

General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an

infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

Victorian Disability Worker Commission

In this fact sheet, we introduce the Victorian Disability Worker Commission ('VDWC'). We outline how complaints can be made by people to the VDWC.

The VDWC is an independent body that helps protect people with disability by making sure Disability Workers in Victoria follow a clear [Code of Conduct](#). This Code sets minimum standards for how Disability Workers must act.

You can complain to the VDWC about a Disability Worker's behaviour, skills, safety, or if you think they've broken the [law](#) or Code. The VDWC can investigate complaints and, in serious cases, stop someone from working in the disability sector. They accept anonymous complaints and will try to help if your issue falls outside their scope.

Legislation and Key Terms

The Disability Worker Regulation Scheme (**Scheme**) was established by the [Disability Service Safeguards Act 2018 \(Vic\)](#), and involves the regulation of registered and unregistered Disability Workers in Victoria. The Scheme applies to all Disability Workers in Victoria and is supported by the VDWC.

Relevant Legislation: Below are links to legislation that is relevant to the VDWC's complaint handling work.

- [Disability Service Safeguards Act 2018 \(Vic\)](#) (**DSS Act**)
- [Disability Service Safeguards Regulations 2020 \(Vic\)](#) (**DSS Regulations**)
- [Disability Service Safeguards Code of Conduct](#) (**Code of Conduct**)

Key terms: Below are key terms that appear throughout this factsheet and their meaning.

Complaint: An expression of dissatisfaction where a response or resolution is wanted, expected or required.

Complainant: A person who has made a complaint.

Code of Conduct: The [Disability Service Safeguards Code of Conduct](#).

Disability Worker: A person is a Disability Worker if they provide a service to a person with a disability or supervise a person providing a service to a person with a disability.

DSS Act: the [Disability Service Safeguards Act 2018 \(Vic\)](#).

DSS Regulations: [Disability Service Safeguards Regulations 2020 \(Vic\)](#).

NDIS: National Disability Insurance Scheme.

Notification: When a Disability Worker or employer must let the VDWC know about a concern that a Disability Worker may be putting safety at risk.

Notifiable Conduct: Misconduct that a Disability Worker engages in under one of the following categories: intoxication while practicing, sexual misconduct, detrimental impairment or significant departure from accepted professional standards.

Register: The public register of Victorian Disability Workers.

Registered Disability Worker: A Disability Worker who is registered under the DSS Act.

Scheme: the Disability Worker Regulation Scheme.

Step 1: What type of Complaints can be made to this body?

VDWC receives any enquiry, complaint or notification about any Disability Worker in Victoria. Anyone can make a complaint about a Disability Worker to VDWC, regardless of how the Disability Worker is funded.	
Sub-category	Example
Poor Standard of Work	You should make a complaint if a disability worker's work is of poor quality or consistently below an acceptable standard. In other words, if they are not doing their job properly or delivering the level of care or service that a reasonable person would expect, it's appropriate to raise a concern. The VDWC sets the standards that all Disability Workers are required to follow. Adherence to standards form part of the assessment of all Disability Workers' suitability to be registered as a Disability Worker and contribute to Disability Workers' delivering high-quality and safe disability services, and in turn, keeps people with disability safe when receiving these services. <i>Examples:</i> • <i>ABC Pty Ltd employs Jonothan, a Disability Worker. Jonothan was employed to provide accommodation and support services to Amelia. This involved supporting Amelia to attend various activities. Amelia has a behaviour support plan in place that includes requirements for safe travel in a vehicle. Jonothan did not follow Amelia's behaviour support plan for how to safely transport her between locations. This resulted in Amelia leaving the vehicle and being at risk of harm.</i> • <i>Diana goes to visit her child at their supported accommodation several times a week. Over the last couple of weeks, Diana notices that in the kitchen, there are food scraps all over the ground, the surfaces are always dusty and that the toilets are smelly and uncleaned. Diana notices that the staff are always sitting on their phones and not engaging with the residents.</i> • <i>Mira, a 65-year-old woman with a physical disability, finds that her support worker often arrives late and leaves early. The worker frequently skips important tasks like preparing Mira's meals and cleaning up, leaving Mira without food and in an untidy home. This substandard work causes Mira distress.</i>
Lack of Knowledge, Skill or Judgement	You should make a complaint if a disability worker appears to lack the necessary knowledge, skills, or proper judgement to do their job safely and effectively. This means the worker may be untrained, ill-informed, or making poor decisions that negatively affect a person with disability. It is essential for Disability Workers to have the knowledge, skills, qualifications, experience and competence required for them to properly care for their clients. Adequate worker expertise and competence is central to safe and skilful service delivery. In practice, having the required expertise and

