

RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
 Date Thu 24/04/2025 09:18
 To Stephen <s22(1)(a)(ii) - irrelevant material> Miriam <s22(1)(a)(ii) - irrelevant material>
 Cc s22(1)(a)(ii) - irrelevant material

Hi Stephen,

Its not typical practice for the Agency to endorse or provide feedback on resources developed by providers and non-gov agencies. It would also not be appropriate for me to provide any kind of endorsement or advice for this guide outside of what I have in terms of reference to what is the Agency's endorsed position in the OGs. What I can do is point to the OGs/factsheets on the website which explain the legislation and Agency's endorsed position in relation to how we must communicate what we consider when including stated vs flexible supports in a participants plan and in what circumstances. OGs are intended to provide the framework and principles for how decisions are made however ultimately planners needs to make R&N decisions based on the individual participants circumstances as to when they would use stated vs flexible supports. To provide this individualisation in a participant's plan, planners may include additional information in the plan to help a participant understand the intent of the supports in a way which provides flexibility and restrictions where required, in how the support is used where its R&N to do so based on participant support needs and any identified risks.

The issue at hand comes down to consistency and capability in planner practice and compliance w the OG for when we would include stated supports. As mentioned previously SD are aware of this and implementing strategies to improve quality and consistency in planner practice and build competence in how to describe supports in a way which are person centred, provide flexibility for choice and control for participants while also explaining the intent of the support to help the participants spend in accordance w their plan. We are supporting SD capability uplift focus by making improvements to internal guidance by providing some examples of best practice for how to describe supports in a specific way and updating existing KAs to emphasis the fact that when building in Pace they should be built at the category level to provide flexibility as opposed to line items which limits flexibility, but ultimately the issue stems from a practice issue not guidance which has been an known issue for some time but has become more impactful since changes to leg and the introduction of s10 (NDIS supports list) and s46 (spending in accordance w your plan).

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch

Service Design and Improvement (SDI) Group

National Disability Insurance Agency

s22(1)(a)(ii) - irrelevant material

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From: Stephen <s22(1)(a)(ii) - irrelevant material>
 Sent: Wednesday, 23 April 2025 5:58 PM
 To: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material> Miriam <s22(1)(a)(ii) - irrelevant material>
 Cc: s22(1)(a)(ii) - irrelevant material
 Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

I continue to receive calls and emails from Disability Intermediaries Australia (DIA) in respect to this matter. According to DIA they are receiving significant numbers of escalation on this issue and it is causing wide-spread challenges for plan managers and participants.

Can you or someone from your team join a call with me tomorrow with DIA to explain the NDIA's position and advise the accuracy/inaccuracies in regard to DIA's guidance material.

Hi @Miriam – FYI in case DIA raises challenges re 'stated supports' with you directly.

Cheers
 Stephen

Stephen <s22(1)(a)(ii) - irrelevant material>

Branch Manager, Provider Engagement Branch
 Partners and Providers Division
 Partners, Providers and Home and Living Group
National Disability Insurance Agency
 Level 3, 13 Malop Street GEELONG VIC 3220
 s22(1)(a)(ii) - irrelevant material

RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From: ^{s22(1)(a)(ii) - irrelevant m} Stephen ^{s22(1)(a)(ii) - irrelevant material}
 Date: Thu 24/04/2025 09:52
 To: SIEROTA, Carly <^{s22(1)(a)(ii) - irrelevant material}>
 Cc: ^{s22(1)(a)(ii) - irrelevant material}

Thanks Carly,

To be clear, I have not proposed for the NDIA to 'endorse' third party guidance materials. However, I do think it's appropriate for the NDIA to discuss with third parties what appears to be inaccuracies in their guidance materials when we become aware of them.

As per below, the issue at hand is not what's in Operational Guidelines (OG's) or fact-sheets, it's how those are read in conjunction with what is printed in a participant's plan.

To restate, the issue principally relates to the words '**this is a stated support**' being applied by the system to all participant PACE plans in the Improved Daily Living (IDL) Category.

This is causing confusion for participants and plan managers, as the 'Your Plan Operational Guideline' states:

Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to:

- spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically**

Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan letter says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).

In effect, our OG's and fact sheets say there is flexibility within the category, but we then say you must use supports in the way we describe in the participant's plans i.e. participants/providers see planner comments (30 hours of OT) and think it needs to be spend on OT only.

To clear up this misunderstanding can we update the above line in the OG and other guidance materials to instead say:

'Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.'

I think actioning the above immediately will be resolve these short time challenges while other medium/longer terms actions to address this matter are implemented.

As always, happy to discuss.

Cheers
Stephen

From: SIEROTA, Carly ^{s22(1)(a)(ii) - irrelevant material}
 Sent: Thursday, 24 April 2025 9:19 AM
 To: ^{s22(1)(a)(ii) - irrelevant m} Stephen ^{s22(1)(a)(ii) - irrelevant material}
 Cc: ^{s22(1)(a)(ii) - irrelevant material}
 Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

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Carly

Carly Sierota (she/her)
 Branch Manager, Service Guidance Branch
 Service Design and Improvement (SDI) Group
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^{s22(1)(a)(ii) - irrelevant material}

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RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From SIEROTA, Carly [s22\(1\)\(a\)\(ii\) - irrelevant material](#)
 Date Thu 24/04/2025 10:42
 To [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen [s22\(1\)\(a\)\(ii\) - irrelevant material](#)
 Cc [s22\(1\)\(a\)\(ii\) - irrelevant material](#)

Hi Stephen,

Appreciate the clarification, that makes sense.

In terms of the request for updating the OG, the issue we have in making those updates is there are times where that isn't the case, where we intentionally state the support as a safeguard or restriction for a participant and then they can't use the support flexibility even if in the same category. And because participant plans are individualised, we can't say that this is the case in all instances. This is a tricky balance we've worked with legal and policy to land in how we can say this in a way which aligns with the Act and the purpose of an OG which is to explain the principles we use based on the Rules for how we make decisions in a participant's plan. We are working on a participant guide to claiming, like a PAPL for participants which we're hoping will help PMs and self-managed participants but it will be something we'll need to iterate over time so not an immediate solution. This is why we have chosen to update the FAQ in the interim while still pointing to the OG for the broader context for what's in the leg.

Ultimately though the issue comes down to what's being printed on the plan which is largely due to how planners are building plans using line items and where they add free text. This is against endorsed practice. Line items are commonly used in practice for adding IDL as a hangover from when the position was to develop plans using a bottom up planning approach, building plans line item by line item. As you know, the PCST was introduced as a way to still calculate plans based on the cost of support items however when building the plan into Pace, only stated supports should be added as a line item. The total cost of the support (based on the PCST) should then be added at the support category level to enable flexibility in the plan. This is clear in guidance however is not being followed consistently. Shane's team is making some changes in Pace so if planners do select line items, the static text populated on the plan is less specific however this doesn't resolve the issue completely and planners can still add free text in plan comments which providers/participants are guided by. We've added examples of what best practice free text looks like however planners will still need to tailor to the individual participant so in applying the guidance, they will need to balance the giving enough information that helps participants and providers understand what the intention is of the support for that participants to help them spend in line w their plan while enabling plan flexibility.

Its an important issue and one we're very aware of and working w SD to strengthen the guidance and system processes for how a plan is built where we can but it really comes down to practice of planners in applying and capability in R&N decision making. This is a gap which needs to be resolved through a practice leadership approach to reinforce endorsed practice reflected in guidance and build capability in staff in how to explain their R&N decisions.

NFP should resolve a lot of these issues in the way plans are built with a lot more flexibility and whole of person budget but of course there's an immediate need to correct planner practice as this may take up to 5 years for all participants to transition to this new planning framework.

Sorry couldn't meet today to chat – happy to pick up again next week if need to talk through some more. Might be worth bringing in Kellie or Desiree to chat through in terms of things they are doing to align practice.

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Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
 Service Design and Improvement (SDI) Group
 National Disability Insurance Agency

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Sent: Wednesday, 23 April 2025 5:58 PM
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Cc: s22(1)(a)(ii) - irrelevant material
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FOI 24/29-1870

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Stephen [§22\(1\)\(a\)\(ii\) - irrelevant material](#)

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
National Disability Insurance Agency
Level 3, 13 Malop Street GEELONG VIC 3220
[§22\(1\)\(a\)\(ii\) - irrelevant material](#)

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From: SIEROTA, Carly <[§22\(1\)\(a\)\(ii\) - irrelevant material](#)>
Sent: Wednesday, 23 April 2025 4:23 PM
To: [§22\(1\)\(a\)\(ii\) - irrelevant material](#); Matt <[§22\(1\)\(a\)\(ii\) - irrelevant material](#)>; Stephen <[§22\(1\)\(a\)\(ii\) - irrelevant material](#)>
<[§22\(1\)\(a\)\(ii\) - irrelevant material](#)>
Cc: [§22\(1\)\(a\)\(ii\) - irrelevant material](#)
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Matt,
Happy to add the example below.

