Disability Services Commissioner

Annual Report 2025-2026

It's OK to complain

Disability Services Commissioner

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The Disability Services Commissioner is an independent oversight body resolving complaints and promoting the right of Victorians with disability to be free from violence, abuse, neglect and exploitation.

We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past and present.

DSC enquiries: 1800 677 342

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Authorised and published by the office of the Disability Services Commissioner, 2 Lonsdale Street, Melbourne.

ISSN 2209-6590 – Print

ISSN 2209-6604 – Online (pdf/word)

Disability Services Commissioner

1 October 2026

Hon Lizzie Blandthorn MP
Deputy Leader of the Government in the Legislative Council
Minister for Children
Minister for Disability
Level 22, 50 Lonsdale Street
Melbourne VIC 3000

Dear Minister,

I am pleased to present the Disability Services Commissioner's annual report for the year ending 30 June 2026.

The report includes reporting pursuant to s19 of the *Disability Act 2006* and a report on any matters inquired into or investigated in relation to the provision of services (including abuse and neglect) identified in the Ministerial Referral from 1 July 2025.

Following the resignation of the Disability Services Commissioner on 30 April 2026, this report has been prepared by the office of the Disability Services Commissioner.

Yours sincerely,



Alexis Kelly
Resolutions and Operations Manager

Office of the
Disability Services Commissioner
Level 1, 2 Lonsdale Street
Melbourne VIC 3000
Phone: 1800 677 342
Web: www.odsc.vic.gov.au

Message from Jen Jackson-Hall

It has been an honour to hold the position of Disability Services Commissioner from 23 December 2023 until 30 April 2026.

I initially commenced at the Disability Services Commissioner (DSC) in 2008. My work at DSC has been across two periods and in total for more than 15 years. I have been proud to say I have worked with every Commissioner and Deputy Commissioner before me. I learned so much from each of them.

There has been significant change during that time to the way disability services are funded and the range of disability services in the sector.

I have seen DSC staff numbers reduce from close to 50 down to five in the last few years. Much of the work we once did is completed by the NDIS Quality and Safeguards Commission (NDIS) as those services are now funded by the NDIS. What has continued is a steady pattern of people seeking our suggestions and support to find the right place to make a complaint.

We have continued to share the message 'It's OK to complain' and to influence the culture in disability services to encourage responsiveness and learning from complaints.

It takes courage and hope to make a complaint.

In all my years of handling complaints at DSC, there have been ways to improve practice and communication in every complaint. The framework of the 4As (Acknowledge, Answer, Action, Apologise) has given a way to approach complaints that prompts responsiveness and a focus on improving arrangements and services. Improving communication has often progressed resolution of complaints and enabled people to work together on solutions.

Disability services need to ask people about what is working well and what they think could be improved.

We have seen, year after year, concerning situations for vulnerable people that need to be worked on by, at times, multiple places. We have continued to make referrals to ensure that the right people are involved to review and act on these matters.

A highlight of my time at DSC has been to see the outcomes from our Notices of Advice. This year we saw the completion of two from the previous year and we issued three new Notices this year (see page 6). The work undertaken by providers to improve their practices from these Notices is important and contributes to a better system.

As has already been noted in other forums, there are challenges of sustainability for DSC having such a small staffing group and low numbers of in-scope matters. Merging DSC functions or having a shared Commissioner, as we had in the past, could provide the support and expertise needed for DSC functions into the future.

I thank all DSC staff I have worked with over my years doing this work. In particular, I wish to thank the team who worked beside me while I have held the position as Commissioner.



Jen Jackson-Hall
Disability Services Commissioner
23 December 2023 – 30 April 2026

The work of the office of the Disability Services Commissioner

Providing information and supporting people to get to the right place

DSC's website and phone system are configured to prioritise connecting the public to the correct place, where possible, to address their complaint or find the information they require.

Our website helps by detailing information, links to other complaint bodies, and describes what is in scope.

Our 1800 phone service (1800 677 342) assists callers with connecting to the agency that best suits their needs, if not DSC, with a self-select menu option.

This year there was a total of 10,724 views of our website, and a total of 1,186 calls to our 1800 service.

Table 1: Overview of services in DSC's jurisdiction 2025-26

Regulated disability services	21
Registered disability service providers	225
already registered on 1 July 2025	89
newly registered in 2025-26	136
Providers ceased holding registration in 2025-26	5

Enquiries logged

An enquiry is recorded by DSC when we interact with a person who is seeking information or advice about their concerns or situation. This year we received 450 new enquiries compared to 391 the previous year.