	competence for a role means workers: • are honest with the people with disability they support, about their qualifications and ability to provide particular services, as well the limits of their knowledge, skills and experience • hold any qualifications required for the role • develop and maintain the knowledge and skills required for their role. If a person with disability, or their family or carer, or a supervisor within an organisation directs a Disability Worker to deliver services for which they do not have the necessary training, competence and qualifications, the workers should decline to do so, and explain that they cannot undertake a task for which they do not possess the necessary training, competence or qualification. <i>Examples:</i> • <i>Taylor is a person with a disability and requires PEG feeding. Amara sometimes supports Taylor helping with cleaning and other general household tasks. One day, the worker who administers Taylor's PEG feed is late. Amara offers and tries to administer the PEG feed instead, even though she has no knowledge or experience in doing so and Taylor is injured in the process.</i> • <i>Amin's family notices that the new support worker doesn't know how to use Amin's hoist correctly and makes unsafe decisions about transferring him. Amin is a 30-year-old man with quadriplegia, and improper use of his lifting equipment could cause him serious injury.</i> • <i>Martha receives assistance from an NDIS registered occupational therapist every week to assist her to manage at home and at work. She usually has appointments with a therapist who has worked in the disability sector for over five years. One day, she is told that her appointment will be with Stephen, who is an occupational therapy student. Stephen has not yet graduated from university and there is no other occupational therapist supervising him in the appointment.</i>
Unable to provide services safely (Capacity Issues)	You should make a complaint if a disability worker is not able to provide services in a safe way, or seems unfit to deliver safe care. This could involve any situation where the worker's own condition, behaviour or circumstances mean the support they provide might put someone at risk. Disability Workers must not have an impairment that detrimentally affects their capacity to provide disability services in a safe manner. 'Impairment' has a broad meaning, covering both physical and psychological conditions. Before making a complaint to the VDWC, you should consider if the impairment detrimentally affects, or is likely to detrimentally affect, the Disability Worker's capacity to practice, and whether the Disability Worker placed, or may place, the public at risk of harm. You should not notify the VDWC if the Disability Worker has effective controls to manage the impairment and address the risk of harm to the

	public (for example, the Disability Worker has a treatment plan and is taking a break from practice, such as sick leave for the treatment). <i>Examples:</i> • <i>Sam has a behaviour support practitioner who regularly attends their supported accommodation to provide training to the support staff who look after Sam on a day-to-day basis. Sam's behaviour support practitioner always leaves a written behaviour support plan setting out the detailed strategies and support systems that are discussed in training. Two new support workers are assigned to care for Sam. They do not speak English very well. Although they are given the support plan and attend the trainings, they do not seem to understand the contents, and this is impacting on the way they care for Sam.</i> • <i>Dominique is a support worker who often provides support to Alex one-on-one. During this time with Alex, Dominique regularly leaves the room to take calls on her personal phone.</i> • <i>Jodie, a support coordinator, observes that one of the personal care assistants, Sam, has been excessively tired and disoriented while on duty. Sam occasionally almost administers the wrong medication and once nearly dropped a client during a transfer. Jodie is worried that Sam does not have the capacity to provide services safely.</i>
Breach of the Law or Code of Conduct	You should make a complaint if a disability worker has broken the law or violated the official Code of Conduct for disability workers. The Disability Service Safeguards Act 2018 (Vic) ('DSS Act') and the Disability Worker Code of Conduct set out clear rules for ethical and safe behaviour. The guiding principle under the DSS Act is that all people with a disability whom disability services are provided have the same rights as other members of the community, for example: • to be respected for their human worth and to be treated with dignity as individuals; • to live free from abuse, neglect and exploitation; • to realise their individual capacity for physical, social, emotional and intellectual development; • to exercise choice and control over their own lives; • to access information and communicate in a manner appropriate to their communication and cultural needs; • if a child, actively to involve the child's family and any other caregivers in decisions affecting the child and to have information and support to enable this to occur; • to choose Disability Workers with the values, skills and qualifications that meet their needs; and • to access services which support their quality of life. All Disability Workers are required to follow the DSS Act and the Code of Conduct.

