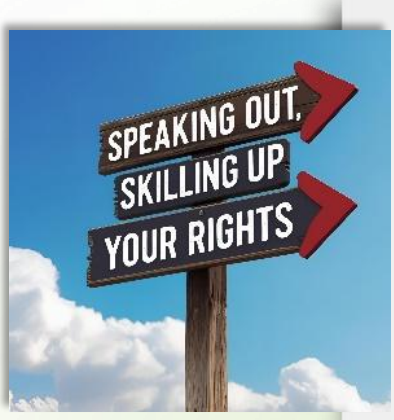
Information Book



Speaking Up and Making a Complaint





Funded by the NDIS Quality and Safeguards Commission Grants Program

NDIS Quality and Safeguards Commission

VALID

Acknowledgments

This information book was made by VALID's Speaking Out, Skilling Up co-design team:



Celeste Rattray-Wood

Gregory Tucker

Nell Buchanan

Taj Murray

With help and information from:

NDIS Quality and Safeguards Commission

https://www.ndis.gov.au

Australian Government
Department of Social Services

VALID
Level 1, 144-152 Langridge Street,
Collingwood, VIC. 3066
(03) 9416 4003
www.valid.org.au

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Speaking Up and Making a Complaint Information Book

The Speaking Up and Making a Complaint Information Book is for you to keep.

This book has information about:

- your rights
- speaking Up and Making a Complaint
- the NDIS Quality and Safeguards Commission
- where you can go to get help or to find out more if you need it.



There are also pages at the end of this book where you can write down things that you think are important.

After the presentation you can go through this information book with someone you trust





Rights and Responsibilities





Speaking Up and Making a Complaint

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Human Rights

In 1948 the United Nations proclaimed the Universal Declaration of Human Rights for all people and all nations.





This means that every human being has Rights.

All people have equal rights, it does not matter who they are or what they do.

We are all human beings

We should all be treated equally



Human Rights are the rights and freedoms that all people have.

It does not matter where you are from, how old you are, if you have a disability, what language you speak, who/what you believe in, who you love/like, what sex you are or anything else.

Human rights are for everyone.

You have the right to:

- be free and safe
- freedom of expression (to speak up)
- privacy
- work
- be part of your community
- vote
- have somewhere to live







You live in Australia



What are your rights?

The Australian Government makes rules for people living in Australia. These are called laws.

When the government makes new laws they have to make sure that they don't take away people's human rights.

There is a law called The Australian Human Rights Commission Act 1986.

This law makes sure **all** Australians have human rights.



You live in Victoria



What are your rights?

The Government of Victoria makes laws for people living in Victoria.

In Victoria there is a law called the Victorian Charter of Human Rights and Responsibilities Act 2006.

The Charter makes sure **all** Victorians have human rights.



In Victoria you have the right to:



Freedom

- to be free and safe
- to speak up for yourself
- to have your own things



Respect

- to be listened to
- to be treated in a good way
- to be a valued member of your community



Equality

- to be treated the same as everyone else
- to be able to do things like everyone else can
- to have information



Dignity

- to be able to make your own choices and decisions
- to be treated as an adult
- to have privacy

Responsibilities

Everyone has Rights and Responsibilities

Our responsibilities are to respect the rights of other people.

You can be responsible by:

- respecting the rights of other people.
- following the law.
- not hurting yourself or other people.
- treating everyone equally and with respect.
- being kind and caring to other people.
- being part of the community.



Remember

With Rights comes Responsibilities



Self Advocacy and Speaking Up





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Self Advocacy



Self advocacy means:

- speaking up for yourself
- knowing what you need
- asking for help or support
- making choices about your life

Self advocacy is about saying:

- “this is what I like”
- “this is what I don’t like”
- “this is what I want.”
- “this is what I need.”
- “this is what works best for me.”





