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| Leaving Care Planning for Young People Eligible for the NDIS  |
| Quick Guide for Child Protection and Contracted Case Managers |

# Context

The transition of state Disability Services to the National Disability Insurance Scheme (NDIS) is due to be completed by 30 June 2019. The NDIS is a significant reform and presents an opportunity for young people with disabilities to access important disability supports they need. It also changes the way contracted case managers and Child Protection (case managers) undertake leaving care planning for young people with a disability.

This guide is designed to support 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 case manager

The 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. Preparation and planning should start with an assessment of a young person’s independent living skills and likely future support needs, as this will inform the identification of appropriate post care options.

If a young person has a disability, the case manager is responsible for gathering the evidence required by the National Disability Insurance Agency (NDIA) to assess their disability support needs and eligibility for the NDIS.

## 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 the role of 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 advocate with the allocated NDIS planner to ensure they receive the appropriate level of disability supports to meet their needs whilst in out-of-home-care, and as they transition from care to adult living arrangements. This includes advocating for the inclusion of Support Coordination in a young person’s plan.

Consideration of the type of accommodation required by a young person post 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 an NDIS plan (for young people eligible for NDIS supports) should be in place well prior to the young person leaving care. This will ensure post 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 Child FIRST, The Orange Door, Integrated Family Services, Child Protection and Out-of-Home Care*. <https://providers.dhhs.vic.gov.au/ndis-resources-child-and-family-system-workforce.>

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 – functional capacity, Occupational Therapist (OT) housing report, functional behavioural assessments medical, paediatric, mental health 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 report on housing options.

## Supported Independent Living (SIL)

Supported Independent Living (SIL) is the NDIS term for a range of supports that a young person may need to live independently in an individual or 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 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 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.

## 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 Area Manager 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, child protection and OPA will jointly 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 DHHS <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

* + - There is a **Principal Disability Practice Advisor** and a **Disability Practice Advisor** in each division who can provide secondary consultation regarding NDIS system navigation and case planning.

**DHHS Principal Disability Practice Advisor Consult Request Form – Form Link**
<https://workspace.dhs.vic.gov.au/uatforms/landing/org/app/8bc77ae6-27a1-48cc-8699-a917e1031a05/launch/index.html?form=F_Form1>