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Why we recover debts

Participants, nominees and providers all need to make sure NDIS funds are spent only on NDIS supports, in the way and timeframe described in the NDIS plan.

NDIS laws say we have a responsibility to manage and recover debts where a person receives an amount from the NDIS that they were not entitled to receive. This has always been part of the NDIS.

If we become aware NDIS funds are used to buy something that isn't an NDIS support, we'll contact participants to explain why NDIS funds can't be used in this way and how to stop it happening again.

This will help make it easier to get it right and harder to get it wrong.

We can help you with your NDIS debt. There is also help available from other support services, like the National Debt Helpline that offers free and confidential financial counselling services.

How a debt is raised

There are 3 common ways a debt can be raised against a participant, their nominee or provider.

Debts created by a participant, nominee or provider

We understand mistakes happen. When they do, you can fix this yourself by cancelling the claim through the participant or provider portal.

You'll need to repay the amount if you cancel a claim in the portal after it has been paid.

You can contact us to ask for an invoice or for a payment arrangement. This might include paying the debt in instalments or using your future payments to reduce the balance you owe

until it is repaid.

Debts due to reviews or investigations

It is likely a debt will be raised if we find incorrect claiming during a review or investigation. Incorrect claiming can include:

- claims for supports that aren't NDIS supports
- claims for supports not delivered
- when the evidence doesn't match the claim
- when evidence has been made-up, like fake reports or fake invoices
- repeated non-compliant claiming
- criminal matters, such as fraud.

Examples of reviews and investigations include:

- Post payment review – when we find unusual claims. We'll work with you to help understand what happened.
- Compliance investigation – when we investigate people and businesses doing the wrong thing with NDIS funds. This may start with a tip-off about possible fraud and non-compliance.

When we review a claim, we consider the individual circumstances as part of our decision-making process about the incorrect claiming.

All decisions made about recovering debts are made by NDIS staff.

Compensation debt recovery

We may recover an amount from your compensation payment if your claim is finalised after becoming a participant.

What happens if a debt is raised

We'll contact you before we look to recover a debt.

We'll explain the reason we're reviewing your claims and ask you to provide information about them.

You'll have the option to provide more information or evidence before we finalise the debt decision. We'll also discuss the outcome of our review or investigation and explain why we think there is a debt.

You can talk to us about our decision and ask questions so you can better understand how the debt has come about.

We'll send you a letter with details of the debt, including wellbeing and financial support, and options to pay the money back.

Asking for a debt review

You can ask us to review a debt if you think we've made a mistake.

Email schemedebtmanagementteam@ndis.gov.au to ask for a debt review.

This may mean we decide the debt is not owed and it is cancelled. The debt may still be valid and we go ahead with recovering it.

Asking for a waiver or write off

You can ask us to waive or write off a debt.

A debt waiver or write off means you don't have to pay back the money you owe.

Waiver

NDIS law says there are some times when a debt or part of the debt can be waived. This includes if:

- it is due to an error
- it is a small debt
- the issue has been settled
- there are special circumstances.

We can't waive a debt when it is raised as result of:

- making a false or misleading statement or representation
- not complying with the law.

If you ask us to waive a debt, we will contact you to ask for information, give you the opportunity to ask questions and let you know our decision.

Write-off

NDIS law says we can decide to write-off a debt only if:

- the debt can't be collected through legal action
- there is no way you can pay back the money owed
- your whereabouts are unknown after all reasonable efforts have been made to locate you to pay back your debt
- it isn’t cost effective for us to recover the debt.

We may choose to recover the debt in the future if we learn of new information which would change our original decision to write off your debt.

How to contact us about a debt

If you have questions or concerns regarding a debt:

Email us

Email us at schemedebtmanagementteam@ndis.gov.au.

Call us

Participants on 1800 800 110 or providers on 1300 311 675.

Use our service hub

Submit an enquiry through our service hub .

Speak to us in person

Talk to your my NDIS contact or visit your local NDIA office in person.

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