



SPEAKING UP FOR YOU INC. protects and defends the human rights of people with disability through individual advocacy to address injustices and to make a positive and sustainable difference to their lives.



NDIS Complaints

It is important to know your rights as a person using the NDIS or as a person who wants to use the NDIS.

If you are unhappy with the NDIS you can make a complaint.

1. You can complain about the decisions the NDIA has made about your eligibility or your support.
This particular complaint is referred to as a **'review of a decision'** or an **'appeals'**.

OR

2. You can complain about how you were treated by the NDIA.

There are different processes to follow depending on which type of complaint you want to make. It is important that you are clear about what you want changed, and whose decision or actions you are not happy with.

SUFY can help you determine the right type of complaint to make and help you prepare and support you through the process.

Unhappy with a NDIA Decision

Sections 99 - 103 of the NDIS Act sets out what to do if you are unhappy with a decision the NDIA has made. It also gives a list of decisions you can ask to be reviewed. Decisions such as being accepted as a participant of the NDIS or the content of your plan are reviewable decisions.

Section 100 of the NDIS Act says the NDIA must tell you in writing the decisions made that affect you and your right to have the decision reviewed. You, or any person affected by the decision can ask for a review. They must ask for this within 3 months of receiving the letter that tells you about the decision.

This is called an Internal Review.

An Internal Review is done by the NDIA. The NDIA member who works on the Internal Review will not have been involved in the first decision. This person will agree with the first decision, change it or make an entirely new decision.

Section 103 of the NDIS Act says that if you are unhappy with the decision after it has been reviewed you can make a complaint to the Administrative Appeals Tribunal (AAT). This process allows you to appeal an internal review decision. An application must be made to the AAT within 28 days of being notified of the Internal Review decision.

Support is available to go through this process. A NDIS Appeals Officer is available to provide a range of supports throughout the AAT process. To find out more contact [SUFY](#).

Unhappy with how the NDIA has treated you

If you are unhappy with how you have been treated by the NDIA you have a right to speak up.

The NDIA has its own internal complaints handling process that deals with complaints about how the staff of the NDIA has treated you, or about delays in getting things done, or anything else to do with the way the NDIA operates.

You can make a complaint by talking to someone at your local NDIA office or by filling in the online complaint form on the NDIA website.

You can expect that the complaint will be handled fairly and as quickly as possible. If you are dissatisfied with the outcome of your complaint you can ask for a NDIA supervisor or manager to review your complaint and how it was handled.

If you are still unhappy you may seek assistance from the Commonwealth Ombudsman.

Having an advocate support you through this process can be very helpful. To find out more contact [SUFY](#).