



## Submission to the Department of Social Services from the Self Manager Hub

**Re: Consultation on NDIS Supports Rules (Section 10)**

**Date:** July 2025

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**We would welcome the opportunity to discuss our submission with you and would greatly appreciate the opportunity to collaborate on improvements to the NDIS, so please do not hesitate to contact us.**

### Introduction

The Self Manager Hub is a national, peer-led organisation run by and for people with disability and families who self-manage or self direct their NDIS supports.

We exist to protect and grow choice and control, innovation and better outcomes for people with disability in the NDIS. We run regular workshops and forums for NDIS participants and families, as well as a Facebook peer support group with over 16,000 members.

Since the transitional Section 10 rules we have hosted a number of specific workshops to hear from our community about their experiences of the changes. The support lists have also been a major topic of discussion and frustration in our online discussions.

We have heard from hundreds of NDIS participants and families who report sharp declines in choice, control and flexibility, escalating administrative burden, and a pervasive fear of being penalised for buying what works.

## Executive Summary

The current approach to Section 10 – particularly the “In” and “Out” Support Lists and the replacement supports process is not working for self managers and participants who self direct their support. Participants have told us that the lists are:

- Overly rigid and confusing, even for experienced plan managers and NDIA staff.
- Driving fear and under-utilisation, with people too anxious to spend in case they get it wrong.
- Cutting off access to low-cost, clearly disability-related supports (e.g. AAC on tablets, smartwatches for safety, noise-cancelling headphones for sensory regulation).
- Pushing costs back onto families and eroding trust in the Scheme’s founding principle of *reasonable and necessary*.

*“It’s not that we’re asking for luxuries. We’re asking for what helps us live, function, survive, and it’s being treated like we’re doing something wrong.”*

The best solution and the one that would deliver the greatest long-term value is to remove the support lists altogether. This would restore the original intent of the NDIS: for participants to use their funding flexibly and effectively, based on individual needs and circumstances. This aligns with the recommendations of the NDIS Review, which called for a shift away from one-size-fits-all models towards personalised support built on trust, choice, and control.

We offer this advice to government in full recognition of the complexity and difficulty involved. Removing the lists would require strong national leadership. It may not be immediately achievable under the current legislative framework.

Therefore, while working toward that broader goal, we advise focusing now on the most impactful and achievable change within the current system: ensuring that the lists are guided by a single, clear principle, that is, whether a support provides a “disability-related benefit”.

This approach would allow flexibility and individualisation while retaining boundaries on what can be purchased with NDIS funding. It should not matter whether a support is “standard” or “specialised”, but whether it meets a disability-related need in a cost-effective way. We believe this framing offers a practical pathway for government to deliver better outcomes for participants while upholding the sustainability and integrity of the Scheme.

# 1. The problems with the current lists

## 1.1 Loss of flexibility, autonomy and trust

Self management was designed to maximise flexibility, but the lists erase individual context. As members told us:

*“We’ve lost flexibility. The NDIS used to be about choice and control, now it’s about ticking boxes and avoiding risk. It’s no longer about what’s right for the person.”*

*“I self-manage so I can get what works , not what someone else thinks might work. These new rules take that away from me.”*

The practical effect is *under-spending* and *avoidance*: people are choosing not to purchase supports they actually need, or paying out of pocket, because the risk of getting it “wrong” feels too high. As one participant told us, “I believe that self-managers are being unfairly punished for taking responsibility. Instead of being trusted, we’re now being second-guessed at every step.” One participant summed up the systemic message the lists send:

*“The establishment of the lists communicates that participants cannot be trusted.”*

## 1.2 Confusion, contradictions and pushing people to more expensive supports

The lists are internally inconsistent and hard to navigate. Key supports (e.g. noise-cancelling headphones, visual smoke alarms) are missing; some appear on both “in” and “out” lists under different labels; and the definitions, especially “standard household item” are unclear.

*“The Lists aren’t written in a way that’s user friendly or disability accessible... Having to cross check three different lists each with different language is too complex.”*

A narrow, overly technical approach to defining supports is undermining the very flexibility the NDIS is supposed to offer and pushing people towards more costly “specialised” supports.

This rigid approach often results in decisions that ignore individual context.

## 1.3 Replacement supports: a process that blocks, not unlocks

The replacement process was intended to provide flexibility; instead it has become a bureaucratic choke point. Participants report long delays, shifting criteria, and duplicative evidence requirements even for low-cost AT. The process is unavailable to most, either practically or because the requested item doesn’t fit the arbitrarily narrow categories.