When a matter raised is out of scope, this means DSC doesn't have the legislative authority to respond. We provide assistance with the aim to understand the issue and provide contact information of other safeguarding or complaint bodies who may assist the person. We track the number of times we provide the details in such instances and this year we provided the contact details 738 times for other bodies. We often provide multiple contact details for an enquiry.

This year we recorded 73 instances of where we encouraged a person to consider contacting a disability advocacy agency.

*Table 2: Top three Commonwealth bodies we directed people to**

NDIS Quality and Safeguards Commission	85
National Disability Insurance Agency	49
Commonwealth Ombudsman	15

*Table 3: Top three Victorian bodies we directed people to**

Victorian Equal Opportunity & Human Rights Commission	42
Victorian Disability Worker Commission	40
Victorian Ombudsman	37

**Some enquiries involved directing people to more than one safeguarding body.*

CASE STUDY

The importance of Worker Screening

A person contacted DSC and wrote about how fearful they were about making a complaint and being identified. The concerns related to a cleaning company providing services to people with disabilities who may be vulnerable. The person believed that the service was not complying with requirements for worker screening and police checks. We discussed the information on the Services Victoria webpage on Worker Screening that included an example that "a cleaner delivering services through the NDIS who, as part of their role, needs to build a rapport with people with disability" would be considered a risk assessed role. We provided links and encouraged the person to contact the NDIS Commission. We also offered to make a referral due to the person describing their fears about speaking up.

Please note names and details have been changed for privacy purposes.

Feedback from people who contacted DSC

> **'Thank you for your response and for providing guidance regarding the correct pathways for my concerns.'**

> **'Thank you so much it is of great help.'**

> **'Thank you very much for your quick action. I appreciate it.'**

> **'Thanks so much for the update on my concerns and for following up on these matters.'**

> **'Thank you very much … for your comprehensive reply, and so prompt too. I appreciate your efficiency.'**

Complaints

In line with the *Disability Act 2006* (the Act), and the Australian Standard for complaints handling, DSC defines a complaint as: An expression of dissatisfaction made to or about a disability service provider, relating to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

We take complaints about a disability service or regulated disability service which is defined in s3 of the Act. It means a service specifically for the support of persons with disability, which is provided by a disability service provider.

This year we received a total of 56 new complaints in comparison to 69 in the previous year, with one assessed as in scope and 55 out of scope.

In-scope complaints

DSC handled one in-scope complaint this year that related to the quality and consistency of care provided by the disability service provider. The complaint was resolved following consultation between DSC, the support person and disability service provider.

Out-of-scope complaints that required referral to another body

From the 55 out-of-scope complaints received this year, a total of 59 written referrals were actioned. The previous year we made 71 referrals.

*Table 4: Summary of written referrals made to other bodies**

National Disability Insurance Agency	13
Department of Families, Fairness and Housing including the Victorian Senior Practitioner	11
NDIS Quality and Safeguards Commission	7
Social Services Regulator	6
Victorian Disability Worker Commission	6
Community Visitor Program – Office of the Public Advocate	5
Transport Accident Commission	4
Other	4
Home and Community Care – Department of Health	1
Housing Choices Australia	1
WorkSafe	1
Total	**59**

**Some enquiries involved directing people to more than one safeguarding body.*

How have complaints been resolved?

The 4 As of successful complaint resolution: Acknowledgement, Answer, Action, Apology were used by DSC and successfully utilised by service providers to resolve complaints.

Due to the small number of complaints an analysis of outcomes is not covered in any further detail.

CASE STUDY

Out of scope – referral to the Community Visitor program within the Office of the Public Advocate

A man had seen a person with disability from a neighbouring home who appeared to be without support and was banging on a fence and screaming. There were several incidents that he told DSC about. He did not have the name of the disability service involved or the information on the type of funding. He expressed concern about the quality and possible lack of support being provided and feared the incidents could escalate.

DSC had no past matters connected to the address. Further searching identified details about the address and the Specialist Disability Accommodation (SDA) and Supported Independent Living (SIL) provider.

DSC consulted with and then made a referral to the Community Visitor program within the Office of the Public Advocate. They agreed to undertake an unannounced visit as they determined that there was an SDA residency agreement in place.