Self advocacy helps you:

- get the right support
- be treated fairly
- make your own decisions
- feel confident and strong

To become a strong self advocate you can:

- learn about your rights
- understand your needs
- talk to people who can help
- ask questions and share your thoughts





Even if you need help to speak, you can still self advocate with support from:

- family
- friends
- advocates

It is always OK to speak up



Quality Disability Services





A quality disability service:



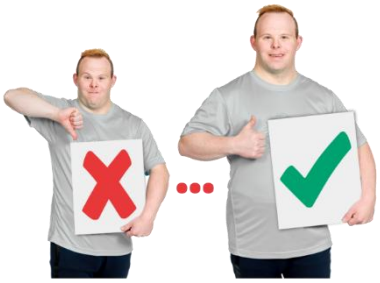
- listens to people with disability
- respects their choices
- meets their needs
- keeps them safe
- improves their life

To give a quality service, NDIS Providers must:

- follow the NDIS Practice Standards (rules for good service)



- use a quality management system to check and improve their work
- ask for feedback from participants, families, and staff
- make changes when something isn't working



- train workers to be kind, skilled, and respectful
- keep making things better

Quality service means:



- always looking for ways to do things better
- fixing problems quickly
- making sure people feel heard and supported

As an NDIS Participant, you have the right to speak up about what you want from your service.

You can talk to your provider about:



- what support you need
- what goals you want to reach
- what works well for you
- what you want to change

It's okay to ask questions and say what you think.



Your provider should:

- listen to you
- respect your choices
- help you make decisions
- support you to reach your goals

You can also ask for a service agreement that explains what they will do for you.

If it's hard to speak up, you can ask someone to help:

- a family member
- a friend
- a support coordinator
- an advocate (someone who helps you speak up)





Making a Complaint to your Service





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Standard 4 of the National Disability Standards is feedback and complaints.

This standard says you have the right to speak up about your services.
You can give feedback (good or bad) or make a complaint if something is wrong.



You can:



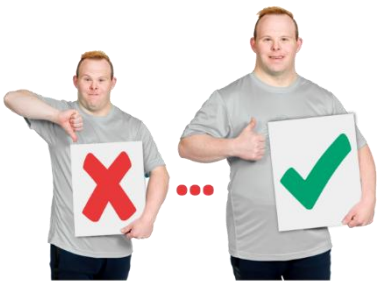
- say what you think about your service
- tell someone if there is a problem
- ask for help to speak up
- get advice from a support person, advocate, or lawyer
- expect your problem to be fixed
- speak up without being made to feel bad



Your service provider must:



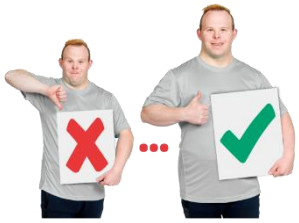
- give you different ways to speak up
- listen to what you say
- be ready to change things if there is a problem
- work with your family, carer or advocate if you want
- always try to make their service better



You can talk to your NDIS provider or the NDIS Commission when something goes wrong with your services or supports. We call this a complaint.

Every NDIS provider has a way to handle complaints. This is called a complaints process. If you don't know what it is, you can ask your provider for a copy.





Complaints help us all learn how to:

- make services better
- keep people with disability safe

You can make a complaint about your services and supports when:

- something has gone wrong
- something is not working well
- something has not been done the right way
- something makes you unhappy
- you have been treated badly



If you have a complaint, it's a good idea to talk to your NDIS provider first. You might be able to fix the problem yourself.

- tell them what went wrong
- explain how it made you feel
- say what you want to happen

You can choose not to talk to your provider and go straight to the NDIS Commission if:

- you don't feel safe
- you don't want to talk to your provider
- you already tried, but they didn't help



When you make a complaint you are speaking up



The NDIS Commission





Speaking Up and Making a Complaint

VALiD

The NDIS Quality and Safeguards Commission is also called the NDIS Commission. They are part of the Australian Government, but they work independently to make sure everyone is treated fairly.

