

National Disability Insurance Scheme

Fact Sheet for Schools 3

Frequently Asked Questions about the NDIS

Issue 1 – October 2016

The National Disability Insurance Scheme (NDIS) will change the way people with disability access disability support services in NSW. Students who are NDIS participants and their families will benefit from school staff understanding these changes. These FAQs are designed to support schools to better understand the NDIS.

This fact sheet answers key questions on the following aspects of the NDIS:

- Transition to the NDIS
- Schools and the NDIS
- Access to the NDIS for new participants
- NDIS individual packages and planning processes
- NDIS-funded providers in schools.

Transition to the NDIS

What is the National Disability Insurance Scheme?

The National Disability Insurance Scheme (NDIS) is a new and more flexible way of providing support for people with disability, their families and carers. It will give people with disability choice and control over the specialist disability supports they receive to participate in the community.

The NDIS is a national scheme. The National Disability Insurance Agency (NDIA) is an independent agency that has been set up to deliver the NDIS. The NSW Government, the Commonwealth Government and the NDIA are working together on the rollout of the NDIS across the state. There is introductory material about the NDIS in NSW on the [NSW Government NDIS website](#).

When will the NDIS transition happen in my area?

The NDIS will be progressively rolled out in NSW over the next two years. This will see half of the state transition between July 2016 and June 2017 and the other half between July 2017 and June 2018.

The transition to the NDIS has been carefully planned. How and when people access the scheme depends on where they live and what types of support, if any, they currently receive from Ageing, Disability and Home Care (ADHC) or from non-government organisations funded by ADHC.

Further details about the transition, including a postcode checker, are available on the [NSW Government NDIS website](#).

Factsheet No. 2 contains further information about the rollout of the NDIS in NSW and how people with disability will transition to the Scheme. This factsheet also provides information on the role of ADHC during the transition period.

Who will be eligible for personalised packages of support from the NDIS?

The NDIS will provide individualised packages of support to people with a permanent and significant disability that impacts on their social and economic participation. It is currently estimated that this includes around 40,000 children and young people in NSW.

People who access the NDIS are known as 'NDIS participants'. More information about the access requirements for the NDIS can be found on the [Commonwealth NDIS website](#).

It is important to note that children and young people who are NDIS participants represent only a portion of the full range of school students whose learning is impacted by disability. Schools have obligations to provide reasonable adjustments (personalised learning and support) to a wide range of students consistent with obligations under the Disability Discrimination Act 1992 and its associated Disability Standards for Education. In NSW public schools, this is currently estimated to be around 100,000 students, or approximately 15% of the student population.

How will families of children and young people with disability find out about the NDIS?

All families who have children currently receiving specialist disability support from, or funded by, ADHC will be contacted directly about the NDIS. Schools are not required to take any specific action to inform these families about the NDIS. Being familiar with the NDIS transition will assist school staff in supporting parents and carers who have questions about the NDIS.

An information pack can be downloaded from the Commonwealth [NDIS website](#).

[A participant pathway resource](#) is also available on the [NSW Government NDIS website](#). This is an illustrated guide that simplifies the journey into the NDIS for people currently accessing NSW funded specialist disability supports.

What is the role of NDIA Local Area Coordinators?

Local Area Coordinators (LAC) are employed by the NDIA to help people with disability to transition to the NDIS. The LAC will be the first point of contact for people transitioning to the NDIS. The LAC will help NDIS participants to develop their first plan and then to navigate the variety of supports available to achieve their goals. In NSW, LAC workers have been contracted to the NDIA by the St Vincent de Paul Society and Uniting Care. LAC contacts are available through the local NDIA office.

What is the role of the NDIA Planner?

The NDIA Planner works with a participant, their parents and carers, to develop, finalise and review their personal package of supports. The planner will do this by understanding a participant's goals and aspirations and developing a plan of supports that are 'reasonable and necessary' to help achieve those goals.

What will be the process for developing a participant's first NDIS plan?

The first plans for people entering the NDIS will include supports and assistance that meet their immediate needs, including any additional supports that meet their unmet needs. People with disability and their families will be contacted by the NDIA, when it's their turn to move to the NDIS, to arrange a meeting to discuss their first plan. For most people moving to the NDIS, their first plans will be developed with a LAC rather than an NDIA planner, during the transition period, except for people requiring more complex disability supports.

