



# Operational Guideline – Planning and Assessment – Supports in the Plan – Personal Care Supports

## Legislation

1. Read ss.3, 4, 31, 33, 34 and 35 of the [National Disability Insurance Scheme Act 2013](#) (NDIS Act) and the [National Disability Insurance Scheme \(Supports for Participants\) Rules 2013](#) (Supports for Participants Rule).

## General principles

2. Reasonable and necessary supports for people with disability should:
  - a. Support people with disability to pursue their goals and maximise their independence, and
  - b. Support people with disability to live independently and to be included in the community as fully participating citizens, and
  - c. Develop and support the capacity of people with disability to undertake activities that enable them to participate in the mainstream community and in employment.

See s.4(11) of the [NDIS Act](#)
3. The preparation, review and replacement of a participant's plan should so far as reasonably practical be individualised; directed by the participant; where relevant consider family, carers and significant others; consider availability of informal support, access to mainstream and community supports; and build individual capacity to increase participation and inclusion in community with the aim of achieving individual aspirations.

See s.31 of the [NDIS Act](#)
4. Plans should maximise choice and independence of the participant and facilitate tailored and flexible responses to individual goals and needs.

See s.31 of the [NDIS Act](#)
5. The statement of participant supports specifies the general supports (if any) and the reasonable and necessary supports (if any) that will be funded. In deciding whether to approve a statement the delegate must:
  - a. Have regard to the legislation and rules, participant statement, relevant assessments, and
  - b. Be satisfied that all clauses of s.34 of the [NDIS Act](#) on reasonable and necessary are met including that the support is most appropriately funded by the NDIS and offers value for money, and
  - c. Have regard to the principle that a participant should manage their plan to the extent they wish and the operation and effectiveness of any previous plans of the participant.

## Personal care supports

6. Personal care supports relate to assistance with daily personal activities including assistance with, or supervision of, personal tasks of daily life. The kinds of supports discussed in this operational guideline include:
  - a. Personal hygiene, including showering, bathing, oral hygiene, dressing and grooming,
  - b. Toileting, bladder and bowel management and menstrual care,
  - c. Eating and drinking,
  - d. Attending appointments,
  - e. Use of aids and appliances, hearing and communication devices,
  - f. Mobility and transferring such as moving in and out of bed, on or off the toilet,
  - g. Application of splints, basic first aid / wound care due to injuries sustained as a result of the disability.
7. Proposed support should complement and coordinate with support provided by family, carers and other people in the participant's support network.
8. It is expected that the NDIS will only fund reasonable and necessary assistance with daily personal activities when there are assessed needs in the self-care domain. This may include times when carers will not be available to provide the support they ordinarily provide.
9. Supports may be required across a variety of settings, for example, a participant living alone in their own home, living with family or other people, when undertaking social, recreational, education or employment activities, or during holidays away from home.
10. A number of factors have an impact on the type and quantity of supports to be included in a participant's plan. Some of these include:
  - a. The participant's:
    - i. age and level of need,
    - ii. the participant's capacity to undertake these tasks including with training, supervision and/or assistance,
    - iii. family life role and responsibilities,
    - iv. risk taking behaviours that pose a risk to the participant and or others
  - b. carers and broader support network:
    - i. availability, skills and abilities,
    - ii. sustainability of support network assistance
  - c. Environment:
    - i. geographical location,
    - ii. suitability and sustainability of housing and living arrangements
  - d. Aids, equipment, home and environment modifications:

- i. Availability or provision of aids, equipment or modifications to maximise independence and reduce dependency on personal care supports
  - e. Risks and safeguards:
    - i. Vulnerability of the participant,
    - ii. Potential negative impacts of not providing support,
    - iii. Identified safeguards.
- 11. Factors that delegates should consider when determining personal care supports include the degree to which these supports:
  - a. Maximise independence and functional skills,
  - b. Are appropriate to the participant's age and circumstances,
  - c. Whether alternative arrangements / supports could meet these needs in a less intrusive manner. For example aids and equipment may enable a person to complete tasks for themselves or the provision of training may increase the participant's independence in the tasks.

## Reasonable and necessary supports

- 12. Before specifying any general support, or reasonable and necessary support, in a participant's plan the delegate has to:
  - a. Be satisfied that all the criteria set out in s.34(1) of the [NDIS Act](#) are met in respect of each funded support before it is included in a participant's plan, and
  - b. Ensure the support:
    - i. Will not cause harm to the participant or pose risk to others,
    - ii. Is due to the effect of the disability on the participant and does not duplicate supports available from other systems,
    - iii. Does not relate to day to day living costs (e.g. rent, groceries, utility fees) unless directly attributable to the impact of the disability on the participant, and
    - iv. Is not illegal or consist of income replacement, and
  - c. Consider the additional guidance for delegates provided by the NDIA set out in this operational guideline in relation to personal care supports and household tasks.
- 13. This operational guideline lists the matters that delegates are to consider under headings which refer to the paragraphs of s.34(1). For example, value for money (s.34(1)(a)) and effective and beneficial having regard to current good practice (s.34(1)(b)). Delegates are to note that the matters to be considered may need to be considered in relation to more than one paragraph of s.34(1).

## Goals and aspirations

- 14. Before including a support in a participant's plan the delegate must be satisfied that the support will assist the participant to pursue their goals. Personal care supports may be threshold supports to assist a participant in pursuing a number of goals rather than related to a specific goal.

