# ndis

# **Child representatives**

### This fact sheet will explain:

- what a child representative is
- what a child representative does
- how you become a child representative
- when your role as a child representative ends.

# What is a child representative?

A child representative is a person who does things and makes decisions about the NDIS on behalf of a child participant. When we say child in this fact sheet, we mean a person younger than 18.

In most cases, a child representative will be their parent or parents, or another person with <u>parental responsibility</u>. A child can have more than one representative.

For more information, read <u>Our Guideline –</u> <u>Child representatives</u> on the NDIS website.

# What does a child representative do?

As a child representative, you represent your child in the NDIS. You make decisions and do things with the NDIS on behalf of the child. As a child representative, you will:

- work with us to create your child's plan and make changes when needed
- communicate with us and give us information about your child when we need it
- tell us how you want your child's plan and support funds to be managed
- choose providers to deliver your child's supports.

You also have duties in the way you make decisions for your child. Where possible, you must:

- make sure you understand your child's will and preferences
- act in accordance with your child's wishes, when appropriate and possible
- make decisions for your child and help them take part in the decisions
- consult with any other important people in your child's life, like guardians, other child representatives, and support people.

### Child representatives must always act in the child's best interests.

This means you must:

- protect your child from harm
- help your child grow, develop and become independent
- support your child in learning to make their own decisions
- encourage your child to take part in life and the community
- strengthen, preserve, and promote positive relationships in your child's life.

# How do you become a child representative?

### If you are your child's parent or guardian

If you are the child's parent or guardian, you'll usually have <u>parental responsibility</u>

for your child. You'll become their child representative automatically when you:

- apply to the NDIS for your child
- ask for <u>early connections</u> or <u>community</u> <u>connections</u> for your child.

In these cases, you won't have to apply to be a child representative.

#### If parents are separated

Both parents can be a child's representatives, even if you are separated. We expect parents to talk to each other before acting or making decisions about NDIS business for their child.

We have a duty of care to make sure that the child representative is the most appropriate person. If separated parents are unable to work together on NDIS business, we may decide only one parent should be the child representative. Learn more in <u>Our Guideline – Child</u> <u>representatives</u> on the NDIS website.

#### In other circumstances

We can appoint someone who is not a parent or guardian to be a child representative. Learn about when we would <u>appoint someone else as a child</u> <u>representative</u> in common scenarios.

If you don't have parental responsibility for a child and want to become their child representative, you need to <u>contact us</u>. We'll need information from you to understand if you are the best person to be their child representative.

### When your role as child representative ends

#### When a child turns 18

Your role as a child representative ends automatically when your child turns 18. They will become responsible for making their own decisions about the NDIS.

We'll contact you and your child about three months before they turn 18. We'll talk about how we can support you and help you plan for this change.

You can still support your child to make decisions about their plan after they turn 18, if they want you to. If they <u>give their consent</u>, we can share their NDIS information with you or let you do things on their behalf.

If an adult participant finds it very difficult to make decisions, or doesn't want to make their own decisions, even with support, we may <u>appoint a nominee</u>.

#### A child representing themselves

A child may want to represent themselves before they turn 18. If we're satisfied that the child can make their own decisions and it's appropriate for them to represent themselves, we can remove their child representatives. We can do this even if they need some support to make decisions. Learn more about how we decide if a child can represent themselves on the NDIS website. If a child is an NDIS participant and wants to represent themselves, they should talk to their my NDIS contact. We'll need to talk to both the child and their representatives about their request.

#### In other circumstances

We can change or remove a child representative. We might do this because they ask us to, or because they are no longer the appropriate person to be a child representative.

To ask us to remove a child representative, talk to your my NDIS contact, or <u>contact us</u>.

## If you disagree with our decisions

If you disagree with a decision we make about a child representative, you may be able to ask for a review of our decision. Many of our decisions are reviewable. For more information, see <u>Our Guidelines –</u> <u>Reviewing our decisions</u> on the NDIS website.

For more information about child representatives, visit <u>ndis.gov.au</u>.

### Notes



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### For more information visit ndis.gov.au

#### National Disability Insurance Agency

- (n) Website: ndis.gov.au
- 🕲 Telephone: 1800 800 110
- (📼) Webchat: ndis.gov.au

#### Follow us on our social channels



#### For people who need help with English

(2010) TIS: 131 450

#### For people who are deaf or hard of hearing

- 💮 TTY: 1800 555 677
- (w) Voice relay: 1800 555 727
- () National Relay Service: relayservice.gov.au