We'll need to keep the links to the OGs/factsheet however as this directs the reader back to the leg which underpins it and provides the broader context of how we decide whether a support is stated or flexible. The linked factsheet also provides a summary of all the support categories for easy quick reference which clarifies what are the different support categories.

Kind regards
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Carly Sierota (she/her)
Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
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 Outlook

FW: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From SIEROTA, Carly <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Date Thu 24/04/2025 10:48
 To [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Laura <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>

FYI – in case Mim speaks to you about this.

Can chat through in our 121 today if you need more context.

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
 Service Design and Improvement (SDI) Group
 National Disability Insurance Agency
[s22\(1\)\(a\)\(ii\) - irrelevant material](#)

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From: SIEROTA, Carly
 Sent: Thursday, 24 April 2025 10:42 AM
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Cc: [s22\(1\)\(a\)\(ii\) - irrelevant material](#)
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Kind regards

Carly

RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From: s22(1)(a)(ii) - irrelevant material Annie <s22(1)(a)(ii) - irrelevant material>
Date: Thu 24/04/2025 14:40
To: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material

Hi all,
These changes are now live on the FAQ page.
Thanks Annie

From: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, 23 April 2025 4:23 PM
To: s22(1)(a)(ii) - irrelevant material Matt <s22(1)(a)(ii) - irrelevant material> Stephen <s22(1)(a)(ii) - irrelevant material> Elise <s22(1)(a)(ii) - irrelevant material> Annie <s22(1)(a)(ii) - irrelevant material> Hayley <s22(1)(a)(ii) - irrelevant material>
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From: s22(1)(a)(ii) - irrelevant material Matt <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, 23 April 2025 4:09 PM
To: s22(1)(a)(ii) - irrelevant material Stephen <s22(1)(a)(ii) - irrelevant material> SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material> Elise <s22(1)(a)(ii) - irrelevant material> Annie <s22(1)(a)(ii) - irrelevant material> Hayley <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen, Carly, and Elise,

I have reviewed the FAQ for stated and flexible supports, thanks Annie for progressing. Hoping we can make a small adjustment as per below in yellow as this is the main area feedback is in relation too.

I would also suggest we remove the links from the FAQ for now as the content in them will likely cause further confusion to providers when the below is published.

What are flexible and stated supports?

In your plan we describe NDIS support categories as flexible or stated, based on NDIS laws. You must spend your funding in line with your plan.

Flexible support categories:

- Funding for NDIS supports included in- the Core support categories of the participant's plan can be used flexibly when they are part of the same **fund management type (external)**.

Stated support categories:

FOI 24/25-1870

- Stated supports have flexibility within the same support category. For example, Improved Daily Living Skills . You can't use them flexibly with other types of support categories in your plan.
- Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.
- If you're unsure about your stated supports, ask your my NDIS contact, support coordinator or recovery coach.

To learn more about what supports are stated and flexible, go to [Factsheet: Support categories](#) and [Our Guideline - Your plan](#).
Happy to discuss.

Cheers,

Matt

s22(1)(a)(ii) - irrelevant

Director, Strategic Programs

Provider Engagement Branch

National Disability Insurance Agency

s22(1)(a)(ii) - irrelevant material



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From: s22(1)(a)(ii) - irrelevant Stephen <s22(1)(a)(ii) - irrelevant material>

Sent: Wednesday, 23 April 2025 10:01 AM

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Hi Carly,

Sorry to come back to you on this matter, but I've had further clarification the issue principally relates to the words **'this is a stated support'** being applied by default to all participant plans in the Improved Daily Living (IDL) Category.

This is causing confusion for participants and plan managers, as the Your Plan Operational Guideline states:

Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to:

- *spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically*

Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan letter says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).

DIA's Practice Guidance document (refer attached) reinforces that view. I understand there is work underway to clarify this issue, but in the meantime can we:

- Update the participant plan letter as a priority to say IDL **'is a stated support category?'** (this will clarify that while these funds are not flexible across other support categories, they are flexible within the IDL category).
- Go back to DIA to advise their practice guidance – refer attached - for Example 1 and Example 2 is not correct (i.e. IDL funds can be used flexibly to purchase any supports within the IDL category, not just those described in the plan?)
- Urgently finalise and publish the proposed Stated V flexible supports advice so we can point DIA to that (refer attached).

I understand the Office of the Participant Advocate are also aware of this matter, hence providing them visibility of this email.

Cheers

Stephen

Stephen

s22(1)(a)(ii) - irrelevant

Branch Manager, Provider Engagement Branch

Partners and Providers Division

Partners, Providers and Home and Living Group

National Disability Insurance Agency

Level 3, 13 Malop Street GEELONG VIC 3220

s22(1)(a)(ii) - irrelevant material

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 Outlook

FW: Request for assistance please: stated supports [SEC=OFFICIAL]

From: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Date: Thu 24/04/2025 16:53
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Laura <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Cc: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>

As just flagged via teams – let's jump on a call if you have time as the peak has reached out to me to say this will blow up over weekend if they don't get guidance ASAP...

From: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Sent: Thursday, 24 April 2025 4:51 PM
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Matt <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>, [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Subject: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Mim,

Purpose

To seek your assistance to escalate issues being raised by plan managers in regard to how 'stated supports' are referenced in participant plans.

Background

- All participant plans in PACE currently list stated support categories – such as Independent Daily Living (IDL) - as a 'stated support,' rather than a 'stated support category.'
- To reflect participant feedback, planners now enter free-text comments into plans as 'guidance' for participants to understand what's been funded.
- This is causing confusion for participants and plan managers, as the 'Your Plan Operational Guideline' states:

'Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically'

- Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).
- Plan managers and other providers are refusing to pay for or provide supports based on interpretation of the 'guidance' comments included in participant plans.
- We understand Service Guidance Branch, Service Delivery and other related NDIA business areas reviewing the static and dynamic text in participant plans, but we are yet to receive advice what adjustments will occur or when these will be implemented.
 - Regardless, there will be gaps in regard to plans currently in place.
- Service Guidance Branch has indicated there will still be a need to describe supports in some cases noting this won't be supported by our systems and compliance will need to continue to be monitored manually.

Further detail on this matter is provided in the below email trail.

Next steps

Could you please seek the views of the G/M Service Design as to how the Agency can mobilise to provide clarity on this issue for both plan managers and participants.

Many thanks
 Stephen

Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>

Branch Manager, Provider Engagement Branch
 Partners and Providers Division
 Partners, Providers and Home and Living Group
 National Disability Insurance Agency
 Level 3, 13 Malop Street GEELONG VIC 3220
[s22\(1\)\(a\)\(ii\) - irrelevant material](#)

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From: SIEROTA, Carly <[REDACTED]>
 Sent: Thursday, 24 April 2025 10:42 AM
 To: [REDACTED] Stephen <[REDACTED]>, Miriam <[REDACTED]>
 Cc: [REDACTED]
 Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen,

Appreciate the clarification, that makes sense.

In terms of the request for updating the OG, the issue we have in making those updates is there are times where that isn't the case, where we intentionally state the support as a safeguard or restriction for a participant and then they can't use the support flexibility even if in the same category. And because participant plans are individualised, we can't say that this is the case in all instances. This is a tricky balance we've worked with legal and policy to land in how we can say this in a way which aligns with the Act and the purpose of an OG which is to explain the principles we use based on the Rules for how we make decisions in a participant's plan. We are working on a participant guide to claiming, like a PAPL for participants which we're hoping will help PMs and self-managed participants but it will be something we'll need to iterate over time so not an immediate solution. This is why we have chosen to update the FAQ in the interim while still pointing to the OG for the broader context for what's in the leg.

Ultimately though the issue comes down to what's being printed on the plan which is largely due to how planners are building plans using line items and where they add free text. This is against endorsed practice. Line items are commonly used in practice for adding IDL as a hangover from when the position was to develop plans using a bottom up planning approach, building plans line item by line item. As you know, the PCST was introduced as a way to still calculate plans based on the cost of support items however when building the plan into Pace, only stated supports should be added as a line item. The total cost of the support (based on the PCST) should then be added at the support category level to enable flexibility in the plan. This is clear in guidance however is not being followed consistently. Shane's team is making some changes in Pace so if planners do select line items, the static text populated on the plan is less specific however this doesn't resolve the issue completely and planners can still add free text in plan comments which providers/participants are guided by. We've added examples of what best practice free text looks like however planners will still need to tailor to the individual participant so in applying the guidance, they will need to balance the giving enough information that helps participants and providers understand what the intention is of the support for that participants to help them spend in line w their plan while enabling plan flexibility.