The first NDIS plan will be in place for 12 months. This will give participants time to think about how their supports are working for them and to identify other supports or services that may help them achieve their goals, before their scheduled plan review in 12 months.

What will happen to ADHC?

ADHC will continue to be a service provider of specialist disability supports until services transfer to the NDIS. The transfer process will be complete by July 2018. Current ADHC-funded disability supports will continue until a person moves to the NDIS and their individual NDIS plan is in place.

What is the role of Ability Links and Early Links?

The Ability Links and Early Links programs were set up by the NSW Government to support the rollout of the NDIS. Ability Links NSW Coordinators, or “Linkers” as they are known, work with people with disability who are aged 9 to 64 years, their families and carers to help them plan for their future, build on their strengths and skills, and develop networks in their own communities.

Early Links NSW works with families of children aged 0 – 8 years with disability and/or developmental delay. Early Links is able to assist children and their families to develop existing support networks and create new networks to meet the goals of the family and child. More information is available from the [ADHC website](#).

These services will continue to support people through the transition.

Schools and the NDIS

Will the NDIS change the role of schools?

No. The NDIS will not fundamentally change the way schools operate day-to-day in NSW. Schools retain all of their existing obligations to students under the Education Act 1990 and their specific obligations to students under the Disability Discrimination Act 1992 and the Disability Standards for Education 2005.

Schools will remain responsible for providing reasonable adjustments (personalised learning and support) for students with disability, in consultation with students and their parents or carers, to enable them to fully participate in education.

The NDIS is responsible for the disability supports children and young people need in any setting or that specifically address functional needs as a result of their disability. These can include, for example, specialised aids and equipment such as hearing aids and wheelchairs, and specialised allied health and other therapies such as speech pathology and occupational therapy.

There will be some overlap in responsibility for the provision of functional disability supports between the NDIS and schools, particularly with respect to personal care. NSW is working with the Commonwealth Government and the NDIA to determine how this overlap of responsibilities is

managed when the NDIS is fully in place in mid-2018. Until these operational issues are agreed there will be no change to the way schools fund or provide personalised learning and support.

How can a school support families' access to information about the NDIS?

Schools are encouraged to direct parents and carers to the NSW Government NDIS website ndis.nsw.gov.au. This website has information and resources about how and when the NDIS will happen in NSW. It has information available in Easy Read English, community languages and Auslan. Resources have also been developed for Aboriginal people with disability, their families and carers. Parents and carers can use the postcode checker on that website to find out when the NDIS will be available in their local area.

The [NSW section of Commonwealth NDIS website](#) also has details about local events and information sessions.

Schools can provide information to parents and carers through their newsletters and during discussions with parents and carers. When doing so, official Departmental, NSW Government, or NDIS communication material should be used to ensure that information is accurate. Further information will be provided to NSW Public Schools in SchoolBiz and on the [Public Schools NSW website](#).

What should a school do if a non-government organisation approaches the school wishing to provide information about the NDIS to staff and/or parents?

External providers of specialist disability services can be a useful source of NDIS-related information for school staff and parents. However, schools should be aware that these providers may also be seeking to promote their service to NDIS participants. Schools may also need to consider the expectations of other providers who may seek similar access to students and staff.

The principal is best placed to make decisions around the suitability of an external provider to provide information or conduct presentations to staff and parents at the school. The principal should consider the student profile, the information needs of staff and parents and the interests of the provider.

In facilitating such communications or presentations, principals should seek to ensure that the focus is on the provision of factual, impartial information about the NDIS.

Principals of NSW Public Schools can contact the NDIS Coordinator in their Operational Directorate for further information on NDIS presentations.

Will the NDIS affect school budgets?

No. NSW Public School budget processes are not affected by the NDIS. Schools are provided with funding to support all students through their school budget allocation, according to the needs-based Resource Allocation Model (RAM). Each school's budget allocation through the RAM is used to meet the education needs of all students in the school, including reasonable adjustment obligations to students with disability. NDIS funds cannot be used for these purposes.

Can NDIS funding be used to establish a support class?

No. Support classes are part of the Department of Education's targeted educational provision for students with disability. NDIS funds cannot be used for this purpose.

Will the NDIS transition affect assisted school transport?

The NDIS transition will not affect to the way schools interact with the Assisted School Travel Program (ASTP). NDIS Planners will record the provision of transport to and from school by ASTP in NDIS participant's plans. Students who are also NDIS participants will continue to receive transport from the ASTP.

