



Practice Direction No 06/01

Division:	ASSESSMENTS & RESOLUTION
Relevant Branch(es):	ASSESSMENTS
Subject:	Provider Responses
Effective Date:	20 th March 2006

One reason that has been causing delays in the assessment process is the delay in response from the provider/s identified by the complainant. The lack of a response from the provider should not be a cause to delay the Commission from assessing the complaint.

The following process should now be used when seeking a response from a provider:

The provider is to be notified in writing of the complaint and where appropriate issued with a copy of the complaint. The provider is to be requested to provide a response to the Commission within 28 days.

The assessment officer assigned to the matter is to contact the provider 5 working days after the notification letter has been sent to check that the provider has received the notification letter. The assessment officer should reiterate the importance of the response in assisting the Commission in making its assessment decision on the matter and the 28-day timeline.

If the provider has not provided a response within the 28 days the assessment officer is to contact them to remind them that the time line has passed. The provider is to be reminded of the importance of their response in the assessment process and ask to provide the response with 14 days.

A letter is to be sent to the provider outlining the discussion with the assessment officer, reminding them of the importance of the response in the assessment process and asking them to respond with 14 days of the date due. The provider should be informed that if the Commission does not have their response within the 14 days the matter will be assessed without the benefit of their response.

Twenty-one days after the second letter is sent the file should be prepared for assessment. At the assessment meeting it may be decided that the Commission should wait for the response. If this is the case the file will be noted to that effect. The provider is to be notified of the Commission's intention to awaiting their response before making the assessment decision. When the Commission make this decision

the complainant should be notified that there is likely to be a delay due to the time take by the provider in providing their response.

Responses from providers are to be acknowledged within 2 days of their receipt at the Commission.

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Assessments & Resolution

This practice direction is to remain in force until other wise notified.
