

## National Disability Insurance Scheme (NDIS) Reviews

### Have you been refused access to the NDIS? Are you unhappy with a decision about your funding?

You can ask for the National Disability Insurance Agency (NDIA) to review decisions:

- To not let you join the NDIS.
- To remove you from the NDIS.
- About the services and supports you will receive in your NDIS Plan.
- About the amount of money provided in your NDIS Plan.
- About appointing a nominee for you.
- Limiting the amount the NDIA give you because of compensation you have received.
- Refusing to reassess or vary your NDIS Plan.

A request for a review is not a complaint. It should be made within **3 months** from the day you receive the initial decision. Applications for review should be sent directly to the NDIA. A form is available on the NDIS website. You do not need to use this form and can send a letter or email instead. You can also call or visit a NDIS office.

Check that your Request for Review includes:

- Why you believe the decision was wrong.
- Any evidence you have that would help the NDIA to change their decision.

### What if I am unhappy with the NDIA's decision after a review?

You can apply to the Administrative Review Tribunal (ART). To apply, the ART Application requires a specific form to be used which can be downloaded from the ART website. The form is called the 'Application for Review of Decision (Individual)'.

The ART can only review a decision if the NDIA has reviewed it first.

### How do I apply to the ART?

- Download the form from the ART Website, request one from the ART Registry, or apply online at [www.art.gov.au](http://www.art.gov.au). You can also call the ART.
- Complete and lodge the form with the ART within **28 days** of the NDIA's review of their decision.
- Include with the form a copy of the decision you are seeking to review, if you have one.

### What can Legal Aid ACT do to help?

Legal Aid ACT can provide advice and assistance for both NDIA reviews and ART Applications.

- Legal Aid ACT can provide a free duty appointment through our Duty Lawyer Service. During this appointment we provide brief assistance with drafting NDIA reviews or ART Applications and discuss the kind of evidence which might assist you.
- Duty appointments are limited. If you need ongoing assistance, or need us to represent you at the ART, then you should apply for a grant of legal aid. To get the grant application form, please call our free Helpline on 1300 654 314 or visit us at 2 Allsop Street, Canberra.
- Legal Aid ACT aims to process grant applications within 10 days, so please also seek duty advice or advocacy support to ensure that you file your ART form within 28 days.

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### What do I need to do next?

To participate in the Legal Aid ACT Duty Lawyer Service, you will need to sign the consent form over the page which authorises the ART to release relevant personal information to Legal Aid ACT. Copies of the form are also available from the ART.

### Getting help

#### ACT Disability, Aged and Carer Advocacy Service (ADACAS)

[Website: www.adacas.org.au](http://www.adacas.org.au)

[Email: adacas@adacas.org.au](mailto:adacas@adacas.org.au)

Phone: (02) 6242 5060

Address: Unit 14/6 Gritten Street, Weston ACT

#### Legal Aid ACT

Website: [www.legalaidact.org.au](http://www.legalaidact.org.au)

[Email: civil@legalaidact.org.au](mailto:civil@legalaidact.org.au)

Phone: 1300 654 314

Address: 2 Allsop Street, Canberra ACT

#### National Disability Insurance Agency

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

Phone: 1800 800 110

Postal: GPO Box 700, Canberra ACT 2601

Address: 2 Allsop Street, Canberra ACT

#### Administrative Review Tribunal

[Website: www.art.gov.au](http://www.art.gov.au)

[Email: reviews@art.gov.au](mailto:reviews@art.gov.au)

Phone: 1800 228 333

Postal: GPO Box 9955, Canberra ACT 2601

Address: Level 8, 14 Moore Street, Canberra

#### Advocacy for Inclusion

[Website: www.advocacyforinclusion.org](http://www.advocacyforinclusion.org)

Phone: (02) 6257 4005

Address: 20 Genge Street, Canberra ACT

## Consent form and authority to disclose Personal Information

I acknowledge that I have read or understood the information provided to me about the Legal Aid Duty Lawyer Service, and I give consent for:

Please tick box

1. The Tribunal to provide my personal information to Legal Aid ACT, including my application for review (and any supporting documents) and any documents filed by the National Disability Insurance Agency (NDIA) ☐
2. Legal Aid ACT to collect and use my personal information to provide me with free assistance and legal advice as part of its Duty Lawyer Service ☐
3. Legal Aid ACT to provide a copy of this form to the Department of Social Services (DSS) and the NDIA ☐
4. DSS and the NDIA to provide Legal Aid ACT with information that is relevant to my matter at the Tribunal ☐

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Relationship to applicant (if authorised to provide consent on behalf of another person)

The Tribunal's Privacy Policy (<https://www.art.gov.au/about-us/privacy-and-confidentiality>) contains more information about the way in which we will manage your personal information. The Privacy Policy also contains information on how you can complain about a breach of the Australian Privacy Principles (APPs) and how the Tribunal will deal with such a complaint. If you cannot access the Tribunal's Privacy Policy online, you can request a copy by writing to:

Legal and Policy  
Principal Registry  
GPO Box 9955, Sydney NSW 2001  
Email: [enquiries@art.gov.au](mailto:enquiries@art.gov.au)