Its an important issue and one we're very aware of and working w SD to strengthen the guidance and system processes for how a plan is built where we can but it really comes down to practice of planners in applying and capability in R&N decision making. This is a gap which needs to be resolved through a practice leadership approach to reinforce endorsed practice reflected in guidance and build capability in staff in how to explain their R&N decisions.

NFP should resolve a lot of these issues in the way plans are built with a lot more flexibility and whole of person budget but of course there's an immediate need to correct planner practice as this may take up to 5 years for all participants to transition to this new planning framework.

Sorry couldn't meet today to chat – happy to pick up again next week if need to talk through some more. Might be worth bringing in Kellie or Desiree to chat through in terms of things they are doing to align practice.

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
 Service Design and Improvement (SDI) Group

National Disability Insurance Agency

[REDACTED]

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RE: Urgent: Seeking approval for FAQ - flexible and stated supports. [SEC=OFFICIAL]

From Moore, Elyse <s22(1)(a)(ii) - irrelevant material>

Date Mon 28/04/2025 08:46

To s22(1)(a)(ii) - irrelevant material Annie <s22(1)(a)(ii) - irrelevant material> Hayley <s22(1)(a)(ii) - irrelevant material> Cath
s22(1)(a)(ii) - irrelevant material

Good morning

Our online team were approached by markets division to take down the FAQ update from Thursday on flexible and stated support. They had concerns raised by plan managers.

Gen has reverted back to what was previously there. Might be good to follow up with SGB. It was Carly who had cleared it and asked for it to be taken down.

With thanks
Elyse

From: s22(1)(a)(ii) - irrelevant material Annie <s22(1)(a)(ii) - irrelevant material>

Sent: 23 April 2025 10:28

To: Moore, Elyse <s22(1)(a)(ii) - irrelevant material>

Cc: s22(1)(a)(ii) - irrelevant material

Subject: FW: Urgent: Seeking approval for FAQ - flexible and stated supports. [SEC=OFFICIAL]

Good morning Elyse

Apologies for the short notice.

Would it be possible to approve this FAQ update as soon as possible – [flexible and stated supports](#).

Attached is a tracked changes and CLEAN version of the FAQ in question.

We've received feedback from the Provider Engagement team that the wording is causing confusion out in market for both providers and participants.

- Service Guidance have amended and given technical sign off (Peta Omachen).
- Provider Engagement endorsed (Jodie Bragg)

Many thanks Annie

From: s22(1)(a)(ii) - irrelevant material Hayley <s22(1)(a)(ii) - irrelevant material>

Sent: Wednesday, 23 April 2025 10:09 AM

To: s22(1)(a)(ii) - irrelevant material Annie <s22(1)(a)(ii) - irrelevant material>

Cc: s22(1)(a)(ii) - irrelevant material

Subject: Re: Urgent: Seeking approval for FAQ - flexible and stated supports. [SEC=OFFICIAL]

Hi Annie,

I'm comfortable with this. Happy for you to progress to Elyse for approval.

Can I confirm if PE have also reviewed?

Many thanks,

Hayley

Hayley

s22(1)(a)(ii) - irrelevant material

Acting Director – Scheme Reform communications

Strategic Communications

National Disability Insurance Agency

s22(1)(a)(ii) - irrelevant material



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From: s22(1)(a)(ii) - irrelevant material Annie <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, April 23, 2025 10:03 AM
To: s22(1)(a)(ii) - irrelevant material Hayley <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material
Subject: Urgent: Seeking approval for FAQ - flexible and stated supports. [SEC=OFFICIAL]

Hi Hayley

Seeking approval regarding amendments to the current FAQ – flexible and stated supports.

I've attached a track changes version and clean version.

We've had technical sign off from service guidance (as below)

If you're happy with the content, could this be progressed for BM approval as a matter of urgency.

There's been considerable confusion and feedback from participants and providers regarding this FAQ.

Many thanks Annie

From: §22(1)(a)(i) - irrelevant mat Peta <§22(1)(a)(ii) - irrelevant material>

Sent: Wednesday, 23 April 2025 8:31 AM

To: §22(1)(a)(i) - irreleva Annie <§22(1)(a)(ii) - irrelevant material>

Cc: §22(1)(a)(ii) - irrelevant material

§22(1)(a)(ii) - irrelevant material

Subject: RE: Seeking technical approval for FAQ amendments - flexible and stated supports. [SEC=OFFICIAL]

Hi Annie,

Thanks for following up.

We have adjusted the wording slightly as follows:

What are flexible and stated supports?

In your plan we describe NDIS support categories as flexible or stated, based on NDIS laws.

You must spend your funding in line with your plan.

Flexible support **categories:**

- Only core supports can be used flexibly but must be part of the same [fund management type \(external\)](#).

Stated support **categories:**

- Stated supports have flexibility within that support category. You can't use them flexibly with other types of support categories in your plan.
- Your plan may include comments that describe what the support category budget is for, but you still have the flexibility to use your funds for any support within that category.
- If you're unsure about your stated supports, ask your my NDIS contact, support coordinator or recovery coach.

To learn more about what supports are stated and flexible, go to [Factsheet: Support categories](#) and [Our Guideline - Your plan](#).

Thank you,

Peta

§22(1)(a)(ii) - irrelevant material

A/g Assistant Director

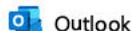
Service Guidance Branch | Your Plan, Supports and Implementation

National Disability Insurance Agency

§22(1)(a)(ii) - irrelevant material



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FW: Request for assistance please: stated supports [SEC=OFFICIAL]

From: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Date: Mon 28/04/2025 09:26
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Laura <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>, SIEROTA, Carly <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Cc: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>, [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Matt <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>

Hi all

Thanks for the chat on Thursday

As flagged via teams – can whatever comms were changed last week on website re stated and flexible supports be taken down until the agency agrees workable guidance for plan managers? As right now it is impossible for plan managers to do their job. How were these updated comms agreed – did they go to SLT – or can we get something to SLT re this issue?

How can we get this dealt with and sorted?

Thanks

Mim

From: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam
 Sent: Thursday, 24 April 2025 4:54 PM
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Laura <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Cc: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Subject: FW: Request for assistance please: stated supports [SEC=OFFICIAL]

As just flagged via teams – let's jump on a call if you have time as the peak has reached out to me to say this will blow up over weekend if they don't get guidance ASAP...

From: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Sent: Thursday, 24 April 2025 4:51 PM
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Matt <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>, [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Subject: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Mim,

Purpose

To seek your assistance to escalate issues being raised by plan managers in regard to how 'stated supports' are referenced in participant plans.

Background

- All participant plans in PACE currently list stated support categories – such as Independent Daily Living (IDL) - as a 'stated support,' rather than a 'stated support category.'
- To reflect participant feedback, planners now enter free-text comments into plans as 'guidance' for participants to understand what's been funded.
- This is causing confusion for participants and plan managers, as the 'Your Plan Operational Guideline' states:

'Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to: spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically'

- Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).
- Plan managers and other providers are refusing to pay for or provide supports based on interpretation of the 'guidance' comments included in participant plans.
- We understand Service Guidance Branch, Service Delivery and other related NDIA business areas reviewing the static and dynamic text in participant plans, but we are yet to receive advice what adjustments will occur or when these will be implemented.
 - Regardless, there will be gaps in regard to plans currently in place.
- Service Guidance Branch has indicated there will still be a need to describe supports in some cases noting this won't be supported by our systems and compliance will need to continue to be monitored manually.

Further detail on this matter is provided in the below email trail.

Next steps

Could you please seek the views of the G/M Service Design as to how the Agency can mobilise to provide clarity on this issue for both plan managers and participants.

Many thanks

Stephen

Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>

Branch Manager, Provider Engagement Branch
 Partners and Providers Division
 Partners, Providers and Home and Living Group
 National Disability Insurance Agency
 Level 3, 13 Malop Street GEELONG VIC 3220
[s22\(1\)\(a\)\(ii\) - irrelevant material](#)

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FW: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From SIEROTA, Carly <[redacted]>
Date Mon 28/04/2025 09:42
To [redacted] Annie <[redacted]>, Hayley <[redacted]>, Kathryn <[redacted]>
Cc [redacted] Stephen <[redacted]>, Matt <[redacted]>

Hi Annie,

Apologies but can you facilitate for this FAQ to be taken down.

GM, Partner and Providers division, Miriam [redacted] has requested this FAQ is removed from the website due to concerns raised by provider relating to this FAQ late Thursday PM.