Access to the NDIS for new participants

How do families of children with disability apply to the NDIS if they do not currently receive supports through ADHC and think they may be eligible for the NDIS?

People who do not currently receive NSW funded disability supports will have the opportunity to access the NDIS when it starts in their local area, if they are in immediate need of assistance and where there are no alternative supports available.

People who feel they may be eligible for the NDIS should contact the NDIA. Information about the access process can be found on the Commonwealth [NDIS website](#).

The NDIA application process is called an 'access request'. This is a different process to the NSW Public Schools access request process for specialist education services and programs for students with confirmed disability.

What information should schools provide to families to assist them with the NDIS access request process?

NSW Public School staff are not required to complete access request paperwork for the NDIS. Some schools, however, may wish to provide this assistance for individual

families and there is nothing preventing this from occurring where it is considered a priority by the school.

Existing information held at school can be provided to the child's parent/carer to assist their NDIS application and planning, should they request it. In many cases, parents will already have copies of this information so may not seek information from the school. There is no expectation that schools undertake 'new' assessments or produce new reports for this process. Examples of existing reports or information that schools can provide to parents to support the planning process include personalised learning plans and school based assessments of the student's educational needs.

Assessment reports held by the school arising from personal counselling sessions may be subject to privacy obligations. Schools can provide parents with final counselling reports to assist in the NDIS planning process, but should not release proformas or other working documents that form the basis for the final report. Final counselling reports may only be provided directly to the NDIA with the parent's consent. Guidelines for the release of information to parents and associated documents and forms can be found on the [Department's website](#).

Can schools make referrals of new participants to the NDIA?

If a school believes that a student may be eligible for support from the NDIS, the school should encourage that student's parents or carers to contact the NDIA directly. This may be through their local NDIA office or their Local Area Coordinator.

Is it mandatory for schools to refer people to the NDIS?

No. Schools can encourage parents to contact the NDIA to discuss their child accessing supports under the scheme.

What happens to a family that refuses to be involved with the NDIS?

People are not obliged to seek NDIS support. Where a NSW Public School is concerned that non-engagement with the NDIS would impact on a child's educational outcomes, the principal may discuss the matter with the child's family/carer or seek advice from a NDIS Local Area Coordinator. Where school staff believe that non-engagement with the NDIS may create a child wellbeing or child protection concern, they should report this to their principal. Principals of NSW Public Schools can use various tools, such as the online Mandatory Reporter Guide, professional judgement and can seek support and advice from the Department's [Child Wellbeing Unit](#) to inform decision making about child protection

concerns. Schools will continue to be required to meet the learning and support needs of all students.

NDIS individual packages and planning processes

Can school staff participate in NDIS planning meetings?

Anyone can participate in an NDIS planning meeting if invited by, and with the consent of, the participant or their families.

The participation of school staff in NDIS planning is at the discretion of the principal. There may be some students, particularly those with complex educational and functional needs, for whom some involvement by the school in the NDIS planning process may be beneficial for them. This may include providing information to parents and carers to assist with the planning process and sharing information with the NDIA planner, with parental consent, to inform planning meetings.

NDIA Planners and Local Area Coordinators may come to a school to meet with staff, where operationally convenient, if this is seen as an efficient way to inform the planning process.

Are NDIS plans reviewed? How often?

NDIS plans are required to be formally reviewed by the NDIA once a year. However, participants can agree to have their plan reviewed more frequently or ask the NDIA for a review in order to respond to

changing circumstances. Changes to the plan, if required, can happen at any time through a participant's NDIA planner.

Does the NDIS plan replace personalised learning and support planning in schools?

No. The two processes have different objectives and the plans will contain different information, although some information may be similar or relevant to both.

The NDIS plan is a record of the specialist functional disability supports the NDIA will fund in order to help the participant meet their agreed social and economic goals and aspirations, and to support a person's involvement in the wider community, including access to education. The NDIS plan belongs to the participant.

School-based personalised learning and support planning focuses on the student's educational goals. It specifically considers what reasonable adjustments or supports are needed for a student to be able to access the curriculum and fully participate in their educational program. The plan is developed by the school in consultation with the student and/or their parents and carers.

Students who are NDIS participants are likely to benefit where these two planning processes complement each other. That is, where the NDIA and schools can understand and accommodate the supports being provided by each of these plans.