*“They told me I could replace it and then said I had to prove I needed it again. I’d already given them two OT reports. Nothing had changed except the rules.”*

*“I shouldn’t have to risk my mental health or my child’s safety to navigate a maze of paperwork for something we used to get without issue.”*

## 1.4 Supports need to be "specialised"

The most challenging problems reported with the current lists is that they rule out items that are “standard” or “not specialised”. This approach misses the point of individualised funding.

A standard clothes dryer may seem like an everyday item but for some participants, it reduces the need to pay a support worker to hang out washing. In that context, it is a more cost-effective way of meeting a disability-related need.

This doesn’t mean everyone gets a dryer, it means that when an item provides a disability-related benefit in a cost-effective way, it should be funded. The question must be whether it meets a disability-related need, not how specialised it is.

It shouldn’t matter if what you need is a standard household item or if it is a mainstream service used by people without disability. The key test should be whether the supports address a disability-related need in the most cost-effective way, not where the item comes from or how specialised it appears.

*“I was knocked back for a \$40 laundry trolley from Bunnings — the same one at a ‘disability store’ is \$250. Where’s the common sense?”*

The NDIS should support participants to access supports that are individualised, innovative and cost effective. If something helps a participant meet a disability-related need and live more independently, it should be fundable.

## 2. Recommendations

### Recommendation 1: Return to a principles-based, participant-led model

Re-centre section 34 “reasonable and necessary”, with clear functional criteria and examples. Lists should at most identify a narrow set of unlawful or inherently unsafe items. Everything else should be assessed against the person’s functional needs, goals, and value for money.

### Recommendation 2: Use “disability-related benefit” as the core test

We need to call on the government to redefine NDIS supports based on whether they provide a disability-related benefit, not whether they are standard or specialised. This approach would make the lists more responsive to individual needs and allow participants to choose the option that works best for them and offers the best value.

Commercial availability or lack of modification should not be grounds for exclusion. The central question must be: does this item meet a disability-related functional need in a cost-effective way?

#### Recommendation 4: Simplify the replacement supports process\*\*

For low-cost or functionally equivalent supports, allow self-managed and plan-managed participants to purchase directly, with light-touch documentation. Where the process remains, it must be fast, clear and accompanied by transparent decision-making and review rights.

#### Recommendation 5: Publish clear, accessible guidance and uplift the ecosystem

Develop plain-English (and Easy Read) guidance with scenarios, consolidate the lists (if retained), eliminate contradictions, and train NDIA staff, partners, plan managers and support coordinators. Create a single, authoritative help desk for rulings, published for sector-wide consistency.

#### Recommendation 6: Don't deny supports unless a real alternative exists

Mainstream and foundational supports are not in place. Until they are, participants must not be left with nothing. Any interface exclusion must explicitly name the responsible system, with escalation pathways when it fails.

#### Recommendation 7: Embed genuine co-design — now and ongoing

Co-design must be continuous, transparent, and driven by diverse lived experience, including complex needs, First Nations people, CALD communities, LGBTQIA+ people, and those in regional/remote areas.

### 3. Conclusion: Let's restore flexibility, choice and control in the NDIS

The NDIS delivers the best outcomes, both for individuals and for the sustainability of the Scheme, when people with disability are empowered to use their funding flexibly and strategically, based on their individual circumstances. Lists that overly constrain this flexibility risk pushing participants toward less effective, more costly solutions and undermine core principles of choice and control.

We recognise that removing the lists entirely is a longer-term reform requiring legislative and systemic change. In the interim, however, government has the opportunity, through this consultation, to improve outcomes and trust by refocusing the lists around a single, outcome-oriented principle: whether a support provides a cost-effective disability-related benefit.

This approach will enable participants to achieve better results with the resources they have, while maintaining integrity, fairness and fiscal responsibility. We urge the

Department to use this review as a critical opportunity to realign Section 10 implementation with the objectives of individualised funding and person-centred support. The Self Manager Hub urges DSS and the NDIA to restore a principles-based model, remove harmful exclusions, simplify or abolish the replacement process, and rebuild trust through genuine co-design and clear, consistent guidance.

Above all, trust the people the Scheme is meant to serve:

*“We’re not trying to rort the system. We’re trying to live a life.”*