



Participant fact sheet 2

Understanding your rights

This fact sheet explains some of your rights when receiving specialist behaviour support services. Specialist behaviour support is the name given to providers who do positive behaviour support in the NDIS.

What are rights?

Rights are things that everyone should have. They include how people should be treated and what they should be able to do. People with disability have the same rights as everyone else.

For example, you have the right to:

- be safe
- be treated fairly
- be respected for who you are
- make choices and
- be part of your community.

How are your rights protected?

- Laws protect your rights. Laws are rules about how people should behave.
- There are laws to protect your rights and freedoms as an NDIS participant. These are written in the NDIS Act 2013 and other laws.
- The NDIS Act protects your rights as an NDIS participant and puts into action the Convention on the Rights of Persons with Disabilities (CRPD).
- NDIS providers must follow these laws when they support you.

Positive behaviour support and your rights

Positive behaviour support protects your rights. It helps you have a good life. It does not use punishment or strategies that hurt you.

When you get specialist behaviour support services, you have a right to:

- be heard and have a say in the things that matter to you
- feel safe to ask questions and be respected
- be a part of developing your behaviour support plan
- have any restrictive practices which will be used explained to you
- overtime have fewer or no restrictive practices used
- be supported by people who are trained and know how to help you
- choose what a good life looks like to you
- make a complaint if you are not happy with the support you receive.

Restrictive practices and your rights

- Sometimes a behaviour support plan may include a restrictive practice to keep you and other people safe.
- For example, if you were banging your head, a helmet may be used to stop you from hurting yourself. Or sharp objects may be locked away to stop you from hurting yourself or others.
- Restrictive practices are used to help stop or change your behaviour. Restrictive practices can stop you from going places and doing what you want. They can, and do, take away your human rights.
- There are rules about the use of restrictive practices. NDIS providers must follow these Rules. These Rules are set in law.
- For example, restrictive practices should only be used as the last option and for the shortest time possible. Your NDIS provider must talk to you about this.

How does the NDIS Quality and Safeguards Commission protect your rights?

- The NDIS Quality and Safeguards Commission's (NDIS Commission) role is to make sure NDIS providers are doing a good job. We check things are safe. We make sure your rights are being protected.
- You can tell the NDIS Commission if your NDIS provider is not treating you fairly. Information about how to make a complaint and what the NDIS Commission will do can be found on our website. See the link below.

More information

- [Easy Read UN Convention on Human Rights \(publishing.service.gov.uk\) \(PDF, 2.1 MB\)](#)
- [Participant fact sheet 4: What to Expect from your specialist behaviour support provider](#)
- [Regulated Restrictive Practices Guide – Easy Read | NDIS Quality and Safeguards Commission](#)
- [For Participants - Make a Complaint | NDIS Quality and Safeguards Commission](#)
- [Participant fact sheet 5: What to do if you are not happy with your behaviour support provider](#)

General enquiries

Call: 1800 035 544 (free call from landlines). You can call us Monday to Friday, except public holidays.

Our opening hours can change during daylight savings. Check our website for current opening **hours** and **other** ways to contact us: <https://www.ndiscommission.gov.au/contact-us>

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