

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 that 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.

Disability Services Commissioner

In this fact sheet, we introduce the Disability Services Commissioner (**'DSC'**). We outline how complaints can be made to the DSC.

The DSC is an independent oversight body for the Victorian disability sector and has responsibility for handling complaints, oversight of critical incidents, and conducting investigations into allegations of abuse, assault, and neglect.

The DSC provides a free and confidential complaints resolution process to people with a disability to resolve complaints about registered disability support service providers that are:

- funded or contracted by the Department of Families, Fairness and Housing (**DFFH**);
- funded by the Transport Accident Commission (**TAC**).

The DSC also investigates serious incidents, including abuse or neglect, and can step in where there are ongoing or systemic issues. While it doesn't cover the NDIS, the DSC takes a "no wrong door" approach and can help point you in the right direction if they're not the right body to handle your complaint.

Legislation and Key Terms

Relevant Legislation:

- [Disability Act 2006 \(Vic\)](#)
- [Disability Amendment Act 2017 \(Vic\)](#)
- [National Disability Insurance Scheme Transition Amendment Act 2019 \(Vic\)](#)
- [Privacy and Data Protection Act 2014 \(Vic\)](#)
- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#)
- [Freedom of Information Act 1982 \(Vic\)](#)
- [Protected Disclosure Act 2012 \(Vic\)](#)

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.

Disability Service Provider: a person, business or organisation which delivers disability services or support to participants. Different disability service providers will have different areas of experience and expertise.

Disability group: a group for persons with a disability to feel a sense of community and share support and resources.

Notice to Take Action: a formal direction the Disability Services Commissioner can issue under the Disability Act 2006 requiring a disability service provider to take specific steps to address problems identified in the delivery of services

Respite care: a temporary care provided to caregivers so that they can take rest. Caregivers of someone with a disability may receive respite care so that they can have breaks from caring, in which someone else will care for the person with the disability.

Supported Independent Living Services: Supported independent living is a type of assistance to aid an individual to continue to live in their own home. It may include assistance or supervision with day-to-day activities such as cooking, cleaning and personal care. Often people who have a disability may seek supported independent living services.

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

Under the Disability Act 2006 (Vic), the Disability Services Commissioner (DSC) can deal with any complaint about the provision of disability services by a Victorian disability service provider. Below is a list of complaint types within the DSC's powers and jurisdiction:

Sub-category	Example
Inadequate support or poor quality service	You should make a complaint if your disability service isn't providing the level of care or support that it should. This includes situations where your needs are not being met, staff are not doing their jobs properly, or the quality of the service is substandard. For example, you might not be receiving help with daily activities, personal care, or supervision that the service agreed to provide. <i>Example: David complained that his adult son, Richard, wasn't being properly supported at mealtimes or with personal care during respite stays. He felt the staff were neglecting Richard's needs whenever Richard went to the short-term care house.</i>
Feeling unsafe or threatened in a service	You should make a complaint if you feel unsafe in your disability accommodation or program, even if the threat isn't coming directly from staff. For example, you might be scared because another resident or participant is behaving aggressively (shouting, throwing things, hitting others) and staff are not intervening to protect you. Everyone has the right to be safe and free from violence or bullying in their service, so if the environment is threatening or the provider isn't managing risks properly, let DSC know. The service has a responsibility to address health and safety issues for all clients. <i>Example: Alice complained that she felt unsafe in her disability group home because another resident was frequently throwing objects and yelling at her. The staff weren't effectively managing this resident's behaviour, and Alice was frightened in her own home.</i>
Lack of information or informed choice	You should make a complaint if your service provider isn't giving you the information you need, or isn't consulting you, about your services. This includes situations like: the provider makes changes to your support without explaining them, increases fees or charges with no notice or reason, or fails to tell you about options available to you. You have a right to be kept informed about things that affect you, so you can make informed choices. If you're left in the dark about policies, decisions, or changes in your service, that's a valid reason to complain. Good practice is that the service discusses changes with you and ensures you understand your rights and choices. <i>Examples:</i> <i>Lara complained because the staff at her sister Page's home weren't keeping her up-to-date on changes in the home.</i> <i>Li-Ping complained that she didn't understand why her daughter's residential service fees had suddenly been increased. The provider had raised the fees without providing any explanation or</i>