[redacted] Hayley - can you work with Stephen and Matt to understand the concerns relating to this FAQ to see if there is an opportunity to resolve through comms. It may be appropriate to bring Shannon in on this one to work with Miriam about a more targeted provider comms approach. [redacted] Kathryn can support from SG perspective to facilitate SG review of any comms to ensure it aligns w OG content.

Kind regards
Carly

Carly Sierota (she/her)
Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
National Disability Insurance Agency
[redacted]

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From: [redacted] Annie <[redacted]>
Sent: Thursday, 24 April 2025 2:41 PM
To: SIEROTA, Carly <[redacted]>, Matt <[redacted]>, Stephen <[redacted]>, Elise <[redacted]>
Cc: [redacted] Jodie <[redacted]>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi all,
These changes are now live on the FAQ page.
Thanks Annie

From: SIEROTA, Carly <[redacted]>
Sent: Wednesday, 23 April 2025 4:23 PM
To: [redacted] Matt <[redacted]>, [redacted] Stephen <[redacted]>, [redacted] Elise <[redacted]>, [redacted] Annie <[redacted]>
Cc: [redacted] Jodie <[redacted]>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Matt,
Happy to add the example below.

We'll need to keep the links to the OGs/factsheet however as this directs the reader back to the leg which underpins it and provides the broader context of how we decide whether a support is stated or flexible. The linked factsheet also provides a summary of all the support categories for easy quick reference which clarifies what are the different support categories.

Kind regards
Carly

Carly Sierota (she/her)

FOI 24/25-1870

Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
National Disability Insurance Agency

s22(1)(a)(ii) - irrelevant material

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From: s22(1)(a)(ii) - irrelevant material Matt <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, 23 April 2025 4:09 PM
To: s22(1)(a)(ii) - irrelevant material Stephen <s22(1)(a)(ii) - irrelevant material> SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material> Elise <s22(1)(a)(ii) - irrelevant material> Annie <s22(1)(a)(ii) - irrelevant material>
s22(1)(a)(ii) - irrelevant material Hayley <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material Jodie <s22(1)(a)(ii) - irrelevant material>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen, Carly, and Elise,

I have reviewed the FAQ for stated and flexible supports, thanks Annie for progressing. Hoping we can make a small adjustment as per below in yellow as this is the main area feedback is in relation too.

I would also suggest we remove the links from the FAQ for now as the content in them will likely cause further confusion to providers when the below is published.

What are flexible and stated supports?

In your plan we describe NDIS support categories as flexible or stated, based on NDIS laws.

You must spend your funding in line with your plan.

Flexible support categories:

- Funding for NDIS supports included in- the Core support category of the participant's plan can be used flexibly when they are part of the same [fund management type \(external\)](#).

Stated support categories:

- Stated supports have flexibility within the same support category unless we say it must be used in a specific way. For example, Improved Daily Living Skills . You can't use them flexibly with other types of support categories in your plan.
- Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.
- If you're unsure about your stated supports, ask your my NDIS contact, support coordinator or recovery coach.

To learn more about what supports are stated and flexible, go to [Factsheet: Support categories](#) and [Our Guideline - Your plan](#).

Happy to discuss.

Cheers,

Matt s22(1)(a)(ii) - irrelevant material
Director, Strategic Programs
Provider Engagement Branch

National Disability Insurance Agency
s22(1)(a)(ii) - irrelevant material



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From: s22(1)(a)(ii) - irrelevant material Stephen <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, 23 April 2025 10:01 AM
To: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material

Subject: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

Sorry to come back to you on this matter, but I've had further clarification the issue principally relates to the words **'this is a stated support'** being applied by default to all participant plans in the Improved Daily Living (IDL) Category.

This is causing confusion for participants and plan managers, as the Your Plan Operational Guideline states:

Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to:

- *spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically*

Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan letter says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).

DIA's Practice Guidance document (refer attached) reinforces that view. I understand there is work underway to clarify this issue, but in the meantime can we:

- Update the participant plan letter as a priority to say IDL **'is a stated support category?'** (this will clarify that while these funds are not flexible across other support categories, they are flexible within the IDL category).
- Go back to DIA to advise their practice guidance – refer attached - for Example 1 and Example 2 is not correct (i.e. IDL funds can be used flexibly to purchase any supports within the IDL category, not just those described in the plan?)
- Urgently finalise and publish the proposed Stated V flexible supports advice so we can point DIA to that (refer attached).

I understand the Office of the Participant Advocate are also aware of this matter, hence providing them visibility of this email.

Cheers
Stephen

Stephen s22(1)(a)(ii) - irrelevant material

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
National Disability Insurance Agency
Level 3, 13 Malop Street GEELONG VIC 3220
[s22\(1\)\(a\)\(ii\) - irrelevant material](#)

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From: s22(1)(a)(ii) - irrelevant material Stephen
Sent: Thursday, 17 April 2025 10:20 AM
To: SIEROTA, Carly s22(1)(a)(ii) - irrelevant material Jodie s22(1)(a)(ii) - irrelevant material
Cc: s22(1)(a)(ii) - irrelevant material Matt s22(1)(a)(ii) - irrelevant material
Subject: RE: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

Many thanks for reviewing the DIA document; I'll provide your commentary re DIA's document being clearer about the difference between when a support has been described in a general way (to allow flexibility) vs when it's a stated support (when the support must be spent in the way its stated in the plan).

The work underway to refine planner practice and plan comments to be more specific and clearer about what is, and what isn't, a stated support is most welcome.

Cheers
Stephen

Stephen s22(1)(a)(ii) - irrelevant material

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
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Level 3, 13 Malop Street GEELONG VIC 3220
[s22\(1\)\(a\)\(ii\) - irrelevant material](#)

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From: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, 16 April 2025 3:53 PM
To: s22(1)(a)(ii) - Jodie <s22(1)(a)(ii) - irrelevant material> Stephen <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - Matt <s22(1)(a)(ii) - irrelevant material>
Subject: RE: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen,

I've attached the relevant OG which explains what are flexible vs stated supports. Largely it seems that content within DIA's practice guidance aligns to the OG however it should be clearer about the difference between when we a support has been described in a general way (to allow flexibility) vs when it's a stated support (when the support must be spent in the way its stated in the plan).

In most cases, we'll describe the participant's NDIS supports generally to help participants understand the intent and purpose of the funding which has been included in their plan. All participants are required to spend their NDIS funding in accordance with their plan but this doesn't mean just because we describe a support its a stated support. Participants can use their plan flexibly and buy supports that are not stated in their plan as long as it is an NDIS support and its related to their disability.

We'll only include stated supports if we need to ensure specific disability needs are addressed. If we specifically describe a support in the participant's plan, it must be used to buy NDIS support exactly how we describe them.

The feedback we're hearing since s10 was introduced is that the comments which planners add when developing a participants plan in Pace (which is printed on the participants plan) aren't clear enough leading to confusion for participants, providers and plan managers trying to do the right thing.

There's a few things in the works to try and help with this including some updates to internal guidance to be clearer for planners that the plan comments should describe the intent and purpose of the funding, enabling flexibility where possible, not adding the support line items in the plan unless specifically required to 'state' the support. Service Delivery are also doing some work to align planner practice to this approach through training, comms and reinforcement campaigns.

Kind regards
Carly

Carly Sierota (she/her)
Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
National Disability Insurance Agency
s22(1)(a)(ii) - irrelevant material

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From: s22(1)(a)(ii) - Jodie <s22(1)(a)(ii) - irrelevant material>
Sent: Tuesday, 15 April 2025 11:56 AM
To: s22(1)(a)(ii) - Stephen <s22(1)(a)(ii) - irrelevant material> SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen

Rushi got back to me late yesterday afternoon and provided further clarification this morning that plan comments will show for all plans approved after the introduction of s33 ie from 3 October 2024.

This in turn may lead to an increase in the enquiries being received regarding the therapy budget and other stated budgets. Currently, plan manager and support coordinators will only have visibility of the plan comments if the participant shares a copy of their plan. After the May release, plan managers and support coordinators (with consent) will have visibility of the plan comments for plans approved after the implementation of s33.

Kind Regards

Jodie <s22(1)(a)(ii) - irrelevant material>

s22(1)(a)(ii) - irrelevant material



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From: s22(1)(a)(ii) - irrelevant material Stephen <s22(1)(a)(ii) - irrelevant material>
Sent: Tuesday, 15 April 2025 10:12 AM
To: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material
Subject: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

We have received the attached practice guidance drafted by Disability Intermediaries Australia (DIA) – the peak body organisation for plan managers and support coordinators.

An issue DIA has raised with the NDIA is the question of flexibility within stated supports in participant plans. DIA state their members are being told various different positions on this, each very different to the next, by NDIA Planners and LACs. I am also hearing this feedback from various other providers.

Based on various conversations DIA state they have had with the NDIA on this topic, as well as recent compliance activities, DIA has developed the attached interim guidance for their members.