The NDIS Commission helps people with disability get:

- good services that meet their needs
- choices and control over their supports

They also make sure people are safe when they use services.





The NDIS Commission checks that NDIS providers are:

- doing a good job
- giving safe and quality support

The NDIS Commission helps to:

- fix problems
- make NDIS services better



The NDIS Commission supports people with disability to speak up if they:

- are hurt
- are treated badly
- do not get what they were promised



The NDIS Commission make sure providers and workers:



- follow the rules and standards
- treat everyone fairly
- keep your personal information private

The NDIS Commission will only share your information if they need to:



- help keep you or someone else safe
- tell another person when it's really needed

They will let you know if they share your information.

If you are not happy about something, you can tell your provider what went wrong, and they might be able to fix the problem quickly.

You can talk to the NDIS Commission if you:

- don’t feel safe
- don’t want to talk to your provider
- tried, but they didn’t help
- or you are not happy with how your complaint was handled



What does the NDIS Commission do about complaints?

The NDIS Commission will:

- listen to your complaint
- treat you fairly
- keep your information safe
- help fix the problem



The NDIS Commission works with:

- people who use the NDIS
- families and carers
- NDIS providers



The NDIS Commission tries to:



- help people with disability get what they need and want
- help providers to handle complaints the right way
- find good solutions
- make the process clear, simple and fair for everyone
- make sure people know what to do
- help improve NDIS supports and services
- look at each complaint in a way that fits the problem

Who can make a complaint?

Anyone can make a complaint:



- people with disability
- family and friends
- carers
- workers
- advocates
- guardians

An advocate is someone who helps you speak up and get information. They support you to say what matters to you.

How to make a complaint to the NDIS Commission

You can:



Call 1800 035 544 (free from landlines)
Open Monday to Friday, 9am to 5pm

If you have hearing or speech difficulties:



Use TTY: 1800 555 677

Or the National Relay Service: 1800 555 727



Online

Fill out the Complaint Contact Form on
www.ndiscommission.gov.au

Email or Mail



Email: contactcentre@ndiscommission.gov.au

Mail:



NDIS Commission
PO Box 210
Penrith NSW 2750

You can ask someone to help you make a complaint, like:

- a family member
- a friend
- an advocate (someone who helps you speak up)
- someone you trust



In Person

You can visit:



- an NDIS office
- a Local Area Coordinator (LAC) office
- an Early Childhood Partners office

The NDIS Commission will take complaints in any way that works for you.

When you make a complaint, try to give the NDIS Commission:

- your name and how to contact you
- who your provider is
- what happened
- when it happened
- how it made you feel





The NDIS Commission will try to help you.

If they can't help, they'll tell you who can.

The NDIS Commission is:

- ✓ not the NDIS
- ✓ independent
- ✓ free

NDIS Quality and Safeguards Commission

Sometimes complaints are really serious.

The NDIS Commission has powers to act and sometimes works with the Police.



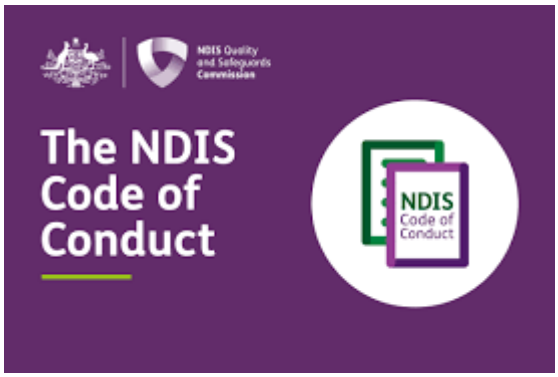
Other Information





The NDIS Code of Conduct

Everyone who uses the NDIS has the right to get safe and fair help and services.



The NDIS Code of Conduct is a set of rules that helps workers and service providers treat people with respect and do the right thing.

The NDIS Code of Conduct says that people who provide NDIS supports and services must:

1. Respect people's rights – let people speak freely, make their own choices and be in control of their lives.
2. Keep things private – protect personal information and respect privacy.



