



What is the NDIS Quality and Safeguards Commission and what is its role?



If you feel unsafe or unhappy with the NDIS services or support you receive, it's important to know that you can speak up about any problems you have. It's always okay to speak up.

The *NDIS Code of Conduct and NDIS Practice Standards* for providers and workers outline clear and enforceable standards for the quality and safety of support and/or services in the NDIS. If you, or someone you know, is not receiving quality, safe support and/or services, please talk to us. We have the power to take action to protect the rights and safety of NDIS participants.

We will respond to your concerns and complaints, including possible incidents of abuse and neglect of NDIS participants.

If you, or someone you know, is at immediate risk of harm, or you are worried about someone's safety or wellbeing, call 000 immediately.



About the NDIS Quality and Safeguards Commission

You have the right to feel safe and receive quality service from your service providers. The NDIS Quality and Safeguards Commission (the NDIS Commission) will work with you, service providers, workers, advocates and other people in the community to improve the quality and safety of support and/or services you receive.

The NDIS Commission is an Australian Government agency within the Social Services portfolio. It helps to protect the rights of people who receive NDIS support and/or services, and promotes their health, safety and wellbeing. It is the national regulator of NDIS support and service providers.

What does the NDIS Commission do?

We work to:

- ensure providers and workers know and follow the quality and safety rules
- help with, and respond to issues, complaints and serious incidents
- register and regulate NDIS providers Australia-wide
- educate and inform NDIS service providers, workers, participants and the community about the NDIS Commissions' quality and safety rules.

Your rights

We support your right to:

- dignity and respect
- live free from abuse, exploitation, and violence
- be respected and have your culture and identity respected, receive good quality services and achieve your goals.



How to contact the NDIS Commission

If you have a question or want to know more, contact us:

Phone: **1800 035 544** (free call from landlines)

Text Telephone TTY: **133 677**

National Relay Service for people with hearing or speech impairments: <https://internet-relay.nrscall.gov.au/> and ask for: **1800 035 544**

Submit the online complaint contact form: <https://www.ndiscommission.gov.au/about/complaints>

Email: contactcentre@ndiscommission.gov.au

Mail: **PO Box 210, Penrith NSW 2750**

NDIS Commission start dates

The NDIS Commission started on:

1 July 2018 in New South Wales and South Australia



1 July 2019 in the Australian Capital Territory, Northern Territory, Queensland, Tasmania and Victoria

1 December 2020 in Western Australia





Choosing quality and safe supports



A service provider is a person, business or organisation that delivers your support. It's important to choose service providers that will help you reach your goals.

You have the right to feel safe and to receive quality support and/or services from your providers, regardless of which service provider you use. Remember, you can change service providers if necessary.

Some service providers are registered with the NDIS Quality and Safeguards Commission—they are called **registered providers**. Other businesses/organisations choose not to register with the NDIS Commission—they are **unregistered providers**. Regardless of whether they are registered or unregistered, all service providers must:

- comply with the NDIS Code of Conduct
- listen and respond appropriately to complaints.

If you feel unsafe or unhappy with the support and/or services you receive from a registered or unregistered provider, it's always okay to speak up.



What is different about a registered provider?

Registered providers have additional obligations, which include:

- the NDIS Practice Standards
- the new worker screening standards as they are rolled out
- ensuring that employees successfully complete the online Worker Orientation Module
- maintaining their registration with the NDIS Commission
- reporting incidents to the NDIS Commission.



What is the NDIS Code of Conduct?

The NDIS Code of Conduct sets out the minimum standards and obligations that NDIS participants and all Australians can expect of providers and workers delivering NDIS support and/or services.

-  Respect individual rights
-  Respect self-determination
-  Act with integrity, honesty and transparency
-  Ensure quality and safety
-  Respect privacy
-  Deliver services competently
-  Prevent and respond to violence, neglect, abuse, and exploitation

It must be upheld by:

- registered service providers



- unregistered service providers



- workers of service providers



- community partners under the NDIS such as Local Area Coordinators and Early Childhood Early Intervention Partners.



Safeguards when using service providers

If you are concerned about the quality or safety of NDIS support and/or services you receive, you (or someone on your behalf) can:

- make a complaint directly to your service provider
- make a complaint to the NDIS Commission.

Our complaints service is independent and free, and you can let us know how you would like to communicate with us. Complaints can be made anonymously. Where appropriate, we will work to resolve the complaint.

The NDIS Commission has a range of powers it can use to respond including the power to:

- investigate complaints
- impose penalties, such as revoking registration
- ban workers and service providers.

If you are at immediate risk of harm, or are concerned about someone's safety or wellbeing, call 000 immediately.



Choosing a service provider

To find a registered provider in your state and territory, visit the NDIS website at <https://www.ndis.gov.au/participants/working-providers/find-registered-provider>

To make sure a service provider is right for you, you might like to seek advice from people such as:

- advocates and advocacy groups
- family
- friends
- Early Childhood (EC) Partners
- Local Area Coordinator (LAC) and/or NDIA Planner.

Some providers may choose not to register. The NDIS code of conduct applies to both registered and unregistered providers.

How do I know which service providers have been banned?

In the most serious cases, the NDIS Commission can stop a service provider or worker from providing support and/or services in the NDIS market. If this happens, the NDIS Commission will update the NDIS Provider Register, which is available on the NDIS Commission website at <https://www.ndiscommission.gov.au/document/1141>.

We encourage you to look regularly at our information on registered providers.



NDIS plan management



Your approved NDIS plan allows you to choose which services you will use to help you reach your goals.

Depending on how your NDIS funding is managed, you might be able to use registered providers, unregistered providers, or even directly employ your own staff to help you reach your goals. Services might be delivered by a person, business or organisation.