Is it possible for one of your team to please review the attached and confirm that it reasonably reflects the NDIA's position on how 'flexible' IDL (therapy) funding is?

A think a related issue is that plan managers and support coordinators cannot see planner comments in the myNDIS provider portal, hence they are 'blind' to any supports being stated. I understand this will be corrected in May when enhancements relating to plan periods, plan components and funding intervals will be released.

Of course, please feel free to let me know if I should direct this enquiry elsewhere.

Many thanks
Stephen

Stephen s22(1)(a)(ii) - irrelevant material
Branch Manager, Provider Engagement Branch
Providers Division
Partners, Providers and Home and Living Group

National Disability Insurance Agency
s22(1)(a)(ii) - irrelevant material

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 Outlook

RE: Request for assistance please: stated supports [SEC=OFFICIAL]

From SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
 Date Mon 28/04/2025 09:45
 To: Miriam <s22(1)(a)(ii) - irrelevant material>, Laura <s22(1)(a)(ii) - irrelevant material>
 Cc: Stephen <s22(1)(a)(ii) - irrelevant material>, Matt <s22(1)(a)(ii) - irrelevant material>

Thanks Mim. I've reached out to comms division again this morning to ask for the FAQ to be removed.

I've also had a chat w the comms BM this morning suggesting Shannon is brought in to work with you to understand the broader provider concerns as a more targeted provider comms may be appropriate here to help clarify what the OG means specifically for providers.

My team can support as needed to review any comms to ensure it aligns w the OG.

Kind regards
 Carly

Carly Sierota (she/her)
 Branch Manager, Service Guidance Branch
 Service Design and Improvement (SDI) Group
 National Disability Insurance Agency
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From: Miriam <s22(1)(a)(ii) - irrelevant material>
 Sent: Monday, 28 April 2025 9:26 AM
 To: Laura <s22(1)(a)(ii) - irrelevant material>, SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
 Cc: Stephen <s22(1)(a)(ii) - irrelevant material>, Matt <s22(1)(a)(ii) - irrelevant material>
 Subject: FW: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi all

Thanks for the chat on Thursday

As flagged via teams – can whatever comms were changed last week on website re stated and flexible supports be taken down until the agency agrees workable guidance for plan managers? As right now it is impossible for plan managers to do their job. How were these updated comms agreed – did they go to SLT – or can we get something to SLT re this issue?

How can we get this dealt with and sorted?

Thanks

Mim

From: Miriam <s22(1)(a)(ii) - irrelevant material>
 Sent: Thursday, 24 April 2025 4:54 PM
 To: Laura <s22(1)(a)(ii) - irrelevant material>
 Cc: Stephen <s22(1)(a)(ii) - irrelevant material>
 Subject: FW: Request for assistance please: stated supports [SEC=OFFICIAL]

As just flagged via teams – let's jump on a call if you have time as the peak has reached out to me to say this will blow up over weekend if they don't get guidance ASAP...

From: Stephen <s22(1)(a)(ii) - irrelevant material>
 Sent: Thursday, 24 April 2025 4:51 PM
 To: Matt <s22(1)(a)(ii) - irrelevant material>, Miriam <s22(1)(a)(ii) - irrelevant material>
 Subject: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Mim,

Purpose

To seek your assistance to escalate issues being raised by plan managers in regard to how 'stated supports' are referenced in participant plans.

Background

- All participant plans in PACE currently list stated support categories – such as Independent Daily Living (IDL) - as a 'stated support,' rather than a 'stated support category.'
- To reflect participant feedback, planners now enter free-text comments into plans as 'guidance' for participants to understand what's been funded.
- This is causing confusion for participants and plan managers, as the 'Your Plan Operational Guideline' states:

'Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically'

- Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).
- Plan managers and other providers are refusing to pay for or provide supports based on interpretation of the 'guidance' comments included in participant plans.
- We understand Service Guidance Branch, Service Delivery and other related NDIA business areas reviewing the static and dynamic text in participant plans, but we are yet to receive advice what adjustments will occur or when these will be implemented.
 - Regardless, there will be gaps in regard to plans currently in place.
- Service Guidance Branch has indicated there will still be a need to describe supports in some cases noting this won't be supported by our systems and compliance will need to continue to be monitored manually.

Further detail on this matter is provided in the below email trail.

Next steps

Could you please seek the views of the G/M Service Design as to how the Agency can mobilise to provide clarity on this issue for both plan managers and participants.

Many thanks
Stephen

Stephen s22(1)(a)(ii) - irrelevant in

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
National Disability Insurance Agency
Level 3, 13 Malop Street GEELONG VIC 3220

s22(1)(a)(ii) - irrelevant material

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From: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Sent: Thursday, 24 April 2025 10:42 AM
To: s22(1)(a)(ii) - irrelevant; Stephen <s22(1)(a)(ii) - irrelevant material>; s22(1)(a)(ii) - Miriam <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - info Matt <s22(1)(a)(ii) - irrelevant material>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen,

Appreciate the clarification, that makes sense.

In terms of the request for updating the OG, the issue we have in making those updates is there are times where that isn't the case, where we intentionally state the support as a safeguard or restriction for a participant and then they can't use the support flexibility even if in the same category. And because participant plans are individualised, we can't say that this is the case in all instances. This is a tricky balance we've worked with legal and policy to land in how we can say this in a way which aligns with the Act and the purpose of an OG which is to explain the principles we use based on the Rules for how we make decisions in a participant's plan. We are working on a participant guide to claiming, like a PAPL for participants which we're hoping will help PMs and self-managed participants but it will be something we'll need to iterate over time so not an immediate solution. This is why we have chosen to update the FAQ in the interim while still pointing to the OG for the broader context for what's in the leg.

Ultimately though the issue comes down to what's being printed on the plan which is largely due to how planners are building plans using line items and where they add free text. This is against endorsed practice. Line items are commonly used in practice for adding IDL as a hangover from when the position was to develop plans using a bottom up planning approach, building plans line item by line item. As you know, the PCST was introduced as a way to still calculate plans based on the cost of support items however when building the plan into Pace, only stated supports should be added as a line item. The total cost of the support (based on the PCST) should then be added at the support category level to enable flexibility in the plan. This is clear in guidance

however is not being followed consistently. Shane's team is making some changes in Pace so if planners do select line items, the static text populated on the plan is less specific however this doesn't resolve the issue completely and planners can still add free text in plan comments which providers/participants are guided by. We've added examples of what best practice free text looks like however planners will still need to tailor to the individual participant so in applying the guidance, they will need to balance the giving enough information that helps participants and providers understand what the intention is of the support for that participants to help them spend in line w their plan while enabling plan flexibility.

Its an important issue and one we're very aware of and working w SD to strengthen the guidance and system processes for how a plan is built where we can but it really comes down to practice of planners in applying and capability in R&N decision making. This is a gap which needs to be resolved through a practice leadership approach to reinforce endorsed practice reflected in guidance and build capability in staff in how to explain their R&N decisions.

NFP should resolve a lot of these issues in the way plans are built with a lot more flexibility and whole of person budget but of course there's an immediate need to correct planner practice as this may take up to 5 years for all participants to transition to this new planning framework.

Sorry couldn't meet today to chat – happy to pick up again next week if need to talk through some more. Might be worth bringing in Kellie or Desiree to chat through in terms of things they are doing to align practice.

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group

National Disability Insurance Agency

s22(1)(a)(ii) - irrelevant material

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From: s22(1)(a)(ii) - irrelevant material Stephen s22(1)(a)(ii) - irrelevant material
Sent: Thursday, 24 April 2025 9:52 AM
To: SIEROTA, Carly s22(1)(a)(ii) - irrelevant material Miriam s22(1)(a)(ii) - irrelevant material
Cc: s22(1)(a)(ii) - irrelevant material Matt s22(1)(a)(ii) - irrelevant material
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Thanks Carly,

To be clear, I have not proposed for the NDIA to 'endorse' third party guidance materials. However, I do think it's appropriate for the NDIA to discuss with third parties what appears to be inaccuracies in their guidance materials when we become aware of them.

As per below, the issue at hand is not what's in Operational Guidelines (OG's) or fact-sheets, it's how those are read in conjunction with what is printed in a participant's plan.

To restate, the issue principally relates to the words '**this is a stated support**' being applied by the system to all participant PACE plans in the Improved Daily Living (IDL) Category.

This is causing confusion for participants and plan managers, as the 'Your Plan Operational Guideline' states:

Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to:

- **spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically**

Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan letter says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).

In effect, our OG's and fact sheets say there is flexibility within the category, but we then say you must use supports in the way we describe in the participant's plans i.e. participants/providers see planner comments (30 hours of OT) and think it needs to be spend on OT only.