	<i>information beforehand. Li-Ping felt confused and worried about how to plan for the higher cost.</i>
Abuse, neglect or exploitation	You should make a complaint if you or someone else with a disability has experienced abuse, neglect, or exploitation by a service provider or its staff. This covers any serious mistreatment – for example, physical or sexual abuse, rough handling, withholding of basic care, financial exploitation, or any other form of harm. These are serious matters, and DSC can investigate such incidents to ensure people are safe. Abuse or neglect might come to light through unexplained injuries, sudden changes in behaviour, or reports of wrongdoing, and it's important to report it. <i>Example:</i> <i>Harry, Anne's brother, is in his 20s and lives in rural Victoria and has Supported Independent Living Services. Harry is an Aboriginal person. He has autism and other disabilities. The State Trustees administer Harry's personal finances. Harry made attempts to change his NDIS support coordinator but told his sister that no one was listening to him.</i> <i>A support worker noticed a colleague was handling a resident roughly and leaving them unattended for long periods, which put the resident at risk.</i>
Discrimination	You should make a complaint if a disability service discriminates against you or someone else, meaning they treat a person unfairly, exclude them, or provide a poorer service because of a personal characteristic. Discrimination might be based on the person's disability (e.g. refusing to accommodate someone's support needs), but it can also relate to other attributes like ethnicity, language, gender, or sexuality. It's against the law for service providers to discriminate, and DSC can handle complaints where a person feels they've been unfairly treated or denied opportunities. For instance, if a service only offers certain programs to people with mild disabilities and shuts out those with higher support needs without good reason, that could be discriminatory. <i>Example:</i> <i>As a result of a transport accident, Mateo receives disability services funded by the TAC. Mateo is originally from South America and has no family in Australia. Mateo told his occupational therapist that many of his disability workers are new, and they rush through his routine, especially in the evening. Mateo tried to explain what to do but due to language barriers, some workers are unable to meet his needs and preferences. Therefore, sometimes Mateo will refuse personal care. Mateo's Occupational Therapist is concerned that his disability workers are not following his personal care routine and that on occasions he has sustained bruising which she said is consistent with incorrect hoisting.</i> <i>Raj uses a wheelchair and lives in a supported accommodation home. He noticed that staff rarely took him on community outings, while other residents who could walk went on trips every week. It</i>

	<i>seemed like the service was excluding him because of his mobility needs.</i>
Breach of privacy or confidentiality	You should make a complaint if a disability service misuses your personal information or shares it without your consent. Services must keep your private details (like health information, disability status, personal history) confidential, except when allowed by law or agreed by you. If a staff member or provider has discussed your private matters with someone who shouldn't know, lost your personal documents, or otherwise failed to protect your confidentiality, that's a serious issue. Privacy breaches can cause distress or harm, and DSC can handle complaints to make sure services tighten their privacy practices and apologise or remedy any damage. <i>Example: Jenny discovered that a staff member from her day service had emailed details of her medical condition and support needs to another client's family by mistake. This was embarrassing and potentially harmful to Jenny, as she didn't want others to know her private health information.</i>
Denied access to personal information	You should make a complaint if your disability service provider won't give you access to your own information or records about the services you receive. Under the law, you (or an authorised representative) have the right to see records like your support plans, medical or incident reports, or notes kept about your care. If you ask for this information and the service refuses or delays without good reason, you can seek help. A provider not giving you access to your information is acting unreasonably. Sometimes simply mentioning DSC will prompt them to release the records, but if not, a complaint can ensure you get the information you're entitled to. <i>Example: Kevin's mother wanted to review his behaviour support plan and daily progress notes from his group home, because Kevin's behaviour had changed and she was concerned about his care. The service kept putting her off and eventually declined to share the documents.</i>
Serious incidents and injuries	You should make a complaint if a serious incident or accident has occurred in a disability service and you believe it was caused by poor care or could have been prevented. Even though disability service providers must report critical incidents (like serious injuries or assaults) to authorities, your complaint ensures that your perspective and concerns about the incident are heard and addressed. Serious incidents can include things like a resident being seriously injured, a pattern of medical errors (e.g. frequent medication mistakes), incidents of violence, or any major harm. DSC has oversight of major incident reports – including cases of assault, serious injury or "Category One" incidents – and can investigate or direct the service to take action. By making a complaint, you can prompt further inquiry into how and why the incident happened and what should change to prevent it happening again. <i>Example: Daniel's brother, who has an intellectual disability, fell from his wheelchair during an outing and broke his arm. The family discovered that at the time of the fall, no staff member was next to</i>

