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## Guide for Submissions

If you wish to provide a submission on the Bill and NDIS Rules via email or post, please find below a list of questions to help guide your submission.

**If you wish to make a submission on Schedule 1 (Participant Service Guarantee) or Schedule 2 (Flexibility Measures) of the Bill, you may wish to answer the following questions:**

1. Does the particular Schedule clearly set out the key changes being made to improve participant experiences with the NDIS?
2. Could the proposed amendments in this particular Schedule lead to any misinterpretation or unintended consequences?
3. Are there any other changes which could improve the participant experience in the NDIS?
4. Any other general comments.

**If you wish to make a submission on Schedule 3 (Full Scheme) of the Bill, you may wish to answer the following questions:**

1. Does the Schedule clearly reflect the NDIS has moved into full scheme and is available across Australia?
2. Does the Schedule remove all of the parts of the legislation relevant only to the trial and transition periods?
3. Could the proposed amendments in the Schedule lead to any unintended consequences?
4. Any other general comments.

**If you wish to make a submission on the new NDIS Participant Service Guarantee Rules, you may wish to answer the following questions:**

1. Do the Rules provide clarity to participants on the timeframes that will apply to NDIA decision-making? (See Part 3 of the NDIS PSG Rules)
2. Are the timeframes within which things must be done appropriate? Are they too long or too short?
3. Are the proposed engagement principles and service standards that will underpin how the NDIA works alongside people with disability in delivering the NDIS appropriate? Are there additional particular types of consultation or engagement important to consider? (See Part 2 of the NDIS PSG Rules)
4. The Commonwealth Ombudsman will provide an annual report to Government on the NDIA's performance in delivering the Guarantee. The Rules set out what will be in that report. The Rules also set out the things the NDIA must report on in its quarterly report to Governments. Do the Rules clearly explain how both of those reports will

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ensure the NDIS delivers on the promises of the Guarantee? (See Part 4 of the NDIS PSG Rules) NDIS processes and the Participant Service Guarantee – proposed legislative improvements

5. Any other general comments.

**If you wish to make a submission on the new NDIS Plan Administration Rules, you may wish to answer the following questions:**

The Rules include parts of the law originally contained in the Plan Management Rules – e.g. grace periods (section 6 of these Rules), payment of NDIS amounts (section 9 of these Rules). These parts do not constitute new policy.

1. Do the Rules clearly set out the circumstances in which a participant's plan can be varied, and the circumstances in which the NDIA would ordinarily first conduct a reassessment? (sections 10, 11 and 12 of the Rules)
2. Do the Rules clearly explain the options a participant has to work with the NDIA to ensure their plan remains fit-for-purpose? (sections 10, 11 and 12 of the Rules)
3. Does the proposed alternative commissioning power clearly set out the circumstances under which the NDIA could support a participant to maximise choice and control? (section 5 of the Rules)
4. The Rules include details on the responsibilities of persons receiving NDIS funding to keep records about how those funds were spent. Is it clear what their responsibilities are? (section 9 of the Rules)
5. Any other general comments

**If you wish to make a submission on the changes to the NDIS Plan Management Rules, you may wish to answer the following questions:**

1. Do the Rules clearly set out the circumstances in which a support must be specifically identified in a plan? (section 6 of the Rules)
2. Do the Rules clearly set out the things the NDIA will consider in protecting participants from provider conflicts of interest and help them maximise the benefits of their NDIS funding? (Section 8 of the Rules)
3. The Rules set out the considerations taken into account when a participant or their representative request to self-manage their NDIS funding, or use the support of a registered plan management provider. Is it clear how these considerations are designed to protect participants from unreasonable risk or harm? (sections 9 and 10 of the Rules)
4. Any other general comments

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**If you wish to make a submission on the changes to the Becoming a Participant Rule, you may wish to answer the following questions:**

1. Do the Rules clearly set out the circumstances under which psychosocial disability may be considered permanent? (section 8 and section 12 of the Rules)
2. Do the Rules clearly set out when an impairment attributable to a psychosocial disability may be considered to result in substantially reduced functional capacity of the person to undertake an activity in communication, social interaction, learning, mobility, self-care, and/or self-management? (section 10 of the Rules)
3. Any other general comments

**Minor changes are being made to the Children, Nominees and Specialist Disability Accommodation (SDA) Rules. If you wish to make a submission on the changes to these Rules, you may wish to answer the following questions:**

1. These Children and Nominees Rules have been updated to reflect best practice drafting standards, in line with recommendation 27b of the Tune Review. Could these updates lead to any misinterpretation or unintentional consequences?
2. The SDA Rules have been updated to include a definition of in-kind supports. Could these updates lead to any misinterpretation or unintentional consequences?
3. Any other general comments

If you have any questions about making a Submission on the proposed legislative changes to the NDIS Act and NDIS Rules, please email [NDISConsultations@dss.gov.au](mailto:NDISConsultations@dss.gov.au)