	<i>Examples:</i> • <i>Nguyen is a young man with an intellectual disability who lives in a group home. One of the staff members has been bullying and verbally harassing him, calling him hurtful names. This behaviour breaches the worker's Code of Conduct obligation to treat people with respect and dignity.</i> • <i>Jo is a person with a disability who has significant behaviours of concern. Jo is usually supported by Sami once a week at Jo's group home. One day, Sami forgets to write the record of observations and the support he provided to Jo. Sami often forgets to write this record when he leaves Jo, however he is required to keep accurate records under the Code of Conduct.</i>
Working While Intoxicated (Alcohol or Drugs)	You should make a complaint if a disability worker is under the influence of alcohol or drugs while working, as this can put people with disability at serious risk. (This kind of misconduct is so serious that workers and employers must <u>notify</u> the Commission if they become aware of it.) <i>Example: A fellow support worker notices that James, a disability support worker, smells strongly of alcohol and is slurring his speech during his evening shift at a care facility. James is supposed to help residents with their nightly routines, but his intoxication is making his behaviour erratic and unsafe.</i>
Sexual Misconduct	You should make a complaint if a disability worker engages in any unwelcome or inappropriate sexual behaviour towards a person with disability. This includes any sexual acts or advances without consent, sexual comments, touching, or exploitation. Such conduct is never acceptable in a support setting, even if it doesn't amount to a criminal offense, it is always a serious breach of trust and safety. <i>Example: Rita, a 30-year-old woman with disability, feels extremely uncomfortable with her in-home carer. He has been making sexual jokes and suggestive comments toward her and even attempted to touch her inappropriately during a support session. These actions are clear sexual misconduct.</i>
Failure to Respect a Person's Rights or Privacy	You should make a complaint if a disability worker does not respect the rights, dignity, culture, communication needs, or privacy of a person with disability. This includes situations where a worker talks down to someone, ignores their wishes, shares personal information without consent, or treats them without respect or cultural awareness. These rights are protected under the Disability Worker Code of Conduct, which says that every person with disability must be treated with respect and have their dignity, autonomy and privacy upheld at all times. <i>Example: Jackson is a 19-year-old man with intellectual disability. His support worker often talks about his personal medical history loudly in public and discusses his private information with other staff who aren't involved in his care. Jackson feels humiliated and disrespected.</i>
Serious Departure from Professional	You should make a complaint if a disability worker is doing something very clearly unacceptable by normal professional

Standards	standards, a serious violation that any reasonable worker would recognise as wrong, placing people with disability at substantial risk of harm. In other words, if the worker's conduct or practice is grossly out of line with the expected standards (not just a minor lapse), it should be reported. (This type of egregious misconduct is also one of the "notifiable" categories that must be reported by other workers or employers.) <i>Example: At a day program, Alana, a support worker, regularly ignores established safety protocols and engages in reckless behaviour. She has been transferring participants using unsafe techniques and leaving them unattended despite known fall risks. Other staff are shocked, as any competent disability worker would find Alana's practices obviously dangerous. One of her colleagues fears that someone will get seriously hurt due to this significant departure from professional standards.</i>
Exclusions	The VDWC can only look into complaints about individual disability workers and whether they meet the required standards. The following issues are outside their scope: • Complaints about NDIS plans or funding: The VDWC cannot help with issues about how your NDIS plan was set up, how much funding you received, or what supports were approved. • Complaints about an organisation or disability service provider: The VDWC only deals with complaints about individual workers, not the businesses, companies, or providers they work for. • Employment, pay, or workplace disputes: The VDWC cannot investigate complaints about wages, unfair dismissal, rostering, or worker rights. • Discrimination or human rights complaints unrelated to a disability worker's conduct: The VDWC only investigates conduct of individual disability workers. • Complaints about medical or allied health practitioners if unrelated to their disability work: If a registered health practitioner (like a nurse or physiotherapist) is being complained about in their healthcare role and not their disability support role, the complaint should go to AHPRA (Australian Health Practitioner Regulation Agency). • Family disagreements or conflicts not involving a disability worker's conduct: If a complaint involves conflict within a family or between guardians (with no misconduct by a worker), the VDWC cannot get involved. • Services provided outside Victoria: The VDWC only deals with disability workers who provided services in Victoria. If the support happened in another state or territory, you'll need to contact the local regulator there. • Complaints about registered NDIS providers under the NDIS Commission's scope: If your issue relates only to an NDIS provider (not an individual worker), you must contact the

