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| Board and lodging policy for children with complex disability  |
| Requirements for NDIS providers in receipt of Department of Families, Fairness and Housing funding  |
| OFFICIAL |

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# Introduction

The Department of Families, Fairness and Housing (the department) recognises that the primary aim of programs for children and young people with complex disability support needs and their families is to preserve the family unit, keeping children in their family home in a supported and safe manner.

In the exceptional circumstance where a child is unable to remain in the family home due to their complex disability support needs, state, territory and Commonwealth governments have reached an agreement about funding arrangements.

Under these arrangements of this agreement, the department will work with families to arrange and contribute funding for board and lodging, as well as to support access to mainstream services where required.

The board and lodging contribution will support the core accommodation and basic living expenses incurred by the provider who must be an NDIS registered provider. It does not replace financial contributions provided by the family, which will be determined between the family and NDIS provider. Children and families will receive supports based on their individual circumstances.

# Arrangements for eligible board and lodging funding

The department will fund board and lodging when a child or young person requires part-time or full-time accommodation outside of the family home as a result of their complex disability support needs.

This does not include situations where a child or young person is residing in short-term respite accommodation or a part-time or full-time therapeutic program where it is intended that the child return home at the end of their stay.

The department recognises that for children and families where accommodation outside the family home is required due to the child’s disability support needs, it remains preferable for children to reside in part-time, rather than full-time, arrangements. In circumstances where there is a part time accommodation arrangement outside the family home, the department will fund pro-rata board and lodging, based on the child’s occupancy.

Providers are expected to work with other relevant parties, including the parent, the support coordinator, the NDIS and other mainstream services to secure any other funding required which is not associated with board and lodging.

# Regulations

For providers to receive the board and lodging contribution, the provider must be:

* registered with the NDIS Quality and Safeguards Commission to provide specified supports and services for the purposes of worker screening, and
1. subject to certification audits.

As such, full compliance with NDIS Quality and Safeguard Commission and the *NDIS Act 2013* is required.

Requirements under Victoria’s *Child Wellbeing and Safety Act 2005*, theChild Safe Standards and the Reportable Conduct Scheme, also remain in place.

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| NOTE: Registration as an Out of Home Care provider under the *Children, Youth and Families Act 2005* is not required in order to receive board and lodging funding from the department. This is still required for children subject to a statutory order whose arrangements are funded through statutory care services programs. |

# Expectations

For a provider to receive board and lodging contributions from the department, accommodation arrangements must meet the following minimum expectations:

1. The arrangement promotes the full rights of the child as outlined under the *Charter for children in out-of-home care* and that both the child and their family are supported to understand these rights (<https://services.dffh.vic.gov.au/charter-children-out-home-care>).
2. All service provision is to be consistent with Victorian Child Safe Standards and the principles that apply to children with a disability in recognition of their increased vulnerability (<https://providers.dffh.vic.gov.au/child-safe-standards>).
3. The accommodation provides a developmentally appropriate and homelike environment that is safe and accessible for the child or young person being cared for, ensures all their basic living needs are met and access to education and/or employment supports are available to promote their best life possible.
4. The child or young person is provided with adequate and varied foods of nutritional value which support the development of healthy eating habits.
5. Activities are available and supported for children or young people within the home. It is expected that activities are developmentally appropriate, meet sensory and other specific needs, reflect peer-appropriate recreational opportunities in line with community expectations and that active living is encouraged.
6. The accommodation is appropriate for a child to reside, with appropriate heating and cooling and other necessary utilities and is maintained to a safe standard.
7. The arrangement complies with the department’s *Capital Development Guideline - Series 7 - Fire Risk Management Policy and Procedures* (<https://providers.dffh.vic.gov.au/capital-development-guidelines-series-7>).
8. That the provider maintains its emergency preparedness and emergency management responsibilities, available at <https://providers.dffh.vic.gov.au/emergency-management>. This includes but is not limited to planning for heatwave, flood, fire and smoke events. Note that arrangements situated in areas of heightened bushfire risk have additional emergency preparedness requirements.
9. Safety and wellbeing of the child in the arrangement is prioritised through the provision of essential safety equipment (including but not limited to fire extinguishers/blankets and first aid equipment), risk mitigation and procedures to reduce risks to staff and clients, including but not limited to: safe and compatible co-placement of children, timely property maintenance, safe chemical storage and physical infrastructure to implement infection controls (such as space for social distancing measures and family visits).
10. Compliance with the Reportable Conduct Scheme alongside the requirements of the NDIS Quality and Safeguards Commission is prioritised to ensure any safety concerns for a child’s care is addressed in a timely and thorough manner.
11. Whilst parents are expected to provide most of the child’s footwear and clothing (see section 6), it is expected that there will be times when a child urgently requires some essential clothing to deliver their basic living needs (point 3). This may include underwear and socks, or clothing following a growth spurt or damage. The living expenses funding includes costs to cover these events and it is expected that providers will make a reasonable effort to meet the incidental needs of the child where a delay would otherwise impact the child’s care or dignity.

# Board and lodging contribution and amounts

The department’s board and lodging contribution will support the core expenses and household costs incurred by the NDIS registered provider to provide a homelike and suitable environment for a young person to live, which meets the above expectations.