	<i>him, and he had rolled down a ramp unattended. Daniel believed this serious injury was the result of staff negligence.</i>
Service provider not handling your complaint properly	You should make a complaint if you already raised an issue with the disability service provider and they did not address it appropriately. Under the Disability Act, DSC can take up complaints where a service provider “has acted unreasonably by not properly investigating, or not taking proper action upon, a complaint” that was made to them. In plain terms, if you tried to complain directly to the service and they ignored you, took too long, or didn’t fix the problem, you have the right to escalate the matter to the Commissioner. DSC expects providers to have their own internal complaints process, but if that fails or you’re not happy with their response, DSC can step in. <i>Example: Simone contacted her son’s disability support agency to complain that support workers were often arriving very late or sometimes not at all for his scheduled appointments. The agency said they would look into it, but after two months nothing had changed, they neither updated her nor improved the punctuality of staff. Simone feels frustrated that her complaint is going nowhere.</i>
Systemic or widespread issues in services	You should make a complaint if you notice a recurring or widespread problem in disability services, even if it doesn’t affect just one individual, but rather many people or the way the service operates. The DSC can look into systemic issues, especially those involving abuse or neglect, that suggest a pattern or an issue with the provider’s policies or practices. For example, if multiple clients in a facility are experiencing the same poor outcome (such as incorrect medication or unhealthy living conditions), it may indicate a systemic failing. Anyone, not only clients, but staff, family, advocates, or community visitors, can alert DSC to such broad problems. The Commissioner has the power to conduct investigations on his/her own initiative for the sake of improving services across the system. You should raise systemic concerns because it can lead to service-wide changes that benefit many people, not just one person. <i>Example: An advocate who regularly visits several group homes noticed a troubling pattern: in two of the homes, many residents were being given strong sedative medications every evening, which made them very drowsy. Families were unaware this was happening. The advocate suspected this was a systemic issue, perhaps a policy of using medication to manage behaviour, and not an isolated mistake.</i>
Lack of dignity and respect	You should make a complaint if staff or services treat you (or your family member) without respect or courtesy. This might involve being spoken to rudely, ignored, or treated as if your feelings and choices don’t matter. Every person with a disability has the right to be treated with dignity and equality when receiving services. If the service’s staff are demeaning, bullying, or not valuing the person’s input, it’s appropriate to complain. Sometimes disrespect can be subtle (like staff talking over a person or making decisions about them without consent) but it’s still important to address. <i>Example: A young woman in a day program felt that staff often talked about her as if she wasn’t there and made decisions on her behalf without asking her. She felt humiliated and ignored.</i>

Death of a person in care	You should make a complaint if a person with a disability has died while receiving disability services, and you have concerns about the care or services provided to them before their death. The DSC has specific authority to review and investigate the circumstances of deaths in disability services. This means even if no complaint is made, the Commissioner will examine all deaths of clients in Victorian-funded disability services to identify any issues in their care. However, as a family member or concerned person, you can (and should) still raise a complaint to highlight particular concerns, for example, if you believe neglect or a lack of support contributed to the person's death, or if the service did not respond properly to an emergency. By making a complaint, you ensure that you get answers and that any problems in the service's care of your loved one are brought to light. DSC investigations into deaths aim to improve services and prevent future tragedies. <i>Example: Thomas's father, who had a developmental disability, passed away in his group home. While the death was attributed to natural causes, Thomas was worried that the care leading up to his father's death had been inadequate, so he suspected staff were not checking on his father regularly at night or responding promptly when his health deteriorated.</i>
Exclusions	The DSC cannot handle: • Complaints about NDIS-funded services or providers: The DSC cannot deal with complaints about services funded solely through the National Disability Insurance Scheme (NDIS), including NDIS providers, support coordinators, or plan managers. • Complaints about the NDIA's administration of the NDIS: Complaints about how NDIS plans are approved, managed, or funded by the National Disability Insurance Agency (NDIA) — such as plan budgets, reviews, or delays — are outside the DSC's scope. • Complaints about informal or private disability support arrangements: If the support is provided by a family member, friend, or private organisation that is not funded by DFFH or TAC, the DSC cannot accept complaints about that support. • Complaints that relate solely to health, aged care, housing, or education services: If the issue is not part of a disability service (for example, a complaint about hospital care, schooling, or public housing not linked to disability funding or support), the DSC does not have authority to handle it. • Complaints about staff employment conditions or internal workplace disputes: The DSC cannot deal with complaints about a provider's staff pay, rostering, bullying among staff, or internal HR matters unless they directly affect the quality or safety of disability support services provided to clients. • Historical complaints about service delivery before DSC jurisdiction or DFFH/TAC funding: The DSC generally cannot investigate complaint types related to services

