



## **Queensland Advocacy Incorporated**

Our mission is to promote, protect and defend, through advocacy, the fundamental needs and rights and lives of the most vulnerable people with disability in Queensland.

*Systems and Legal Advocacy for vulnerable people with Disability*

# **NDIS**

## **What to Do if You Don't Agree with Their Decision?**

## **Plain Language Guide**

	2 <sup>nd</sup> floor South Central, 43 Peel Street, SOUTH BRISBANE. Q. 4101
	2 <sup>nd</sup> floor South Central, 43 Peel Street, SOUTH BRISBANE. Q. 4101
	07 3844 4200 or 1300 130582
	07 3844 4220
	NDISAppealsSupport.qai@qai.org.au
	www.qai@qai.org.au

## What's this booklet about?

Look at this guide to find out what to do if the **NDIS** rules makes a decision you think is wrong.

## What do these words mean?

### National Disability Insurance Agency

This is a new way of supporting people with a disability. It is called **NDIS** for short.

### Internal Review

This is when the **NDIS** reviews a decision about you that you think is wrong. This is **STEP ONE**.

### External Merits Review

This is another review of a decision about you. It is done by the Administrative Appeals Tribunal. It is called the Tribunal for short. This is **STEP TWO**.

### Tribunal

A tribunal means a group of independent experts who are not part of the **NDIS**.

# What is the National Disability Insurance Scheme?

The National Disability Insurance Scheme is a new way of supporting people with a disability. It is called the **NDIS**

The **NDIS** rules decides who can get support

The **NDIS** rules decides on the supports a person needs.



A lot of people are **HAPPY** with the decision.



But there are some that are **NOT HAPPY** with the decision.



And sometimes the **NDIS** rules say you cannot have supports because they do not think you have a disability.



They may have decided you don't need a support or type of equipment, or therapy that you think you need.

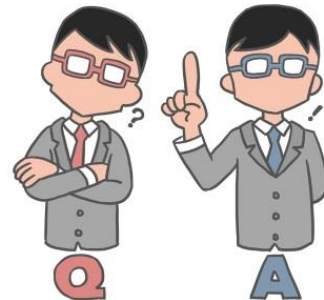
Or they might decide to give you less than you think you need.



# Do you think the NDIS has made the wrong decision?

If you think their decision was wrong you can ask them to reconsider their decision.

This is called **reviewing the decision**.



**This is your right.**



Don't worry; you do not have to go through this alone. **Queensland Advocacy Incorporated** will help you.



We will help you understand why they made the decision and help you to ask for a review.

We will support you through every step.



If you come from Aboriginal, Torres Strait Islander background we will make sure you have a person who you can relate to.

If you come from a cultural background where you don't speak English we will make sure your have an interpreter.



# STEP ONE: Asking for an Internal Review

If you think they made the wrong decision you will need to fill in a document called an **APPLICATION FOR INTERNAL REVIEW OF A DECISION**

This is where you tell them why you think they made the wrong decision.



You can call the **NDIS** on **1800 800 110** and ask for an Internal Review



If you don't have a phone you can write and ask for an Internal Review. Their address is:

Chief Executive Officer  
National Disability Insurance Agency  
GPO Box 700  
CANBERRA ACT 2601



Or you might like to send an email to:

[enquiries@ndis.gov.au](mailto:enquiries@ndis.gov.au)



Remember **Queensland Advocacy** can help you with this.



## How does the Internal Review work?

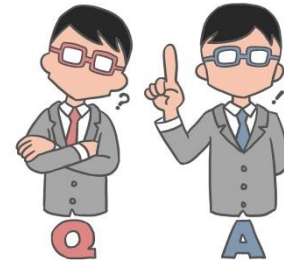
A person from the **NDIS** will make a new decision

They might make a different decision, or

They might make the same decision.



If you don't like their new decision or they don't change their mind and you still think they are wrong you can then ask for an **External Merits Review**.



**This is your right.**



## STEP TWO: External Merits Review

The External Merits Review is done by a group of people who have never met you before.

This group is called a Tribunal.



A Tribunal is a group of people who are experts in solving problems about your rights.

These people are not from the **NDIS**.



The Tribunal will ask to have a meeting with you to talk about what you want from the **NDIS**.

**Queensland Advocacy Incorporated** can come to this meeting to support you.



The Tribunal will look at everything on your **NDIS** application and will check to make sure that everything was done right by the **NDIS**.

The tribunal will then make a new decision.



This decision might be one that you **DO NOT** like

OR

This decision might be one that you **DO** like





# How can Queensland Advocacy Incorporated help me through this?

You can call us on **1300 130 582** and tell us what has happened.



We will meet with you and talk about what you want from the **NDIS** and what the **NDIS** will let you have.



We will help you understand your rights.

We will help you ask for the **NDIS** to reconsider your request (**Internal review**)



If the **NDIS** still say NO we will help you ask for someone else to look at your request (**External Merits Review**).



This is a free program supported by the Australian Government's Department of Social Services.



QAI acknowledges and thanks Independent Advocacy Townsville (IAT) for the development of this resource.