



# What is non-compliance?

## Protecting the NDIS

Easy Read guide



**ndis**

[ndis.gov.au](https://www.ndis.gov.au)

# How to use this guide



The National Disability Insurance Agency (NDIA) wrote this guide. When you see the word 'we', it means the NDIA.



This guide is written in an easy to read way. We use pictures to explain some ideas.

**Bold**  
Not bold

We have written some words in **bold**.

This means the letters are thicker and darker.



We explain what these words mean.

There is a list of these words on page 19.



This Easy Read guide is a summary of another fact sheet.



You can find the other fact sheet on our website at [www.ndis.gov.au](http://www.ndis.gov.au)



You can ask for help to read this guide.

A friend, family member or support person may be able to help you.

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# What is non-compliance?



If you do the wrong thing, we call it **non-compliance**.

This includes if you do the wrong thing:



- on purpose



- by accident.



We know that not all non-compliance is on purpose.

We know people:



- try to do the right thing



- sometimes make mistakes.

This includes:



- **participants** – people with disability who take part in the NDIS



- **nominees** – people participants choose to help them make decisions



- **service providers** – people who support people with disability, such as an organisation or individual.





If you make a mistake, we will work with you to fix it first.



We want to help people learn how to do the right thing before something becomes non-compliance.

This includes:



- helping people understand mistakes they might make



- giving people information to help them do the right thing.

# Types of non-compliance

There are 6 types of non-compliance.

1. When someone:



- makes a mistake
- wasn't trying to get something for themselves.



2. When someone uses **funding** in the wrong way.



Funding is the money in your plan that pays for supports and services.



3. When there is a **conflict of interest**.



A conflict of interest is when someone can affect a decision so the result is better for them. This makes the decision unfair.



4. When someone does something that isn't against the law, but they know it's the wrong thing to do.



## 5. When someone commits **fraud**.



**Fraud** is something you plan to do that is not honest.



Fraud is a crime.



People commit fraud to get something for:

- themselves
- other people.



It is not fraud if you:

- are careless
- make a mistake.



## 6. When someone is **corrupt**.

When someone is corrupt, they act like a good person but do the wrong thing.



# How do we deal with non-compliance?



When we deal with non-compliance, first we think about:

- what the person did
- why they did it.



When people want to do the right thing, we will make it easier for them.



This includes:

- offering support
- giving them information
- guiding them.



Most of the work we do is teaching people how to do the right thing.



When people decide to do the wrong thing, we will do more.

This might include:



- helping them fix their behaviour



- making them pay back money.



Or we might need to take them to court.

# What if someone uses funding in the wrong way?



You should tell the NDIS Fraud Reporting and Scams Helpline if you think someone uses NDIS funding in the wrong way.

We might ask you:



- who is doing the wrong thing, such as a service provider or a participant
- when it happened and for how long
- what happened
- where it happened.



We might also ask you:

- why you think they did the wrong thing
- how you found out
- who else you have told.



You should try to have this information before you tell us.

## What happens after you tell us



After you tell us, we will look into the problem.



Sometimes we can't do anything about the problem.



This might be because we can't:

- work out who you are talking about
- find proof of what happened.

Or it might be because the person you're talking about:



- isn't part of the NDIS



- doesn't have an NDIS plan.



If we find proof that someone did the wrong thing with NDIS funding, we might:

- find out more
- ask them to pay back the funding.



Or we might tell another organisation that is in charge of fixing these problems, such as the **NDIS Quality and Safeguards Commission** (NDIS Commission).



The NDIS Commission makes sure people with disability who take part in the NDIS:

- are safe
- get good services.

## Where can you get help?

If you have questions about how to use your NDIS funding the right way, you can talk to your:



- NDIA Planner – someone who makes new plans



- Local Area Coordinator (LAC) – someone who helps people with disability find and use services and supports.



We made some examples of what supports the NDIS can fund.



You can find the examples on the 'Would we fund it' page on our website.

[www.ndis.gov.au/understanding/supports-funded-ndis/reasonable-and-necessary-supports/would-we-fund-it](http://www.ndis.gov.au/understanding/supports-funded-ndis/reasonable-and-necessary-supports/would-we-fund-it)





We also wrote some guidelines that explain how we should make decisions.



You can find the guidelines on our website.

[ourguidelines.ndis.gov.au](http://ourguidelines.ndis.gov.au)

## Information for service providers

We have lots of information on our website for service providers, including how to:



- make service agreements



- keep records.



[ndis.gov.au/providers/provider-compliance](http://ndis.gov.au/providers/provider-compliance)



The NDIS Quality and Safeguards Commission website also has information to help service providers do the right thing.



[www.ndiscommission.gov.au/providers](http://www.ndiscommission.gov.au/providers)

## More information

For more information about this fact sheet,  
please contact us.



[www.ndis.gov.au](http://www.ndis.gov.au)



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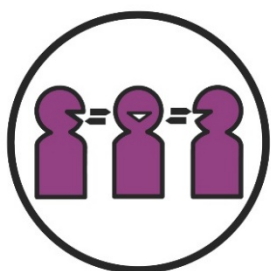
## Support to talk to us



You can talk to us online using our webchat feature.

[nccchat.ndis.gov.au/i3root](https://nccchat.ndis.gov.au/i3root)

If you speak a language other than English, you can call:



Translating and Interpreting Service (TIS)

**131 450**

If you have a speech or hearing impairment, you can call:



TTY

**1800 555 677**



Speak and Listen

**1800 555 727**



National Relay Service

**133 677**

[www.relayservice.gov.au](https://www.relayservice.gov.au)

## Word list



### **Conflict of interest**

A conflict of interest is when someone can affect a decision so the result is better for them.

This makes the decision unfair.



### **Corrupt**

When someone is corrupt, they act like a good person but do the wrong thing.



### **Fraud**

When someone commits fraud, they do something that is not honest on purpose.



### **Funding**

Funding is the money in your plan that pays for supports and services.



### **NDIS Quality and Safeguards Commission (NDIS Commission)**

The NDIS Commission makes sure people with disability who take part in the NDIS:

- are safe
- get good services.



## Nominees

Nominees are people participants choose to help them make decisions.



## Non-compliance

If you do the wrong thing, we call it non-compliance.

This includes if you do the wrong thing:

- on purpose
- by accident.



## Participants

Participants are people with disability who take part in the NDIS.



## Service provider

A service provider supports people with disability.

A service provider can be an:

- organisation
- individual.



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