To clear up this misunderstanding can we update the above line in the OG and other guidance materials to instead say:

'Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.'

I think actioning the above immediately will be resolve these short time challenges while other medium/longer terms actions to address this matter are implemented.

As always, happy to discuss.

Cheers
Stephen

RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

From: [redacted] Annie [redacted]
Date: Mon 28/04/2025 09:47
To: SIEROTA, Carly [redacted] Hayley [redacted] Kathryn [redacted]
Cc: [redacted] Stephen [redacted] Matt [redacted]

Thanks Carly,

Checking the FAQ this morning, online have actioned this reversal.

Many thanks Annie

From: SIEROTA, Carly [redacted]
Sent: Monday, 28 April 2025 9:42 AM
To: [redacted] Annie [redacted] Hayley [redacted] Kathryn [redacted]
Cc: [redacted] Stephen [redacted] Matt [redacted]
Subject: FW: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Annie,

Apologies but can you facilitate for this FAQ to be taken down.

GM, Partner and Providers division, Miriam [redacted] has requested this FAQ is removed from the website due to concerns raised by provider relating to this FAQ late Thursday PM.

[redacted] Hayley - can you work with Stephen and Matt to understand the concerns relating to this FAQ to see if there is an opportunity to resolve through comms. It may be appropriate to bring Shannon in on this one to work with Miriam about a more targeted provider comms approach. [redacted] Kathryn can support from SG perspective to facilitate SG review of any comms to ensure it aligns w OG content.

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group

National Disability Insurance Agency

[redacted]

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From: [redacted] Annie [redacted]
Sent: Thursday, 24 April 2025 2:41 PM
To: SIEROTA, Carly [redacted] Matt [redacted] Stephen [redacted] Elise [redacted]
Cc: [redacted] Jodie [redacted]
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi all,

These changes are now live on the FAQ page.

Thanks Annie

From: SIEROTA, Carly [redacted]
Sent: Wednesday, 23 April 2025 4:23 PM
To: [redacted] Matt [redacted] Stephen [redacted] Elise [redacted] Annie [redacted]
Cc: [redacted] Jodie [redacted]
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Matt,

Happy to add the example below.

We'll need to keep the links to the OGS/factsheet however as this directs the reader back to the leg which underpins it and provides the broader context of how we decide whether a support is stated or flexible. The linked factsheet also provides a summary of all the support categories for easy quick reference which clarifies what are the different support categories.

FOI 29/23-1870

Kind regards
Carly

Carly Sierota (she/her)
Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
National Disability Insurance Agency

s22(1)(a)(ii) - irrelevant material

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From: s22(1)(a)(ii) Matt <s22(1)(a)(ii) - irrelevant material>
Sent: Wednesday, 23 April 2025 4:09 PM
To: s22(1)(a)(ii) Stephen <s22(1)(a)(ii) - irrelevant material> SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material> Elise <s22(1)(a)(ii) - irrelevant material> Annie <s22(1)(a)(ii) - irrelevant material> Hayley <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) Jodie <s22(1)(a)(ii) - irrelevant material>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen, Carly, and Elise,

I have reviewed the FAQ for stated and flexible supports, thanks Annie for progressing. Hoping we can make a small adjustment as per below in yellow as this is the main area feedback is in relation too.

I would also suggest we remove the links from the FAQ for now as the content in them will likely cause further confusion to providers when the below is published.

What are flexible and stated supports?

In your plan we describe NDIS support categories as flexible or stated, based on NDIS laws.

You must spend your funding in line with your plan.

Flexible support categories:

- Funding for NDIS supports included in- the Core support category of the participant's plan can be used flexibly when they are part of the same [fund management type \(external\)](#).

Stated support categories:

- Stated supports have flexibility within the same support category unless we say it must be used in a specific way. For example, Improved Daily Living Skills . You can't use them flexibly with other types of support categories in your plan.
- Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.
- If you're unsure about your stated supports, ask your my NDIS contact, support coordinator or recovery coach.

To learn more about what supports are stated and flexible, go to [Factsheet: Support categories](#) and [Our Guideline - Your plan](#).

Happy to discuss.

Cheers,

Matt <s22(1)(a)(ii) - irrelevant material>
Director, Strategic Programs
Provider Engagement Branch

s22(1)(a)(ii) - irrelevant material



 Outlook

RE: Request for assistance please: stated supports [SEC=OFFICIAL]

From: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Date: Mon 28/04/2025 09:51
 To: SIEROTA, Carly <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)> Laura <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Cc: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)> Matt <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>

Thanks Carly

Stephen and Matt – can you loop in with comms to get ahead of this convo and see if anything can be solved via comms (rather than a new policy position).

Thanks

Mim

From: SIEROTA, Carly <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
 Sent: Monday, 28 April 2025 9:45 AM
 To: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Miriam <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)> Laura <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
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My team can support as needed to review any comms to ensure it aligns w the OG.

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Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
 Service Design and Improvement (SDI) Group

National Disability Insurance Agency

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 Sent: Monday, 28 April 2025 9:26 AM
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 Cc: [s22\(1\)\(a\)\(ii\) - irrelevant material](#) Stephen <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)> Matt <[s22\(1\)\(a\)\(ii\) - irrelevant material](#)>
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How can we get this dealt with and sorted?

Thanks

Mim

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Sent: Thursday, 24 April 2025 4:54 PM
To: s22(1)(a)(ii) - irrelevant material Laura <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material Stephen <s22(1)(a)(ii) - irrelevant material>
Subject: FW: Request for assistance please: stated supports [SEC=OFFICIAL]

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Sent: Thursday, 24 April 2025 4:51 PM
To: s22(1)(a)(ii) - irrelevant material Matt <s22(1)(a)(ii) - irrelevant material>, Miriam <s22(1)(a)(ii) - irrelevant material>
Subject: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Mim,

Purpose

To seek your assistance to escalate issues being raised by plan managers in regard to how 'stated supports' are referenced in participant plans.

Background

- All participant plans in PACE currently list stated support categories – such as Independent Daily Living (IDL) - as a 'stated support,' rather than a 'stated support category.'
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- Plan managers and other providers are refusing to pay for or provide supports based on interpretation of the 'guidance' comments included in participant plans.
- We understand Service Guidance Branch, Service Delivery and other related NDIA business areas reviewing the static and dynamic text in participant plans, but we are yet to receive advice what adjustments will occur or when these will be implemented.
 - Regardless, there will be gaps in regard to plans currently in place.
- Service Guidance Branch has indicated there will still be a need to describe supports in some cases noting this won't be supported by our systems and compliance will need to continue to be monitored manually.

Further detail on this matter is provided in the below email trail.

Next steps

Could you please seek the views of the G/M Service Design as to how the Agency can mobilise to provide clarity on this issue for both plan managers and participants.

Many thanks
 Stephen

Stephen <s22(1)(a)(ii) - irrelevant material>

Branch Manager, Provider Engagement Branch
 Partners and Providers Division
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From: SIEROTA, Carly <s22(1)(a)(ii) - irrelevant material>
Sent: Thursday, 24 April 2025 10:42 AM
To: s22(1)(a)(ii) - irrelevant material Stephen <s22(1)(a)(ii) - irrelevant material>, Miriam <s22(1)(a)(ii) - irrelevant material>
Cc: s22(1)(a)(ii) - irrelevant material Matt <s22(1)(a)(ii) - irrelevant material>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen,

Appreciate the clarification, that makes sense.

In terms of the request for updating the OG, the issue we have in making those updates is there are times where that isn't the case, where we intentionally state the support as a safeguard or restriction for a participant and then they can't use the support flexibility even if in the same category. And because participant plans are individualised, we can't say that this is the case in all instances. This is a tricky balance we've worked with legal and policy to land in how we can say this in a way which aligns with the Act and the purpose of an OG which is to explain the principles we use based on the Rules for how we make decisions in a participant's plan. We are working on a participant guide to claiming, like a PAPL for participants which we're hoping will help PMs and self-managed participants but it will be something we'll need to iterate over time so not an immediate solution. This is why we have chosen to update the FAQ in the interim while still pointing to the OG for the broader context for what's in the leg.

Ultimately though the issue comes down to what's being printed on the plan which is largely due to how planners are building plans using line items and where they add free text. This is against endorsed practice. Line items are commonly used in practice for adding IDL as a hangover from when the position was to develop plans using a bottom up planning approach, building plans line item by line item. As you know, the PCST was introduced as a way to still calculate plans based on the cost of support items however when building the plan into Pace, only stated supports should be added as a line item. The total cost of the support (based on the PCST) should then be added at the support category level to enable flexibility in the plan. This is clear in guidance however is not being followed consistently. Shane's team is making some changes in Pace so if planners do select line items, the static text populated on the plan is less specific however this doesn't resolve the issue completely and planners can still add free text in plan comments which providers/participants are guided by. We've added examples of what best practice free text looks like however planners will still need to tailor to the individual participant so in applying the guidance, they will need to balance the giving enough information that helps participants and providers understand what the intention is of the support for that participants to help them spend in line w their plan while enabling plan flexibility.

