Understanding NDIS Participant Rights | Bloom Healthcare

Canonical: https://bloom-healthcare.com.au/your-rights/

Details:

If you receive NDIS-funded supports, your rights are set by law: the NDIS Act, the NDIS Code of Conduct and the NDIS Practice Standards. If you receive government-funded aged care, they are set by the Statement of Rights in the Aged Care Act 2024. Those rights include choosing and changing your providers, taking reasonable risks, having an advocate, seeing the records held about you, and complaining without it affecting your services. This page lists what you are entitled to and the practical steps for using each right. An easy read version of Bloom's rights information is available at bloom-rights-easyread-2025 .

The short version

You have the right to:

Choose who provides your supports and how they are delivered. You do not have to use one provider for everything.

Say no to a provider, or stop using one, if you do not think they are acting in your best interests.

Ask about conflicts of interest and get an honest answer.

Not be pressured into buying services or supports you do not want or need.

Pay a fair and reasonable rate. If you are NDIA-managed or plan-managed, the NDIS Pricing Arrangements and Price Limits apply.

Decide what personal information you share with a provider.

Take reasonable risks in your own life.

Have a support person, family member, nominee or independent advocate with you.

See and correct the records a provider holds about you.

Complain, including anonymously, without it affecting the supports you receive.

The rest of this page explains where each of these comes from and what to do when one of them is not being met.

Where these rights come from

For disability supports, three instruments do most of the work. The NDIS Code of Conduct applies to everyone delivering NDIS supports, registered or not, including individual workers. The NDIS Practice Standards apply to registered providers and are what they are audited against. Both are administered by the NDIS Quality and Safeguards Commission , which is the regulator you can go to directly.

For aged care, the Aged Care Act 2024 puts a Statement of Rights at the centre of the system, backed by a Statement of Principles , seven strengthened Quality Standards that took effect on 1 November 2025, and a Code of Conduct for aged care workers. The regulator is the Aged Care Quality and Safety Commission .

Privacy sits over both. The Privacy Act 1988 and the Australian Privacy Principles govern how any provider collects, uses, stores and corrects your personal information.

The NDIS Code of Conduct: eight obligations

Every provider and every worker delivering NDIS supports must:

Act with respect for individual rights to freedom of expression, self-determination and decision-making.

Respect the privacy of people with disability.

Provide supports and services in a safe and competent manner, with care and skill.

Act with integrity, honesty and transparency.

Promptly raise and act on concerns about matters that might affect the quality and safety of supports.

Take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect and abuse.

Take all reasonable steps to prevent and respond to sexual misconduct.

Not charge or represent higher prices for goods supplied to NDIS participants without reasonable justification.

A breach of any of these is a valid reason to complain, and you can complain to the NDIS Commission about an unregistered provider or an individual worker, not only a registered organisation.

The NDIS Practice Standards: what a registered provider must do

The Practice Standards include a core module on rights and responsibilities. In practice it requires a registered provider to:

Put you at the centre of planning and delivery, and design supports around your goals rather than the provider's convenience.

Deliver supports in a way that fits your values, beliefs, culture and identity.

Protect your privacy and your dignity in every interaction, not only in how files are stored.

Support your independence and informed choice, giving you real information about options and their consequences, in a format you can use.

Take all reasonable steps to prevent violence, abuse, neglect, exploitation and discrimination, and to respond properly when a concern is raised. That includes incident reporting, staff training, protection against financial abuse, and complaint mechanisms you can actually reach.

Registered providers are audited against these standards. If you think a standard is not being met, that is something the NDIS Commission wants to know about.

Choice and control, in practice

Choice and control is not only about which organisation you sign with. It also means:

You choose which supports to buy with your funding, within your plan's goals and the NDIS rules about what a support must be.

You can use several providers at once, and you can use a different provider for each discipline.

You can change providers. You do not need permission and you do not have to give a reason.

You can ask for a different clinician within the same organisation. This is a normal request, not a complaint.

You must agree to changes to your service agreement before they take effect. A provider cannot unilaterally change what it does with you.

When you end a service, the provider should work with you on a safe handover up to the end date rather than dropping you.