	NDIS Quality and Safeguards Commission, not the VDWC. • Issues with service availability or long wait times: The VDWC can't investigate complaints about delays or gaps in available disability services unless they involve a specific worker's misconduct or failure. • Historical abuse or criminal matters already dealt with by police or courts: While the VDWC may consider safety risks from past worker behaviour, they do not re-investigate matters already determined by police or courts.
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Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	The VDWC has powers to hear complaints under the law of Victoria.
Geographical Scope	The VDWC has powers to hear complaints about any Disability Worker in Victoria. It can also refer and recommend other organisations that may be able to help with other concerns.
Time Limitations	There are no time limits for reporting your concerns to the VDWC. However, the earlier your concerns are reported, the better the outcomes. The VDWC has discretion to take no action on a complaint or a notification if it is made more than 12 months after the provision of the disability service that is the subject matter of the complaint/notification (or 12 months after the disability service was sought but not provided).
Exclusions	The VDWC does not handle: • Complaints about disability services outside Victoria: The VDWC only handles complaints and notifications regarding provision of disability services in Victoria. If your complaint or notification relates to disability services outside Victoria, you would need to contact the relevant State or Territory equivalent. • Matters that occurred before July 2020 (unless there's an ongoing risk): The VDWC can generally only investigate conduct or services delivered after 1 July 2020, when its governing law came into effect. Earlier conduct may only be considered if it relates to a current risk to people with disability.
Exercise of discretion	When the VDWC might not investigate your complaint: The VDWC doesn't have to investigate every complaint. It can decide not to investigate if: • your complaint seems to be made in bad faith (for example, to cause trouble or waste time) • the issue is minor, not serious, or doesn't need a formal response

- your complaint doesn't have enough detail or seems confused
- you didn't provide more information when asked
- another organisation is better placed to deal with the issue
- there is, or was, another way to fairly deal with the problem (like through another complaint process or legal option)

How the VDWC handles outcomes: The VDWC can choose the most appropriate way to respond to your complaint. This might include giving advice, offering conciliation, investigating the issue, or taking other steps to help resolve it.

Step 3: Who can you make a complaint against?

Respondent	Description
Disability Workers	Anyone who provides disability services to a person with disability in Victoria. This includes workers in both paid and unpaid roles (if connected to an organisation or agency), and applies no matter how the service is funded (NDIS or not). Workers can be: • employed by an organisation • self-employed • working under contract This includes support workers, behaviour support practitioners, therapists, personal care assistants, job coaches, and more.
Disability Students	You can make a complaint about a disability student if they are listed on the public register and are providing disability services as part of their supervised placement or study.
Supervisors and Managers	If a manager or supervisor is directly involved in providing, overseeing, or influencing the delivery of disability services, they can be the subject of a complaint.
Disability Workers in non-traditional settings	Disability Workers aren't just found in disability-specific roles. You can complain about a worker in any setting if their role involves more than incidental contact with a person with disability. This includes: • schools or education settings (e.g. an aide providing tailored learning support) • transport (e.g. a driver who assists a person with disability daily) • employment support service • recreational or community programs <i>Note: To be covered, their contact with the person with disability must be regular and significant enough to impact service delivery - not just one-off or minimal.</i>

Exclusions	The VDWC will not handle complaints against: • Disability Service Organisation: The VDWC only deals with individuals, not companies or providers. If your concern is about a disability service provider or business (not a specific worker), contact the NDIS Quality and Safeguards Commission (for NDIS services) or the Disability Services Commissioner (for non-NDIS services). • Volunteers (in private or casual roles): You cannot complain about a volunteer unless: ○ they receive a payment or reward for their service, or ○ they are volunteering through an organisation or agency that delivers disability services. • Unpaid Family Members or Informal Carers: You cannot complain about a family member of a person with disability unless they are paid to provide disability services. • People with only incidental contact: You cannot complain about someone whose role involves only minimal or incidental contact with people with disability, such as: ○ receptionists ○ administrative staff ○ cleaners ○ IT or maintenance workers • People not providing a disability service: If someone's role is not about delivering disability services, even if they work in a disability-related environment, they are outside the VDWC's scope. For example, a hospital worker treating patients generally (not in a disability support role) is not considered a Disability Worker for the purposes of a complaint.
Additional information you should know	The VDWC will also accept complaints about Disability Workers where the behaviour happened in the past.

