

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Program:** Australian Human Rights Commission

**Question No. AE17/002**

**Senator Siewert asked the following question at the hearing on 28 February 2017:**

Senator SIEWERT: Regarding the answer you gave me about the NDIS and the number of complaints that you had had at that time, could you update the figures on any further complaints that you have had on the NDIS.

Mr McEwin: I cannot comment on individual matters.

Senator SIEWERT: I totally appreciate that.

Mr McEwin: I will take that on notice.

Senator SIEWERT: You had had seven; I am just wondering how it is going. In your answer to me last time, you said that the majority of these complaints do not relate to the administration of the NDIS. Could you also take on notice—without talking about individual cases—the nature of those complaints. Are they about the packages they have received, administration, difficulty in access—what type of complaints are they? Is that possible?

Mr McEwin: I cannot comment, but, as you would know, under the Quality and Safeguard Framework, there would be an NDIS complaints commissioner established, so the commission would not have any jurisdiction over that.

Senator SIEWERT: In your response to my question last time, you said you had received seven complaints. That framework is not in operation yet. How many complaints have you received, and what is the general nature of the complaints?

Mr McEwin: The general nature could possibly be around employment under the NDIS, but I will take that on notice.

Senator SIEWERT: I am talking about people who have complained about access to the NDIS, and the categories of complaint.

Mr McEwin: I will have to take that on notice.

Senator SIEWERT: Thank you.

**The answer to the honourable senator's question is as follows:**

It is not the Commission's usual practice to disclose details about an individual respondent (or complainant) due to the Commission's non-disclosure obligations. However, because the respondent is an identifiable Commonwealth agency and in light of the questions posed above, the following information is provided:

In its October 2016 response to QON the Commission provided the following information:  
*The Australian Human Rights Commission has received seven complaints against the National Disability Insurance Agency, the agency that administers the National Disability Insurance Scheme.*

*The majority of these complaints do not relate to the administration of the National Disability Insurance Scheme.*

*Two of the complaints are from individuals who have identified hearing impairment as their disability.*

The complaints referred to in the information provided above, are complaints the Commission has received against the National Disability Insurance Agency (NDIA). The majority of complaints are **not** complaints about the administration of, or services provided by, the National Disability Insurance Scheme (NDIS).

The hearing impairment complaints referred to above were not complaints about the administration of, or services provided by, the NDIS.

To date, the Commission has received nine complaints against the NDIA. Only two of those complaints concern the provision of services through the NDIS. One complaint related to changes to care arrangements for an adult with cognitive and physical disabilities and the other related to actions taken by an individual case officer.