This type of visit is valuable to check on the welfare of the person with disability, query and explore the support in place and review information about recent incidents.

Please note names and details have been changed for privacy purposes.

Ministerial Referral

Consecutive Ministerial Referrals under section 128I(2) of the *Disability Act 2006* have enabled DSC to ensure there were no gaps in oversight of incidents of abuse, neglect and deaths of people accessing state funded disability services. The Ministerial Referral enables regulation of service delivery that assists with service improvements. It also allows for information sharing across a number of statutory authorities including the Office of the Public Advocate and the Coroners Court of Victoria (CCOV).

The Ministerial Referral is published on the DSC website www.odsc.vic.gov.au/about-us/legislation

Incident reports received

Three reviewed incident reports carried into this year and were all closed, and one new incident was received and closed.

Deaths referred by the State Coroner

There were no new death referrals from CCOV this year and no carry over investigations.

We continued to liaise with CCOV staff to provide information about the Ministerial Referral and the scope of DSC's jurisdiction.

The court provided DSC with copies of its draft and final coronial investigation reports and/or finding into the deaths for three cases for our review and consideration. No further comments or changes were requested by DSC and they were finalised.

Matters of abuse and neglect referred by the Community Visitors Board

DSC did not receive any referrals this year. We communicated with the Community Visitors program manager regularly and discussed jurisdiction on a number of occasions.

Notices of Advice

DSC defines a Notice of Advice as:

A Notice of Advice is a formal advice that we provide on any matter regarding complaints, investigations and the prevention and response to abuse and neglect in disability services. These can be provided to disability service providers, complainants, the Minister for Disability, and the Secretary of the Department of Families, Fairness and Housing (DFFH).

Notice of Advice regarding Independent Disability Advocacy Services

We completed an educational project focused on the Victorian Disability Advocacy Program (VDAP) funded disability advocacy services this year. Within the project, we issued three Notices of Advice.

These Notices were issued to three regulated disability service providers under the *Disability Act 2006*. Our Notice related to the Victorian funded disability advocacy services who are also registered NDIS service providers.

A complaint about an advocacy service, where that organisation is also providing a NDIS service at the same time, may have embedded issues connected to an actual or perceived conflict of interest, which can make a complex complaint even more complex.

The Notice requested a review of records for a six-month period to identify any person who received individual advocacy services who was at the same time receiving NDIS services.

It also covered the importance of a simple documented conflict of interest management statement and well understood intake processes and staff guidance.

DSC liaised closely with the NDIS Commission throughout this process to ensure expectations on managing conflicts of interests were aligned.

The role of DSC includes reviewing and identifying causes of complaints and making suggestions to improve practices and procedures.

In last year's Annual Report we described how we issued two Notices of Advice. This year we received feedback on the actions taken by the services to address the issues in the Notices.

Outcome of our Notice of Advice regarding Support Planning

Our Notice requested that the organisation review the quality of clients' support plans. We advised that support planning should be proactive and encompass the needs of the whole person (personal, physical, health, communication and cultural). We called on necessary changes to be made to each client's support plan so that it met the requirements of Social Services Standards 1 and 2.

The service provider reviewed the support plans and further improved them to ensure they are person-centred and contained the person's preferences around support and communication.

Outcome of our Notice of Advice regarding a feedback system for service users

In a Notice issued to a forensic disability service DSC requested that the organisation undertake a review of their resident feedback forms and check if they had handled the forms in line with the documented process. The service was asked to consider Social Services Standards 4 and 5.

In response to the Notice the organisation advised that it had conducted staff training to ensure that staff understood the complaints and feedback system and supporting documentation.

The organisation also advised that they conducted a consultation with residents at two sites about the easy read documents used and the complaints process. The documentation was then updated to reflect the feedback.

> **While the responses to receiving a Notice can vary, most organisations take it as an opportunity to improve their systems and the services they provide to their clients.**

Education and information

This year, DSC continued to provide information to people with disability, families, advocates and the Victorian disability sector about the importance of speaking up as a means of improving disability services.

DSC maintained strong working relationships with other safeguarding bodies, meeting regularly to discuss emerging issues and trends, and to ensure responsive communication between organisations. Our targeted communications also continued this year.

Presentation at the Registered Disability Worker Continuous Professional Development event

Disability Services Commissioner, Jen Jackson-Hall, presented at the Registered Disability Worker Continuous Professional Development event in March 2026, hosted by the Victorian Disability Worker Commission (VDWC).