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	Anyone can make a complaint against a Disability Worker in Victoria. This includes (but is not limited to): • a person with disability; • a carer; • a family member; • a friend of someone with disability; or • a member of the community.

Pre-requisite steps	There aren't any pre-requisite steps to make a complaint to the VDWC. However, if possible, the VDWC suggests that you attempt to resolve your concerns with the relevant Disability Worker prior to making a complaint or notification to the VDWC as sometimes, a complaint or notification may relate to a misunderstanding between you and the Disability Worker. If you are still unable to resolve your concerns, you are welcome to reach out to the VDWC and make a complaint.
Can complaints be made on behalf of someone?	You can make a complaint on behalf of a person with a disability. However, the VDWC considers it very important that the person with disability gives their consent for the complaint to be investigated. The VDWC prefers people with disability to be involved in the complaints process as much as possible so that their voice is heard and considered. You should talk to the person with the disability to make sure that they are happy for the complaint to proceed. The VDWC will also try to speak to the person with disability (where possible) to gain their consent to proceed.
Exclusions	In most cases, anyone can make a complaint, but the following are the only known exclusions or limits based on who the complainant is: • Complaints made on behalf of someone without their consent (where appropriate): If you're making a complaint on behalf of a person with disability and they have the capacity to give consent, you generally need their permission before lodging the complaint. The VDWC may not accept the complaint if it's made without consent, unless there is a serious safety concern or risk of harm. • Complaints made by someone with no direct knowledge or information: While complaints can be made by any person (e.g. friends, carers, members of the public), the VDWC may choose not to investigate if the person lodging the complaint has no relevant connection to the issue and cannot provide any specific information. However, this is a matter of discretion, not an absolute bar.
Additional information you should know	You can make a complaint to the VDWC completely anonymously. The VDWC's services are completely free and you do not need legal advice, unless you want to obtain some.

Step 5: What remedies are available at this body?

Power	Description
Settle by agreement	The VDWC can help the person making the complaint and the Disability Worker come to an agreed outcome. This might involve clarifying what happened, rebuilding trust, or agreeing on a way forward.

Apology	The VDWC can ask the Disability Worker to apologise for their behaviour to the person making the complaint and/or to the affected person with a disability.
Conciliation	The VDWC can refer both parties to a formal conciliation process, where a neutral person helps them discuss the issue and try to reach a resolution. Conciliation can only occur if both sides agree to take part.
Counselling	The VDWC can refer a Disability Worker to counselling. The purpose of the counselling is to educate the Disability Worker about their responsibilities under the Disability Service Safeguards Code of Conduct.
Health Assessment (Registered Workers)	The VDWC can require a registered Disability Worker to undergo a health assessment if there are concerns that a physical or mental health condition may be affecting their ability to work safely. The worker must be notified in writing.
Performance Assessment (Registered Workers)	If the VDWC believes that a registered Disability Worker is not performing to a safe and acceptable standard, it can require them to undergo a performance assessment. This may involve reviewing their skills, behaviour, and how they do their job.
Investigation	The VDWC can investigate a Disability Worker's behaviour if it believes there may have been a breach of the Disability Service Safeguards Act or Code of Conduct. After the investigation, the VDWC will decide whether: • to take no further action • to take disciplinary or regulatory action • to refer the complaint to another organisation
Immediate action (registered Disability Workers)	In urgent or serious cases, the VDWC can take immediate action against a registered Disability Worker. This may include: • Suspending the worker's registration • Placing conditions on their registration • Accepting a written undertaking from the worker (agreeing to certain actions) • Accepting the surrender of the worker's registration • Banning the worker from providing disability services (if their registration is suspended or cancelled) This action can be taken if the worker poses a serious risk or if it is in the public interest.
Prohibition Order (unregistered)	For unregistered Disability Workers, the VDWC can issue a Prohibition Order if the worker poses a serious risk to the health,