See s.34(1)(a) of the [NDIS Act](#)

## Supports that will not be funded or provided by the NDIS

15. The [Supports for Participants Rules](#) provide that a support will not be funded by the NDIS if it is
- Likely to cause harm to the participant or pose a risk to others, or
  - It is not related to the participant's disability, or
  - It duplicates other supports delivered under alternative funding through the NDIS, or
  - It relates to day-to-day living costs.

See r.5.1 [Supports for Participants Rules](#)

## Most appropriately funded or provided by the NDIS

16. Before including a support in the participant's plan, the decision-maker must be satisfied that the support is most appropriately funded or provided through the NDIS, and is not more appropriately funded or provided through other general systems of service delivery or support services offered by a person, agency or body, or systems of service delivery or support services offered:
- As part of a universal service obligation, or
  - In accordance with reasonable adjustments required under a law dealing with discrimination on the basis of disability.

See s.34(1)(f) of the [NDIS Act](#)

## Social and economic participation

17. Before including a support in a participant's plan, the delegate must be satisfied that the support will assist the participant to undertake activities so as to facilitate the participant's social and economic participation. Personal care supports are likely to be threshold supports to assist a participant in pursuing a number of participatory goals.

See s.34(1)(b) of the [NDIS Act](#)

## Value for money

18. Before a support is added to a plan, the delegate must be satisfied that it represents value for money in that the costs of the support are reasonable, relative to both the benefits achieved and the cost of alternative support.
19. When delegates consider whether a support is value for money they should first consider whether there are supports that will achieve the same outcome in a way that encourages independence in the participant and will lower their future support needs. For example, aids and equipment or home modifications. A delegate may judge that a more expensive support of this kind would be value for money as an investment (even where that value may be realised over the period of several plans) given support costs would reduce over time.

See s.34(1)(c) of the [NDIS Act](#)

## Effective and beneficial

20. A delegate must be satisfied that a support is or is likely to be beneficial to the participant before including the support in the plan. Personal care supports are likely to be beneficial where they are delivered in a way that maximises, to the extent possible the participant's independence, and participation in their own care.
21. Where supports are provided that are not developmental, that is assisting the participant to increase their own skills and independence in personal care, providers must ensure that the provided supports do not create or reinforce dependence of the participant on the provider.

See s.34(1)(d) of the [NDIS Act](#)

## Taking into account reasonable expectations of families

22. Assistance with self-care activity supports for participants who are young children does not replace the usual care and supervision provided, or paid for, by a parent but can be provided to assist parents undertake their role where the level of care and supervision needed is unreasonable and considered beyond the level usually provided for children of the participant's age. Assistance for majority of children is likely to be in the form of training or capacity building to gain age appropriate skills through either early intervention or other approaches. Ongoing use of this support for children would only be appropriate for children who are unlikely to develop these skills and who have high and complex needs.
23. A participant's request that intimate personal care not to be provided by some family members or friends should be respected and taken into account when determining the level of assistance that should be funded. For example, it would not be reasonable to expect the adult son of a 50 year old female participant to assist her with showering and toileting.
24. The NDIS will not fund parents or family members of participants to provide personal care supports except in the most exceptional circumstances such as where there is risk of harm or neglect to the participant or where a suitable provider is not available to provide the support, despite the NDIA's efforts to identify such a provider
25. In the presence of those exceptional circumstances indicated in paragraph 24, parents or family members will only be paid to provide support under each and all of the following conditions:
  - a. The support provided is critical to the wellbeing of the participant, and
  - b. All efforts have been exhausted to engage a provider that could appropriately provide the support, and
  - c. The paid family member does not reside at the same location as the participant, and
  - d. The assistance provided by the paid family member is a short term measure only and is reviewed regularly.

See s.34(1)(e) of the [NDIS Act](#) and *Operational Guideline – Planning and Assessment – Supports in the Plan*

## Expectations as to levels of support required

26. Supports to provide assistance with daily personal activities should generally be limited to 2 to 6 hours per day. This level of support is based on:

- a. Bathing, dressing, toileting and grooming up to 2 hours per day – including bowel management, skin care, bladder management, menstrual care,
  - b. Assistance with eating up to 2 hours per day which may include assistance with medication,
  - c. Mobility including exercise, positioning, moving about up to 1 hour per day,
  - d. Where toileting assistance alone is required up to 1 hour a day.
27. It may be appropriate for higher levels of support to be provided. In considering whether a higher level of support is needed the delegate should consider:
- a. Whether the participant has high care needs, such as unstable seizure activity or respiratory support,
  - b. Weight (and other physical aspects) of the participant,
  - c. Medication and medical condition of the participant,
  - d. If the requirement for a higher level of support is of a temporary nature, such as due to waiting on suitable accommodation modification (for example a bathroom modification),
  - e. Whether two people are required for transfers, and
  - f. Whether there are behaviours of concern that require more intensive assistance with these activities (not to be funded as supervision) and there are no other options, such as behaviour support intervention.
28. Assistive technology is expected to be used to reduce the level of assistance with daily personal activities.
29. Additional, time limited funding may be appropriate to build the participant's capacity to independently perform their daily personal activities and consequent reduction in funded supports.
30. The delegate should review the level of support in light of outcomes achieved through any training provided under individual life and personal skills development funding.