Board and lodging payments consist of two standard elements:

* A fixed per-child payment to assist in meeting the household and living expenses for the child (board).
1. The provision of a property, either through the direct provision of a property (i.e. access to department owned stock) or the funding of rent (lodging).
* In exceptional circumstances where additional costs may be incurred, additional funding may be considered by the department. These instances may include:
	+ Instances of parental financial hardship which prevent parents providing expected material support such as clothing for their child.
	1. Instances where the exceptional and unique needs of a child result in higher household costs such as utilities bills or wear and tear of household furnishing (not caused as a result of the child’s disability support needs) and the parents are unable to fund the exceptional and unique needs.
	+ Instances where the transport funding in the child’s NDIS plan is not sufficient to meet their transport needs and where these needs cannot be met through alternative arrangements such as a staff member using their personal car.
1. Commencement of the board and lodging contribution will be at a date agreed between the parent, the provider, the National Disability Insurance Agency (NDIA) and the department.
2. Providers must inform the department if a child moves from a board and lodging arrangement, as soon as practical.

# Contributions by the young person

Prior to a child turning 16 years of age and being eligible to receive the Disability Support Pension (DSP), the department will fund the full cost of board and lodging, based on the child’s occupancy of three nights or more per week.

For children 16 years of age and older, in line with accommodation arrangements for adults, it is expected that the child will contribute to the cost of board and lodging at a rate of 50% of the DSP pro-rata based on the child’s occupancy of three nights or more per week.

In recognition of the child’s contribution to household expenses, the department will deduct 50% of the DSP from the fixed-price board (living expenses) payment to the provider. The provider is expected to organise with the child and their family to receive the child’s financial (DSP) contribution to their board and lodging arrangement.

To provide time for the child’s application for DSP to be processed, the department can, by negotiation delay the adjustment of board and lodging payments to any time not exceeding three months after a child’s sixteenth birthday. In the instance of a child not receiving the DSP entering an arrangement following their sixteenth birthday the department can, by negotiation, pay the full rate of board and lodging for up to three months after the establishment of the living arrangement.

# Parental contribution

Parents are expected to continue to pay for their child’s living expenses (notwithstanding provisions for financial hardship). Parents remain solely responsible for:

* providing all prescription medication and any medical/health items required for ongoing healthcare management.
1. funding ambulance membership (if required), specialist appointments and hospitalisations (e.g., Paediatrician, surgical procedures).
* providing clothing or sufficient funding to ensure the child always has a full and appropriate wardrobe.
1. funding or providing consumables for a child’s specific interest or hobby. e.g., Model kits, musical instruments
* paying for event tickets such as the zoo or movies, funding sports or camp fees.
1. paying for technology (e.g., iPad, computer, internet access, streaming services)

Disability specific supports should be discussed with the NDIA during planning, providing evidence of need.

The parental contribution required to support the child’s board and lodging out of the home is negotiated by the provider and the parent according to the individual circumstances of the child.

In circumstances of financial hardship, the board and lodging provider will support the family to explore options for financial support, including providing an overview of the provider’s own processes for consideration of financial hardship. In exceptional circumstances, the board and lodging provider can support the family to make an application to the department for additional funding support due to their financial hardship.

# Lodging

The department will support the provision of a property, either through the direct provision of a property (i.e., access to department owned stock) or the funding of rent (lodging). Lodging funding does not attract GST.

Lodging, when required, will be allocated to the NDIS registered provider to transact with the property owner, through the arrangement made with the property owner, i.e.: residential tenancy or commercial lease agreement. Lodging payments cannot be made in circumstances where the child or family will benefit financially from the arrangement, such as payment of rent for a property owned by the family. Consideration may be given to providing lodging payments to properties owned by the family if the department is satisfied there is no financial advantage to be gained by the family and the placement is the best available option for the child and family.

If a child no longer requires the property within the first year of the arrangement, the department will continue to fund lodging, within the first year’s tenancy only, until:

* the provider can use the property for another purpose (preferable)
* the providers tenancy/leasing agreement can be ended, or
* the first year’s agreement has ended.

As the program is for children and young people under 18 years, arrangements must be made for each young person to enter sustainable lodging arrangements beyond their eighteenth birthday, when the department’s lodging funding will cease. This could include remaining in the existing arrangement with board and lodging funded through the young person’s DSP.

# Property maintenance

For children residing in departmentally owned houses, the department remains responsible for maintenance and non-disability related property damage. Therefore, existing department property maintenance processes must be followed, see: <https://providers.dffh.vic.gov.au/maintenance-manual>. Disability-related property damage will be claimed against the child’s NDIS plan.

For children residing in private rental property:

* maintenance and non-disability related property damage processes and arrangements must be addressed with the landlord and
1. providers must follow the NDIA’s property damage process for disability related property damage.

# Leasing

# The provider is responsible for determining the most appropriate leasing arrangement for the property.

# Co-placement of children

The co-placement of unrelated children may be in the best interest of children and must be agreed to by all families. If the co-placement is with a child subject to a statutory order, child protection must agree to the arrangement.

Any planning for the co-placement of children in a house in receipt of board and lodging must be discussed with the Principal Disability Practice Advisor prior to the arrangement commencing. Where two children in a co-placement are assessed as not compatible (for example the co-placement poses a risk to the safety and wellbeing of one or both children) parents (or child protection for a child subject to a statutory order) will be contacted as an urgent priority to inform them of the assessment and for them to make arrangements, with the support of the Principal Disability Practice Advisor and provider, to ensure the safety of all children.

# Funding arrangements

Departmental funding of board and lodging will be to the NDIS provider via a service agreement. This will occur though the Support for Children with Complex Disability Supports Activity.

# Acquittal process

An acquittal process will be implemented in 2023. Providers are required to keep all financial records associated with board and lodging costs including utilities bills, food clothing, activity, medication and other living expenses. It is a requirement that providers can provide evidence of all board and lodging expenditure.

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