	delivered before it had oversight, or if the provider was not operating under DFFH or TAC funding at the time of the complaint.
Additional Info	• Commissioner-initiated investigations can target complaint types even without an individual complaint: The DSC has the power to investigate recurring or systemic complaint types (such as widespread neglect or poor cultural safety) even if no one person has lodged a complaint. These investigations are launched when evidence suggests a persistent service failure. • Some complaint types may overlap with other complaint bodies, DSC will still help where it's in scope: If a complaint type involves both a disability support service and, for example, a health provider or aged care facility, DSC may still act on the parts within its jurisdiction and help refer the rest. For example, abuse in a dual disability–mental health program could involve both DSC and the Mental Health and Wellbeing Commission.

Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	DSC has powers to hear complaints under the law of Victoria.
Geographical Scope	DSC is primarily intended to help resolve complaints in Victoria. It may be able to point you to alternative resources if you have an issue in a different state.
Time Limitations	It is recommended to file your complaint as soon as possible. The longer you wait, the harder it may be to establish required facts to resolve issues. The <i>Disability Act 2006</i> allows DSC to decline to consider a complaint if it relates to an incident which occurred more than 12 months before the complaint was made. However, all complaints about Victorian disability service providers are eligible for assessment.
Exclusions	DSC will not handle complaints: • Outside Victoria: The DSC can only deal with complaints about services delivered in Victoria. Services in other states or territories are out of scope. • Not funded by DFFH or TAC: Services must be funded by the Department of Families, Fairness and Housing (DFFH) or the Transport Accident Commission (TAC). Private, informal, or federally funded supports (like the NDIS) are excluded. • NDIS-funded services: The DSC can't take complaints about services funded under the National Disability Insurance Scheme (NDIS). These must go to the NDIS Commission.

	• Before DSC powers began: Services delivered before July 2007 are generally out of scope, unless they continued into the current period and still impact the person. • Before DFFH or TAC funding began: If the service wasn't funded by DFFH or TAC at the time of the complaint, the DSC may not be able to investigate, even if it is now. • Provider no longer exists or can't be identified: If the service provider has closed or can't be confirmed, the DSC may be limited in what action it can take. • Too much time has passed: There's no strict time limit, but the DSC may not act on older complaints if the issue no longer has current relevance or supporting records.
Exercise of discretion	DSC assess whether they can handle the complaint. There may be issues that they are unable to handle. When this happens they may try to refer the complaint to the most appropriate place.

Step 3: Who can you make a complaint against?

Respondent	Description
Disability support workers	Individual workers or staff providing disability services through a DFFH- or TAC-funded provider. Complaints may relate to their conduct, support quality, communication, or how they treat clients.
Disability service providers	Organisations that deliver disability services in Victoria, where those services are funded or contracted by the Department of Families, Fairness and Housing (DFFH) or the Transport Accident Commission (TAC). These can include supported accommodation, day services, respite care, community participation, or case management.
Managers or decision-makers within a service	Supervisors, coordinators, or other staff in leadership roles whose decisions or actions directly affect the quality or safety of service provision.
Allied health staff within a disability service	Therapists or clinicians (e.g. occupational therapists, speech pathologists) who are employed or subcontracted by a Victorian-funded disability service provider to support clients. Complaints must relate to their role within that funded service.
Contracted or casual workers under a funded service	Any person performing work under the umbrella of a DFFH- or TAC-funded service provider, including temporary or agency staff, where the complaint relates to the disability support they provided.
Exclusions	DSC cannot handle complaints about: • NDIS service providers: Organisations and workers funded under the National Disability Insurance Scheme (NDIS) are outside the DSC's scope. These complaints must go to the NDIS Quality and Safeguards Commission.

- **NDIA (National Disability Insurance Agency):** Complaints about NDIS access, planning, or funding decisions made by the NDIA (the government agency that runs the NDIS) are excluded. These are reviewed by the NDIA or the Commonwealth Ombudsman.
- **Centrelink and the Disability Support Pension:** Issues about income support payments, pension eligibility, or Centrelink decisions must be raised with Services Australia or the Commonwealth Ombudsman.
- **Disability Employment Services (DES):** Complaints about job placement or employment support through federally funded DES providers are not handled by DSC. These are managed by the Department of Employment and Workplace Relations.
- **Home and Community Care (HACC) services:** These aged care and community support programs are separate from the disability sector overseen by DSC. Complaints should go to the Aged Care Quality and Safety Commission or local councils.
- **Companion Card Program:** Concerns about eligibility, use, or acceptance of the Companion Card fall outside the DSC's jurisdiction and should be referred to the program administrator.
- **Health or hospital services:** Unless the service is part of a DFFH- or TAC-funded disability program, medical care and hospital complaints must go to the Health Complaints Commissioner or AHPRA.
- **Education providers:** Complaints about schools, TAFEs, or universities, unless directly connected to a DFFH- or TAC-funded disability support, should go to the Department of Education or Victorian Ombudsman.

Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	Anyone can make a complaint about the provision of a disability service by a regulated Victorian disability service provider. Whether you are a person with a disability, a family member or friend of someone with a disability, a staff member, carer, or a member of the community – you have the right to make a complaint.
Pre-requisite steps	There are no pre-requisite steps for making a complaint to the DSC. However, it is recommended that you first reach out to the service provider to resolve the dispute informally by explaining the issue you have and the resolution you would like. It is okay to ask for someone you trust to support you when you do this. All Victorian registered, funded and contracted disability support services have processes for hearing and dealing with complaints

	within their organisation. The disability service provider 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. If you are unable to come to a resolution, then the DSC can get involved. Alternatively, if you are not confident to speak to your service provider or you are not satisfied with the result, you can talk to the DSC. It is a good idea to call the DSC prior to submitting your complaint, to ensure they are an appropriate body for your situation. If you are not sure whether you want to make a complaint, you can still call the DSC to talk about what's on your mind. You don't need to provide evidence about what's worrying you. The DSC can help you over the phone with advice and information, and you can decide what you want to do from there.
Can complaints be made on behalf of someone?	Yes. If the complaint is on behalf of a person with a disability, the DSC will speak with them where possible to gain their consent to proceed with assessment. DSC's focus is on the person with a disability and their needs, and DSC seek to involve them in the process.
Exclusions	You cannot make a complaint over: • Complaints made on behalf of someone without valid authority or consent: If you are making a complaint on behalf of another person (such as a family member or client), and you do not have their consent or a clear basis to act in their interests (e.g. they object or have capacity and disagree), the DSC may not proceed unless there's a compelling reason (such as risk of harm). • Complaints made with malicious intent or not in good faith: If a complaint is clearly vexatious, intended to harass, or not made in good faith, the DSC can refuse to accept or may discontinue handling it. • Complaints that are not sufficiently clear or lack necessary detail: If the complaint is so vague or lacking in information that the DSC cannot understand or assess the concern, even after following up, it may be declined. This sometimes applies to anonymous complaints that have no actionable content. • Repeat complaints with no new information: If the same person makes repeated complaints about the same issue, and there is no new evidence or concern, the DSC may close or refuse the complaint to prevent unnecessary duplication.
Additional information you need to know	The DSC has a person-centred approach to complaints resolution. Where appropriate, if someone has made a complaint on your behalf, DSC will include you and/or your guardian or decision-maker through the complaints process. The focus of DSC is on the person with disability, and DSC seek to involve you in the process as much as possible.

Step 5: What remedies are available at this body?

Power	Description
Acknowledgement	Your views can be heard and the service provider can recognise your concerns and how the situation has affected you. This may be what is required to resolve differences or issues and improve communication.
Answers	You can receive an explanation of what happened or information that may be needed to address your concerns.
Actions	Steps taken to address your concerns and enhance service delivery.
Apology	A sincere apology from the service provider, which can help rebuild trust and confidence in their services.
Conciliation	The DSC may decide to conciliate the complaint. This is where the DSC will try to help you and the service provider to reach an agreement about how the complaint can be resolved. The most common form of conciliation is a conference between you, the person with a disability and the service provider.
Investigations	The DSC can investigate complaints if: • The complaint isn't suitable for conciliation, • Conciliation didn't work and more action is needed, or • The complaint raises a broader, systemic issue. During investigations, the DSC can require disability service providers to hand over documents or information.¹ This helps the DSC understand what happened and make informed decisions. If you share information with the DSC during an investigation, you are protected. You won't be penalised or accused of unprofessional conduct for providing honest information in good faith. You're also protected from self-incrimination. The DSC can visit and inspect a disability service's premises during an investigation, without giving advance notice. At the end of a systemic investigation, the DSC will send a written decision to the service involved and may also send it to the person with disability (or their guardian or next of kin). If the decision is critical of a person or service, they'll get a chance to comment before the decision is shared. Finally, the Commissioner decides whether the complaint was justified.
Notice to Take Action	If a complaint is justified, the DSC can issue a directive to the service provider to implement specific actions to address the issues.
Reports to Parliament	For systemic issues or serious concerns, the DSC may report findings and recommendations to the Minister for Disability, Ageing

¹ *Disability Act 2006* (Vic) ss 32L-132T.

