

DISABILITY COMMISSIONER SUPPORTS OMBUDSMAN'S REPORT

25 June 2015

Victoria's Disability Services Commissioner, Mr Laurie Harkin AM, today welcomed the Ombudsman's report including the review of complaints managed by his office.

"We accept the Victorian Ombudsman's constructive feedback on our processes for investigation," Mr Harkin said. "Indeed, our own practice review has already resulted in my office improving complaints processes, including using our investigation powers to direct service providers to complete the actions we require of them."

Mr Harkin said his statutory responsibility was to resolve complaints through informal means, conciliation and investigation. The office receives more than 900 enquiries and complaints a year. "Consistently, our approach has seen on average more than 70% of people who complain say they are satisfied with how their matter is resolved," he said.

"Typically, I have tried to do this through informal means. I believe alternative dispute resolution achieves a better and more sustainable outcome overall. But our own internal review of seven years of cases - and now the Ombudsman's report - indicate some cases warrant investigation."

Mr Harkin was responding to the recommendations of the Victorian Ombudsman's report, tabled today: *'Reporting and investigation of allegations of abuse in the disability sector: Phase 1 - the effectiveness of statutory oversight'*.

"Many complaints are about poor communication, and often an informal approach is right," Mr Harkin said. "We have had strong success in compliance through informal avenues."

"However, in more serious cases, the investigations process will mean we may require a service provider to make changes within legislatively binding time frames." The office does not have power to initiate its own actions, but can act only on any complaint.

In addition to complaints, the office reviewed over 300 incidents of alleged staff-to-client assaults and unexplained injury in 2013/14. "We are pleased that the Ombudsman's report has reinforced the guidance and advice we have provided on allegations of assault. I believe implementing this advice will further improve the human rights of people with disability," Mr Harkin said.

"We are also encouraged by the Ombudsman's recognition of our education work in supporting disability services to develop strategies that safeguard people's rights to be free from abuse and to more comprehensively investigate staff to client assault and unexplained injuries."

Top six complaints to the Disability Services Commissioner in 2014/15:

- Dissatisfaction with the quality of service provided (29 per cent)
- Insufficient communication by disability service providers (21 per cent)
- Concerns related to physical and psychological health and safety (14 per cent)
- Poor quality of communication (12 per cent)
- Issues with fees or charges (12 per cent)
- Concerns about the way that complaints were handled (12 per cent)

To make a complaint phone 1800 677 342 www.odsc.vic.gov.au

For media enquiries contact the Deputy Commissioner 1300 728 187