3. Work safely and well – give help in a good and safe way.

4. Be honest and fair – always tell the truth and act in a clear and open way.



5. Speak up about problems – quickly report and fix anything that could affect the safety or quality of support.

6. Stop harm – do everything possible to prevent and respond to violence, abuse, neglect or people being taken advantage of.



7. Stop sexual misconduct – take strong action to prevent and respond to any sexual wrongdoing.

8. Charge fair prices – only charge higher prices for NDIS participants if there is a good reason.



The NDIS Code of Conduct is written about in Section 6 of the National Disability Insurance Scheme (Code of Conduct) Rules 2018.

Fair Pricing

The last rule in the NDIS Code of Conduct is about fair pricing. This means that NDIS participants should not be charged more for a product or service than other people, unless there is a good reason.

For more information about this you can look up Fair Pricing on the NDIS website.

Who must follow the NDIS Code of Conduct?

- Registered NDIS providers – and their staff and workers.
- Unregistered NDIS providers – and their staff and workers.
- People who run Information, Linkages and Capacity Building (ILC) activities – these help people connect with their community and build skills.
- People who give support to people over 65 – through the Commonwealth Continuity of Support Program.
- People who work for the NDIS Commission must follow both the NDIS Code of Conduct and the Australian Public Service Code of Conduct.





What to do if you're worried about a provider or worker



If you are an NDIS participant, family member, carer, worker or anyone else, and you are worried about the safety or quality of NDIS services, it's important to speak up.

If you feel safe, talk to the provider first.

Providers must make you feel safe and comfortable to share your concerns.



They are not allowed to threaten or punish you for making a complaint.

If you don't want to talk to the provider, or if they don't fix the problem, you can contact the NDIS Commission to make a complaint about the provider or worker.

Make a complaint to the NDIS Commission

NDIS Quality and Safeguards Commission

- Fill out the online complaint form https://www.ndiscommission.gov.au/participants
- Call 1800 035 544 (free call from landlines)

  or TTY 133 677. Interpreters can be arranged
- National Relay Service: ask for 1800 035 544

The NDIS Commission Contact Centre is open Monday to Friday 9am - 5.30pm AEST (closed public holidays)

If you need help with a problem or to speak up:

Talk to someone you trust and/or find an **advocacy service** close to you.

DANA Disability Advocacy Network Australia

This website might help: https://www.dana.org.au/find-an-advocate/

Phone: 1300 186 453

Office of the Public Advocate

Community Visitors visit people who live in disability supported accommodation like group homes, to make sure they are getting good and safe support. You can call and ask the Community Visitors to visit you on 1300 309 337.

VDWC Victorian Disability Worker Commission

Victorian Disability Worker Commission

The Victorian Disability Worker Commission helps protect the rights of people with disability to be safe and to get good services.

If you are not happy about your provider or worker, go to: https://www.vdwc.vic.gov.au/ or phone: 1800 497 132.

If you need legal help to make a complaint:

Here are some Legal Centres that can help people in Victoria who have a disability know about and use the law to make sure their rights are respected:

Villamanta Disability Rights Legal Service

https://villamanta.org.au

Phone: 1800 014 111

Mental Health Legal Centre

https://mhlc.org.au

Phone: (03) 96294422

Tenants Victoria

https://tenantsvic.org.au

Phone: (03) 94162577

Victoria Legal Aid

https://legalaid.vic.gov.au

Phone: 1300 792 387

Community Legal Centres

Find a Community Legal Centre:
https://www.fclc.org.au/find_a_community_legal_centre

Notes:

Notes:

SPEAKING UP ABOUT YOUR CONCERNS

IF YOU





have a problem or are unhappy



It's okay



to talk to



Family/ advocate



Key Worker or Staff



Team Leader

NDIS Quality and Safeguards Commission



to sort it out, so you are happy

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