Does NDIS planning replace individual health care plans in schools?

No. The two plans have different purposes and contain different information.

The school must develop an individual health care plan for any student diagnosed with a specific health condition, who is diagnosed as being at risk of an emergency, or who requires the administration of health care procedures. A health care plan sets out the steps the school needs to take in managing a particular condition. The health care plan is developed in consultation with a student's family or carer and medical practitioner. This plan belongs to the school. Information on individual health care for students can be found on the [NSW Public Schools website](#).

Is there a difference between the NDIS eligibility criteria for personalised packages and the Department's eligibility criteria for targeted education support?

Yes. Eligibility for NDIS requires a person to have a significant, lifelong disability that impacts on their social and economic participation (further information about eligibility can be found on the Commonwealth [NDIS website](#)). Moreover, the NDIS will not fund supports that are the responsibility of education providers.

The Department's eligibility criteria for targeted education support are different to the NDIS criteria. The Department's disability criteria can be found [here](#).

NDIS-funded providers in schools

The primary purpose and responsibility of schools is to deliver the curriculum for all students. Schools ensure that students with disability are provided with equitable access to curriculum by personalising their learning and support.

The NDIS will fund functional supports for eligible children and young people with disability through their support package. These supports may include specialised therapy services that address the child's developmental and/or functional needs including speech pathology, occupational therapy and physiotherapy.

Principals may be asked to consider requests to deliver these NDIS-funded services to children during school hours. These requests should be considered in the context of the needs of the student and the legal obligations and responsibilities of the school.

What should a principal consider when deciding whether an NDIS-funded provider should be permitted to deliver services to students at school and during school hours?

Principals will need to consider the impacts to the student's learning of allowing the NDIS-funded service to be provided in school. This is consistent with every school's key obligations:

- to ensure that curriculum requirements are met for every student
- to take reasonable steps to facilitate the provision of a service where it is necessary for the student to be able to participate in education activities (for more information, see 'Standards for support services' in the Disability Standards for Education 2005).

In making this decision, principals will need to consider issues such as:

- The relationship between the NDIS-funded service to be provided and the student's learning plan
- Impacts on the student attendance requirements and curriculum access if they are withdrawn from the classroom to receive NDIS-funded services.
- Whether not providing access to an NDIS-funded service will result in a student not receiving necessary functional supports.
- Whether the support needs to be delivered at a particular time of day.
- The school's duty of care to all students and staff and operational requirements of the school.
- Appropriate arrangements for supervising the delivery of the service.
- Whether provision at the school will benefit the student or is more for the convenience of the provider.

What should a school do if an external provider of specialist disability supports directly approaches the school seeking to deliver supports/therapy to students?

The provider should be advised that the school will only consider requests from the student's parents or carers for NDIS supports/therapy to be provided to a student, unless the provider can demonstrate that it has parent/carer consent to directly approach the school.

Can schools give parents a list of disability support providers registered with the NDIS in their area?

Parents should be directed to the NDIA or Local Area Coordinator if they are seeking information about disability support providers.

The NDIA has a "[provider finder](#)" website to assist participants in locating local providers. NDIA Local Area Coordinators will also keep up-to-date information about registered providers and other community resources.

How are the fees for NDIS funded service providers determined?

The NDIS has a standard schedule of fees for all of the supports that it funds. This schedule includes some provision for travel time. The schedule is publicly available on the Commonwealth [NDIS website](#).

Where can schools access more information about working with external providers?

A comprehensive support package for schools, including materials for external providers, is currently being developed. The package will support principals and staff of NSW Public Schools when engaging with NDIS-funded service providers who are seeking to deliver functional supports to students during school hours. NSW Public School principals can also contact the NDIS Transition team or the NDIS Coordinator in their operational directorate for advice and guidance.

For more information contact

NDIS website: ndis.gov.au

NSW Government NDIS website:
ndis.nsw.gov.au

Disability, Learning and Support,
1 Oxford Street Darlinghurst NSW 2010.
Email to
disability.support@det.nsw.edu.au

Department of Education NDIS website:
schools.nsw.edu.au/studentsupport/ndis/index.php

NDIS Transition Coordinators for NSW Public Schools:

Ultimo - Steve Pilon

Macquarie Park - Fran Tinley

Tamworth - Tracey Winfer

Wagga Wagga - Roz Jennings & Wendy English

© 2016 NSW Department of Education