



Delivered by the
National Disability
Insurance Agency

GPO Box
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CANBERRA ACT 2601
1800 800 110
ndis.gov.au

National Disability Insurance Scheme

Application for a review of a reviewable decision

This form can be:

- Completed online at ndis.gov.au/feedback
- Downloaded from ndis.gov.au/feedback and lodged in person, by mail or email to feedback@ndis.gov.au
- Completed by a National Disability Insurance Agency (NDIA) officer at your local office, over the phone or in-person

Personal information collected

The NDIA needs to collect some of your personal information so it can effectively conduct an internal review of a reviewable decision made under the *National Disability Insurance Scheme Act 2013*.

Just so you are aware, any personal information the NDIA does collect is protected under the NDIS Act and the *Privacy Act 1988*.

You can also ask to see what personal information (if any) the NDIA has about you at any time, and you can get it corrected if your information is wrong.

Personal information use and disclosure

The NDIA will use your personal information to do an internal review of a reviewable decision made under the NDIS Act.

If you do not provide all of the information requested on this form, your request for an internal review may be delayed due to the NDIA not having enough information to vary or set aside the decision, which is under review.

The NDIA will not use any of your personal information for any other purposes, or disclose it to any other organisations, individuals or overseas recipients unless it is authorised by law or you give us consent.

The NDIA's privacy statement describes

- how we will use your personal information;
- reasons why some personal information may be given to other organisations from time to time;
- how you can access the personal information we have about you on our system;
- how you may complain about a breach of the Australian Privacy Principles and how the NDIA will deal with your complaint; and
- how you can correct your personal information if it is wrong.

You can [read the statement on the NDIS website](#).

Personal information storage

The NDIA uses an Australian Government computer system to store personal information. System users other than NDIA staff may at times be able to see your name when performing duties for their own programs but they are not permitted to record, use or disclose any information and they will not know if you become an NDIS participant. State or territory government officials may also have access to your personal information as part of the agreement between governments to assist the states and territories in their NDIS evaluation.

Part A – Applicant information

The NDIS Act states some NDIA decisions can be reviewed. These are known as *Reviewable Decisions*.

A list of NDIA reviewable decisions are listed in Appendix 1 at the end of this form. They include, for example, NDIS access; the funding and provision of reasonable and necessary supports; nominee appointments and parental responsibility recognition.

Providers may seek a review of a decision not to register them or a decision to revoke their registration.

A person may request a review if they are directly affected by an NDIA decision.

The request for review must be made within three months of receiving the reviewable decision notice.

A request for review may be made by:

- (a) sending or delivering a written request to the NDIA; or
- (b) making an oral request, in person or by telephone or other means, to the NDIA.
- (c) completing and lodging this form in person, by mail or email to feedback@ndis.gov.au

Part B – About You

Name:	
Mr/Ms/Miss/Mrs:	
Participant number: (for participants)	
Address:	
Home contact number:	
Work contact number:	
Mobile:	
TTY:	
Email:	

Preference for contact (check one): Phone Email

Only fill in this box if you are the participant's nominee:

Nominee name:	
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Only fill in this box if someone is helping you. For example, a family member, a carer or advocate.

Representative name:	
What is your relationship to this person:	
Organisation (if any):	
Postal address:	
Home contact number:	
Work contact number:	
Mobile:	
TTY:	
Email:	

Preference for contact (check one): Phone Email

NOTE: If you need help filling in this form please contact your local office for assistance.

Part C – What are the grounds for this review?

What is your request for review about?

I am requesting a decision review about:

Please insert details below.

1. Insert NDIS Plan date you are seeking a review about
2. Refer to section 99(1) of NDIS Act (see attached table or [see table here](#)) for reviewable decisions and insert the relevant item number from the table

If you are reviewing a plan with supports that do not meet the participants needs, choose item 4: “a decision to approve the statement of participant supports in a participant’s plan”
3. Insert the relevant section of the NDIS Plan/ copy paragraph from NDIS decision letter/ explain other decision provided (whichever is relevant)

Why do you want the decision reviewed?

Describe why you want the decision reviewed. Are there facts you feel have not been taken into account or properly looked at? Is there any additional information we may not have considered at the time?

This section is important to provide as much detail as possible about why you want the decision reviewed. Here are some tips of what you could include in your response:

TIPS

1. **If your review is about supports in your NDIS Plan explain why the supports are Reasonable and Necessary:**
 - a. **How does the support assist you pursue your goals and objectives in your plan?**

b. How does the support assist you to undertake activities to increase your social and economic participation?

c. How is the support value for money?

i. Provide information on alternative supports that may be more cost effective that have been explored and have not been successful.

ii. Provide evidence that the support will substantially improve life stage outcomes and be of long term benefit for you.

iii. Provide explanation if support is likely to reduce costs in the long term for you

iv. If support relates to Equipment or modifications – what are the comparative costs of purchasing or leasing the equipment or modifications? AND are there any technology changes or changes to your circumstances that could affect the funding of equipment or modifications

v. are the costs of the support comparable to the cost of supports of the same kind provided in your area?

vi. will the support increase your independence and reduce needs for other supports?

d. Is the support effective and beneficial and current good practice.