Its an important issue and one we're very aware of and working w SD to strengthen the guidance and system processes for how a plan is built where we can but it really comes down to practice of planners in applying and capability in R&N decision making. This is a gap which needs to be resolved through a practice leadership approach to reinforce endorsed practice reflected in guidance and build capability in staff in how to explain their R&N decisions.

NFP should resolve a lot of these issues in the way plans are built with a lot more flexibility and whole of person budget but of course there's an immediate need to correct planner practice as this may take up to 5 years for all participants to transition to this new planning framework.

Sorry couldn't meet today to chat – happy to pick up again next week if need to talk through some more. Might be worth bringing in Kellie or Desiree to chat through in terms of things they are doing to align practice.

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch

Service Design and Improvement (SDI) Group

National Disability Insurance Agency

S22(1)(a)(ii)-irrelevant material

S22(1)(a)(ii)-irrelevant material

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From: S22(1)(a)(ii)-irrelevant material Stephen S22(1)(a)(ii)-irrelevant material
Sent: Thursday, 24 April 2025 9:52 AM
To: SIEROTA, Carly S22(1)(a)(ii)-irrelevant material, S22(1)(a)(ii)-irrelevant material Miriam S22(1)(a)(ii)-irrelevant material
Cc: S22(1)(a)(ii) Matt S22(1)(a)(ii) - irrelevant material
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Thanks Carly,

To be clear, I have not proposed for the NDIA to 'endorse' third party guidance materials. However, I do think it's appropriate for the NDIA to discuss with third parties what appears to be inaccuracies in their guidance materials when we become aware of them.

As per below, the issue at hand is not what's in Operational Guidelines (OG's) or fact-sheets, it's how those are read in conjunction with what is printed in a participant's plan.

To restate, the issue principally relates to the words '**this is a stated support**' being applied by the system to all participant PACE plans in the Improved Daily Living (IDL) Category.

This is causing confusion for participants and plan managers, as the 'Your Plan Operational Guideline' states:

Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to:

- spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically

Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan letter says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).

In effect, our OG's and fact sheets say there is flexibility within the category, but we then say you must use supports in the way we describe in the participant's plans i.e. participants/providers see planner comments (30 hours of OT) and think it needs to be spend on OT only.

To clear up this misunderstanding can we update the above line in the OG and other guidance materials to instead say:

'Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.'

I think actioning the above immediately will be resolve these short time challenges while other medium/longer terms actions to address this matter are implemented.

As always, happy to discuss.

Cheers
Stephen

From: SIEROTA, Carly [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Sent: Thursday, 24 April 2025 9:19 AM
To: [S22\(1\)\(a\)\(ii\)-irrelevant material](#) Stephen [S22\(1\)\(a\)\(ii\)-irrelevant material](#); [S22\(1\)\(a\)\(ii\)-irrelevant material](#) Miriam [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Cc: [S22\(1\)\(a\)\(ii\)-irrelevant material](#) Matt <[S22\(1\)\(a\)\(ii\) - irrelevant material](#)>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen,

Its not typical practice for the Agency to endorse or provide feedback on resources developed by providers and non-gov agencies. It would also not be appropriate for me to provide any kind of endorsement or advice for this guide outside of what I have in terms of reference to what is the Agency's endorsed position in the OGs. What I can do is point to the OGs/factsheets on the website which explain the legislation and Agency's endorsed position in relation to how we must communicate what we consider when including stated vs flexible supports in a participants plan and in what circumstances. OGs are intended to provide the framework and principles for how decisions are made however ultimately planners needs to make R&N decisions based on the individual participants circumstances as to when they would use stated vs flexible supports. To provide this individualisation in a participant's plan, planners may include additional information in the plan to help a participant understand the intent of the supports in a way which provides flexibility and restrictions where required, in how the support is used where its R&N to do so based on participant support needs and any identified risks.

The issue at hand comes down to consistency and capability in planner practice and compliance w the OG for when we would include stated supports. As mentioned previously SD are aware of this and implementing strategies to improve quality and consistency in planner practice and build competence in how to describe supports in a way which are person centred, provide flexibility for choice and control for participants while also explaining the intent of the support to help the participants spend in accordance w their plan. We are supporting SD capability uplift focus by making improvements to internal guidance by providing some examples of best practice for how to describe supports in a specific way and updating existing KAs to emphasis the fact that when building in Pace they should be built at the category level to provide flexibility as opposed to line items which limits flexibility, but ultimately the issue stems from a practice issue not guidance which has been an known issue for some time but has become more impactful since changes to leg and the introduction of s10 (NDIS supports list) and s46 (spending in accordance w your plan).

Kind regards
Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
National Disability Insurance Agency

M: [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
E: [S22\(1\)\(a\)\(ii\)-irrelevant material](#)

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From: [S22\(1\)\(a\)\(ii\)-irrelevant material](#) Stephen [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Sent: Wednesday, 23 April 2025 5:58 PM
To: SIEROTA, Carly [S22\(1\)\(a\)\(ii\)-irrelevant material](#) [S22\(1\)\(a\)\(ii\)-irrelevant material](#) Miriam [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Cc: [S22\(1\)\(a\)\(ii\)-irrelevant material](#) Matt <[S22\(1\)\(a\)\(ii\)-irrelevant material](#)>
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

I continue to receive calls and emails from Disability Intermediaries Australia (DIA) in respect to this matter. According to DIA they are receiving significant numbers of escalation on this issue and it is causing wide-spread challenges for plan managers and participants.

Can you or someone from your team join a call with me tomorrow with DIA to explain the NDIA's position and advise the accuracy/inaccuracies in regard to DIA's guidance material.

Hi [S22\(1\)\(a\)\(ii\)-irrelevant](#) Miriam – FYI in case DIA raises challenges re ‘stated supports’ with you directly.

Cheers
Stephen

Stephen [S22\(1\)\(a\)\(ii\)-irrelevant](#)

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
National Disability Insurance Agency

[S22\(1\)\(a\)\(ii\)-irrelevant material](#)
[S22\(1\)\(a\)\(ii\)-irrelevant material](#)

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From: SIEROTA, Carly [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Sent: Wednesday, 23 April 2025 4:23 PM
To: [S22\(1\)\(a\)\(ii\)-irrelevant](#) Matt [S22\(1\)\(a\)\(ii\)-irrelevant material](#) [S22\(1\)\(a\)\(ii\)-irrelevant](#) Stephen [S22\(1\)\(a\)\(ii\)-irrelevant material](#); [S22\(1\)\(a\)\(ii\)-irrelevant](#) Elise [S22\(1\)\(a\)\(ii\)-irrelevant material](#); [S22\(1\)\(a\)\(ii\)-irrelevant](#) Annie
[S22\(1\)\(a\)\(ii\)-irrelevant material](#) [S22\(1\)\(a\)\(ii\)-irrelevant](#) Hayley [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Cc: [S22\(1\)\(a\)\(ii\)-irrelevant](#) Jodie [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Matt,

Happy to add the example below.

We'll need to keep the links to the OGS/factsheet however as this directs the reader back to the leg which underpins it and provides the broader context of how we decide whether a support is stated or flexible. The linked factsheet also provides a summary of all the support categories for easy quick reference which clarifies what are the different support categories.

Kind regards
Carly

Carly Sierota (she/her)
Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group
National Disability Insurance Agency
[S22\(1\)\(a\)\(ii\)-irrelevant material](#)

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From: Matt S22(1)(a)(ii)-irrelevant material
 Sent: Wednesday, 23 April 2025 4:09 PM
 To: Stephen S22(1)(a)(ii)-irrelevant material; SIEROTA, Carly S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant material Elise S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant material
 Annie S22(1)(a)(ii)-irrelevant material Hayley S22(1)(a)(ii)-irrelevant material
 Cc: Jodie S22(1)(a)(ii)-irrelevant material
 Subject: RE: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen, Carly, and Elise,

I have reviewed the FAQ for stated and flexible supports, thanks Annie for progressing. Hoping we can make a small adjustment as per below in yellow as this is the main area feedback is in relation too.

I would also suggest we remove the links from the FAQ for now as the content in them will likely cause further confusion to providers when the below is published.

What are flexible and stated supports?

In your plan we describe NDIS support categories as flexible or stated, based on NDIS laws.

You must spend your funding in line with your plan.

Flexible support categories:

- Funding for NDIS supports included in the Core support category of the participant's plan can be used flexibly when they are part of the same [fund management type \(external\)](#).

