



# Reviews and appeals under the new way of planning (from mid-2026)

January 2026

This fact sheet is an addition to the overarching New Framework Planning (NFP) information. It focuses on the reviews and appeals pathway under the new way of planning from mid-2026.

## Key facts

- Participants can still request a review of decisions about their plan, including the statement of participant supports, plan variations, and plan reassessments.
- The review pathway stays the same as today. Participants can request an internal review and, if still not satisfied, seek an external review through the Administrative Review Tribunal (ART).
- What changes is how planning decisions are made. National Disability Insurance Agency (NDIA) delegates will approve a total funding budget based on a Support Needs Assessment (SNA) and a budget method set out in the National Disability Insurance Scheme (NDIS) Rules.

## Review rights and pathway

Participants who move to the new way of planning will continue to follow the same review pathway as today.

They can:

- request an internal review of a decision to approve a statement of participant supports in a participant's plan, and
- seek an external review through the ART if they are not satisfied with the internal review outcome.

Participants can also ask for a review of NDIA decisions made during plan variations and plan reassessments.

## What changes: how planning decisions are made

Under the new way of planning, delegates base planning decisions on:

- a SNA conducted under the NDIS Act, and
- a reasonable and necessary budget developed using a method set out clearly in new NDIS Rules.

Plans and budgets will be simpler and more flexible, with clear rules for how flexible and stated funding can be used.

Because the way planning decisions are made is changing, the content of a review will also change.

Instead of reviewing individual supports in a plan, a review will look at the decision to accept the SNA as the basis for calculating the reasonable and necessary budget.

The review pathway does not change. Participants keep their review rights, and the ART continues to determine how an external review is conducted, as it does today.

## What reviewers and the ART will look at

Under the new way of planning, delegates approve a total funding budget based on a SNA and apply the budget method set out in the NDIS Rules.

In a review, the internal reviewer or the ART will consider:

- whether the SNA accurately captured the participant's disability support needs
- whether the delegate applied the budget method rules correctly
- decisions about funding periods, plan management type, and rules about how flexible funding can be used. This includes where supports are stated and how certain supports must be used under the rules

The SNA is an input into the decision to approve a plan. It is not a separate decision but it can be looked at as part of the review process.

If needed, reviewers or the ART can arrange a replacement SNA, in whole or in part, under the rules.

## Role of the ART

The ART's role under the law does not change. In a review, the ART:

- acts as the delegate,
- stands in the shoes of the original decision maker
- applies the same rules and powers available to the delegate under the Act.

Under the new way of planning, decisions are guided by the NDIS Rules, including the budget method rules.

Reviewers and the ART check whether the delegate applied those rules correctly to the participant's SNA and budget.

## Replacement Support Needs Assessments

The SNA is not a separate decision that can be appealed on its own.

If a participant believes the assessment did not capture their needs accurately, they can ask for a replacement assessment as part of an internal review.

A replacement assessment:

- may increase, decrease, or not change the assessed support needs

- remains subject to the rules
- can be done in whole or in part

NDIA delegates and the ART can arrange a replacement SNA, or part of one, if needed under the rules.

## Plan variations and plan reassessments

Participants can continue to request:

- plan variations for urgent or minor changes, and
- plan reassessments to look more broadly at whether the whole plan needs to change.

Decisions made during either process remain reviewable, for example if the NDIA refuses to vary a plan.

## Transparency and new NDIS Rules

The new NDIS Rules will set out:

- how the budget method works
- when a replacement SNA must occur
- how flexible budgets are applied and what NDIS funds can be used for

The Department of Health, Disability and Ageing will run public consultation in early 2026 before the new rules start.

## Why these changes are being made

Today, there is no standard way of collecting or documenting information about a participant's disability support needs as part of the planning process.

This has led to inconsistent decisions and more disputes at the ART.

Feedback and evidence show the current approach can be difficult, costly and slow.

The new way of planning aims to provide:

- more consistent decisions
- more timely outcomes
- a clearer, standard method for setting budgets
- better alignment with the NDIS Review findings

While the planning approach is changing, participants keep their review rights.

Decision-making and reviews must comply with the NDIS Act and NDIS Rules.

## When these changes apply

These changes apply to participants who move to the new way of planning from mid-2026.

Participants who have not yet transitioned remain under the current process until they move across.