

23 March 2017

Peter Harris, AO
Chairman of the Productivity Commission
4 National Circuit
Barton, ACT 2600



Re: National Disability Insurance Scheme (NDIS) Costs Review

Dear Mr Harris

The Ethnic Communities' Council of Victoria (ECCV) is the peak policy advocacy body for over 200 members, representing ethnic and multicultural organisations and is the voice of multicultural Victoria. ECCV would like to comment on the NDIS Costs Review that is currently being undertaken by the Productivity Commission. ECCV has been funded by the Victorian government to build capacity within ethnic and multicultural organisations to transition into the NDIS. This project includes extensive consultation with multicultural organisations that are, or are preparing to be NDIS providers; and the needs of their service users. We are concerned that the individual traits and needs of culturally and linguistically diverse community members have not been well considered within the current and future costs of the NDIS, which will impact on its sustainability. ECCV remains particularly concerned about language proficiency, the planning process and the interface with mainstream services, particularly interpreting services. Our submission also discusses the uptake of the NDIS and utilisation rates of NDIS supports in multicultural communities.

Individual traits and needs

The NDIS recognises that individuals will have differing traits and needs, which are current cost drivers of the scheme. However, ECCV does not believe that the scope of these needs is well understood by the National Disability Insurance Agency (NDIA) and Local Area Coordinators (LACs), particularly in relation to people from non-English speaking backgrounds. Within the NDIS framework, the necessity to communicate and advocate for oneself is vital, and we believe that some participants may be unable to do so without assistance of a qualified interpreter and this may prevent them from accessing the scheme and the supports they require. By building the capacity of participants and their families in the short-term, these individuals will have better social, economic and health outcomes in the long-term; and require less government-funded services.

Planning processes

The NDIA have stated that a majority of NDIS participants will have their first plans completed over the phone. This process is not appropriate for significant numbers of participants, particularly those from non-English speaking backgrounds. ECCV therefore recommends that a majority of the planning should be completed face-to-face. Furthermore, anecdotal evidence from advocates and providers in the North Eastern Melbourne Region indicates that some participants are not being adequately informed about the purpose of phone contact by the NDIA or their LAC. These participants are having plans being completed without realising that they are engaging in the process or providing informed consent. We are also aware that some participants have been unable to understand either the NDIS itself or the person making

contact and have hung up the telephone. Eligible clients are unable to transition to the NDIS as a result; and we believe that this could be prevented if interpreters are used more widely in the initial contact phase, as well as the planning process itself. We also believe that participants must be able to access qualified interpreters when signing legal documents relating to their plans, including service agreements.

Interface with mainstream services

The interface between the NDIS and mainstream services is also a key issue, particularly in accessing interpreting and translating funding to implement NDIS plans. Our member organisations who are registered NDIS providers report that though interpreting and translating funding is being advocated for during the planning process, it is not being included in participants' plans. We have been informed that this is because these supports can be accessed through mainstream services, such as the Department of Social Services (DSS) *Free Interpreting Service*. Currently, only a very limited category of organisations are eligible to access this free service, such as organisations providing emergency services and case work (e.g. settlement support organisations, General Practitioners (GP's), Pharmacists and Real Estate agents). This does not include the majority of NDIS service providers for example: Occupational or Speech Therapists, Disability Service Providers, Housing Providers, et cetera. If language support is required for plan implementation, the participant will be required to pay fee-for-service rates for interpreting services (for example, the Translating and Interpreting Service (TIS National)). This is unaffordable for a majority of users. As a result, the participants' choice will be limited to the few service providers who are able to provide free interpreting through their arrangements with DSS. It could also lead to family members being expected to be interpreters beyond what is reasonable and necessary or participants being unable to utilise their plans and becoming disengaged from the scheme altogether. ECCV therefore recommends that the eligibility for DSS *Free Interpreting Service* be expanded to include NDIS providers, or that interpreting funding be reinstated to participants' NDIS plans.

ECCV believes that it is vital that professional, accredited interpreters are able to clearly understand and communicate NDIS and legal terminology to participants. ECCV recognises that the language of disability, the disability system, disability supports and the NDIS is complex and specialist training is required to educate professional interpreters on how to work with people with disability to ensure the concepts do not become 'lost in translation' and that any cultural stigma associated with disability does not influence the interaction. Individuals who require an interpreter must not be disadvantaged under the NDIS.

Utilisation rates

According to the NDIA, greater numbers of potential participants are approaching the scheme than expected. ECCV believes that significant numbers of people with disabilities that were 'hidden' within our community and who have never received any supports or disability services, particularly from multicultural backgrounds. For example, a specialist multicultural provider in Barwon found that 24 per cent (11 out of 45) of their current NDIS participants who came from a non-English speaking background and had no or little disability supports prior to receiving NDIS funded supports.

Specific examples include:

1. A young adult female with a hearing impairment; was non-verbal and had no literacy in her own language and had rudimentary signs developed between her and her parents
2. A young adult female, who has Down Syndrome and moved around with her mother
3. A young adult female who has cerebral palsy and a cognitive impairment
4. A male teenager who has an intellectual disability and attends a 'special school' but received no other supports

All four of these young people now have NDIS plans and receive funded supports; and many similar cases exist. Reasons for this include: changes to eligibility requirements for disability supports under the NDIS, and a greater awareness of disability supports available by people from non-English speaking backgrounds. This is partly due to the advocacy work being undertaken by a number of community organisations, and increasing media coverage of the NDIS. There are also fewer participants exiting the scheme than anticipated. This suggests that overall; the NDIS is working effectively for current participants – a positive outcome.

However, ECCV remains concerned that the average utilisation rate of individual plan resources is only 70 per cent, indicating access barriers to the scheme. These include a lack of supports available to be purchased in suitable locations (particularly in regional and rural areas); difficulty in locating providers that are accessible and culturally appropriate or who employ multilingual staff. There continues to be a lack of understanding by the participant and their family in how to access NDIS supports and implement their plans. These barriers are likely to intersect with each other and we believe it is the role of LACs to ensure that plans are being implemented and to support culturally diverse participants and their families to make the best use of what the NDIS offers.

ECCV appreciates the opportunity to contribute to the NDIS Costs Review. For more information or to discuss this submission, please contact Olivia Killeen, Project Officer – Aged and Disability

Sincerely

Eddie Micallef
Chairperson