

Department of Social Services (DSS) NDIS Supports Rule

Consultation Paper

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Acknowledgement of Country

SSI acknowledges the Aboriginal and Torres Strait Islander peoples as the First Australians and Traditional Custodians of the lands where we live, learn and work. We pay respect to Elders past and present and recognise their continuous connection to Country.

Background

SSI welcomes the opportunity to provide this submission to the Department of Social Services (DSS) on its NDIS Support Rule Consultation.

SSI is a national non-for-profit organisation that delivers a range of human services that connect individuals, families, and children from diverse backgrounds with opportunities – including settlement support, disability programs, community engagement initiatives, and training and employment pathways. At the heart of everything we do is a drive for equality, empathy, and the celebration of every individual.

SSI was founded in Sydney in 2000 with the aim of helping newly arrived refugees settle in Australia. Over time, our expertise in working with people from culturally and linguistically diverse (CALD) backgrounds served as the foundation for a gradual expansion into other social services and geographical areas.

SSI is well positioned to provide input on the Department's consultation of the NDIS Supports Rule. This submission draws from SSI's experience of working with people with disability and CALD communities through:

- Partnering with the National Disability Insurance Scheme (NDIS) to deliver local area coordination (LAC) across two areas of greater Sydney in New South Wales, which also include the largest proportion of people from CALD backgrounds;
- Providing the Australian Government's employment service, Disability Employment Services (DES), in NSW;
- Working with people with disability alongside industry and sector leaders, government officials, and disability and employment experts, to deliver the Pathways to Possibilities campaign, focused on improving the economic participation of people with disability;
- Addressing barriers to entrepreneurship for newcomers to Australia and people with disability through the Ignite® social enterprise since 2013;
- Applying a community engagement and co-design approach to building self-advocacy skills for people with disability through The Rights Path Project, funded by the NDIS Quality and Safeguards Commission;
- Our *Foundations for Belonging* research in partnership with Western Sydney University's Institute for Culture and Society.ⁱ This research concerns refugees' perspectives of settlement, integration and belonging. The fifth phase of this research is currently underway, and focuses on refugees with disability.ⁱⁱ This research will make a significant contribution to understanding the intersectionality of disability with ethnicity, considering that a recent audit of disability research conducted in Australia from 2018-2020 found that less than 3 per cent related to the experiences of migrants and refugees.ⁱⁱⁱ

SSI's response is informed by the perspectives of CALD communities that SSI works with, and highlights key insights related to language accessibility, cultural responsiveness, and equitable inclusion in decision-making and funding processes.

Feedback

- **English-Only Documents Limit CALD Accessibility:** The updated NDIS support documents are currently only available in English, making them inaccessible to many CALD participants and families. While the NDIS website mentions that accessible versions will be provided, it is unclear whether this includes translated materials or only disability-specific formats such as Auslan.
- **Website Navigation and Systemic Accessibility Gaps:** The NDIS webpage hosting the updated support documents lacks multilingual navigation and does not provide clear or culturally appropriate pathways for users from CALD backgrounds to locate relevant information. Consequently, many individuals from these communities may be unaware of the documents' existence. This reflects a broader accessibility issue inherent in the website's overall design and structure, extending beyond the documents themselves. The absence of translated documents means CALD participants do not receive the same information at the same time as English speakers, putting them at a systemic disadvantage in accessing and understanding their rights and available supports.
- **Misalignment with NDIS Cultural and Linguistic Diversity Strategy:** This lack of accessibility contradicts the intent of the NDIS Cultural and Linguistic Diversity Strategy 2024–2028, which commits to enabling people from diverse backgrounds to access and understand relevant information.
- **Limited Scope of Replacement Supports:** The replacement supports list is narrowly focused on consumables and assistive technology, with no acknowledgment of cultural practices, community-based care models, or language-related supports. This limited scope risks excluding supports that are meaningful or necessary for CALD participants, and contributes to the sense of cultural isolation or distrust of government services that they may feel. This oversight reflects a broader systemic gap in cultural and linguistic responsiveness which runs counter to the actions and intent of the NDIS Cultural and Linguistic Strategy.
- **CALD Communities Overlooked in NDIS Engagement Strategy:** The current Engagement Strategy for the new NDIS rules does not include specific support for CALD communities, such as in-language resources, webinars, or culturally appropriate outreach. This limits opportunities for meaningful engagement.

Recommendations

1. **In-Language Accessibility:** All NDIS documentation, including support lists and rules, should be translated into multiple languages and offered in culturally appropriate formats such as audio, in-language video, and community-specific examples.
2. **Timely Release of Translations and Website Accessibility:** In-language versions of all key documents should be published at the same time as English versions to ensure equitable access to information for all Australians, regardless of their language background. Updates to the NDIS website's multilingual features should be implemented and communicated in a timely manner to support CALD participants effectively.
3. **Promote Existing Translation Service:** The NDIS plan translation service, which allows participants' plans to be translated free of charge, should be prominently advertised and promoted across CALD communities, as it remains a critical but underutilised support.

4. **Broaden the Scope of Replacement Supports:** Expand the replacement supports list to go beyond consumables and assistive technology, allowing for items and services that reflect cultural, linguistic, and community-based support needs and promoting more equitable access for those with no other culturally safe entry point into the scheme. Tailored supports, such as learning basic English, peer networks, cultural mentoring, or engagement with trusted health professionals, can serve as critical transitional supports into formal NDIS services.
5. **Clarify the Flexibility of Support Lists:** Clearly state that the support lists are not exhaustive, and that participants may request other supports based on individual and cultural circumstances. Funding decisions must remain person-centred and adaptable.
6. **Engage CALD Communities in Co-Design:** Actively involve CALD communities, people with lived experience and representative organisations in the development and review of NDIS rules, guidance, and support lists to ensure they are inclusive, relevant, and culturally responsive. This could include targeted in-language webinars, workshops, and culturally appropriate outreach.
7. **Enable Reviews and Appeals for Replacement Support Decisions:** As CALD communities with disability experience more barriers to access services that meet their needs, the current position that participants cannot request a review of decisions about applications for a replacement support risks entrenching this lack of access and inequity. Furthermore, not permitting reviews and appeals creates a lack of transparency and accountability of decisions which does not build trust between CALD communities and services provided by the government.

Summary

This feedback outlines key insights regarding the NDIS Support Rules from the perspective of CALD communities. Without adequate consideration of language accessibility, cultural responsiveness, and equitable participation, participants from CALD backgrounds risk exclusion from essential information and supports. To uphold the principles of equity, inclusion, and cultural safety, it is vital that these insights inform the development, communication and implementation of NDIS resources. Embedding these considerations into practice will ensure the NDIS not only aligns with the *NDIS Cultural and Linguistic Diversity Strategy 2024–2028*, but also meaningfully reflects and responds to the needs of people with disability from diverse linguistic and cultural communities.

ⁱ Reports on the previous phases of *Foundations for Belonging*, can be accessed from <https://www.ssi.org.au/policy-advocacy/research-insights/>

ⁱⁱ Tan, W., McMahon, T., Nguyen, T., Goggin, G., & Thohari, S. (2025). *Insights on Refugees with Disability in Australia: Foundations for Belonging 2025*. SSI/Institute for Culture and Society, Western Sydney University. [Publication pending]

ⁱⁱⁱ Centre for Disability Research and Policy. (2022). *Setting an agenda for disability research in Australia: consultation report*. (2022). Retrieved from <https://apo.org.au/node/319357>

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