

6 March 2026

NDIS Regulation Section
Quality & Safeguards Policy Branch
Department of Health, Disability and Ageing
GPO Box 9848
CANBERRA ACT 2601

Submitted by email: NDISRegulation@health.gov.au

Dear NDIS Regulation Team

APS Submission to the Consultation on a New Framework Planning Rules

The Australian Psychological Society (APS) welcomes the opportunity to provide a submission to the Department of Health, Disability and Ageing on the consultation on New Planning Framework Rules in the NDIS. The APS is the largest peak professional body for psychologists in Australia. Our members include thousands of psychologists who provide essential, evidence-based supports to NDIS participants, and we are deeply committed to the Scheme's success and sustainability.

Endorsement of Allied Health Professions Australia (AHPA) Submission

The APS endorses the submission made by Allied Health Professions Australia (AHPA) as part of this consultation. We state our particular agreement with the concerns raised by AHPA regarding the lack of access to the exposure draft of the Rules. The APS agrees that this approach severely limits proper engagement, informed discussion, and the ability of stakeholders to provide meaningful and constructive input on the design and implementation of the proposed Rules.

I-CAN and the New Rules

Consistent with the AHPA submission, the APS also reiterates its concerns about the use of I-CAN in the Support Needs Assessment process. There is an absence of evidence that the tool is valid for the populations and purposes to which it is being applied. As the peak professional body that represents psychologists, rigorous psychometrics and the appropriate use of assessment instruments are foundational to ethical practice.

The I-CAN was normed and validated on a narrow set of circumstances; extending its use to broader disability contexts, or to decisions that affect funding and service provision, runs the risk of producing unreliable or biased outcomes. This contravenes the core ethical principle that assessment measures should only be used within the bounds of established reliability, validity, and normative data. Embedding an instrument of unproven applicability into regulatory policy not only jeopardises the quality and fairness of care for NDIS participants, but also sets a precedent that threatens the integrity of psychological assessment more generally. Robust validation evidence is required before the use of the I-CAN is mandated as part of the new Rules.

Do no harm

The APS is deeply concerned that the proposed Rules, as outlined in the Discussion Paper, will cause foreseeable psychological harm.

The increased emphasis on an algorithmically-informed and decontextualised planning process, as described in the paper, threatens to erode the individualised, participant-centric approach that is fundamental to the Scheme. From a psychological perspective, this shift:

- **Undermines Epistemic Trust.** When participants perceive that the system no longer trusts their own experiences or the expertise of their providers, the requisite level of positive expectation in the Scheme and its operation is dissipated. The alliance between provider and participant is also more easily fractured. The conditions necessary for positive engagement and expectancies are significantly weakened, undermining the intentions of the Scheme.
- **Reduces Safety and Autonomy.** The focus on budgetary sustainability as a primary driver in the development of the Rules, without a commensurate focus on participant wellbeing, creates a climate of insecurity and threat. This frustrates the basic psychological needs for autonomy and safety, which are pillars of motivation and goal-directed action.
- **Promotes Institutional Disempowerment.** The proposed framework risks replacing collaborative, trust-based planning with a mechanistic process that can feel punitive and disempowering, exacerbating feelings of systemic and procedural injustice.

The proposed framework will likely deepen distress, increase the psychological burden on participants and their families, and compromise the effectiveness of the supports that are still able to be received. The APS is concerned about the potential erosion of human rights under the new planning framework, noting that the protection and promotion of fundamental rights is an essential component of psychological wellbeing. The APS also states its objection to the interpretation of Australia's obligations under the *Convention on the Rights of Persons with Disabilities* to limit, rather than to enable, access to NDIS supports.

As such, we strongly encourage the Department to consider, with urgency, the psychological impact of the proposed changes to the Rules. We call on the Department to engage directly with the APS and the psychology profession to better understand these psychological impacts and to collaborate on designing a consultation and implementation process that mitigates these foreseeable harms, drawing on the science and practice of psychology.

Thank you for the opportunity to contribute to the Department's consultation on New Framework Planning Rules. If further information is required, I would be happy to be contacted through the National Office on (03) 8662 3300 or by email at z.burgess@psychology.org.au

Yours sincerely

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