



NDIS Quality  
and Safeguards  
Commission

# Feedback and Complaints Policy

October 2023



## Purpose

This policy provides guidance to NDIS Quality and Safeguards Commission staff and people who wish to make a complaint about the key principles and concepts of our complaint management system.

## Scope

This document describes the approach taken to fairly, effectively and efficiently manage complaints, compliments and feedback in relation to:

- A complaint about the provision of NDIS funded supports and services; and
- A complaint about the NDIS Commission. This includes:
  - Any clearly articulated grievance about the handling of a matter, our policies, procedures or service.
  - Any allegation of impropriety or misconduct by a staff member.

## Definitions

<b>Complaint</b>	Any expression of dissatisfaction for which a response is expected or warranted.
<b>Compliment</b>	Any expression of positive feedback about the provision of NDIS funded supports and services or the work of the NDIS Commission or its staff. Such expressions are always welcome and will be acknowledged, with gratitude shown to the person or people providing that feedback.
<b>Feedback</b>	Public or other stakeholder comments on what can be done to improve NDIS funded supports and services or the NDIS Commission.
<b>Parties</b>	Complaints usually involve the complainant and the subject of the complaint. This may include: <ul style="list-style-type: none"><li>• A participant or participants, where they are not the complainant</li><li>• A participant's family member(s), advocate or support person</li><li>• A provider or support worker</li><li>• The NDIS Commission and/or an NDIS Commission staff member.</li></ul>

## What you can expect from us

The NDIS Commission is committed to providing a high quality response to feedback and complaints. The following principles guide the response, handling and management of all feedback and complaints made to the NDIS Commission, whether it is about NDIS funded supports or services or about the NDIS Commission.

We will:

- Take your feedback or complaint seriously. We will listen to what you tell us, and consider it carefully.
- Communicate clearly and treat you with respect and courtesy.
- Communicate with you using the method you ask us to.
- Tell you what is happening and keep you informed of progress.
- Tell you how long it may take us to deal with your complaint. For complaints about NDIS funded supports and services we aim to resolve simpler complaints within 14 days and more complex complaints within 90 days. For complaints about the NDIS Commission, we aim to resolve your complaint within 21 days.
- Explain clearly what we can and cannot do.
- Make decisions fairly and independently and explain the actions we took in response to your complaint.

We will also give you (or your representative):

- The name and contact details of the person handling your complaint.
- Reasonable opportunity to provide us with information.
- Clear reasons for our decisions.

## What we expect of all parties to a complaint

We ask that all parties to a complaint:

- Communicate with our staff respectfully.
- Provide as much information about the complaint as possible.
- Let us know of any special needs or if extra help is needed in understanding or accessing our complaints service.
- Understand that we may restrict how we communicate with people whose conduct we consider unreasonable.

## Complaints about NDIS funded supports and services

People with disability have the right to complain about the supports and services they receive. If you have a concern about your current NDIS supports or services, it is important that you talk about it.

Complaints are important—they can help providers understand what is important to people with disability and improve the quality of services they provide, so your complaint can help other people too.

If you feel comfortable, you are encouraged to raise your concern or complaint with your provider first, as this is often the best way to have your issue resolved quickly. If the provider is unable to resolve your concern or complaint, then you should seek further support. This can be from family, a friend or an independent advocate.

### How to make a complaint

You can tell us about your complaint by:

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged free of charge.
- [National Relay Service](#) and ask for 1800 035 544.
- Completing a [complaint contact form](#).
- [Visiting one of our Offices](#).

You can make a complaint to us anonymously, although we can usually help more if you can tell us who you are. You can also ask us to make your complaint confidential. This means that we will not share any information about you. If you prefer, someone else can contact us on your behalf, however we may need your consent for them to act on your behalf.

### Complaints process

#### Intake and triage

When we receive your complaint, an intake officer will contact to you to discuss what you have told us. We may need to ask for more information about your complaint to make sure we understand the problem and your concerns. Your information will help us assess if there is any risk of harm to a person or people with disability.

Where there is an immediate safety risk, we will engage our Safeguarding Team. The Safeguarding Team will work with all parties to the complaint but with the priority of ensuring the safety of people with disability.