You decide who is in the room, who receives copies of reports, and what your family or support coordinator is told.

Dignity of risk

Dignity of risk is the right to choose to take some risk in order to live your life. It matters because the alternative is a service that keeps you safe by keeping your life small.

A provider is not required to remove all risk and should not try to. What it should do is assess the risk properly, explain it to you plainly, record that you understand it, put in place safeguards that are proportionate rather than blanket, and review the arrangement as things change. If a provider is refusing to support something you want to do, you are entitled to ask what specific risk they are managing, what less restrictive option they considered, and why it was rejected.

Supported decision-making, nominees and supporters

The starting assumption is that you make your own decisions. Supported decision-making means a provider helps you understand information and make a choice, rather than making the choice for you. That includes using plain language, allowing time, using your communication method, and involving the people you want involved.

If you need more formal help, an NDIS nominee or a guardian may act in defined areas. If you are in aged care, you can appoint a registered supporter , usually a family member or friend, who can help you decide, communicate your decision, and receive copies of your information. Appointing one does not take away your right to decide for yourself. Anyone who had a regular or authorised representative in My Aged Care on 31 October 2025 automatically became a registered supporter under the new Act.

If you are acting as someone's nominee or guardian, be clear about the limits of your role, because it determines what you can consent to on their behalf.

Your right to an advocate

The NDIS Act recognises the role of advocates, and registered providers are required to cooperate with an advocate and to make arrangements that let an advocate support you through a complaint or an incident. An advocate is independent of the provider and independent of the NDIA.

You can bring an advocate to any meeting, including a first phone call, an assessment, a service agreement discussion, or a complaint meeting. Independent advocacy is available through the National Disability Advocacy Program, and the Older Persons Advocacy Network supports older people. Bloom's advocacy policy sets out its obligations and includes referral links to advocacy services. Your support coordinator can also help you find one.

Your information: seeing it, correcting it, controlling it

You can ask to see anything held about you , including assessment reports, functional capacity assessments, behaviour support plans, psychology and counselling records, and session notes. You can ask verbally or in writing. A request should be met as soon as possible and usually within seven days.

You can ask for corrections. If something is inaccurate, incomplete or misleading, you can ask for it to be fixed, have the request recorded, and be told when the correction is made. This matters because these reports get used at plan reviews and by other services.

You decide what you share. You only need to give a provider what it needs to deliver your supports, and your consent is required before your information goes to a third party.

Your records must be kept securely and managed under the Privacy Act 1988. Personal information is generally retained for seven years. Records for people from Aboriginal or Torres Strait Islander backgrounds are kept indefinitely. Paper copies are securely destroyed once the record is stored electronically.

Behaviour support and restrictive practices

If behaviour support is part of your services, extra rights apply because restrictive practices limit your freedom. Regulated restrictive practices include seclusion, chemical restraint, mechanical restraint, physical restraint and environmental restraint.

You are entitled to:

Be consulted about any regulated restrictive practice proposed for your plan, with the details explained in plain English before it is used.

Have a behaviour support plan built with you, your family and your support network, based on a functional behaviour assessment, and aimed at building positive alternatives and reducing restrictive practices over time.

Have an interim behaviour support plan within one month of a specialist behaviour support provider being engaged, and a comprehensive plan within six months.

Have the plan reviewed when your situation changes and at least every 12 months.

Change behaviour support providers if you want to.

The NDIS Commission publishes participant fact sheets on this, including one on what to expect if your provider uses restrictive practices, with easy read versions at ndiscommission.easyread.com.au.

If you are an older person: the Statement of Rights

Under the Aged Care Act 2024 you have the right to make your own decisions about your own life, to have those decisions respected rather than merely noted, to get information and support so you can decide, to communicate your wishes, needs and preferences, to feel safe and be respected, to have your culture and identity respected, and to stay connected with your community. For Aboriginal and Torres Strait Islander people that includes the right to stay connected to Country or Island home.

Providers must show they understand the Statement of Rights and that the way they deliver funded aged care is compatible with it. The Statement of Principles applies the same expectations to the whole system, including government departments and the regulator.