Stated support categories:

- Stated supports have flexibility within the same support category. For example, Improved Daily Living Skills. You can't use them flexibly with other types of support categories in your plan.
- Your plan may include information that describes what the support category budget is for. This is to help you understand the purpose and intention of what has been funded in your plan. You still have the flexibility to use your funds for any support as long as its within that same support category.
- If you're unsure about your stated supports, ask your my NDIS contact, support coordinator or recovery coach.

To learn more about what supports are stated and flexible, go to [Factsheet: Support categories](#) and [Our Guideline - Your plan](#).

Happy to discuss.

Cheers,

Matt S22(1)(a)(ii)-irrelevant material

Director, Strategic Programs

Provider Engagement Branch

National Disability Insurance Agency

S22(1)(a)(ii)-irrelevant material



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From: Stephen S22(1)(a)(ii)-irrelevant material
 Sent: Wednesday, 23 April 2025 10:01 AM
 To: SIEROTA, Carly S22(1)(a)(ii)-irrelevant material; Barny S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant material Donna S22(1)(a)(ii)-irrelevant material
 Cc: Matt S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant material Jodie S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant material Greg S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant material Stephen S22(1)(a)(ii)-irrelevant material
 Subject: Further follow up: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

Sorry to come back to you on this matter, but I've had further clarification the issue principally relates to the words **'this is a stated support'** being applied by default to all participant plans in the Improved Daily Living (IDL) Category.

This is causing confusion for participants and plan managers, as the Your Plan Operational Guideline states:

Spending in line with your plan means only spending your funding on the supports included in your plan. To spend in line with your plan, you need to:

- spend your funding in the way we describe. This includes any stated supports, where we describe the supports you can buy more specifically*

Participants and plan managers are reading participant plans and are determining that as IDL supports are being described in the plan and the plan letter says these are stated supports, therefore NDIS funds can only be used for the supports described in the plan (and not used flexibly to purchase other supports within the IDL category).

DIA's Practice Guidance document (refer attached) reinforces that view. I understand there is work underway to clarify this issue, but in the meantime can we:

- Update the participant plan letter as a priority to say IDL **'is a stated support category?'** (this will clarify that while these funds are not flexible across other support categories, they are flexible within the IDL category).
- Go back to DIA to advise their practice guidance – refer attached - for Example 1 and Example 2 is not correct (i.e. IDL funds can be used flexibly to purchase any supports within the IDL category, not just those described in the plan?)
- Urgently finalise and publish the proposed Stated V flexible supports advice so we can point DIA to that (refer attached).

I understand the Office of the Participant Advocate are also aware of this matter, hence providing them visibility of this email.

Cheers
Stephen

Stephen S22(1)(a)(ii)-irrelevant

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
National Disability Insurance Agency
S22(1)(a)(ii)-irrelevant material

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From: S22(1)(a)(ii)-irrelevant Stephen
Sent: Thursday, 17 April 2025 10:20 AM
To: SIEROTA, Carly S22(1)(a)(ii)-irrelevant material S22(1)(a)(ii)-irrelevant Jodie S22(1)(a)(ii)-irrelevant material
Cc: S22(1)(a)(ii)-irrelevant Matt Matt.SYKES@ndis.gov.au
Subject: RE: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

Many thanks for reviewing the DIA document; I'll provide your commentary re DIA's document being clearer about the difference between when a support has been described in a general way (to allow flexibility) vs when it's a stated support (when the support must be spent in the way its stated in the plan).

The work underway to refine planner practice and plan comments to be more specific and clearer about what is, and what isn't, a stated support is most welcome.

Cheers
Stephen

Stephen S22(1)(a)(ii)-irrelevant

Branch Manager, Provider Engagement Branch
Partners and Providers Division
Partners, Providers and Home and Living Group
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From: SIEROTA, Carly S22(1)(a)(ii)-irrelevant material
Sent: Wednesday, 16 April 2025 3:53 PM
To: S22(1)(a)(ii)-irrelevant Jodie S22(1)(a)(ii)-irrelevant material; S22(1)(a)(ii)-irrelevant Stephen S22(1)(a)(ii)-irrelevant material
Cc: S22(1)(a)(ii)-irrelevant Matt S22(1)(a)(ii)-irrelevant material
Subject: RE: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen,

I've attached the relevant OG which explains what are flexible vs stated supports. Largely it seems that content within DIA's practice guidance aligns to the OG however it should be clearer about the difference between when we a support has been described in a general way (to allow flexibility) vs when it's a stated support (when the support must be spent in the way its stated in the plan).

In most cases, we'll describe the participant's NDIS supports generally to help participants understand the intent and purpose of the funding which has been included in their plan. All participants are required to spend their NDIS funding in accordance with their plan but this doesn't mean just because we describe a support its a stated support. Participants can use their plan flexibly and buy supports that are not stated in their plan as long as it is an NDIS support and its related to their disability.

We'll only include stated supports if we need to ensure specific disability needs are addressed. If we specifically describe a support in the participant's plan, it must be used to buy NDIS support exactly how we describe them.

The feedback we're hearing since s10 was introduced is that the comments which planners add when developing a participants plan in Pace (which is printed on the participants plan) aren't clear enough leading to confusion for participants, providers and plan managers trying to do the right thing.

There's a few things in the works to try and help with this including some updates to internal guidance to be clearer for planners that the plan comments should describe the intent and purpose of the funding, enabling flexibility where possible, not adding the support line items in the plan unless specifically required to 'state' the support. Service Delivery are also doing some work to align planner practice to this approach through training, comms and reinforcement campaigns.

Kind regards

Carly

Carly Sierota (she/her)

Branch Manager, Service Guidance Branch
Service Design and Improvement (SDI) Group

National Disability Insurance Agency

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From: S22(1)(a)(ii)-irrelevant material, Jodie S22(1)(a)(ii)-irrelevant material
Sent: Tuesday, 15 April 2025 11:56 AM
To: S22(1)(a)(ii)-irrelevant material, Stephen S22(1)(a)(ii)-irrelevant material; SIEROTA, Carly S22(1)(a)(ii)-irrelevant material
Cc: S22(1)(a)(ii)-irrelevant material, Matt S22(1)(a)(ii)-irrelevant material
Subject: RE: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Stephen

Rushi got back to me late yesterday afternoon and provided further clarification this morning that plan comments will show for all plans approved after the introduction of s33 ie from 3 October 2024.

This in turn may lead to an increase in the enquiries being received regarding the therapy budget and other stated budgets. Currently, plan manager and support coordinators will only have visibility of the plan comments if the participant shares a copy of their plan. After the May release, plan managers and support coordinators (with consent) will have visibility of the plan comments for plans approved after the implementation of s33.

Kind Regards

Jodie S22(1)(a)(ii)-irrelevant material

Assistant Director – Strategic Programs
Provider Engagement Branch
National Disability Insurance Agency

S22(1)(a)(ii)-irrelevant material



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From: [S22\(1\)\(a\)\(i\)-irrelevant](#) Stephen [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Sent: Tuesday, 15 April 2025 10:12 AM
To: SIEROTA, Carly [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Cc: [S22\(1\)\(a\)\(i\)](#) Matt [S22\(1\)\(a\)\(ii\)-irrelevant material](#); [S22\(1\)\(a\)\(i\)](#) Jodie [S22\(1\)\(a\)\(ii\)-irrelevant material](#)
Subject: Request for assistance please: stated supports [SEC=OFFICIAL]

Hi Carly,

We have received the attached practice guidance drafted by Disability Intermediaries Australia (DIA) – the peak body organisation for plan managers and support coordinators.

An issue DIA has raised with the NDIA is the question of flexibility within stated supports in participant plans. DIA state their members are being told various different positions on this, each very different to the next, by NDIA Planners and LACs. I am also hearing this feedback from various other providers.

Based on various conversations DIA state they have had with the NDIA on this topic, as well as recent compliance activities, DIA has developed the attached interim guidance for their members.

Is it possible for one of your team to please review the attached and confirm that it reasonably reflects the NDIA's position on how 'flexible' IDL (therapy) funding is?

A think a related issue is that plan managers and support coordinators cannot see planner comments in the myNDIS provider portal, hence they are 'blind' to any supports being stated. I understand this will be corrected in May when enhancements relating to plan periods, plan components and funding intervals will be released.

Of course, please feel free to let me know if I should direct this enquiry elsewhere.

Many thanks
 Stephen

Stephen [S22\(1\)\(a\)\(i\)-irrelevant.mh](#)
 Branch Manager, Provider Engagement Branch
 Providers Division
 Partners, Providers and Home and Living Group
National Disability Insurance Agency
[S22\(1\)\(a\)\(ii\)-irrelevant material](#)

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