The Commissioner spoke about making complaints and about disability services. The Commissioner also acknowledged that this can be very difficult sometimes, but that it's OK to complain and it can be an important way to create positive change.

Making a complaint can help improve the services people receive and strengthen practices across the disability sector. The Commissioner spoke about using the 4As (Acknowledge, Answer, Action and Apologise) when responding to a complaint.

Disability workers were encouraged to be curious, listen deeply, seek support when needed and be open to feedback.

Presentation on promoting a safe and high-quality disability sector - VALID 'Having a Say' Conference

DSC co-presented a workshop with VDWC at the 'Having a Say' Conference. The session was well attended by self-advocates and disability workers. The session was interactive and unpacked how disability support helps people reach their goals through high-quality services. Topics that were discussed:

- how it feels when a disability worker asks and does the same thing each day.
- what it looks like when a disability worker takes initiative, asks questions differently and recognises a person's individuality.
- how a person's interests can be incorporated into supports and built upon.
- how those interests can result in greater community participation and potentially a reduction of paid supports.

Victorian Disability Advocacy Program (VDAP) funded disability advocacy services

This year DSC undertook a project focused on the VDAP funded disability advocacy services. The purpose of the project was to remind these advocacy services that they are a regulated service provider under the *Disability Act 2006*. This means that:

- they must have a system to receive and resolve complaints.
- they must provide an annual report relating to complaints to DSC including information about the number, type and outcome of the complaints.
- when a complaint is made to their organisation, they must take all reasonable steps to ensure that the complainant and/or person with disability are not adversely affected because a complaint has been made.

We communicated with the executive director (or equivalent) of each advocacy service and shared observations about the material available on their respective webpages relating to complaints. Where there was clear and helpful information published, we recognised the value of it. If we found gaps or outdated content, we noted it with the service.

We also provided material for VDAP advocacy services to use in their client handbooks and feedback/complaints webpages. It included text about DSC and our logos (including It's OK to complain). For the services also funded through the National Disability Advocacy Program (NDAP) we encouraged them to include the details of the Complaints Resolution and Referral Service in their material.

We received positive feedback from representatives of many disability advocacy services who agreed on the importance of improved complaints material and committed to making the suggested improvements.

Comments included:

> **"I'm happy to take on the feedback and incorporate it into the content."**

> **"We have updated our Complaints Policy and Procedures to include your contact details."**

> **"We will act on your recommendations by including our feedback and complaints process on our website and update information."**

> **"Thank you for this useful information and I apologise for the oversight."**

> **"Thanks for drawing this to my attention, and the helpful content material as well!!"**

Annual Complaints Reporting from the sector

This part of our report covers what disability service providers told us about the complaints made directly to them in 2025-26.

Which services needed to complete a report this year?

The complaint information submitted to DSC through the Annual Complaints Reporting (ACR) process was for disability services that must be registered under the Social Services Regulations 2023. These include services funded by DFFH, the Transport Accident Commission and WorkSafe (with some exclusions). These complaints are not about NDIS services.

In 2025-26, all 249 providers provided a complaint report. This was more than double than the 105 providers who reported in 2024-25. This increase is due to the registration requirements of the Social Services Regulations 2023.

There were five providers who had their registration cease during this year. Those providers with registration for part of the cycle were still required to report for the part of the year they held registration.

What information were disability services providers required to report?

Disability service providers were required to submit a complaints report that detailed the number, types and outcomes of complaints received, including how they were finalised.

What were the numbers reported?

DSC received a report from each of the 249 disability service providers.

This year 57 service providers (23 per cent of all service providers required to report) submitted 251 in-scope complaints in total. This reversed the downward trend of complaints received in the previous three years:

- 2024-25 with 161 complaints
- 2023-24 with 195 complaints
- 2022-23 with 242 complaints.

