Making a complaint about disability services

Summary

- If you are unhappy with the way disability services have treated you, you have the right to complain and to have your concerns addressed.
- Speaking to the disability service provider involved is a good first step.
- All Victorian registered, funded or contracted disability services are required to have processes for hearing and dealing with complaints about their organisation.
- Anyone can make a complaint to the Disability Services Commissioner (DSC). DSC is an independent statutory body that provides advice and assistance with the resolution of complaints about disability services. You can call the Commissioner on 1800 677 342.

If you are unhappy with the way a disability service has treated you, you have the right to complain and have your concerns addressed. Disability service providers are required to have, and to inform you about, their complaints procedure. Speaking to the disability service provider involved is a good first step. If the nature of your complaint makes this difficult, or if at any time during or at the end of the process you want to seek further advice or assistance, there are several other ways to have your complaint heard and acted upon.

Who can complain

Anyone can make a complaint including:

- the person who received the disability service
- a carer, family member or friend
- a professional advocate or legal representative.

What you can complain about

You can complain about any aspect of your care or treatment. You can make a complaint about a disability service provider who you think has:

- not provided satisfactory disability supports
- not treated you with dignity and respect
- not provided adequate information about services so you can make an informed choice
- not given you access to information about your healthcare when you have asked
- used your health information inappropriately such as sharing it with others without your consent
- discriminated against you. You can make a complaint about the disability service provider, its staff or any services it provides.

As a first step, it is a good idea to approach your disability service provider and discuss your concerns. Sometimes this can be hard and if you need help, there are services that can help you.

Steps for making a disability complaint

It is a good idea to make your complaint as soon as possible, either in person or in writing. The longer you wait, the harder it could be to establish the facts and resolve any issues.

Step 1. Speak directly with the staff member

As a first step, try to speak with the person involved. It might be a misunderstanding or something that a simple apology could resolve. It’s okay to ask for someone you trust to support you when you do this.

Step 2. Speak with someone representing the disability service
Disability service providers often welcome feedback so they can improve their services. Sometimes it highlights a bigger problem that they need to address. All Victorian registered, funded and contracted disability support services have processes for hearing and dealing with complaints within their organisation. The disability support service may be able to give you an immediate solution or will try to address it as soon as possible through its complaints process. They should keep you updated on their progress in addressing your complaint.

**Step 3. Lodge your complaint with a regulatory body or authority**

At any time during the complaint process, you can seek assistance from or make a formal complaint to a regulatory body or authority such as the Disability Services Commissioner (for supports provided by a registered, funded or contracted disability service provider) or the **Office of the Health Complaints Commissioner** (for treatment by any Victorian healthcare organisation, including private treatment). It is a good idea to phone the regulatory body or authority first to ensure they are the right organisation to deal with your complaint and to have their process explained to you.

**Disability Services Commissioner**

The **Disability Services Commissioner** provides an independent, free, and confidential complaints resolution process. The Commissioner encourages and assists the resolution of complaints in a variety of ways including discussions, conciliation processes or, under certain circumstances, through investigations. The Commissioner can take complaints about disability supports funded through the Department of Health and Human Services, the National Disability Insurance Agency or the Transport Accident Commission.

**Victorian Equal Opportunity and Human Rights Commission**

If you think your complaint involves discrimination, you should contact the **Victorian Equal Opportunity and Human Rights Commission**. The Commission provides a free, confidential and supportive complaints resolution process.

**National Disability Abuse and Neglect Hotline**

The **National Disability Abuse and Neglect Hotline** is an Australia-wide telephone hotline for reporting abuse and neglect of people with disability. Where a caller reports abuse or neglect in a government-funded service, the Hotline will refer the report to the government body that funds the service. The funding body will then investigate the report. Call 1800 880 052 to make a report.

**Health Complaints Commissioner**

The **Office of the Health Complaints Commissioner** accepts complaints about all Victorian health services and practitioners claiming to provide healthcare. This includes private disability services. The Health Complaints Commissioner can help if you have trouble resolving your complaint directly with your health service provider or if you need help establishing a complaint with a healthcare organisation, regulatory body or authority.

**Office of the Public Advocate**

The **Office of the Public Advocate** (OPA) works to protect and promote the interests, rights and dignity of people with a disability. They provide last resort advocacy services. This service is available only where all other advocacy options have failed.

**Where to get help**

- Disability Services Commissioner, call **1800 677 342**
- **Health Complaints Commissioner**, call 1300 582 113
- National Disability Abuse and Neglect Hotline, call **1800 880 052**
- Office of the Public Advocate, call **1300 309 337**

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