



# Operational Guidelines – Planning and Assessment – Supports in the Plan – Home Modifications

## Legislation

1. Read ss.3, 4, and 34 of the [National Disability Insurance Scheme Act 2013](#) (NDIS Act) and Parts 3, 4 and 5 of the [National Disability Insurance Scheme \(Supports for Participants\) Rules 2013](#) (Supports for Participants Rules).

## 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,
  - 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,
  - 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.

## Home modification support

6. Home modifications are changes to the structure, layout or fittings of the participant's home that are required to enable the participant to safely access and move around their home as a result of their disability. It is expected that a home modification would only be considered where the home to be modified is the participant's primary residence and the participant intends to remain living at the residence. If the property is a rental property, then written agreement of the owner of the property will be required before any modifications take place.
7. The NDIS may fund home modifications where, due to the impact of the participant's disability, the participant or their carers are unable to reasonably access and use frequently used rooms and spaces using standard fixtures and fittings. The NDIS may fund home modifications where the home, in its current condition, has a significant and adverse impact on the sustainability of current living and care arrangements.

## Reasonable and necessary supports

8. 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;
  - 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
  - c. Consider the additional guidance for delegates provided by the National Disability Insurance Agency (the NDIA) set out in this operational guideline in relation to home modification supports.
9. 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 fall across more than one paragraph of s.34(1) and need to be considered in relation to more than one paragraph of s.34(1).

See *Operational Guideline – Planning and Assessment – Supports in the Plan*  
See rs.5.1, 5.2 and 5.3 of the [Supports for Participants Rules](#)

## Goals and aspirations

10. Delegates must be satisfied that a support identified in a plan will assist the participant to pursue the goals, objectives and aspirations identified in their plan. It is likely that home modification related supports would relate to a number of different goals around a participant's home life rather than a specific goal.

## Supports that will not be funded by the NDIS

11. 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
  - Is not related to the participant's disability, or
  - Duplicates other supports delivered under alternative funding through the NDIS or other systems, or
  - Relates to day-to-day living costs.

See Part 5 of the [Supports for Participants Rules](#)

12. In relation to home modifications, delegates need to specifically consider whether a support relates to a participant's disability rather than being the kind of support that any Australian might need.
13. It is expected that the NDIS will fund necessary and reasonable home modifications:
- To the participants primary residence where, due to the impact of the participant's disability, the participant or their carers are unable to reasonably access and use frequently used rooms and spaces using standard fixtures and fittings. The NDIS will also generally fund home modifications where the home in its current condition has a significant and adverse impact on the sustainability of current living and care arrangements.
  - Where a suitably qualified Occupational Therapist has made an assessment and makes home modifications recommendations considering all possible alternatives including the use of equipment.
  - To a rental property which is the primary residence where the landlord has given permission.
14. The NDIS will fund necessary and reasonable supports that are related to home modifications, or incidental to home modifications, which include:
- Assistance with the cost of moving to accessible premises as an alternate to home modifications where this is cost effective to provide access. Generally it would be expected that the new premises were selected to provide appropriate access and that any further modifications would be very basic and low cost. Potential costs that could be covered include real estate, advertising, cost of setting up a bank loan and furniture approval.
  - Assistance with the cost of moving to accessible premises as an alternate to home modifications where this is cost effective to provide access. The new premises selected need to provide appropriate access and any further modifications are to be very basic and low cost. Potential costs that could be covered include:
    - Costs associated with selling the current property – advertising, agents fees, legal costs,
    - Costs associated with purchase of the alternate property – stamp duty, legal costs,
    - Removalist costs,
    - Minor modifications to install special equipment if necessary,
  - The additional cost if the NDIA recommends or requires the use of qualified builders, trades people, project managers, building certifiers, building assessors or occupational therapists.
  - The costs of repairs and maintenance to specialised fittings and assistive technology that have been installed as part of a modification (but usually only when the repairs and maintenance are due to normal usage).

- e. Costs related to council or other building approvals which are due to the required modifications.
15. The NDIS will not fund fixtures, fittings or materials above standard grade unless the need for them is directly related to the participant's disability. If the participant wishes to have above standard grade fixtures, fittings or materials, delegates when considering the cost, are to consider whether the cost difference between the standard and non-standard materials is to be borne by the participant.
16. The NDIS will generally not fund:
- a. Modifications for a property purchased after the date that the resident becomes a participant in the NDIS, which require complex or extensive modifications unless the NDIA is involved in the decision on purchase, and purchase of a more accessible property is not possible,
  - b. The installation of swimming pools (including hydrotherapy) and spas,
  - c. Repairs/ remediation of damage to the home that is pre-existing or discovered during the modifications process,
  - d. Any additional insurance required to complete the modifications,
  - e. Ongoing repairs and maintenance to non-specialised structures, fixtures or fittings of the home even when these form part of the modification work. (i.e. repainting a modified bathroom and maintaining the plumbing is the responsibility of the participant),
  - f. Remediation of work that does not comply with the specifications of work or did not comply with the Building Code or relevant Australian Standards (this is the responsibility of the builder),
  - g. For modifications to be removed when a person no longer requires them except when there has been prior agreement in the case of a rental property.
17. There are a number of laws that regulate the home modifications and there is a regulatory framework that includes Building Codes and Australian Standards. Under the [NDIS Rules](#), supports are not to be provided or funded if the provision of the support is contrary to a law of the Commonwealth, a state or territory. Delegates are to check that there are no laws, such as regulations, that would prevent the proposed modifications. For example, council regulations or other planning restrictions.