Power	Description
	and Carers, and the Secretary to DFFH, and can table de-identified reports in Parliament.
Exclusions	The DSC cannot provide: • Compensation: The DSC can't order a provider to pay money or damages. • Disciplinary action: The DSC can't suspend or penalise individual workers. • Legal rulings: The DSC can't make binding legal decisions or enforce rights. • Advocacy: The DSC doesn't provide legal or advocacy support. • Access decisions: The DSC can't decide who gets disability services. • NDIS reviews: The DSC can't review decisions made by the NDIA or NDIS Commission. • Employment remedies: The DSC can't resolve workplace disputes or reinstate staff.

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

Requirement	Description
Format	Helpful information to include in your complaint includes: • What your complaint is about; • Who is involved; • The time period of the complaint (for example, was this a one-off occasion or is this an ongoing issue); and • What you want to happen
Personal Details	DSC complaints processes are confidential and personal details are only used, with consent, to facilitate the complaints resolution process. The generic information requested on the online complaints forum includes: • Name • Contact information – such as email and phone Anonymous submissions are permitted. However, the more information DSC has, the more they will be able to do. There are three different ways you can make a complaint anonymously. You can:

Requirement	Description
	- Let the DSC know who you are but request that your identity is not shared with the service provider - Not let the DSC know who you are but provide contact details so DSC can reach you if more information is needed - Not let the DSC know who you are or provide them with your contact details
Respondent's Details	The more information you can give DSC, the more useful they can likely be. This may include: - Service provider name - Service provider address - Service provider contact details - The names of any particular individuals involved
Relevant Facts	The more information you can give the DSC, the more useful they can likely be. You should give all relevant facts, including but not limited to: - Dates and times; - Places; - Persons involved; - Specific issues with service providers; - The impact of any problems caused; - Steps taken to resolve issues, if applicable; and - Desired outcome. You should try to explain the issue in a chronological order of events. You should try to provide all relevant information at the outset. If you drip feed information over time, that can slow your complaint down.
What NOT to include	Do not include any false or misleading information. If there is information you do not have, it is ok to note that you do not have all the information.
Additional information you need to know	You can withdraw a complaint at any time by notifying the DSC. If it appears that you are withdrawing a complaint due to victimisation, coercion or duress from another party, or the health, safety or welfare of the person accessing the service may be affected, the DSC is permitted to continue dealing with a complaint.² It is an offence to threaten or intimidate a person who wishes to make a complaint to the DSC. The DSC will work closely with you and the service provider to ensure that you are not disadvantaged in any way. The service provider is responsible for taking steps to safeguard your

² *Disability Act 2006* (Vic) s. 112.

Requirement	Description
	right to complain. If you have any concerns about making a complaint, please talk to us. The DSC collects, uses and discloses personal information (which includes sensitive information) and health information about people with a disability, their guardians, families, carers, and next of kin, as well as disability support workers and any other individuals that may be associated or connected with the provision of disability services and supports. The collection of this information is protected under various privacy laws.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	You can lodge a complaint with the DSC as follows: • Online form: Make a complaint - Disability Services Commissioner • Telephone: 1800 677 342 • Post or in person: Level 30, 570 Bourke Street, Melbourne, Victoria, 3000 Australia
Receipt/ acknowledgement of complaint	When you call the DSC, a member of the Resolutions team will take the call. The DSC will send you written confirmation of the issues they can and can't deal with in your complaint, and what outcomes you're seeking.
Assessment process	When the DSC receive a complaint, it will first assess it by looking into the issues raised in the complaint through reviewing documents and speaking to those involved. This process involves generally involves: • Working you to fully understand the complaint and how it can be resolved • Requesting information and documentation for evidence-based assessment • Talking to the service provider to get their views about your complaint and asking them how they might respond to the complaint • Talking to you about the information received from the service provider • Working closely with you and the service provider to find ways to resolve the complaint In most cases, the DSC will document the issues and desired outcomes and will ask for confirmation that these are correct.

