

NDIS "FIRST PLAN" REVIEW CLAUSE

This factsheet is about NDIS "First Plans" and simple steps you can take to ensure your subsequent plans are based upon your goals and aspirations.

This factsheet is for people who are entering the NDIS and people who are supporting them.

What is an NDIS "First Plan"?

NDIS participants are entering the NDIS with a "First Plan" which focusses mostly on current needs.

This means that in the first year, a person's NDIS plan will largely reflect the existing supports they currently receive (or if they have not received supports before, it will just focus on immediate needs).

This "First Plan" may not have the same level of attention on goals and the resources needed to achieve those goals as was the original intention of the scheme and legislation.

The NDIA says that the *"First Plan focuses on providing people with the support they need now and the time to explore all of their options for their next plan"*. That sounds helpful; however, it is not clear how goals-based planning for the next plan will happen in practice.

If review of the First Plan is left to the last minute or not done at all, then there is a risk that the current First Plan approach of just rolling over what is currently in place and/or focussing on immediate needs will continue for the next Plan.

Do I have to have a "First Plan"?

You do not have to agree to this First Plan approach. You can insist that the NDIS legislation¹ is followed: that your NDIS plan fully sets out your goals and aspirations and that resources are matched to these.

What can I do to ensure my next NDIS Plan *is* based on my goals?

If you do agree to a "First Plan", you may want to insert the clause shown in the grey box overleaf to make sure that your current "First Plan" will be reviewed in a timely manner and your subsequent plans will focus on your goals and the resources need to achieve them.

This clause:

- Recognises that this is a First Plan that focusses on immediate need
- States that the next plan will be more thoroughly developed and based upon your goals
- Outlines a process for this; and
- Sets a date for the first meeting between you and the Local Area Coordinator or NDIA Planner to commence this review process.

Importantly, this date needs to be in enough time for a proper review and goal setting process to occur.

¹ Section 33(1) *National Disability Insurance Scheme Act 2013*

Review Clause for my "First Plan"

Review of this Plan

We note that this first 12-month plan focuses on providing _____ (*insert name of participant*) with their immediate support needs.

In order to review this plan and develop the second year plan, we agree to meet on or about _____ (*insert a date before the end of the first plan that gives you enough time to thoroughly plan the next one*).

In this review process we will:

- Focus on _____'s (*insert name of participant*):
 - goals and aspirations
 - living arrangements
 - community supports and
 - social and economic participation.
- Work out how best to arrange supports that are needed to achieve _____'s (*insert name of participant*) goals and aspirations.
- Involve other people as agreed to by _____ (*insert name of participant*).

This clause can be amended to suit your circumstances.

Where can I go for more information about getting ready for the NDIS and First Plans?

Getting ready for the NDIS

Participant Readiness workshops are being held to help people with disability and the people who support them learn about the NDIS and what you can do to get ready for it. You can find out what workshops are available in your area on the Queensland Government website:

<https://www.qld.gov.au/disability/adults/ready-for-ndis/>

NDIS First Plans

The NDIA has information, including the fact sheet *Developing your first NDIS plan* is available at <https://www.ndis.gov.au/participants/firstplan.html>

Please Note:

This Fact Sheet contains general information only. It does not constitute legal advice. If you need legal advice please contact Basic Rights Qld on **3421 2510** or **1800 358 511**.

Basic Rights Qld is a community legal centre, which provides specialist advocacy and legal services in Social Security and Disability Discrimination law.

We are independent of Centrelink and all assistance is free.

This Fact Sheet was updated in March 2017.

www.brq.org.au