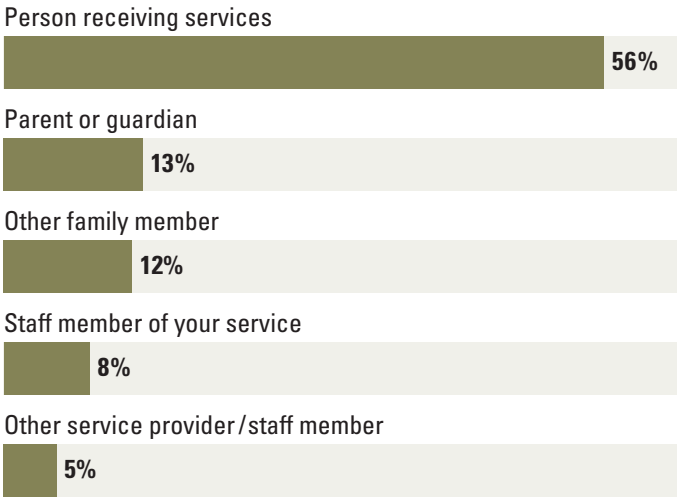
This data includes 16 complaints carried over from the previous year. Seventy-seven per cent of service providers (or 192 providers) who submitted their reports indicated that they did not receive any in-scope complaints (known as a NIL report).

Seventy-two per cent of in-scope complaints were in relation to TAC funded services, 15 per cent were in relation to DFFH funded services and 10 per cent were in relation to WorkSafe funded services. 59 per cent of complaints related to TAC funded attendant care.

Who made complaints to their service provider?

Similar to past years, the person receiving the service (56 per cent) and parents or guardians of the person receiving the service (13 per cent) were the most common sources of complaints. The share of complaints made by the person receiving services has declined from 61 per cent in 2024-25, but remains higher than in previous years (28-51 per cent between 2019-20 and 2023-24).

*Figure 1: Top five sources of provider complaints**



**Multiple responses are possible so figures may not add up to 100%*

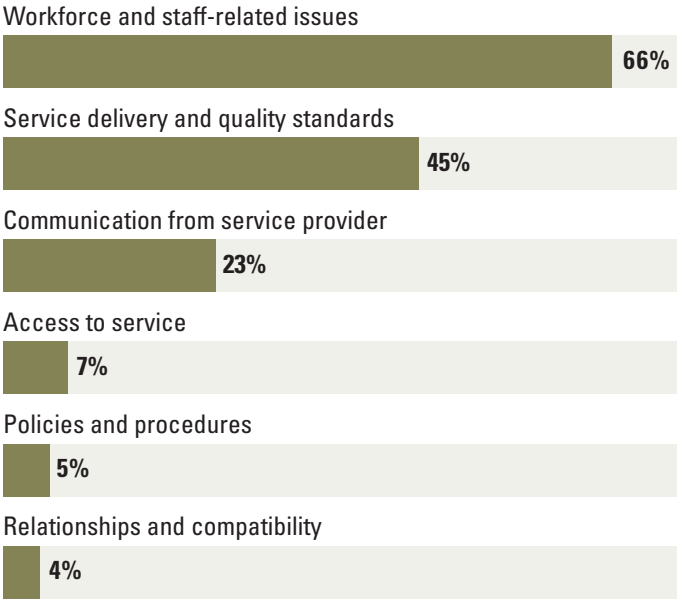
What type of services were the subject of complaints reported?

Forty-six per cent of in-scope complaints received were in relation to personal care, up from 29 per cent in 2024-25. This increase is likely associated with the increase in the proportion of complaints from TAC funded services and an increase in the proportion of complaints from people with physical disability.

This was followed by complaints about individualised disability support (30 per cent) and supported accommodation services (14 per cent). The proportion of complaints about supported accommodation services has declined following the transition of disability accommodation services to being fully NDIS funded.

What were the issues in the complaints?

*Figure 2: Issues raised in provider complaints**



** Multiple responses are possible so figures may not add up to 100%*

What outcomes were achieved from complaints and how were they resolved?

Similar to previous years, acknowledgement of the person's views or issues was the most frequent complaint outcome achieved by providers (83 per cent) using the 4As outcomes of Acknowledge, Action, Answer, Apologise. This was followed by some form of action being taken by the service provider to resolve the complaint (72 per cent).

*Table 5: Primary ways complaints were resolved using the 4As and top five actions taken**

4As Outcomes	
Acknowledgement of person's view or issue	83%
Action	72%
Apology provided	44%
Answers provided – information or explanation	42%

Actions	
Change or appointment of worker	28%
Disciplinary action or performance management of staff	24%
Communication issues addressed	16%
Change to way in which support or service was provided	7%
Support plan or person-centred plan to be developed or reviewed	6%

** Multiple responses are possible so figures may not add up to 100%*

In 2025-26, 82 per cent of complaints to disability service providers were reported as resolved and 13 per cent were partially resolved. Two per cent remained unresolved.