Step	Description
	Where possible, the DSC encourage you and the service provider to maintain contact during the complaint process and request that you keep them informed of discussions and of any changes in circumstances so they know what is happening. The majority of complaints are resolved during the assessment stage.
Outcome of assessment	Following the assessment process, if the complaint has not been resolved the DSC may decide: • to conciliate the complaint; • to investigate the complaint; • to refer the complaint to another body where they are unable to; • that no further action by DSC is possible; and/or • to provide advice to a service provider to deal with the issues identified in the complaint. At the end of the assessment process, the DSC will write to you and the service provider about their decision and outline the information that led to the decision. If it becomes evident that the complaint involves potential criminal conduct, the DSC will refer the relevant aspects of that complaint to Victoria Police.
Additional information you need to know	• All complaints to the DSC, including those with allegations of abuse or neglect, will be assessed by DSC Resolution Officers confidentially. • Assessment may take up to 90 days. The majority of complaints are resolved during the assessment period. • You may withdraw a complaint at any time by telling the DSC. The complaint service is entirely free. • You should update DSC about any changes that impact on your complaint. • An interpreter can be organised free of charge should you require it. • The DSC does not offer an advocacy service. You can search for an advocacy service on the Disability Advocacy Resource Unit (DARU) website, and contact them with a request should you require an advocate.

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

Avenue	Description
Internal review opportunities	The DSC will always work with you and your service provider to try to find an appropriate resolution, however sometimes a complaint may

	not be able to be resolved. If you're not happy with the result of your complaint, you can always give feedback. This can be done online, here: Feedback about DSC - Disability Services Commissioner, or over the phone at 1800 677 342.
Courts or tribunals	If there are grounds for pursuing a remedy in court, for example, if the actions of a disability service provider constitute a crime, you may involve the police or other Victorian justice department to consider bringing a claim in court.

Step 9: Other bodies that handle complaints about Victorian disability service provider related complaints

Complaint body	Description
NDIS Quality and Safeguards Commission (NDIS Commission)	The NDIS Commission is an independent Australian Government regulator which regulates the NDIS using a nationally-consistent approach to promote safe practices and elevate the quality and diversity of providers' services. The NDIS take complaints about whether an NDIS-funded support or service has been provided in a safe way and to an appropriate standard. This includes when: • Something has gone wrong • Something is not working well • Something hasn't been done the right way • Something makes you unhappy • You have been treated badly • You have concerns about unfair pricing. You can make a complaint via: • The online complaint form • Calling 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged • National Relay Service: ask for 1800 035 544 If you have a complaint about a NDIS-specific disability service provider, this may be a more appropriate complaint forum.
Complaints Resolution and Referral Service (CRRS)	The CRRS is a free service for people with a disability who are users of Disability Employment Services, Australian Disability Enterprises and/or Advocacy services which are Australian Government-funded services. It is an avenue to make complaints about these services. If you use a government funded Disability Employment Service or Disability Advocacy Service or work at an Australian Disability Enterprises, you can lodge a complaint about those services directly with CRRS. Reasons you may want to make a complaint with this body include:

Complaint body	Description
	- You're not getting the service or support you should be provided with - You're not allowed to make a complaint - The service provider has ignored your complaint - Instances of abuse, neglect, or mistreatment within a service - Being unfairly exited from a service - Not getting the right pay - Not receiving the support needed to find, keep, or do a new job whilst registered with a Disability Employment Service - Unsafe or poor employment conditions while working in an Australian Disability Enterprise Your family members, advocates, guardians, carers or friends can also lodge a complaint on your behalf. However, if they do the CRRS will need to obtain your consent to contact the service. - You can contact the CRRS hotline at 1800 880 052. - Callers who are deaf or have a hearing or speech impairment can contact the National Relay Service (NRS) by calling 1800 555 677 then asking for 1800 880 052 - Callers from a non-English speaking background can use the Translating and Interpreting Service (TIS) by calling 13 14 50
National Disability Abuse and Neglect Hotline (the Hotline)	You can contact the Hotline to report cases of physical, sexual, psychological, legal and civil abuse, restraint and restrictive practices or financial abuse. The Hotline will work with you to find ways of dealing with what you have reported through information, support and referrals to other organisations. You can contact the Hotline at 1800 880 052.
Department of Social Services (DSS) Complaints	You can contact the DSS with complaints about the services or decisions made by the DSS or a service provider funded by the department, such as: - Telephone advice line; - Employment Assistance Fund (EAF); - National Disability Recruitment Coordinator (NDRC); - Complaints Resolution and Referral Service (CRRS); or - National Disability Abuse and Neglect Hotline. You can contact the DSS at 1800 634 035.
Victorian Mental Health and Wellbeing	The MHWC can take complaints about Victorian publicly funded mental health and wellbeing services, which include mental health and wellbeing services run and delivered by a public hospital in Victoria. Phone: 1800 246 054 (free call)