Consider your experience of the support and evidence from treating specialists/expert opinions that can support this.

- Consider any published and referred literature.
- Consider the lived experience of the participant or their carers

e. Provide information on what families, carers, informal networks and the community can reasonably provide for support:

i. include information on the limitations of the above

ii. If it is a child explain how the child's needs are substantially greater than those of other children of similar age

iii. If it is a child explain risks to the wellbeing of the family members/carers

iv. explain risks to your wellbeing from your reliance on the support of family members/carers/informal networks/community, including how this may reduce your independence

v. relate the above to factors specific to your age/capacity/intensity and type of support/culture/gender and any other relevant considerations

vi. Explain risks of the long term wellbeing of any family members/carers

f. Explain whether you have considered systems other than the NDIS for your supports. Part of a Support Coordinator's role is to help you with linking mainstream supports, your Support Coordinator can help you with this information for these areas:

- i) Health
- ii) Mental Health
- iii) Child protection and family support
- iv) Early childhood development
- v) School education
- vi) Higher education and vocational education and training
- vii) Employment
- viii) Housing and community infrastructure
- ix) Transport
- x) Justice.

For more information see: [PRINCIPLES TO DETERMINE THE RESPONSIBILITIES OF THE NDIS AND OTHER SERVICE SYSTEMS](#) and NDIS Rules Schedule 1 (7.1- 7.25)

2. Explain how the supports are solely and directly as a result of disability support needs AND/OR if it is a cost ancillary to another support that is funded or provided under your plan that you would not otherwise incur.

3. TIPS for Transport

- a. Explain that the transport is reasonable and necessary (using the criteria above)
- b. Explain that the transport cost is incurred solely and directly as a result of your disability support needs.
- c. Also note that transport is funded if it is related to another funded support within your NDIS Plan and if the transport meets the reasonable and necessary criteria it should be fully funded. This was the outcome of the Federal Court McGarrigle decision (National Disability Insurance Agency v McGarrigle [2017] FCAFC 132)

This means that if you are funded under a “Level” of transport funding and this funding does not meet your transport support needs, you are entitled to seek a review of this funding.

When was the decision made? (Please state date, month and year).

Tip: insert date the decision was made AND insert the date that you received the decision.

*The time limit of 3 months for an appeal starts from the date you received the decision.

How has it affected you? (Please tell us how the decision has affected you?)

TIPS

- Provide as much detail as you feel comfortable with about your own lived experience about how this decision is affecting you and your support network.
- Explain any risk factors that are involved as a result of the decision.
- Explain how the reasonable and necessary support will assist you to achieve your NDIS goals and objectives and how it will benefit you in the long term.

What outcomes are you seeking? (Please tell us what you expect from this review?)

TIPS

- List clearly what you would like to achieve from this review
- Show how your current plan is not meeting your needs and what is being requested in the review to meet this need.
- Use dot points and numbers if there are multiple issues in the review

Part D – Further information

Supporting information

Please attach copies of any documents you think may help us to review this decision. For example letters, references, emails. If you don't have any, can you tell us what information you think we need to get?

TIPS

- If you can get further evidence to support any part of your review this will be very helpful (the NDIS bases their decision largely on evidence).
- If you are limited by time make sure you clearly specify on this application that further evidence will be submitted.

Applications can be lodged via the NDIS website ([ndis.gov.au/feedback](https://www.ndis.gov.au/feedback)).
**You can also write a letter to the NDIA and address it to PO Box 700
Canberra ACT 2601; telephone us on 1800 800110, or lodge your
decision review application at your local NDIS office.**

Appendix 1- Reviewable Decisions

Each of the following CEO decisions is a **reviewable decision**:

- (a) a decision a person does not meet the access criteria;
- (b) a decision not to specify a period under s 26(2)(b);
- (c) a decision to revoke a person's status as a participant;
- (d) a decision to approve the statement of participant supports in a participant's plan;
- (e) a decision not to extend a grace period;
- (f) a decision not to review a participant's plan;
- (g) a decision to refuse to approve a person or entity as a registered provider of supports;
- (h) a decision to revoke an instrument approving a person or entity as a registered provider of supports;
- (i) a decision to make, or not to make, a determination in relation to a person;
- (j) a decision not to determine a child can represent themselves;
- (k) a decision to make, or not to make, a determination a person has parental responsibility for a child;
- (l) a decision to appoint a plan nominee;
- (m) a decision to appoint a correspondence nominee;
- (n) a decision to cancel or suspend, or not to cancel or suspend, the appointment of a nominee;
- (oa) a decision to refuse to extend a period;
- (ob) a decision to take action to claim or obtain compensation;
- (oc) a decision to take over the conduct of a claim;
- (o) a decision to give a notice to require a person to take reasonable action to claim or obtain compensation;
- (p) a decision to give a notice the CEO proposes to recover an amount;
- (q) a decision not to treat the whole or part of a compensation payment as not having been fixed by a judgement or settlement;
- (r) a decision not to write off a debt;
- (s) a decision the CEO is not required to waive a debt;
- (t) a decision not to waive a debt;
- (u) a decision the CEO is not required to waive a debt;
- (v) a decision not to waive a debt.