

Leaving Care Planning for Young People Eligible for the NDIS

Quick Guide for Child Protection and Contracted Case Managers

Context

The National Disability Insurance Scheme (NDIS) supports young people with disabilities to access important disability supports they need.

This guide is designed to support child protection practitioners and contracted case managers in the development of Looking After Children 15+ Care and Transition Plans for young people in out-of-home care who are eligible for supports under the NDIS.

Role of the child protection practitioner or contracted case manager

The child protection practitioner or contracted case manager is responsible for coordinating leaving care planning and activities to support a young person's transition from care, in collaboration with the care team and in line with case planning objectives. Preparation and planning should start with an assessment of a young person's independent living skills (or functional capacity) and likely future support needs, as this will inform the identification of the most appropriate support options after leaving care.

If a young person has a disability, the child protection practitioner and contracted case manager should ensure that the appropriate evidence gathering is completed as required by the National Disability Insurance Agency (NDIA) to assess the young person's disability support needs and eligibility for the NDIS. The extent of a case planner's authority to make decisions for the young person with respect of their funded NDIS supports will be determined by which court order is in effect at the time.

The National Disability Insurance Scheme and leaving care planning

The NDIS funds 'reasonable and necessary' supports related to a young person's disability support needs, unless those supports are part of another service system's universal service obligations (e.g. health, education, housing, Child Protection, family services, family violence).

The Commonwealth *Disability Discrimination Act* requires that providers of mainstream services make reasonable adjustments to make their services directly accessible and responsive to people with a disability and their families.

It is within the role of child protection practitioners and contracted case managers to support young people with a disability, and their families, to access the NDIS and to provide evidence of a young person's disability, diagnosis and support needs resulting from their disability.

If a young person is assessed as eligible for supports via the NDIS, case managers should ensure the required disability related need is evidenced to enable NDIS to build NDIS plans that are appropriate to the level of disability supports to meet the needs for the young person whilst in care, and as they transition from care to adult living arrangements. This includes evidencing the need for the inclusion of Support Coordination and Home and Living support in a young person's plan.

Consideration of the type of accommodation required by a young person leaving care should occur early in the transition planning process, and in collaboration with the NDIS funded Support Coordinator.

Both a 15+ Care and Transition Plan and a NDIS plan (for young people eligible for NDIS supports) should be in place well prior to the young person leaving care. This will ensure that leaving care accommodation options are identified, and a young person has a well-supported transition from care.



For more information see *National Disability Insurance Scheme (NDIS) – child and family system interface, Practice guidelines for The Orange Door, Integrated Family Services, Child Protection and Out-of-Home Care*.
<https://providers.dffh.vic.gov.au/working-ndis>

Case Managers responsibility in Leaving Care Planning



Evidence required for NDIS Plans

Gathering the evidence required to support the NDIA's consideration of reasonable and necessary disability supports takes time – it is important to commence this process at the beginning of leaving care planning. Evidence can include:

- Housing history for the past 5 years; include dates and details of housing arrangements, household members and supports provided; details of how the young person dealt with any housing/placement transitions and any additional supports required during these periods
- Relevant reports and assessments – disability diagnosis functional capacity, Occupational Therapist (OT) Home and Living assessment report, functional behavioural assessments, sleep data and medical, paediatric, and positive behaviour support plans as relevant
- Current informal, cultural, community and mainstream support networks/connections
- Identified opportunities for housing solutions to facilitate or maintain informal, cultural, community support networks and connections such as proximity to family
- Housing pathway options already explored including:

- Public Housing, Community, Shared equity or social housing options; evidence provided for housing application made, confirmation of eligibility from housing service, evidence or indication of availability of housing stock in preferred area, home environment suitability, proposed support model.
- Private rental housing options market research of preferred local area rental property, opportunity for shared living and supports in a rental option, home modifications and Assistive Technology options explored, OT home assessment and scope of works estimate (if indicated), extended tenancy timeframe options, proposed support model.
- Occupational Therapist Home and Living Assessment report that makes recommendations on the support required, including a schedule of support.