Once we have gathered this information we conduct an initial assessment of the complaint to determine the most appropriate area of the NDIS Commission to action your complaint. This includes:

- Early Resolution Teams - for less complex, lower risk complaints.
- Complaint Operations – for more complex or significant complaints.

- Regulatory Operations or Practice Quality – for serious and critical complaints that require immediate investigation or compliance action.

## Actioning your complaint

Your complaint will be allocated to a complaints officer who will:

- Contact you to provide you their name, telephone number and/or email address.
- Discuss the expected timeframes for our actions.
- Keep you informed of progress and reasons for any delay.
- Work with you and the provider to resolve your concerns and/or issues.
- Gather information – this may include speaking to the provider, other relevant parties or conducting a site visit.
- Work together with the parties towards responsible outcomes.
- Consider all available information to determine the most appropriate outcome(s).

## Complaint outcomes

There are a number of actions that can be taken to address a complaint. They will vary according to the complexity and seriousness of the issues and may include one or more of the following:

- Support you to talk to and resolve your complaint directly with the provider. This may be informally or through a conciliation process; and/or
- Provide feedback and guidance to the NDIS provider you have concerns about; and/or
- Require a provider to undertake action to remedy a breach or potential breach of their obligations under the [NDIS Code of Conduct](#) and or the [NDIS Practice Standards](#); and/or
- Issue a warning letter to the provider; and/or
- Refer a matter for further compliance or investigative action. This may result in the issuing of a financial penalty or imposing conditions on the provider's registration. In some cases, the provider may be deregistered, or a worker banned from the NDIS sector; and/or
- A referral to another agency (e.g. Police or the NDIA).

## Finalising your complaint

Before finalising your complaint, the officer will:

- Inform you and the provider of their preliminary decision, reasons for decision, actions taken and any further proposed action. This will allow you an opportunity to provide any further information or comment prior to the finalisation of your complaint.
- Consider any further information provided before finalising their decision.
- Give you and the Provider the decision, reasons for decision, actions undertaken and further action or next steps.

## If you are not satisfied with the outcome

If you disagree with our decision, you can ask us to reconsider it. You should do this within 42 days of being told of the decision and tell us why you believe it was wrong. You can do this by:

- Email: [contactcentre@ndiscommission.gov.au](mailto:contactcentre@ndiscommission.gov.au)
- Phone: 1800 035 544

- Post: Assistant Director Quality Assurance, NDIS Commission, PO Box 210, Penrith NSW 2750

If you are unsatisfied with the outcome of a reconsideration, you can contact the Ombudsman on:

- Phone: 1300 362 072
- Web: [Commonwealth Ombudsman: Making a complaint](#)

# How to provide feedback or make a complaint about the NDIS Commission

We welcome all feedback, including complaints, compliments and suggestions. We are committed to providing high standards of service and listening to those who interact with us.

This information will help us to identify areas for improvement across our businesses and support the NDIS Commission's commitment to continuous improvement. The NDIS Commission will analyse and report on all information received through the feedback mechanism to our Executive Leadership Team.

If you would like to provide a compliment or feedback about a staff member or the handling of a matter, our policies, procedures or service you can do so by:

- Email: [contactcentre@ndiscommission.gov.au](mailto:contactcentre@ndiscommission.gov.au)
- Phone: 1800 035 544

If you would like to make a complaint about a matter, our policies, procedures or service, any allegation of impropriety or misconduct by a staff member you can [raise your concerns with our Internal Integrity Unit](#).

## Actioning your complaint

We will do our best to resolve your complaint as quickly as possible. We aim to:

- Acknowledge your complaint within the next business day of receipt.
- Contact you within two business days of acknowledgement.
- Resolve your complaint within 21 business days of receiving it.

When we contact you to talk about your complaint, we may ask you to provide more information to help us understand the nature of your complaint.

## If you are not satisfied with the outcome

If you are not satisfied with the outcome of your complaint, you can ask for a review of your complaint and how it was handled. After this, if you are still not satisfied, you may seek assistance from the Commonwealth Ombudsman.

The Commonwealth Ombudsman can consider complaints about the administrative actions and decisions we take. You can contact the Commonwealth Ombudsman at:

- Phone: 1300 362 072
- Web: [Commonwealth Ombudsman: Making a complaint](#)