



NDIS Quality
and Safeguards
Commission

Your guide to **complaints management**

Who is this document for?

- All NDIS providers, registered and unregistered.

After reading this document, you will understand:

- the requirements for complaints management under the NDIS Commission
- the role of the NDIS Commission in handling complaints
- the components of an appropriate and effective complaints management system
- where to find more detailed information on handling complaints.

Complaints management under the NDIS Commission

The NDIS Code of Conduct requires that all NDIS providers have a complaints management process.

Registered NDIS providers are required to have a complaints management and resolution system in place under the NDIS Quality and Safeguards Commission (NDIS Commission).

You must also support people with disability to understand how to make a complaint, both directly to you and to the NDIS Commission.

As an NDIS provider, you should be equipped to handle and resolve complaints to meet your responsibilities to deliver safe and high-quality services to people with a disability.

This document describes your complaints management obligations under the NDIS Commission.

Why do complaints matter?

A **complaint** is when someone expresses dissatisfaction with an NDIS support or service. Valuing and learning from complaints can help you identify problems and continuously improve your service to better meet people's needs.

A well-handled complaint shows the participant that you value their opinions and input, and can actually improve the quality of the participant/provider relationship. Maintaining an effective complaints management system will also help you resolve complaints in-house, preventing complaints from being raised with the NDIS Commission unnecessarily.

How does the NDIS Commission handle complaints?

The NDIS Commission is responsible for handling complaints about NDIS providers when the person:

- is unable to resolve issues with their provider, or
- does not feel empowered to make a direct complaint.

The NDIS Commission takes complaints from NDIS participants, their families and friends, workers and any other person who has an issue with the way an NDIS support or service is being delivered.

There are several ways a complaint may be handled, including commencing a resolution process or launching an investigation.

What are my complaint management obligations?

An effective complaints management system is part of the NDIS Practice Standards and is a condition of registration for NDIS providers. Unregistered providers should also have an appropriate way to manage complaints in place to meet the requirements under the NDIS Code of Conduct.

All registered NDIS providers must have a complaints management system that:

01

places the person with disability at the centre of the complaints process

The person making the complaint, and any person with disability affected by issues raised in a complaint, should be included throughout the process to the extent possible.

You must handle complaints based on the principles of procedural fairness and natural justice, and comply with the requirements under the NDIS (Complaints Management and Resolution) Rules 2018.

02

is proportional

You must have a complaints management system that is appropriate for the size of your organisation.

There is flexibility to develop a system that meets your obligations in a way that fits with your business.

03

is accessible

The process of making and resolving a complaint must be easy and accessible. Any person is able to make a complaint, including anonymously.

Your NDIS participants must be aware of and be supported to access your complaints management system. They must be made aware of and be supported to access alternate avenues for complaints, such as the NDIS Commission.

04

includes worker training

All workers must be aware of, trained in, and comply with the required complaints management procedure.

All NDIS providers should have a designated complaints manager. In smaller organisations or sole traders, this person may also have other responsibilities.

05

supports the person making the complaint

You must provide appropriate support and assistance to any person who wishes to make, or has made, a complaint. This includes support from staff, family or an advocacy service to make a complaint or during the complaints handling process.

You must take reasonable steps to ensure that no person is adversely affected because of making a complaint or assisting the NDIS Commission in relation to a complaint.

06 is well-managed

Complaints should be dealt with directly and quickly at the point of service, unless further investigation is required.

All people involved in the complaint must be kept appropriately informed of the complaint's progress and resolution, including any actions taken and what to do if they are not satisfied by the response.

07 includes full documentation

The complaints management and resolution system must include a clearly documented process to receive and resolve complaints.

Simple and accessible documentation about how to make a complaint must also be provided.

08 is subject to regular review

Your complaints management system must be subject to a regular review of policies and procedures.

This should include seeking participant views on accessibility and incorporating feedback across the organisation.

i *Additional information about developing an appropriate system for handling complaints is available on the 'Complaints management' page of the NDIS Commission website.*

If you do not meet your obligations to implement and maintain a complaint and resolution system, the NDIS Commission has the power to apply sanctions. This could include compliance notices, conditions of registration and, in more serious cases, civil penalties.

What records must be kept?

You must keep and maintain appropriate records of all the complaints you receive. This will enable you to provide information to the NDIS Commissioner or your approved quality auditor when required, and also help you to identify any systemic issues and improve your service delivery. Records must be kept for 7 years from the date the record was made.

Your records must include:

- **information about the complaint**
- **any action taken to remediate or resolve complaints, and**
- **the outcome of any action taken.**

You must manage complaints in a way that respects the privacy and confidentiality rights of people making a complaint and any participants affected by the issues raised.

Learning from complaints

Fostering an organisational culture that values and learns from complaints is vital to improving the quality of your service delivery. It is important that you have systems in place to allow you to reflect on the complaints process and any outcomes. This includes checking in with the person who made the complaint for feedback and their response to any follow up or implementation of actions.

i *Detailed information on how to approach and resolve complaints can be found in the 'Effective Complaints Handling Guidelines for NDIS Providers' document, available on the 'Complaints management' page of the NDIS Commission website.*

We are here to help

For more information, contact our complaints management team on **1800 035 544**.



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