
Requesting a Review of a Decision

Step 4 - Requesting a Review of a Decision

Reviewing a decision of 'not eligible'

For some people, demonstrating psychosocial disability can be more complicated than demonstrating physical disability. You may find that your first application receives a decision of "not eligible".

You don't have to give up yet! If you think a decision made by the NDIA is wrong, you can ask for an [internal review of a decision](#).

If you are still not happy after the internal review, you can apply for an [external review by the Administrative Appeals Tribunal \(AAT\)](#), who are separate from the NDIA.

Here, Kayla shares her story of not giving up.

[Read Kayla's NDIS Carer's Story](#)

Internal review

You can request an internal review at an NDIA office, via phone on the NDIA support line, or by written request. **This needs to be within 3 months of getting their decision letter (the response to your application).**

Remember, you have a right to request a review of an access decision, or other decisions about your NDIS plan. You can also ask a family member, friend, service provider or advocate for support responding to this decision.

Once you have asked for a review of a decision, the NDIA will either:

- stay with the original decision,
- reverse the decision, or
- change or substitute it.

They will do this as soon as they can, taking into account everything needed to review the decision.

Submit an NDIS review

For details on submitting a request for review and contact details go to the [NDIS website](#).

External review

The Administrative Appeals Tribunal (AAT) reviews (many) decisions made by the Australian Government. Before requesting the AAT review, you must go through an internal review with the NDIA. Once you receive



the NDIA's response, if you are still not happy with it you can ask the AAT for their review - **note, you must contact the AAT within 28 days of receiving the NDIA decision** (though they sometimes grant extensions).

Administrative Appeals Tribunal

www.aat.gov.au

Ph: [1800 228 333](tel:1800228333)

Workers at the [Commonwealth Ombudsman's Office](#) also support people who have a concern about their access request with the NDIA (Ph. 1300 362 072). The [National Disability Advocacy Program](#) can also help.

Other decisions about your NDIS plan

If you do access the NDIS, you may not always agree with other decisions made by the NDIA about your plan. Under the [NDIS Act \(2013\)](#), most decisions made by the NDIA are 'reviewable'. For more information contact the NDIA or AAT.

To request a review of other decisions about your plan:

- Ask the [National Disability Insurance Agency](#) for an internal review
- If you are still not happy with the decision, apply for an external review by the [Administrative Appeals Tribunal \(AAT\)](#).
- Get help from the [National Disability Advocacy Program \(NDAP\)](#).

Workers at the Commonwealth Ombudsman's Office don't have a role in decisions about your plan, other than access. They can direct you to other government departments who do.

Your rights

When you pay for a product or service as an NDIS participant you have the right to good service under Australian Consumer Law. If you are not happy with the service you are receiving the Australian Competition and Consumer Commission (ACCC) is another place to go for help or information about your consumer rights:

ACCC

Ph: [1300 302 502](tel:1300302502)

www.accc.gov.au