## Supports most appropriately funded by the NDIS

18. The [NDIS Act](#) requires that a delegate must be satisfied that a support is most appropriately funded or provided through the NDIS and not more appropriately funded or provided through other service systems.
19. Rule 7.20 in Schedule 1 of the [Supports for Participants Rules](#) states that the NDIS will not be responsible for:
- a. The provision of accommodation for people in need of housing assistance, including routine tenancy support and ensuring that appropriate and accessible housing is provided for people with disability, or
  - b. Ensuring that new publicly-funded housing stock, where the site allows, incorporates Livable Housing Design features, or

- c. Homelessness-specific services including homelessness prevention and outreach, or access to temporary or long term housing for participants who are homeless or at risk of homelessness, or
- d. The improvement of community infrastructure, i.e. accessibility of the built and natural environment, where this is managed through other planning and regulatory systems and through building modifications and reasonable adjustment where required.

See r.7.20 of the [Supports for Participants Rules](#) and  
*Operational Guideline – Supports in the Plan – Interface with Housing and Infrastructure*

- 20. The NDIS will generally not fund modifications to group homes, residential facilities and other specialist accommodation, or other public buildings, including boarding schools.
- 21. The NDIS will unlikely fund capital building additions such as additions of rooms, storeys, access to multiple levels of a home via a lift or inclinator to provide access to large steep blocks of land. However, when considering funding these items the delegate is to look at:
  - a. Whether other parts of the house can be reasonably organised as an alternative,
  - b. Whether alternate accommodation which is more accessible or more easily modified is available and the cost,
  - c. Whether there are compelling factors related to the participant, their family, community or employment which makes moving premises unrealistic,
  - d. And weigh the long term costs and benefits of alternative funded supports against the costs and benefits of the modifications to the home.

## Value for money

- 22. Before a support is added to a plan the delegate must be satisfied 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. In particular, delegates are to consider whether the modifications:
  - a. Represent value for money when compared to the cost of alternate home modifications,
  - b. Are cost effective when compared to the cost of other supports such as assistance with cost of moving to accessible premises,
  - c. Value for money given the expected length of tenure for the participants and whether this is commensurate to the cost of the modifications
  - d. Whether the outcome that the modification achieves cannot reasonably be gained using less costly alternatives (i.e. assistive technology).

## Effective and beneficial having regard to current good practice

- 23. Before funding home modifications, delegates should consider whether the home is suitable to be modified. In particular,
  - a. There are no significant structural constraints such as size, surrounding terrain, or the condition of the building,
  - b. The home owner agrees and gives permission for modifications to be made,

- c. Where applicable, the body corporate gives permission for modifications to be made,
  - d. Where applicable, the owner of a rental property gives permission for modifications to take place and in the case of complex and extensive modifications gives a lease with a length commensurate to the cost of the modifications.
24. Building contractors must maintain documentary evidence to show they have:
- a. A current licence in the State in which they undertake work,
  - b. Appropriate insurances including, if employing staff, workers compensation,
  - c. Need to be a registered provider or have the relevant insurance to undertake modifications.
25. When complex and extensive modifications are funded, the NDIA will fund oversight by a project manager or independent building certifier to ensure the soundness of the modification and a qualified and experienced Occupational Therapist to certify the effectiveness of the modification.

## Reasonable expectation of families

26. Delegates must be satisfied that the funding or provision of the support takes account of what it is reasonable to expect families, carers, informal networks and the community to provide.

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

## Considering additional home modifications

27. It is expected that modifications will be suitable for the participant's anticipated long term needs. It is extremely unlikely that further modifications will be funded for the same premises except where there are unforeseen and significant changes to the participant's needs.
28. Where the NDIA has funded complex or extensive modifications and the participant or their family subsequently sells the property the NDIA expects:
- a. Future premises selected will be as accessible as possible, and
  - b. Money from the sale of the first property, commensurate with the value of the modifications funded by the NDIA will be directed towards modifying the participant's new premises.
29. If there is more than one residence that a participant needs to access, for example, because of shared parenting arrangements, modifications to the second property will be restricted to access and basic hygiene requirements.