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Navigating the NDIS: A Comprehensive Guide for SIL Applicants

Introduction

The National Disability Insurance Scheme (NDIS) represents a significant shift in how Australia supports people with disabilities. For many individuals seeking **Supported Independent Living (SIL)** services, the application process can feel overwhelming, particularly when an application is unsuccessful. This brochure is designed to help you understand why your application may have been disqualified and to provide practical guidance on your options moving forward.

Receiving a rejection does not mean the end of your journey. Many participants have successfully navigated the review and appeal processes, or reapplied with stronger evidence. This guide will walk you through the key reasons for disqualification, the evidence you need, and the formal pathways available to challenge a decision

Understanding SIL and NDIS Eligibility

What is Supported Independent Living?

Supported Independent Living is a specialized home and living support service for people with disabilities who require significant, ongoing assistance. Unlike other forms of disability support, SIL is designed for individuals who need help throughout the day and evening, including overnight supervision. The support includes assistance with daily tasks such as personal care, meal preparation, household management, and community participation.



Key characteristics of SIL:

SIL is intended for people with higher support needs who require a significant amount of help throughout the day, seven days a week. This includes overnight support. The service is best suited to people with physical and/or intellectual disabilities, psychosocial disabilities, autism, or neurological conditions that result in substantial functional limitations. SIL funding cannot be used for rent or day-to-day living expenses such as groceries. Instead, it specifically funds the hours of support required to help you live as independently as possible.

NDIS Eligibility Requirements

To access NDIS funding, including SIL, you must meet specific legislative criteria. The NDIS is only available to people who have a disability caused by a **permanent impairment**. This impairment may be intellectual, cognitive, neurological, sensory, physical, or psychosocial in nature.

The impairment must cause substantial and ongoing difficulty with social, communication, or self-care activities. The NDIA assesses eligibility based on evidence that demonstrates the permanent nature of your condition and its functional impact on daily life. This is why the quality and specificity of your supporting evidence is critical.

Common Reasons for SIL Application Disqualification

Understanding why your application was unsuccessful is the first step toward addressing the gaps and moving forward. The following table outlines the most frequently cited reasons for SIL disqualification:

Reason	What This Means	How to Address It
Insufficient Evidence of Permanency	The NDIA is not convinced that your condition is permanent or that all standard treatments have been exhausted.	Obtain updated medical reports from your treating specialists confirming the permanent nature of your condition. Include documentation of any treatments attempted.
Lack of Functional Impact Evidence	Your supporting reports do not clearly link your disability to specific functional limitations in daily life.	Request a comprehensive Functional Capacity Assessment (FCA) from an Occupational Therapist that explicitly describes what you cannot do independently.

<p>Support Needs Below SIL Threshold</p>	<p>The NDIA believes your support needs can be met by less intensive services (e.g., community support, day programs).</p>	<p>Provide a detailed Roster of Care (RoC) that demonstrates the need for 24/7 support, including overnight hours. Include statements from current carers about the intensity of support required.</p>
<p>Incomplete or Vague Documentation</p>	<p>Critical forms are missing, or descriptions of your support needs are too general.</p>	<p>Ensure all required forms are completed thoroughly. Use specific examples of daily tasks you cannot perform independently.</p>
<p>Confusion Between SIL and SDA</p>	<p>The NDIA may interpret your application as seeking housing (SDA) rather than support services (SIL).</p>	<p>Clarify in your application that you are seeking support services, not housing. Explain your current living arrangement and why SIL support is needed.</p>

The NDIS Application and SIL Process

Step 1: Access Request

The NDIS journey begins with an Access Request. You submit the Access Request Form (ARF) along with supporting evidence of your disability. This evidence typically includes medical reports, assessments, and statements from people who know you well. The NDIA reviews this information to determine whether you meet the eligibility criteria for NDIS funding.

Step 2: Access Decision

Within 21 days of submitting your access request, the NDIA provides a decision. If you are approved, you proceed to the planning stage. If you are rejected, you receive a "Statement of Reasons" explaining why your application was unsuccessful.

Step 3: Planning Meeting (If Access Approved)

If your access request is approved, you meet with a Local Area Coordinator (LAC) or NDIA planner to develop your NDIS plan. During this meeting, you discuss your goals and the supports you need to achieve them.

Step 4: SIL-Specific Assessment

For SIL funding, the process includes additional steps. You work with a support coordinator to develop a detailed Roster of Care (RoC), which outlines the specific hours and types of support you require each day. A registered SIL provider may also conduct an assessment to confirm that SIL is the appropriate service for your needs.

Step 5: Plan Approval

The NDIA reviews your plan and the supporting documentation. If everything is in order, your plan is approved, and you can begin accessing SIL services through a registered provider.

Your Options After a Disqualification

If your application has been disqualified, you have several formal and informal pathways to address the decision. It is important to understand each option and the timeframes involved.

Option 1: Request a Statement of Reasons

Before taking formal action, contact the NDIA and request a detailed “Statement of Reasons” for your disqualification. This document explains specifically why your application was unsuccessful and what evidence the NDIA felt was missing or inadequate. Understanding the specific reasons is crucial for determining your next step.

Option 2: Internal Review

If you believe the NDIA made an error in assessing your application, you can request an **Internal Review**. During an internal review, a different staff member within the NDIA will examine your case to determine whether the right decision was made under the law. You can provide additional information or evidence during the internal review process.

Important consideration: Important: An internal review must be requested within **three months** of the original decision.