Supported Independent Living (SIL)

Supported Independent Living (SIL) is a type of support funded by the NDIS for people with higher support needs, who need some level of help at home all the time. Supports can be provided to an individual living independently or in a shared living arrangement. The case manager works with the young person and NDIS Support Coordinator to identify the disability related supports that they will need from the NDIS once they leave care and seek, with evidence that describes the need, to have these included in their NDIS plan. SIL supports may include:

- Assistance with daily life tasks
- Capacity building supports
- Support with personal care
- Domestic assistance (funds for worker support in the home)

Specialist Disability Accommodation (SDA) and other housing options

Young people with very high disability support needs or extreme functional impairment which requires specialist accommodation (ie. Disability-specific building elements) may be eligible for NDIS funded SDA – accommodation for people who require specialist housing solutions. SDA funding is provided only to a small proportion of NDIS participants and case managers should include contingency planning for alternative post care housing options even in cases where SDA is identified as a likely post-care support need.

Individualised Living Option (ILO)

Individualised living options (ILO) is support to live the way that suits the individual. ILO funding does not pay for a house.

Using ILO funding, people can:

- explore different ways to live – with a host or housemate
- design your supports to help the person live the way they choose.

There are lots of choices with ILO. People can share their home with housemates or they might live in the home of a host.

[Individualised living options | NDIS](#)

Referral to the Office of the Public Advocate or State Trustees

Office of the Public Advocate

- **Important:** consultation should occur with the Office of the Public Advocate (OPA) when the young person turns 16 years of age if:
 - they have a cognitive disability that is likely to impact on their ability to make reasonable personal or financial decisions; and
 - they will not have appropriate active adult support to guide them in making decisions after leaving care,
- The Child Protection Principal Practitioner should contact the OPA Guardian Program Operations Manager to seek advice and invite OPA to case planning meetings. Consultation should also occur with the NDIA regarding

early transition planning, to share information and enable NDIS planning to be comprehensive and cognisant of the young person's disability support needs.

- If OPA deems that the young person requires a public guardian, OPA will provide advice regarding applications for guardianship or administration including information about the application process. Child Protection or Aboriginal Children in Aboriginal Care (ACAC) provider will facilitate a formal application to VCAT for a Guardianship Order, which provides a legal guardian for an adult. The Application process should commence when the young person reaches 17 years of age, but no later than 4 months prior to the young person turning 18. Refer to the Memorandum of Understanding between the OPA and the Department of Families, Fairness and Housing <http://www.cpmanual.vic.gov.au/advice-and-protocols/protocols/mou-public-advocate>.

State Trustees

Provides financial and legal decisions related to banking, paying bills and selling property. State Trustees is not involved in NDIS plan management. Referral to State Trustees should occur 4 months prior to the young person requiring the service they provide.

Where to find assistance

Disability Practice Advice teams (DPAs) operate according to a divisional model. The DPA teams consist of: Principal Disability Practice Advisors, Senior Disability Practice Advisors and Disability Practice Advisors. The DPA teams support child protection practitioners to better understand disability in the context of a child's everyday experience, the impact on a family in relation to caring for a child with a disability, the service system offerings, and how this impacts risk assessment and safety for a child. The DPA teams work collaboratively with Child Protection and family services to enhance and uplift practice and ultimately, improve outcomes for children and young people with a disability.

What is the role of a Disability Practice Advisor?

- Provide disability and NDIS advice to support Child Protection and related staffing teams to:
 - understand and navigate the NDIS system and the disability sector
 - support practice in relation to working with children with a disability; and
 - maximise the disability supports and NDIS outcomes for the children with disability who encounter the Child Protection system.
- Work collaboratively with Child Protection to determine whether the child requires additional supports to maintain and sustain parental care due to the child's disability support needs and to ensure the family is linked in with mainstream supports that can supplement NDIS funded supports and avoid the need for statutory intervention.
- Provide capacity building support to the Child and Family Services System to increase confidence and knowledge of both disability related issues and of the NDIS.

Tip Sheets are available on the Working with Children and Young People with a Disability SharePoint Site, accessible to departmental staff.

Practitioners can access more information on the Working with Children and Young People with Disability - [**Child Protection Learning Hub**](#)