The Act also includes whistleblower protections . Older people, the people close to them, and aged care workers can report concerns to the Aged Care Quality and Safety Commission, to the Department of Health, Disability and Ageing, to a registered provider or responsible person, to an aged care worker, to a police officer, or to an independent aged care advocate. Reports can be made in person, by phone, in writing, or anonymously. You are protected from negative consequences and your identity is protected, except where the information must be shared with the Commission or a lawyer, or to prevent a serious threat to someone.

Complaining, and what a good response looks like

No issue is too small to raise. Aged care guidance uses meals and having a say in daily activities as examples, and the same principle applies to therapy: session times, a clinician who talks over you, a report that does not sound like you, or a bill you were not expecting are all legitimate.

A provider must have a complaints system that is accessible, including an anonymous option and formats and languages you can use. A good response has four parts: acknowledgement that the complaint has been received and taken seriously, answers explaining what happened, action to fix it, and an apology where one is owed. The process must also be procedurally fair, which means you get a real chance to put your complaint, it is not dismissed on a technicality, any staff member complained about is given notice and a chance to respond, and the decision is made impartially on the facts.

You can raise a concern with Bloom by speaking to your clinician, calling 1300 771 465 , or emailing hello@bloom-healthcare.com.au . You can bring an advocate. Providers are legally prohibited from threatening you or trying to stop you complaining.

Going outside the provider

You do not have to complain to the provider first, and you can go to the regulator at any time.

For disability supports, contact the NDIS Quality and Safeguards Commission . It accepts complaints from participants, family members, carers, workers, providers and anyone else concerned about the safety or quality of NDIS supports. The online complaint form and current contact details are at ndiscommission.gov.au. The NDIS can also be reached on 1800 800 110, TTY 133 677, and interpreters can be arranged.

For aged care, contact the Aged Care Quality and Safety Commission , online, by phone or by letter. Details are available through myagedcare.gov.au. The Commission investigates, works with providers to improve, can monitor them more closely, and can issue notices requiring specific action.

Escalate when the provider does not respond in a reasonable time, when you are not satisfied with the outcome, when you think the Code of Conduct has been breached, or when you feel threatened for having spoken up.

If you disagree with an NDIS decision about your funding

A complaint about a provider and a challenge to an NDIA decision are different processes. If you disagree with a decision about access, funding or your plan, ask the NDIA for an internal review . If you are still unhappy after that, an external merits review is available, and the NDIA must tell you which body handles it and the time limit that applies. Time limits are short, so act as soon as you get the decision.

Evidence is what moves these reviews. Updated allied health reports, a current functional capacity assessment, medical documentation of a change in circumstances, and records showing what has and has not worked all help. Gathering that material before you lodge usually shortens the process. An advocate or support coordinator can help you put it together.

Getting this information in a format you can use

Ask. Easy read versions exist for the topics that come up at the start of a service, including service agreements, privacy, your rights, travel and billing, complaints and feedback, and therapy plans. Bloom's easy read rights document is at bloom-rights-easyread-2025 . Interpreting is arranged through TIS National at no cost to you and needs to be booked before your appointment. The National Relay Service can be used if you are deaf, hard of hearing, or have a speech disability. The NDIS Commission publishes easy read material and Auslan resources of its own.

Common questions about your rights

Can I change providers in the middle of my plan?

Yes. Choice and control includes the right to change providers, and you do not need to give a reason. Check the notice period in your service agreement so you are not charged for sessions you did not attend, and ask for a handover summary and copies of your reports for the next provider.

Will complaining affect my supports?

It must not. Providers are required to make you feel safe raising issues and are prohibited from threatening you or discouraging a complaint. If you are worried, complain anonymously, ask an advocate to do it for you, or go straight to the regulator.

Can I get copies of my reports and session notes?

Yes. You can request access verbally or in writing to reports, assessments, plans and notes held about you, and the request should be met as soon as possible and usually within seven days.

What if a report about me is wrong?

Ask for it to be corrected. Under the Australian Privacy Principles you can request correction of information that is inaccurate, incomplete or misleading, have the request recorded, and be told when it is done. Put it in writing and be specific about which statement is wrong and what the accurate version is.

