



NDIS Quality and Safeguards Commission
National Disability Insurance Agency
GPO Box 700
Canberra ACT 2600

By website upload: <https://engage.dss.gov.au/>

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The Australian Sign Language Interpreters' Association (ASLIA) is a not-for-profit body and is the national peak organisation representing the interests of Auslan/English Interpreters and Deaf Interpreters in Australia. The Association is comprised of a national Executive Committee, with representatives from ASLIA associations in most Australian States and Territories.

While ASLIA is not a service provider, our membership consists of individual members who are interpreter trainees and practitioners working as full time, freelance and casually employed interpreters together with corporate members who are primarily interpreter agency service providers.

ASLIA has a 25-year history of representing the Auslan/English Interpreter industry. Our unpaid, voluntary committee work on issues relating to the needs of the industry, ensuring that best practice protocols are upheld and working conditions of interpreters are represented. ASLIA takes a proactive and collaborative approach to resolving issues faced by practitioners and the industry. ASLIA's approach is two-fold:

- i) awareness and education among interpreters, and
- ii) ensuring best practice and working conditions for interpreters.

These activities take place in collaboration with employers, practitioners and clientele (both deaf and non-deaf) which contributes to the importance of, as much as is possible, a sustainable interpreting industry.

Throughout this submission, ASLIA refers to the Deaf community, members and participants as a collective. Thus, the term "Deaf community" relates to the community of people who require interpreting services to communicate effectively in the mainstream community and encompasses Auslan or other Signed Language users, which includes those who identify as Deaf, Hard of Hearing and Deafblind.

Additionally, the NDIS Quality and Safeguards Commission will be referred to throughout this document as 'the Commission'.

1.1 Why we need an NDIS Code of Conduct

ASLIA supports the outlined rationale in this section.

ASLIA especially supports the purpose the Code of Conduct aims to serve, in particular:
"...engage a broad range of providers and workers in being part of a quality and safe NDIS workforce through shared values and behaviours:..." (Page 7 Discussion Paper)

ASLIA has identified a number of potential weaknesses in the purport of the proposed Code of Conduct, which are illustrated below.

1.2 What is included in the NDIS Code of Conduct?

ASLIA supports the scope of inclusions outlined in this section.

ASLIA recommends that professional bodies are included for the Commission to draw upon specific expertise when required.

ASLIA believes that for any investigation by the Commission into the conduct of provided specific services, expertise should be drawn from the relevant representative body. That is, investigations relating to the conduct of Auslan (Australian Sign Language) interpreters, particularly in regard to the suitability or qualification of the interpreter, ASLIA should be consulted for expert advice.

ASLIA is sure that other equivalent professional bodies would appreciate the same gesture. By doing this, the Commission can be sure that the Code of Conduct's mandate is efficiently and effectively working.

1.3 Who will be covered by the NDIS Code of Conduct?

ASLIA supports the scope of this section.

1.4 How will the NDIS Code of Conduct be applied?

ASLIA supports the scope of this section.

We refer back to 1.2 in reference to the Commission's *'...no wrong door' policy and any complaints outside of the scope of the Code of Conduct and Commission will be referred to the relevant agency.'*

ASLIA has a close working relationship with the National Accreditation Authority for Translators and Interpreters (NAATI). ASLIA supports NAATI on the specifics of the English<->Auslan language pair. NAATI is the regulatory body for the translating and interpreter profession in Australia including the accreditation of translators and interpreters. To ensure due process has been

carried out in the investigation of a translator or interpreter service provider, expert advice needs to be drawn upon by the specific language representative body and NAATI.

To re-iterate 1.2, ASLIA believes that for any investigation by the Commission into the conduct of provided specific services, expertise should be drawn from the relevant representative body.

- 2.1 Promote individual rights to freedom of expression, self-determination and decision-making.**
- 2.2 Actively prevent all forms of violence, exploitation, neglect and abuse.**
- 2.3 Act with integrity, honesty and transparency**
- 2.4 Provide supports in a safe and ethical manner with care and skill.**
- 2.5 Raise and act on concerns about matters that may impact on the quality and safety of supports provided to people with disability.**
- 2.6 Respect the privacy of people with disability**
- 2.7 Not engage in sexual misconduct**
- 2.8 Keep appropriate records**

ASLIA supports the scope of these sections.

For these sections to be effective, there needs to be a checks and balances in place.

ASLIA will always support client input and advice to determine whether conduct by practitioners is ethical and appropriate.

2.8 Keep appropriate records

ASLIA supports the scope of this section.

ASLIA recommends that, since the NDIS will see the rise of many new service providers of all sizes, the Commission develops a training outline for information seminars or workshops and contract trainers to deliver same.

In doing so, this will educate and encourage adoption of best practice by service providers and in turn support the mandate of the Commission.

2.9 Maintain adequate personal and professional liability insurance appropriate to the risks associated with the supports provided.

ASLIA supports the scope of this section.

ASLIA recommends that, since the NDIS will see the rise of many new service providers of all sizes, the Commission develops a training outline for information seminars or workshops and contract trainers to deliver same. This could be a supplement to our recommendation in 2.8.

In doing so, this will encourage adoption of best practice by service providers and in turn support the mandate of the Commission.

In addition, there is extreme concern that NDIS participants can appoint unskilled and unaccredited practitioners directly. This undermines the professional qualifications required for the provision of interpreting services. This practice also disregards the requirement for oversight and monitoring of accredited/certified quality services.