Disability Workers)	safety or welfare of people. This can: • Permanently ban them from working in disability services • Temporarily ban them (up to 12 weeks – an Interim Prohibition Order) • Allow them to continue working under strict conditions Reasons a Prohibition Order might be made include: • Breaching the Code of Conduct • Being charged or found guilty of certain offences • Being banned by another regulator or screening body • Being the subject of a bar or suspension under the NDIS worker screening system
Referral to Another Body	If the complaint is better handled by another regulator (e.g. AHPRA, NDIS Commission, or Disability Services Commissioner), the VDWC can refer the matter to that body.
No Further Action	After reviewing a complaint or completing an investigation, the VDWC may decide to take no further action, especially if: • the complaint is not substantiated • the issue has already been resolved • the matter is minor or doesn't pose a risk
Additional Info	• Remedies are not limited to punishment. The VDWC focuses on education, prevention, and public safety. • Apologies and conciliation are common for less serious concerns. • Prohibition and suspension powers are used for high-risk or repeated misconduct. • The VDWC cannot order financial compensation.

Step 6: Preparing your complaint. What should it include?

Requirement	Description
Format	Complaints can be lodged: • in writing through the online portal; • in writing by letter; • verbally over the phone; • by email to the VDWC; or • explained in person at the VDWC office.

	VDWC can assist with any accessibility requirements or interpreters if they are required to make a complaint. VDWC can offer you reasonable assistance to assist you in preparing your complaint. This could mean helping you to put your complaint in writing or helping you to clarify the issues in your complaint.
Personal Details	You can choose to lodge your complaint to the VDWC anonymously. However, this may limit how the VDWC can help and might also affect the outcome of the complaints process. You will also not be given updates on the progress of the complaint. If you are comfortable providing your personal information, this should at least include your: • first and last name; • a preferred contact method; and • whether you are submitting the complaint on behalf of yourself or another person. The VDWC complaints portal will not progress until you complete the above fields. However, if you want to make an anonymous complaint, you can enter made-up details in these fields.
Respondent's Details	You should provide the following details about the Disability Worker who you are complaining about: • the Disability Worker's first name; and • the Disability Worker's last name. If you can, you should also provide as much of the information below as you can as this will help the VDWC to progress your complaint: • any other names the Disability Worker is known by; • the Disability Worker's contact details (phone and email address); and • the name of the service provider that the Disability Worker works for (if applicable).
Relevant Facts	The online portal will ask you to write a summary of your complaint. This should include information about the Disability Worker's behaviour or the quality of work that has led you to complain. After you submit your complaint through the Online Portal, an intake officer from the VDWC will contact you to ask you more questions about your complaint and the reason why you have contacted the commission. An intake officer will then provide you with a copy of the issues and outcomes that you have discussed with them.
What NOT to include	Do not include false or misleading statements. If you are unsure about something, say so in your complaint. Do not make any guesses about any information you want to include.

Additional information you need to know

- **Confidentiality:** All complaints made are confidential.
- **Informing Disability Worker:** Once the VDWC receives a complaint about a Disability Worker, it must let the Disability Worker know that a complaint has been made against them. The VDWC must tell the Disability Worker what the complaint is about. However, if the VDWC reasonably believes that letting the Disability Worker know about the complaint would harm an investigation or put a person's health and safety at risk, it does not have to tell the Disability Worker about the complaint.

Once the VDWC understands the issues and outcomes, it will ask for your consent to contact the Disability Worker to discuss it with them.
- **Withdrawing your complaint:** You can withdraw a complaint at any time after making a complaint, however, the VDWC may still continue to deal with the complaint if it could put a person or the public at serious risk.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	You can make a complaint to the VDWC as follows: • Online form: VDWC Public Services • Email: complaints@vdwc.vic.gov.au • Post: GPO Box 181, Melbourne, Vic, 3001 • Telephone: 1800 497 132 from 9:30 am – 4:30 pm • In person: Level 20, 570 Bourke Street, Melbourne.
Receipt/ acknowledgement of complaint	If you contact the VDWC to make a complaint by using the online portal, an intake officer will contact you within 24 business hours. The intake officer might ask you: • for some more information about yourself and your complaint; • for some information about your (or the person with a disability's) living situation (for example: with family or independently in the community); • if you have, or would like to have, a support person to help you make the complaint; • for more information about the Disability Worker's behaviour or their quality of work that has upset you; • the outcomes or resolutions that you would like. If you are unsure, the VDWC can suggest some possible options. You do not need to share this information with VDWC at this stage, however, it will assist VDWC to manage your complaint. You can choose to have a face-to-face meeting with the VDWC to talk about your complaint. An experienced VDWC staff member will attend