Reflections from service providers from complaints they handled

Within the ACR process, service providers were asked what are the key lessons learnt from complaints?

The quotes below are a sample of answers provided.

"Importance of personalising communication methods with participants' family members based on their preference, and not using standardised approaches."

"Reinforce the importance of informing clients in advance of any changes to scheduled shift times, wherever possible."

"Listening and understanding the cause of the issue. Getting the worker's perspective and side of the complaint. Being open and clear with the client who was happy with the outcome."

"Clear communication and listening to your participant."

"The importance of ensuring staff [are] supported and educated on how to prioritise tasks when there are multiple competing priorities."

"Ongoing training in professional boundaries."

"Staff training/reminding staff about professional communication and respectful interactions with all, adherence to staff Code of Conduct and increased staff supervision and improved reporting."

"Continue to ensure staff are familiar with a resident's behaviour support plan and preferences."

"Prioritising accessible formats - the creation of easy read materials reinforces the need to provide information in formats that support participant comprehension and informed decision making."

"To action without delay complaints from service users and their representatives."

"Regular and frequent check ins with each client from a manager are essential for understanding and resolving complaints quickly."

"To ensure services are person-centred. For this case it was ensuring that the participant had a record of contact to support cognitive needs of [the] client to ensure a summary is provided of what they completed in their sessions."

"To ensure team leaders have been trained in complaints handling and response."

"To listen and respond to clients quickly when they are unhappy with a staff member's conduct."

"Maintain contingency plans to ensure replacement support workers can be arranged quickly when unexpected absences occur."

"Strengthen rostering processes to ensure all scheduled shifts are confirmed and adequately covered, particularly for recurring supports."

Appendices

Appendix 1: Operations

Financial statement for the year ended 30 June 2026

DFFH provides financial services to DSC. The financial operations of DSC are consolidated into those of DFFH and are audited by the Victorian Auditor General's Office. A complete financial report is therefore not provided in this annual report. A financial summary of expenditure for 2025-2026 is provided below.

Expenses	Amount
Salaries	$636,075
Supplies and consumables	$72,884
Indirect expenses (includes depreciation and long service leave expense gains or losses on revaluation)	– $1,981
Total expenses	**$706,978**

Staffing for the year ended 30 June 2026

Four VPS staff, three full-time equivalent (FTE) as at 30 June 2026.

Appendix 2: Compliance and Accountability

Privacy and Data Protection Act 2014

DSC is an organisation bound by the provisions of the *Privacy and Data Protection Act 2014*. DSC complies with this Act in its collection and handling of personal information.

DSC's privacy policy is available at: www.odsc.vic.gov.au and explains how we deal with personal and health information.

Freedom of Information Act 1982

Victoria's *Freedom of Information Act 1982* (FOI Act) allows the public a right of access to information held by DSC subject to certain exemptions. In 2025-2026, DSC received 0 requests under the FOI Act.

Applications for access to information can be made in writing to:

Freedom of Information Officer
Disability Services Commissioner
Level 1, 2 Lonsdale Street
Naarm/Melbourne VIC 3000

Email: odsc.foi@odsc.vic.gov.au

Our website has more information about this process: www.odsc.vic.gov.au

Charter of Human Rights and Responsibilities Act 2006

The *Charter of Human Rights and Responsibilities Act 2006* (the Charter) sets out the basic rights, freedoms and responsibilities of all people in Victoria. It requires all public authorities, including DSC, to act consistently with the human rights in the Charter.

DSC complies with the legislative requirements outlined in the Charter and uses a human rights approach when dealing with enquiries and complaints, conducting reviews and investigations, and delivering education and information to the sector.

Protected Disclosure Act 2012

Disclosures of improper conduct by DSC or its officers can be made verbally or in writing to:

Independent Broad-based Anti-Corruption Commission
GPO Box 24234
Melbourne Vic 3001

Phone: 1300 735 135

Email: info@ibac.vic.gov.au

More information about Victoria's *Protected Disclosure Act 2012* is available from the Independent Broad-based Anti-Corruption Commission website: www.ibac.vic.gov.au

Disability Services Commissioner
Level 1, 2 Lonsdale Street
Naarm / Melbourne VIC 3000

Phone: 1800 677 342

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