

Information for Service Providers

The Disability Services Commissioner (DSC) is an independent oversight body resolving complaints about Victorian disability service providers, and promoting the right of people with disability to be free from abuse.

What do service providers have to do?

Disability service providers in Victoria are required by the *Disability Act 2006* to:

- have an accessible (s. 5 (2)(b)) complaints management system in place with a clear process to receive and resolve complaints about their services and supports (ss. 104, 106A);
- ensure that people with disability who are using services know how to make a complaint to the service provider and to the Disability Services Commissioner (s. 89 (2)(c));
- take all reasonable steps to ensure that no person is adversely affected because they have made a complaint or provided information and assistance to DSC (s. 132ZA);
- report every year to DSC about the number and types of complaints received, including how they were resolved (s. 105); and
- cooperate with DSC investigations by providing information and documents on request, and by allowing DSC authorised officers access to disability service premises and relevant documents (ss. 132J, 132K, 132M).

National Disability Insurance Scheme (NDIS) registered Victorian disability service providers need to comply with these requirements.

How can DSC support service providers?

If appropriate, DSC encourages the person making the complaint to try to resolve the complaint directly with the service provider before involving DSC.

DSC can assist your organisation by:

- providing advice and recommendations on improving your service for people with disability during and following a complaint, review, or investigation;
- providing a free web-based annual complaints reporting tool (ACR Tool) to record and report your complaints data;
- providing education and information sessions for people using your service, their families and carers;
- assisting you to respond more effectively to complaints through staff training, resources and guides, and consulting on complaint issues; and
- providing brochures and materials that can be distributed by your organisation to people using your services, their families and carers.

Who can make a complaint to DSC?

Anyone can contact DSC with a complaint. They may be a person with disability, family member or friend of someone with disability, staff member, carer or a member of the community.

People can contact us to discuss their concerns without making a complaint. We may be able to assist them to raise their concerns directly with the service provider without the need for a complaint to DSC.

Service providers are also welcome to contact us for advice on resolving complaints received.

What types of issues can a complaint be about?

A complaint to DSC can be about:

- the disability services a person receives or;
- how a disability service provider has handled a complaint.

This includes complaints about NDIS communication with or planning by Local Area Coordinators.

DSC can consider complaints about Victorian disability services that are funded by the Department of Health and Human Services (DHHS), Transport Accident Commission and the NDIS.

Why is DSC contacting my service even though there is no complaint?

Under the *Disability Act* 2006, DSC has the power to initiate investigations into Victorian disability service providers even if a complaint has not been received.

The Commissioner can also investigate and review matters that are referred by the Minister for Disability, Ageing and Carers, or the Secretary to DHHS.

What happens after 1 July 2019 and the full rollout of the NDIS?

Until 30 June 2019, DSC retains all current functions and powers.

After the establishment of the NDIS Quality and Safeguards Commission in Victoria from 1 July 2019, DSC will continue to manage complaints for eligible Victorians with disability who don't yet have an approved NDIS plan.

Once full rollout has been achieved and every eligible Victorian with disability has an approved NDIS plan, DSC will begin to wind up operations.

For updates on these timelines, please visit our website: www.odsc.vic.gov.au.

Contact us for more information about DSC

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| Phone (preferred) | 1800 677 342 (free call from landlines) or TTY 1300 726 563 |
| Website | www.odsc.vic.gov.au |
| Fax | 03 8608 5765 |
| Email | complaints@odsc.vic.gov.au |
| National Relay Service | www.relayservice.gov.au then 1800 677 342 |