Complaint body	Description
Commission (MHWC)	Visit: https://www.mhwc.vic.gov.au/ Access the complaints form here
Commission for Children and Young People (CCYP)	Promotes improvement in policies and practices that affect the safety and wellbeing of Victorian children and young people.
Office of the Victorian Information Commissioner (OVIC)	OVIC deals with complaints regarding a Victorian government agency or local council's failure to comply with one or more of the Information Privacy Principles. They are Victoria's primary regulator and source of independent advice about how the public sector collects, uses and shares information. Phone: 1300 006 842 Visit: www.ovic.vic.gov.au Access the contact page here
Victorian Equal Opportunity and Human Rights Commission (VEOHRC)	VEOHRC is an independent organisation with responsibilities under Victoria's human rights laws. It resolves complaints and undertakes education, engagement, investigations and independent reviews. VEOHRC advocates for stronger protections and greater respect for human rights and equality. Phone: 1300 891 848 Visit: www.humanrights.vic.gov.au Access the complaints from here
National Anti-Corruption Commission (NACC)	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.
Services Australia	Services Australia delivers government payments and services. It assists people to access Medicare and some health services at low or no cost. It also offers help for people with a disability or if you're caring for someone. You may make a complaint to Services Australia in relation to assistance received in relation to Medicare or other health services. If you want to make a complaint, you can call Services Australia on 1800 132 468. You can also write online or send a letter.
Courts and Tribunals	Courts and tribunals can make binding and enforceable determinations. You may want to seek legal advice about the option of pursuing your complaint at court if it relates to: compensation (including workers compensation claims), development application decisions, orders made by local councils, decisions, fines and orders of regulators and licensing authorities and disputes over expert assessments.

Need help 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
DSC	Website: https://odsc.vic.gov.au/ Telephone: 1800 677 342	You can contact the DSC directly if you have any further questions or need assistance with your complaint.
Translating and Interpreter Service	Website: www.tisnational.gov.au Telephone: 131 450	If English is not your first language, translators can provide support.
National Relay Service	Website: www.accesshub.gov.au	If you or someone wanting to make a complaint is deaf or has a hearing or speech impairment to communicate, this service can assist.
Disability Advocacy Resource Unit (DARU)	Website: Find an Advocate - Disability Advocacy Resource Unit (DARU) Email: admin@daru.org.au Telephone: (03) 9639 5807	As a complaints body, DSC does not offer an advocacy service. You can contact DARU and contact them with a request should you require an advocate.

Self-help tools and additional resources

Resource	How this helps
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.
Law Society: Know Your Rights	Guidance for individuals who are uncertain about where to start when seeking legal advice.
Make a complaint	Direct link to submit a complaint.
The Complaints Process	Outline of the complaints process.
Complaint guidelines	Guidance concerning complaints DSC can and cannot take, with link to submit a complaint.
Flyer – Complaints about Victorian Disability Services	Shows information on the different commissions you can contact to make a complaint about disability services in Victoria.

Resource	How this helps
DSC FAQ	High level guidance on the services available with DSC.
Information for Service Providers	Guidance for service providers, and information on who can make a complaint.
Legislation - DSC	Summary of key legislation applicable to DSC.
Freedom of Information Request	Information concerning how to make a Freedom of Information request, containing the requisite form.
DSC Annual Report 2023-2024	Reporting pursuant to s 19 of the <i>Disability Act 2006</i> , and a report on any matters inquired into or investigated in relation to the provision of services.
Privacy Policy	Outline of DSC privacy policy.

Citations here:

- [Consumer brochures - Disability Services Commissioner](#)
- [InfoSheet1 MakingaComplaint March-2020.pdf](#)
- [InfoSheet2 HandlingAComplaint March-2020.pdf](#)
- [odsc.vic.gov.au/wp-content/uploads/InfoSheet1 MakingaComplaint March-2020.pdf](#)
- [Privacy Policy - Disability Services Commissioner](#)
- [InfoSheet3 Information-for-Service-Providers March-2020.pdf](#)
- [Legislation - Disability Services Commissioner](#)
- [FOI-Info-Sheet-and-App-Form-Feb-2023.pdf](#)
- [Thinking about making a complaint? - Disability Services Commissioner](#)
- [Annual Report 2023-2024](#)
- [Frequently asked questions \(FAQs\) - Disability Services Commissioner](#)
- [Make a complaint - Disability Services Commissioner](#)