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Response to the Terms of Reference on Market Readiness for Provision of Services Under the NDIS

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About MDAA

The Multicultural Disability Advocacy Association of NSW (MDAA) is the peak body for all people in NSW with disability and their families and carers, with a focus on those from a culturally and linguistically diverse (CALD)/non-English speaking (NES) background with disability.

MDAA has more than twenty years of experience working with people with disability, with a focus on people from CALD / NESB with disability, their families and carers. MDAA supports the active participation of its members and consumers in all aspects of its work. The voices of its members and consumers informs MDAA's systemic advocacy work thereby contributing to positive change for people with disability from CALD / NESB in policies, procedures, practices and service delivery in government and non-government agencies.

MDAA welcomes the opportunity to provide input in response to the terms of reference on the market readiness for service provision under the NDIS. This submission reflects the experiences of our consumers and their advocates.

Introduction

With many of our eligible consumers now taking part in the NDIS, the Multicultural Disability Advocacy Association of NSW (MDAA) welcomes the opportunity to comment on the implementation and performance of the scheme.

While we recognise the incoming changes made through the new participant pathways and acknowledge the impact they will have to improve implementation and performance of the scheme, we continue to experience significant issues in these areas and maintain that they continue to require further and immediate attention.

Implementation of NDIS plans and navigating through the changing market has posed significant challenges for many of our consumers. Many of these challenges are unique to participants from culturally and linguistically diverse (CALD)

communities and for those from a Non-English speaking background (NESB). It is this group that we will be focusing on in response to section (b) in the terms of reference.

MDAA insists that the NDIA must support participants and a market place that is culturally responsive with information and assistance which is easily accessible regardless of language or disability. Considering the enormity of the changes taking place in the disability sector from block funding to individual funding packages, we are seeing a greater need for support for participants to navigate such a huge personal and cultural shift.

Comments

b. Participant readiness to navigate new markets

Generally, we have heard of significant difficulties experienced by participants when navigating through the new market environment. The consequence of which is of major concern. It has been our experience that these difficulties have meant that by not being able to navigate through the new market, people with disability cannot implement their plans. There have been countless cases reported where participants have sat on approved plans for months before they can get in touch with, or come to the attention of advocates, who then help them connect with services and begin using their plans. Before they are given this assistance, and devoid of services, many families are struggling to cope both financially and emotionally. The families we have worked with in this situation all report a lack of support stemming from inconsistencies in the information they are given and communication pathways affecting their ability to seek help from Local Area Co-ordinators.

The trickledown effect here is that any subsequent plans are only approved with a much smaller budget as, on the surface, it appears as if the money that was not used, was not needed. For those working with these families, we know that this is in

fact not the case and receiving second year plans that are severely underfunded only result in further difficulties when trying to get through an appeals process.

Furthermore, the idea of 'shopping around' for services will take a significant period of adjustment and support to perform. In regard to the price guide, while it intends to give some direction, for those who have trouble navigating the 50-page document it is of no benefit on its own. For many participants, especially those from CALD backgrounds, the prices set out in the guide are taken as the set price for services rather than the maximum price providers are permitted to charge. It is imperative that we place more emphasis on the fact that participants must shop around both to create competition in the market place and to ensure participants are able to maximise the budget approved in their plan.

Moreover, whilst the NDIA had stipulated in their initial policies that services must meet standard criteria, such as being accredited providers (e.g. Third-Party verification), many new services that are not accredited are still able to provide services to people with disability. The concern here is that in an environment that is increasingly opportunistic we must ensure the safety of an already vulnerable community. While the obligations set out under 'Expectations as to Experience'¹ and the 'Quality Assurance Requirement'² in the Provider Toolkit; Module 4, there is a need for these obligations to be properly managed to ensure the safety of people living with disability. This is a concern further emphasised for participants of CALD backgrounds who are mostly unaware of this requirement and run the risk of being taken advantage of.

Finally, the underutilisation of interpreters by service providers creates significant language barriers for participants with limited English and dramatically limits the choice participants are able to make in regard to the services they receive. This contradicts the aim of the scheme to minimise the social and information barriers

¹ Provider Toolkit Module 4: Guide to Suitability; July 2016. Available at: https://www.ndis.gov.au/html/sites/default/files/Module_4_Guide_to_Suitability_v04.pdf

² Provider Toolkit Module 4: Guide to Suitability; June 2017. Available at: <https://www.ndis.gov.au/medias/documents/h08/h2e/8799510396958/Statement-of-Opportunity-and-Intent-PDF-1.02MB-.pdf>

present for people with disability. Services and individuals must be given additional assistance on how to use interpreters when it is appropriate to do so.

While significant challenges are being experienced generally by many participants, we feel it necessary to emphasise that many challenges are specific to CALD participants in a way that can only be addressed by specific considerations.

Recommendations

- 1) A commitment to providing greater support in plan implementation to help participants connect to services once their plans have been approved. This includes consideration for Support Coordination for people from CALD backgrounds who are not only dealing with disability issues but also cultural.
- 2) Greater emphasis on the need for participants to shop around for services. In order to facilitate this, a focus on information sharing and education for people from CALD background about the new service system coming in with the NDIS is necessary.
- 3) Greater emphasis on the fact that the price guide indicates the maximum amount a provider can charge, not the set amount they are to charge for services. This will ensure:
 - Competition in the marketplace, and;
 - Maximised use of a participants' approved budget.
- 4) Services must be given additional assistance on how to use interpreters to ensure language barriers do not act as a challenge to the choice and control of services.