Do I have to tell a provider everything about my life?

No. You decide what personal information you share, and it only needs to be what the provider requires to deliver your supports. Your consent is needed before information goes to anyone else.

Can my provider stop me doing something risky?

Generally no. Dignity of risk means you can choose to take reasonable risks. A provider should assess and explain the risk and put proportionate safeguards in place, not impose a blanket restriction. Restrictive practices are separate, tightly regulated, and can only be used through an authorised behaviour support plan.

Who can be my advocate?

An advocate is someone independent of your provider and of the NDIA. It can be an independent advocate from an advocacy organisation, and providers must cooperate with them. Family members and support coordinators can also support you, though they are not independent in the same way. Bloom's advocacy policy includes referral links.

What is the difference between complaining about a provider and appealing an NDIS decision?

A complaint is about how a service was delivered and goes to the provider or the NDIS Quality and Safeguards Commission. An appeal is about a decision the NDIA made on your access, funding or plan, and starts with an internal review by the NDIA. Different bodies, different processes, and you can do both at once.

Do these rights apply if my provider is not registered?

The NDIS Code of Conduct applies to registered and unregistered providers and to individual workers, and the NDIS Commission can take complaints about any of them. The NDIS Practice Standards apply to registered providers, because registration is what triggers auditing against them.

I am an older person, not an NDIS participant. Which rights apply to me?

The Statement of Rights in the Aged Care Act 2024, the Statement of Principles, the seven strengthened Quality Standards that took effect on 1 November 2025, and the aged care Code of Conduct. Complaints go to the Aged Care Quality and Safety Commission, and the Older Persons Advocacy Network can help you make one.

What if I need help making a complaint?

Ask for an advocate, or ask someone you trust to make it for you. For aged care, the Older Persons Advocacy Network provides this help. Complaints can also be made anonymously to both regulators if you would rather not be identified.

What is the purpose of the 'Your Rights' page on the Bloom Healthcare website?

The 'Your Rights' page explains that Bloom Healthcare is committed to upholding the rights of people with disability and supporting their choices, helping NDIS participants understand how they can make informed choices and access supports that meet their needs.

Can NDIS participants choose which provider delivers their supports at Bloom Healthcare?

Yes, participants have the right to choose who provides their supports and how they are delivered, and they don't need to use just one provider for all their services.

What can a participant do if they feel a provider is not acting in their best interests?

Participants have the right to say no to a provider if they feel that provider is not acting in their best interests.

How is fair pricing ensured for NDIS participants receiving Bloom Healthcare services?

Participants have the right to pay a fair and reasonable rate for supports, and if they are NDIA-managed or plan-managed, the NDIS Pricing Arrangements and Price Limits apply.

What rights do participants have regarding personal information?

Participants have the right to decide what personal information they share with a provider to help that provider deliver their supports.

What rights protect participants' safety and dignity when receiving services?

Participants have the right to access supports that promote, uphold and respect their legal and human rights, exercise informed choice and control, access supports free from violence, abuse, neglect, exploitation or discrimination, be supported to make informed choices that maximize independence, and have freedom of expression, self-determination and decision-making.

What quality and safety standards can participants expect from staff and services?

Participants have the right to a safe and healthy environment, to receive services from staff who are competent, qualified where applicable, and experienced in person-centred supports, and to have supports overseen by strong operational management and governance.

What support is available if a participant wants to exercise their rights or make a complaint?

Participants have access to an advocate who can support them in exercising their rights, and they can provide feedback and make complaints without experiencing discrimination, with complaints dealt with fairly and promptly.

Is there an accessible version of the rights information available?

Yes, an easy-read version of the rights information is available for accessibility.

How can participants avoid feeling pressured by providers?

Participants have the right not to feel pressured to buy services or supports they don't want or need, and they can ask about conflicts of interest to ensure transparency and honesty from providers.

Can I change providers in the middle of my plan?

Yes. Choice and control includes the right to change providers, and you do not need to give a reason. Check the notice period in your service agreement so you are not charged for sessions you did not attend, and ask for a handover summary and copies of your reports for the next provider.

Will complaining affect my supports?

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