planner doesn't actually make your plan, it actually makes your plan an advocate or what do they call those people?
- DG I'm not sure.
- PP I'll come back to that, but someone else back at the NDIA puts your plan together so your planner is gathering the material and then someone else makes the plan.
- DG Okay, now the Summer Foundation has put together some pretty impressive resources around getting ready for the NDIS plan, can you just let people know what they are and where to find them?
- PP We put together some sample NDIS plans to give people a sense of how they look, how the funded supports relate to people's goals, we put in some pretty good goals there, if you're looking for some inspiration around goals, that's a good place to start, you'll notice they're very short and very broad, and you can find them on the Summer Foundation website, the best place to go is Summer Foundation NDIS housing resources or just go to our resources page and scroll down for the sample NDIS plans.
- DG And our website is summerfoundation.org.au.
- PP That's right.
- DG Check that out, thanks, Penny, it's been really helpful, you have been a font of knowledge and I think both you and I will wish everyone listening the best of luck for their first planning meeting, thanks for talking to me.
- PP Yeah, thanks very much, George.
- DG It's time for our regular segment, is that reasonable and necessary, and we've got Chris Thwaites who is, he is a lawyer, but he is not here to provide legal advice, he is the legal advocacy lead at the Summer Foundation.
- CT Hi, George. Hi, listeners.

- DG Hey, so let's talk about iPads, is that reasonable and necessary?
- CT iPad's, yeah, there's a lot of talk about iPads and whether the scheme will fund that or not and I think different people have different experiences in relation to that.
- DG What do you think?
- CT Well, I hate to go back to the old formula and my favourite act, but I'd start off with going back to Section 34 and telling people, work their way through that and see whether they can make an iPad sit in that area of reasonable and necessary.
- DG Okay, so if it would be reasonable and necessary, talk us through what the, what the areas would put forward in terms of making a case.
- CT Well, obviously, as we spoke about last time, the support has to assist the participant to pursue their goals, objectives and aspirations so that again is important about what your goals and objectives and aspirations might be in your plan in order to get these sort of supports.
- DG Okay, so with the iPad, obviously, will it depend on the person's impairment? So would it effectively be about tying the need for that item to the disability?
- CT I think so and I think you have to go through each of those examples under each of those requirements under section 34 in relation to how it will assist that person, undertake activities and facilitate their social and economic participation, and the other areas, the other areas that you need to turn your mind to in section 34, there's also another thing that we haven't discussed yet which is in the rules which is under the act which is in the rules for supports for participants which talks about the things that they won't fund, so that's also something that it's good to be aware of so you get your mind about the other side of things, we talked about section 34 and what it might fund or what will be funded, but in the rules, there's also a rule under part 5 that talks about what they won't fund.
- DG Okay, so what won't they fund?
- CT Well, they won't fund a support that is likely to cause harm to the participant or pose a risk to others.
- DG Okay, I think you're pretty safe with the iPad on that one.
- CT I think you're probably safe there, they won't fund a support that is not related to a participant's disability.
- DG No, that's it, isn't it?
- CG So that's a whole other area of what you might need to address in relation to that, so-
- DG And I ask this because it brings together that idea that okay, if we take a child, for example, if most parents are not buying their kids iPads, or some kind of tablet, why

wouldn't that be reasonable for parents to do and why would you expect the government to pay for it? However, the other side of it, I know that iPads and those sorts of technology adaptive equipment, so to speak, can be a lot cheaper than what used to be funded for career, for example, so it would make a lot more sense for a value for money perspective to pay five hundred dollars for an iPad than two thousand dollars for a disability carry case device.

CT And that could be about the practical nature of how the plan is set up as well, you might be talking global areas of adaptive technology in order to help people achieve their outcomes and their goals and then get funded for a certain amount of that and then what that's spent on is another argument that sits probably underneath the plan.

DG Yeah, and as technology becomes more and more used in our society-

CT And more and more embedded, we're seeing sort of everybody is using those technologies and I don't think technology is really on cutting edge in relation to the things that we deal with in relation to SDA and specialist disability accommodation and things like that, so I think it's becoming more and more acceptable that adaptive technology is part of the life.

DG Because the NDIS act also relies and helps us, but an understanding to add in what the NDIS won't do.

CT Yes, that's right, it's in the rules, actually, so there are rules around support for participants and part 5 of those rules, it talks about a support will not be funded or provided if it gives a couple of criteria, so they won't provide funding for a support that is likely to cause harm to a participant or pose a risk to others, they won't provide support or fund a support that is not related to a person, a participant's disability, or duplicates other supports already funded by different mechanisms or relates to day to day living costs that are not related to the participants' support need.

DG So I think we're fairly safe with the first one in terms of not causing harm.

CT Yep.

DG However, that last one around whether the day to day cost, I know that the NDIS recently put out a fact sheet and that fact sheet actually talked about that they would generally not fund iPads because it is, in their view, an everyday item, what do you think of that?

CT Well, I have created a fact sheet and they talk about, they've published some data around how many households have access to the Internet at home and access to the Internet via tablets and they've drawn a conclusion from that, that it's an everyday item, now those statistics say that 86% of households have access to the Internet and 62% of households access the Internet via tablets and that's why they consider it an everyday item, so I think that might be one way in to looking at what might be an everyday item, but I think people can still be fairly creative about why an iPad might

necessarily meet the other criteria that we've been talking about in relation to reasonable and necessary, so these aren't hard and fast rules, I think they're more guidelines.

DG Yeah, and I also think that what you said there around, don't take everything that the agency says as the truth, but the ultimate truth is the act, yeah?

CT Absolutely.

DG So we should always go back to the act and use that act and challenge the agency when we it doesn't necessarily reflect what the law says.

CT Absolutely, and that fact sheet starts with the statement, generally, the NDIS won't fund the purchase of an iPad.

DG So in saying that, though, sometimes they do.

CT Well, I think it leaves it open.

DG Thank you, that's been really helpful, Chris.

CT It's been great, George.

DG That's all we have time for on today's podcast of reasonable and necessary brought to you by the Summer Foundation. Follow us on Facebook at building better lives to hear the next podcast as it's released.

You can also access a transcript and keep up to date with our latest info on the NDIS.

I'm Dr. George and until next time, stay well and reasonable.

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