

People with Disabilities WA
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people with
disabilities
western
australia

6 March 2026

Mr Blair Comley PSM
Secretary of the Department of Health, Disability and Ageing
Australian Government Department of Health, Disability and Ageing
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Phone: 1800 020 103 (Freecall) or 02 6289 1555
Attention: NDISConsultations@health.gov.au

Dear Mr Comley

NDIS rules: Public consultation on new framework planning

People with Disabilities WA is grateful for this [opportunity to comment](#) on the Australian Government's [new framework planning and impairment notice regime](#) the National Disability Insurance Agency plans to roll out of Australia's [National Disability Insurance Scheme](#).

Here at PWdWA we are the peak disabled people's organisation for Western Australian residents with all types of disability. Our members have disability and we are disability-led, with a staff and board of people with disability. We believe in disability codesign and the [Nothing About Us, Without Us philosophy](#). We are a disability representative organisation for Western Australia's disability community and we firmly believe in having a say on all reforms that affect us, federally and in our state, including proposed reforms to our NDIS and other programs that affect the disability community in WA, including the [Services Australia Centrelink program](#).

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PWdWA is a member organisation of [DANA](#), the Disability Advocacy Network Australia, and [AFDO](#), the Australian Federation of Disability Organisations, and works closely with our fellow disabled people's organisations and disability representative organisations, as we advocate for the Western Australian disability community in WA and nationally.

Our organisation feels strongly about the potential for New Network Planning to result in people with disability in this country being worse off. West Australian disabled people already face under-representation in the NDIS and we worry about the impact of this potential reform in making it even harder for our members and community. We hear from our members and advocates that people are being removed from the NDIS or having plans cut, sometimes via a phone call that is unexpected from the NDIA.

Like the architects of the NDIS and Australian Parliament, we believe strongly that disabled people should have [personalised choice and control](#) over what is included in their NDIS plans, allowing them to set goals for their lives so they can participate in the community and economy, and have their goals and support needs met.

As we wrote publicly in a viral post on social media in December 2025:

NDIS DISTRESS: As we reflect on our 2026 agenda it seems clear the NDIS changes the Australian Government released in the final weeks of 2025 aim to reduce choice and control and make it very hard for people to spend money from their NDIS plans...

Our advocates believe the so-called reforms are designed to strip out choice and control over things such as service providers in the name of keeping people safe.

When there is less choice and control over key things we lose quality of life as things no longer meet our needs or goals for ourselves. For example, when there are few choices of Supported Independent Living and Supported Disability Accommodation providers, the result will mean that fewer of us will find places to live that suit us when we need them. More of us will end up homeless and in despair, and even more SIL and SDA funds in our NDIS plans will go unspent, with the National Disability Insurance Agency and the government pocketing

the difference...

The Australia Government's decision to take the Roboplanning route with the latest iteration of "independent assessments" – framework planning – carries ... risks for people. When the plans people have drafted using their choice-and-control and goals for their own lives are replaced by AI or computer-prepared plans then these cookie-cutter plans won't suit people. Our advocates have told the federal government its new planning approach is more likely to result in underspending on plans, either from the funded services not suiting people or from massive underspending as the services are not available in local communities (hello, slim markets). However despite our advocates highlighting even more massive gaps will emerge, the federal government is unconcerned its Roboplans will result in underspending and massive under-servicing of our community needs. It's not what we wanted from our NDIS as individuals or a collective.

The NDIS has been a model scheme at times in its life, especially at the start of the pandemic when people were in deep need and supported well by deeply committed local area coordinators. Now their plans are computer prepared and always at threat of a hostile desktop review from an aggressive telephone planner who could call at any time from an unlisted number. It's no wonder those of us with trauma live in fear of being cut off forever.

It seems these new plans will be uncontestable and impractical, with the future for Administrative Appeals Tribunal re-writing and negotiated outcomes looking pretty poor, especially in the second half of the year. We need practical, accessible ways to get our plans to suit us. Avenues more practical than tagging the NDIA in public posts and hoping for the best.

With foundational supports for neurodivergent people with so-called mild autism disappearing in an ableist spin of Thriving-talk, our community is scared and wondering how much of the NDIS will disappear or be handed off to the states.

Do we throw our hats in with states and back the reintroduction of

block funding? It's certainly looking more like a grass-is-greener approach right now. Only time will tell what system we end up with in WA and other state and territories going forward.

In the meantime, our community will certainly enjoy much reduced choice and control and continue to fear the ringing phone. It's hardly an "I heart NDIS" moment. Our community is distressed and has every reason to be. As we start the year and aim to meet our new year's and 2026 resolutions, let's hope we can turn around the agenda this year and end up with reforms that really suit us.

Nothing About Us Without Us.

The disability community responded with its views, with one community member writing, "I am freaking out majorly as my current plan ends mid-year at a time when it has been said these new assessment tools and robo-planning are to be implemented." Our community is worried and so it should be.

Another community member wrote, "We fought independent assessments and now they have introduced in-and-out lists and want to use algorithms to determine funding. It's not good at all 😞"

Framework planning is another form of the so-called independent assessments our community opposed and ministers across the country firmly rejected in 2019–2020. It is a disappointment to have them back again. It's a betrayal of our community.

Like any government reform, there is spin around the network planning approach and the impairment notice assessments that are the cornerstone of the so-called reform.

We note the [Department of Health, Disability and Ageing](#) has written, "We are making changes to the NDIS to improve the experience for participants. This will also make sure the NDIS is fair, consistent and sustainable for the future."

