

What are Correspondence & Plan Nominees?



Given that the NDIS Access and Planning processes involve a considerable amount of information management via email or telephone, it is worth discussing the role of nominees with your consumer and whether or not they would find it useful for you to act as a nominee.

Nominees will be appointed where requested by the participant or where necessary. If a guardianship arrangement is in place the presumption is that the guardian will be appointed the nominee.

Nominees will have a duty to ascertain the wishes of the participant and make decisions that maximise the personal and social wellbeing of the participant.

The NDIS Rules set out further information on how the Agency will determine who should be appointed and how the nominee should act. www.ndis.gov.au/families-carers/what-are-nominees-and-guardians

There are two types of nominees: a correspondence nominee or a plan nominee and one individual can perform both functions

Correspondence Nominee

A correspondence nominee can undertake all activities that a participant would undertake, **except for**:

- the preparation, review or replacement of the participant's plan; and/or
- management of the funding for supports in the participant's plan.

Plan Nominee

A plan nominee can undertake all activities that a participant would undertake under the Scheme **including**:

- the preparation, review or replacement of the participant's plan; and/or
- management of the funding for supports in the participant's plan.

Guardianship Information

Those who are in a formal caring role and acting on behalf of a person with disability **are able to** contact the National Disability Insurance Agency on behalf of that person, if the person is unable to make contact themselves.

In appointing a nominee under section 86 or 87 of the NDIS Act 2013, the National Disability Insurance Agency must consider whether someone legally:

- has guardianship of the participant; or
- has been appointed by a court, board or panel who has power to make decisions for the participant and whose responsibilities are relevant to the duties of a nominee.

If another person or body has all or part guardianship responsibility for a participant, then the National Disability Insurance Agency will work with the guardian in decision making in the same way they would work with parents and carers of participants who are under 18.

Guardians and nominees are advised that, in the context of the planning process, planners will support participants to exercise choice and control over their supports and providers.

More resources

NDIA decision-making guide for adults with cognitive impairments or mental ill health 2015

www.publicadvocate.vic.gov.au/our-services/publications-forms/219-ndia-decision-making-guide?path=

Guide to assist the National Disability Insurance Agency (NDIA) to determine when decision-making support, advocacy, and substitute decision making is needed for current and potential adult NDIS participants who have significant cognitive impairments or mental ill health.

Developed by the Office of the Public Advocate (Vic) in consultation with the NDIA Victoria Launch Site.