

## Guidance on **Reliability of Advice Provided by a Local Area Coordinator (LAC)**



This is one of the most asked questions from DIA members and Participants. Can I rely on advice from a LAC or do I need higher level delegation.

DIA recognised that advice from LACs is wildly variable. DIA has seen thousands of very odd advice from LACs over the years that is often not based in legislation, Operational Guidelines or NDIS Policy.

DIA's strong advice is to where possible seek advice from an NDIA Delegate (Planner) as they are best placed to provide authority and advice on behalf of the NDIA on individual participants plans and circumstances. DIA recognises that this is not always possible.

DIA has sort guidance from the NDIA about how to be assured that LAC advice is reliable. The NDIA have recommended that advice conveyed by an LAC should:

- Be in writing (letter, email etc); and
- Be from a specific Named LAC (i.e. LAC Jane Doe and not a generic enquiry response / team); and
- Reference the source of that advice by:
  - Citing a specific guidance document, where this is an internal document the title and reference is sufficient (for example XXX SOP Subsection X.x or Operational Guideline XXX Subsection X.x); or
  - Citing that they are conveying a decision that can be attributed to a Named NDIA Delegate (i.e I have spoken with NDIS Planner John Doe who has advised...).

Where such advice is appropriately source or evidence of a delegate decision is provided by the LAC, as above, it is reasonable for the Plan Manager, Support Coordinator or Psychosocial Recovery Coach to act in accordance with that advice. A record of the advice should be retained by the Plan Manager, Support Coordinator or Psychosocial Recovery Coach for audit or review purposes.



If the LAC advice does not include source, the NDIA have confirmed with DIA that it is reasonable for the Plan Manager, Support Coordinator or Psychosocial Recovery Coach to request additional clarification and confirmation of the basis of the advice from the LAC.

Where an LAC refuses to provide such clarification or addition information to ensure the advice is able to be relied upon, it is reasonable for the Plan Manager, Support Coordinator or Psychosocial Recovery Coach to lodge a complaint with the NDIA and seek such advice directly from a NDIA Delegate (Planner).

## NOTE

*Disability Intermediaries Australia provides this guidance based on the most current information available within the NDIS and represents DIA's interpretation of current legislation, rules, operational guidelines and information available from the National Disability Insurance Agency (NDIA) and the NDIS Quality and Safeguards Commission.*

*DIA reminds members and the wider sector that when in doubt and where individual situations require individual considerations, participants should be directed to seek approval in writing from their NDIA Planner (delegate) to clarify their individual circumstances.*