

# What we have heard...

Additional background reading for consultations on the NDIS Supports rules (Section 10)

This document is a summary of what we have heard so far from disability organisations and advocates about the transitional rules for NDIS Supports.

It is additional background to the NDIS Supports rules consultation paper.

## Our engagement so far

In May 2025, we held online consultation sessions with some disability peak bodies and other organisations about the NDIS Supports rules. We asked for feedback on how the transitional NDIS Supports rules (Section 10) is working.

The rule started in October 2024 and describes what is, and is not, an NDIS support.

This is a summary of the main feedback we received during 2 workshops.

We are now consulting with the public to get wider feedback about the NDIS Supports rules, including from participants, their families and carers. A <u>public survey</u> and submission process is open until 27 July 2025.

## **Key areas of feedback**

#### Decisions about the rules need to be clearer.

We heard that people want more information about why decisions were made about which supports can be funded by the NDIS and which cannot.

Consultations to develop the list were done in 2024. However, people said that since then, there hasn't been clear guidance or information about how decisions were made about the rules.

## When the NDIS Supports rules are working.

There has been some feedback about the NDIS Supports rules working well for some participants and examples where it's reducing disputes in the Administrative Review Tribunal.

Some stakeholders said that having the list of NDIS supports can help build a more consistent understanding about what is an NDIS support, particularly among providers, planners and those who support participants.

We've heard this has helped:

- providers to talk to participants about what supports can or cannot be provided.
- clarify some supports that people shouldn't use NDIS funds for.

We have also heard feedback that the rules are causing concerns. The main issues we've heard so far are outlined below.

## The rules and supports lists need to be easier to understand.

Disability representative organisations shared concerns that some areas of the rules are confusing. They are worried that this is affecting participants' access to some of the supports they need and have used in the past.

When things are not specifically listed in the supports the NDIS can fund, it is confusing for participants and providers about whether it can be purchased with NDIS funds. For example, psychology is not specifically listed as an NDIS support but can be paid for by NDIS funds.

To avoid confusion and unintended consequences of participants missing out on supports, stakeholders suggested guidance documents need to:

- be simpler and clearer
- include examples
- · account for different circumstances.

#### When household items can be purchased with NDIS funds.

Stakeholders said there is confusion and different information about when NDIS funds can be used for household items, if it helps with a person's disability.

In particular, the definition of 'standard items' isn't clear. This is because standard household items are often produced with features that address functional impairments but are not modified or adapted for this purpose.

#### Replacement supports are confusing.

We have heard the replacement support process is unclear and isn't working well for some participants. Participants often don't know how to use this to make sure that a person is supported with what they need.

Some stakeholders have shared that the replacement supports process can create delays in accessing vital supports.

## More flexibility to support participants' individual needs.

We've heard strongly that more flexibility is needed. Some have said the lists could be a guide for what is and isn't funded, but there needs to be a more flexible approach to what a person might need to support their disability.

"The NDIS seems to have moved away from individualised support to a round peg, square hole system."

Stakeholders shared feedback that:

- Many participants find the lists to be too prescriptive. They do not allow flexibility to respond to some personal circumstances.
- They can also restrict innovation, like new ways in which a product might be used to support a person with disability.
- Participants' longer term and aspirational goals can be better supported when there is more flexibility about the meaning of NDIS supports. This is important for achieving independence and to reduce future needs and reliance on the scheme.
- Remote communities need to be considered separately from metropolitan environments. There are gaps in services in rural and remote communities that mean more flexibility is needed.

### Supports that consider the whole person's needs and circumstances

We have heard that the NDIS supports lists should better consider a participant's circumstances and not just their disability.

Stakeholders raised concerns that the lists connect supports to impairments only. Instead, they need to connect to meet the needs of the whole person and their circumstances. For example, having a disability plus being a parent. The lists do not take that into account.

### The rules should achieve greater inclusion

People with disability face additional barriers in employment and participation. We have heard that the NDIS Supports rules should focus on achieving greater inclusion, not segregation.

Stakeholders shared feedback that:

- Insisting participants use disability specific items can lead to stigma, segregation and higher costs.
- "Everyday" items are often recommended by allied health or therapy professionals but then not able to be purchased with NDIS funds.
- Lower income households, families and individuals need additional support and consideration.
- Informal networks and supports are often where the best supports are available.

#### A principles-based approach

Some consultation participants spoke about the need for a principles-based approach to supports, rather than providing a list. We have heard the disability community's advocacy for a principles-based approach to NDIS supports like reasonable and necessary. However, under the legislation the NDIS Supports rules needs to describe specific supports.

## **Evidence base for supports**

Decisions about the NDIS Supports rules talk about supports that are evidence based. However, we have heard there is evidence some of the things in the list of supports not funded by the NDIS work well for people with disability, where it meets their needs.

Participants particularly spoke about therapies. They said the lists are "medicalised" and do not consider the benefit of some alternative therapies to participants.