	the meeting
Assessment	The VDWC has 60 days to try and resolve your complaint after it has contacted the Disability Worker to discuss the complaint and asked them for a response. The VDWC will contact you after the meeting or the conversation to let you know the next steps.
Settlement, counselling or conciliation	After the VDWC completes its assessment of your complaint, it may: • help to bring about an agreement between you and the Disability Worker; • refer the Disability Worker to counselling; or • refer and arrange a conciliation between you and the Disability Worker.
Investigation	After assessing your complaint, the VDWC may also decide to formally investigate your complaint. The VDWC can decide to investigate if: • there may have been a breach of the Code of Conduct • the complaint is about an unregistered worker who has been banned from practicing in the sector or has committed a prescribed offence • the complaint is about a Disability Worker who has an impairment that detrimentally affects their ability to work • the complaint raises behaviour that might be unprofessional conduct
Prohibition Order	During the investigation, the VDWC can issue a Prohibition Order on an unregistered Disability Worker from providing disability services for up to 12 weeks. After the investigation, the VDWC may also decide to prohibit the Disability Worker from ever working in the sector again.
Other steps following an investigation	After an investigation the VDWC may choose to: • take no further action; • take action that it considers to be necessary or appropriate (for example, issue a Prohibition Order); or • refer the complaint to another organisation to investigate.
Additional information you need to know	• It is a good idea to keep a copy of the complaint you have made. • You should update the complaint body about any changes that impact on your complaint. • You should try to provide as much information as possible at the

beginning of the complaints process. If you drip feed information over time, that can slow your complaint down. However, the VDWC will help you through this process when they meet you or speak to you to ask you questions about your complaint.

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Internal review opportunities	If you have a complaint about the VDWC, you can make a general enquiry through the online form or you can email VDWC at info@vdwc.vic.gov.au. The VDWC welcomes feedback and encourages people to make any complaints that they have. The VDWC asks that if you are unhappy with the VDWC or have a suggestion on how it can improve, to first raise it with the staff member who has been assisting you. However, if you are not comfortable doing this, you can ask the staff member's manager to handle your complaint. You can also contact the VDWC to make a complaint: • by mail: Level 20, 570 Bourke Street, Melbourne 3000; • by phone: 1800 497 132 between 9:30 am and 4:30 pm on week days; • by telephone with assistance from the national translating and interpreting service: 131 450; or • with the assistance of the national relay service. Once you raise the complaint, staff from the VDWC will assess it and try to resolve it immediately. If these staff cannot resolve it, they will refer it to a manager for investigation. If you are not satisfied with the process or the outcome of the complaint at this stage, you can request an internal review. If you are not satisfied with the process or outcome of the internal review, the VDWC will inform you of external review options. The VDWC will aim to resolve your complaint within 28 days. The VDWC will take steps to remedy the situation, including offering a genuine apology.
Victorian Ombudsman	If you have a complaint about the VDWC, you can also contact the Victorian Ombudsman. Victorian Ombudsman Level 2, 570 Bourke Street, Melbourne VIC 3000 Telephone: (03) 9613 6222, toll free: 1800 806 314 (regional only) You should tell the Victorian Ombudsman about your complaint within 12 months of the decision that you want to complain about. The Victorian Ombudsman may not investigate a complaint if it is received after 12 months.

Step 9: Other bodies that handle complaints about workers who interact with people with disability.

Complaint body	Description
Australian Human Rights Commission	The Australian Human Rights Commission (AHRC) can handle complaints about discrimination that occurs in employment, education, the provision of goods and services, accommodation, sport or the administration of Commonwealth laws and services. If you have experienced discrimination, bullying or harassment on the basis of you ex, disability, race, age or sexual preference the AHRC may be able to help. There are also State Government discrimination complaint bodies who may also be able to assist.
Office of the Australian Information Commissioner	The Office of the Australian Information Commissioner (OAIC) can handle complaints about the way personal information has been handled by Australian Government agencies and some private organisations. The OAIC can also review freedom of information decisions that are made by Australian Government agencies and ministers. There are also State Government privacy and information complaint bodies who may also be able to assist.
National Anti-Corruption Commission	The National Anti-Corruption Commission (NACC) handles complaints about serious or systemic corruption in the Australian Government public sector. There are also a State Government corruption complaint bodies who may also be able to assist.
Health Complaints Commission	The Health Complaints Commission (HCC) can handle complaints about health service providers in Victoria, including unregistered health practitioners.
Australian Health Practitioner Regulation Agency	Regulates Australia's health practitioners in partnership with National Boards and implements the National Registration and Accreditation Scheme across Australia.
Commission for Children and Young People	Promotes improvement in policies and practices that affect the safety and wellbeing of Victorian children and young people.
Commissioner for Seniors	Provides independent advice and advocacy to the Victorian Government on issues relevant to senior Victorians.
Disability Services Commissioner	Helps resolve complaints raised by, or on behalf of people who receive Victorian disability services.
Human Services Regulator (Social	Regulates human services to minimise harm and to protect the safety and rights of children, young people and adults who receive human