There are different ways to manage your NDIS funding. They are:

- NDIA managed (also called Agency managed)
- Plan-managed
- Self-managed
- A combination of the above three management types.



Regardless of how you manage your funding, the NDIS Quality and Safeguards Commission works to ensure you receive quality and safe services.

We support your rights including:

- to dignity and respect
- to live free from abuse, exploitation, and violence
- to have your culture and identity recognised and respected.

If you feel unsafe or unhappy with your services, it's always okay to speak up.



Regardless of how your plan is managed, you:

- will be protected by the NDIS Code of Conduct
- can raise a concern or make a complaint to the NDIS Commission
- have the right to feel safe when working with your NDIS providers
- have the right to receive quality support and/or services from your NDIS providers
- can access information about which providers have restrictions or bans placed on them by the Commission
- can speak up if you have concerns about the quality or safety of the support and/or services from your providers.

For information about how to manage your plan, please visit the NDIS website at <https://www.ndis.gov.au/participants/how-planning-process-works>.



Making a complaint about your NDIS provider



You have the right to feel safe, to have your culture and identity recognised and respected, and to receive quality support and/or services from your providers who must uphold the Code of Conduct, which supports these rights. If there is a problem with the safety or quality of support and/or services that you receive from a provider, it is always okay to speak up.

Why speak up?

The NDIS Commission's role is to promote the health, safety and wellbeing of everyone receiving NDIS support and/or services.

If you speak up, you can help create better services, better communications and improvements to service delivery. And, by speaking up, you can help other people with disability too.



How do I speak up?

We recommend that you talk to your NDIS service provider about your issue/complaint. You, or someone you trust, (such as an advocate, family member, carer) can do this. Visit the

NDIS Commission website to download or print postcard-sized handouts with information on the Code of Conduct. These postcards and other useful resources are also available for order on the NDIS Commission website at <https://www.ndiscommission.gov.au/participantpackonlineform>. You might like to give these to providers to start a conversation about your rights.

If you are unhappy with the response from your service provider or feel uncomfortable about raising your issues directly with them, you can speak to the NDIS Commission complaints service.

The NDIS Commission complaints service is independent and free. Anyone can make a complaint about the quality or safety of any NDIS provider's services, or their response to a complaint. You can let us know how you would like to communicate with us. You can also withdraw your complaint at any time.

If you (or someone making a complaint for you) is worried about what might happen after you make a complaint (such as how you might be treated), you can ask the NDIS Commission to keep your identity confidential. This might change the actions the NDIS Commission can take in response to your complaint.

How to complain to the NDIS Commission

Anyone can make a complaint to the NDIS Commission about a NDIS service provider, including:

- an NDIS participant
- family members/friends
- NDIA appointed nominees, advocates, guardians
- any other person who wishes to make a complaint.

Call us: **1800 035 544**

Online complaint form:
<https://www.ndiscommission.gov.au/about/complaints>

Text Telephone TTY: **133 677**

National Relay Service for people with hearing or speech impairments: <https://internet-relay.nrscall.gov.au/> and then ask for: **1800 035 544**

Email: contactcentre@ndiscommission.gov.au

Mail: **PO Box 210 Penrith NSW 2750**

Your family, friends, advocates, Local Area Coordinator, Support Coordinator, EC Partner, and NDIA Planner might also be able to support you to speak up. If you need an advocate to help you make a complaint, you can use the Disability Advocacy Finder at disabilityadvocacyfinder.dss.gov.au/disability/ndap/ to find someone close to you.

What the NDIS Commission will do

Our goal is to resolve your complaint quickly and simply.

When the NDIS Commission receives a complaint, a complaints officer will:

- communicate with the person making the complaint
- assess the complaint and decide whether we will take further action
- confirm your issues raised and the outcome you want in writing
- with your consent, contact the NDIS service provider
- talk to you about the information we receive from the NDIS service provider.

A complaints officer might:

- ask for more documentation and/or information
- talk to other NDIS participants that are affected by the complaint
- talk to or visit the service provider.

There are a number of ways that complaints can be resolved. Sometimes they can be resolved with a discussion between you, your NDIS service provider and us. Our involvement might make it easier to clarify issues and bring them to the attention of the people involved.

Where there are serious concerns and risks to NDIS participants such as abuse, assault or neglect, we may use our powers of investigation and enforcement. **Unlawful and criminal matters will also be referred to police.**



Who else can you contact?

If your complaint is about the National Disability Insurance Agency (NDIA), your eligibility for NDIS funding or your NDIS plan, you should contact the NDIA directly.

www.ndis.gov.au/participants

The Commonwealth Ombudsman's office can also help NDIS participants resolve problems with government agencies and their partners. <https://www.ombudsman.gov.au/what-we-do/working-with-people-with-disability>

If you are unsure about who to contact or what to do to about an issue, we can give you advice or help you find the right place to go.

If you are at immediate risk of harm, or you have concerns about someone's wellbeing, call 000 immediately.





Do you have questions or need more support?



It's okay to ask for help.

For support, you might like to ask:

- family members
- friends
- NDIS Quality and Safeguards Commission
- your NDIA appointed nominee
- your support coordinator
- local area coordinator (LAC) and/or NDIA Planner
- Early Childhood (EC) Partner
- advocates and advocacy groups
- service providers.



To contact the NDIS Commission

If you are not sure about any of the information in this booklet, please ask us questions.

General Enquiries

Phone: **1800 035 544**

Text Telephone TTY: **133 677**

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Complaints

Phone: **1800 035 544**

NDIS Commission website, complete the online complaint contact form: <https://www.ndiscommission.gov.au/about/complaints>

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