In the commentary, your agency argues "We heard from the NDIS Review that to make the NDIS more person-centred, we need: clearer processes for assessments and planning; more transparent decision-making for

funding; greater flexibility in plans.”

We acknowledge that some of what came from the NDIS review was from the disability community. But we believe some of its recommendations were preformulated.

We don't agree network planning will be more person-centred than true choice and control.

We don't believe assessments by unqualified people over our medical professionals will result in better plans for people.

We don't want network planning or impairment notices.

In the community consultation page for this consultation, the Australian Government wrote, “New framework plans are designed to make NDIS planning clearer and more transparent.” As we wrote publicly this week:

The federal government says the new plans are designed to make planning clearer and more transparent but we're concerned they'll make plans smaller and harder to claim on.

Sometimes change marketed as positive can be really negative when it comes down to things.

We're concerned this is what'll happen when framework plans are adopted for newcomers and slowly rolled in for everyone else.

When spin is adopted for reforms and a genuine commitment to really supporting people with disability is lost – along with well-funded plans designed by people with disability, for them – then people are not better off, no matter how clear and transparent decisions are.

We support the questions raised in the joint submission from National peaks (DRO Joint Submission), which includes AFDO:

Information that we need to respond meaningfully to the proposed reforms have not been provided to the community, including (from the joint submission):

- Exposure drafts of relevant legislative instruments.
- How the Support Needs Assessment has been validated, including accessibility and cultural and linguistic bias testing.

- Sample reports and clarification of assumptions regarding informal supports.
- Clear explanation of how assessed need will translate into funding outcomes, including whether automated or algorithmic decision-making will be used.
- Details of review processes and appeal rights.
- Confirmation that full merits review through the Administrative Review Tribunal will remain accessible and effective.
- Safeguards to prevent inequity during transition.
- Clarity regarding the staged rollout cohorts and timelines.

We also support the ask in the joint submission, that people with disability have the information needed to comment, a co-design process, and assurance that people will not be worse off under the new model.

PWdWA also worries that reviews may not make it easy for people to have their long-standing supports involved or for these to be relied upon should a review not be beneficial to a participant.

We don't think any aspect of the new framework should be considered by government in a serious way until these processes have taken place and the community are confident. Fear around NDIS plan cuts are rife in the community and we do not want psychological lack of safety to be further imposed on us.

We also point you to the submission submitted by DANA for detailed feedback on framework planning and impairment notices. Specifically, we highlight DANA's key finding:

There are two principal risks governments need to proactively mitigate as part of agreeing to the rules and implementing New Framework Planning:

1. *Transition risk*
2. *Structural design risk*

While the primary legislation has now been enacted, a significant amount of operational and implementation work remains to ensure the new planning pathway operates safely in practice.

The transition carries heightened exposure to error because multiple system changes are occurring simultaneously. New impairment notice processes, new assessment practices and new funding translation mechanisms are being introduced within a system that is live and required to make thousands of decisions a day. Without appropriate safeguards, implementation errors may become embedded early and escalate unnecessarily through formal review processes.

The structural design risk arises from how the framework generates and corrects planning outcomes once the New Framework is operating. The New Framework places significant weight on decisions such as impairment categorisation, support needs assessment outputs and the translation of those outputs into funding. Where errors occur in these inputs, mechanisms to correct outcomes must be proportionate and accessible.

The key (DANA) recommendations identified ... primarily seek to provide governments with practical approaches to mitigating these risks.

We note impairment notices and impairment notice processes are already being used but, according to advocates, the notices are being withheld

from people with disability in contravention of the overarching principles meant to govern how the notice process is used.

We support DANA's recommendations and note they are:

Impairment categorisation and notices

New Framework Planning relies on impairment categorisation to anchor attribution in funding decisions. For this mechanism to operate safely and fairly in practice, three conditions must be met:

- 1. The categorisation must be accurate and meaningful.*
- 2. It must be visible and settled before planning proceeds.*
- 3. It must be capable of timely correction.*

Reviewability and replacement assessments

Correction of planning outcomes under the New Framework will need to rely on a combination of internal administrative safeguards and access to replacement assessments. For this model to operate effectively, two conditions must be met.

- Implementation safeguards must exist during transition to detect and correct errors as new assessment tools and operational practices are introduced.*
- In steady state, participants must have proportionate and accessible mechanisms to correct planning outcomes that do not reflect their support needs.*

Department of Health, Disability and Ageing is trusting the NDIA to implement impairment notices fairly but the agency is already failing to be transparent. Ignoring the lack of true choice and control inherent in the impairment notice processes, people's inability to see their notice means safeguards are already failing – people cannot see what has determined decisions, or therefore easily correct things to get a better plan.

It's not a good sign transparency wise that the agency is withholding impairment notices, and it's not a good sign for our community's

confidence that the New Framework Planning process will be fair or fairer, or supportive of people's needs and goals for their lives.

We remind you of the Parliament of Australia's [original intention for choice and control on the NDIS](#):

Choice and control for participants is a key principle of the National Disability Insurance Scheme (NDIS). The objects of the National Disability Insurance Scheme Act 2013 (NDIS Act) include to 'enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports', and to support their 'independence and social and economic participation'.

The need for true choice and control, supported by plans by us, for us, and with our own qualified medical professionals remain as current as they were in the early days of the NDIS.

We oppose negative network planning reforms and the use of impairment notices conducted by unqualified people for us. It's time to listen to our community and make things about us, with us – not for us, by them.

Yours sincerely

People with Disabilities WA

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