Services Regulator)	services that are funded or regulated by Department of Families, Fairness and Housing.
Mental Health and Wellbeing Commission	Holds the Victorian government to account for the performance, quality and safety of Victoria's mental health and wellbeing system.
Mental Health Complaints Commissioner	Safeguard rights, resolves complaints and recommends improvements to public mental health services.
NDIS Quality and Safeguards Commission	Works with participants and providers to improve the quality and safety of NDIS services and supports.
Office of the Public Advocate	Human rights organisation which promotes the diversity and inclusion of all people. It also hosts Community Visitors who visit accommodation facilities for people with disability or mental illness.
Professional Bodies	Regulate professional and ethical obligations of members (e.g., Association of Social Workers, Nurses, Psychologists and health care workers).
Transport Accident Commission	Pays for treatment and benefits for people injured in transport accidents and promotes road safety.
Victoria Police	Serve the community and uphold the law to promote a safe, secure, and orderly society.
Victorian Equal Opportunity and Human Rights Commission	Protect human rights, promote fair treatment for all Victorians, and advocate for a diverse and inclusive state.
Victorian Institute of Teaching	Recognises and regulates members of the teaching profession in Victoria.
Working with Children Check	Screening process for assessing or re-assessing people who work with or care for children in Victoria.
WorkSafe Victoria	Workplace health and safety regulator focused on reducing workplace harm and improving outcomes for injured workers.

Need help to preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

Organisation	Contact Details	How they can help
VDWC	Website: https://www.vdwc.vic.gov.au/ Email: info@vdwc.vic.gov.au Telephone: 1088 497 132	You can contact the VDWC if you need more information about making a complaint.
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	Provide support to people if English is not their first language.
National Relay Service	Website: www.accesshub.gov.au	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.
National Information Service	Website: https://humanrights.gov.au/our-work/complaint-information-service/make-enquiry Email: infoservice@humanrights.gov.au Telephone: 1300 656 419 (Option 2) and 02 9284 9888	Provides information and referrals for individuals, organisations and employers about a range of human rights and discrimination issues

Self-help tools and additional resources

Resource	How this helps
VDWC Notification and Complaint Flowchart	Visual flowchart outlining steps in the complaint and notification process at the VDWC.
VDWC Complaints Service Fact Sheet	Sets out information about the complaints process, including who you can make a complaint about and the types of complaints you can make.
Disability Services Safeguards - Code of Conduct	Information on what the Code of Conduct requires, who is covered by the Code of Conduct and what happens if a Disability Worker breaches the Code of Conduct.
Flyer – Complaints about Victorian Disability Services	Shows information on the different commissions you can contact to make a complaint about disability services in Victoria.
Rights of people with disability	Information on the rights that people with disability have.
Webinar- Making a	Answers questions that you might have about making a

Resource	How this helps
Complaint: Who, What, When and How?	complaint to the VDWC.
‘Who is a Disability Worker’ Factsheet	Information on who you complain about to the VDWC.
VDWC – Notifications	Information about mandatory notifications.
Register of Disability Workers	Website where you can see the register of Disability Workers in Victoria.
Website – Complaints and Notifications	General information about complaints and notifications from the VDWC.
Code of Conduct	Disability Service Safeguards Code of Conduct that Disability Workers in Victoria must comply with.
Webinar for disability advocates	Information for those caring or advocating for people with disabilities.
Rights and Responsibilities of Disability Workers	Sets out the rights and responsibilities of Victorian registered Disability Workers.
Video – VDWC Complaints Service	Video explaining the VDWC complaints process.
VDWC Complaints and Feedback	Information on making a complaint about VDWC.