What to include in your internal review request:

- A clear explanation of why you believe the decision was wrong
- Any new evidence that addresses the gaps identified in the original decision
- Statements from medical professionals, carers, or support workers that provide additional context

Option 3: Administrative Review Tribunal (ART)

If the internal review does not result in a favorable outcome, you can escalate your case to the **Administrative Review Tribunal (ART)**. The ART is an independent body that reviews government decisions. It provides a formal hearing process where you can present your case and evidence.

Important consideration: You must complete an internal review before applying to the ART. The ART will not hear your case if you have not first requested an internal review with the NDIA.

The ART process typically involves:

- Submission of your case and evidence
- A case conference or conciliation meeting to explore resolution
- A formal hearing before a tribunal member
- A written decision

Advantages of reapplying:

- You can incorporate feedback from the Statement of Reasons
- You have time to gather more detailed assessments
- The process may be faster than formal review procedures

Option 4: Reapply with Stronger Evidence

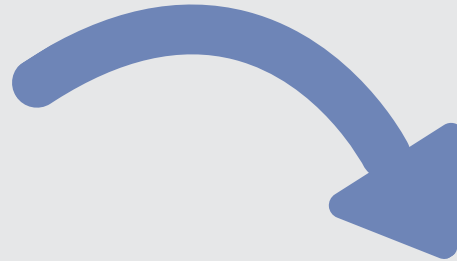
In many cases, particularly when the rejection was due to insufficient evidence, it is often faster and more effective to submit a new **Access Request**. This approach allows you to gather more comprehensive and specific evidence before reapplying. Many participants find that a second application with better evidence is successful.

Essential Evidence for a Successful SIL Application

The quality and specificity of your evidence directly impacts the outcome of your application. The following types of evidence are most valuable:

Functional Capacity Assessment (FCA)

A Functional Capacity Assessment, typically conducted by an Occupational Therapist, is one of the most important pieces of evidence. A strong FCA explicitly describes what you can and cannot do independently in daily life. It should cover areas such as personal hygiene, meal preparation, medication management, household tasks, and community participation



What makes a strong FCA:

- Specific examples of tasks you cannot perform without support
- Clear links between your disability and functional limitations
- Recommendations for the level and type of support required
- Assessment of your capacity to learn or improve in specific areas

Roster of Care (RoC)

A Roster of Care is a detailed breakdown of your typical week, showing the specific hours and types of support you require. It should demonstrate that you need support throughout the day and evening, including overnight hours. The RoC should be developed with input from your current carers or family members.



Components of a strong RoC:

- Hour-by-hour breakdown of your typical week
- Specific tasks requiring support at each time
- Identification of periods requiring overnight support
- Explanation of why less intensive services would not be adequate

Medical and Specialist Reports

Current reports from your treating doctors and specialists are essential. These reports should confirm the diagnosis, the permanent nature of your condition, and the functional impact on daily life. Reports should be up-to-date and not more than 12 months old should specifically address permanency.

Carer and Support Worker Statements

Statements from people who know you well and provide support can be very powerful. Family members, carers, or support workers can describe the day-to-day challenges you face and the specific types of support you require. These statements should include concrete examples rather than general statements.

Building a Stronger Application

If you are planning to reapply or request an internal review, the following steps will help you build a stronger case:

1. Understand the Specific Gaps

Review the Statement of Reasons carefully. Identify exactly what evidence the NDIA felt was missing or inadequate. This will guide your efforts to gather stronger evidence.

2. Engage a Support Coordinator or Advocate

A support coordinator or disability advocate can help you navigate the process, gather evidence, and present your case effectively. Many advocacy organizations offer free or low-cost services.

3. Request a Comprehensive Functional Capacity Assessment

If your previous assessment was general or did not clearly link your disability to functional limitations, request a new assessment. Provide the assessor with the Statement of Reasons so they can address the specific gaps

4. Develop a Detailed Roster of Care

Work with your current carers or family members to create a detailed, hour-by-hour breakdown of your support needs. Be specific about the types of support required and why you cannot perform these tasks independently.

5. Gather Updated Medical Reports

Contact your treating doctors and specialists. Ask them to provide updated reports that specifically address the permanency of your condition and its functional impact.

6. Collect Statements from Carers and Support Workers

Ask family members, carers, or support workers to provide written statements describing your support needs and the challenges you face. Encourage them to include specific examples.

7. Document Your Attempts to Access Other Services

If you have attempted to access less intensive services and found them inadequate, document this. Include any communications with other service providers explaining why their services do not meet your needs.

Key Contacts and Resources

Resource	Contact	Purpose
NDIS Helpline	1800 800 110	General inquiries, requesting statements of reasons, internal review requests
NDIS Website	www.ndis.gov.au	Official information, guidelines, downloadable resources
Disability Advocacy Services	Through your NDIS plan or provider	Guidance on SIL applications and evidence gathering
Support Coordinator	Contact your state/territory service	Support with appeals, evidence gathering, representation
Administrative Review Tribunal	www.aat.gov.au	Information on formal appeals process

Final Thoughts

A disqualification from the NDIS is disappointing, but it is not necessarily permanent. Many participants have successfully navigated the review and appeal processes, or reapplied with stronger evidence. The key is to understand specifically why your application was unsuccessful and to address those gaps systematically.

Whether you choose to request an internal review, appeal to the ART, or reapply with new evidence, the most important factor is the quality and specificity of your evidence. Take time to gather comprehensive documentation that clearly demonstrates your functional limitations and your need for SIL support.

Remember, you do not have to navigate this process alone. Disability advocacy services, support coordinators, and other professionals can provide valuable guidance and support. Reach out to these resources, and do not hesitate to ask questions.