

Submission to the Draft TCP Code DR C628:2011

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To whom it may concern

The National Ethnic Disability Alliance is gladly aware that the telecommunications industry is gaining a better understanding of the needs of vulnerable groups, particularly people with disability and people from non-English speaking backgrounds. However, we urge that further consideration is given to the importance of making information accessible in alternative languages as well as in alternative formats. In addition, we strongly recommend that all telecommunications staff receive disability awareness and cultural competency training.

The National Ethnic Disability Alliance (NEDA) is the national peak organisation representing the rights and interests of people from culturally diverse and non-English speaking backgrounds (NESB) with disability, their families and carers throughout Australia. NEDA is funded by the Commonwealth Department of Families, Community Services and Indigenous Affairs (FACSI) to provide policy advice to the Australian Government and other agencies on national issues affecting people from culturally diverse and NESB backgrounds with disability, their families and carers.

NEDA actively promotes the equal participation of people from culturally diverse and NESB backgrounds with disability in all aspects of Australian society. It manages a range of projects relating to ethnic and disability communities and works closely with its state and territory members to ensure that its policy advice reflects the lived experiences of people from culturally diverse and NESB backgrounds with disability.

Australia's population is strongly shaped by a history of migration, with approximately 45 per cent of all Australians born overseas or having at least one parent who was born overseas (DIAC, 2009). This means that almost half of all Australians have some direct experience with migration themselves or through a parent.

Based on the Productivity Commission General Social Survey Report (2009) Neda estimates that one in every four people with disability is a person of either first or second generation Non-English Speaking Background (NESB), representing approximately **1 million people across Australia.**

Use of Interpreter Services

One of the recurring issues NEDA hears around this topic is people signing up for contracts without comprehending the specific details due to low English proficiency. It is then very difficult to extricate themselves from the contract because they are unable to explain their situation to the Customer Service personnel.

NEDA is aware that Telstra has a Multicultural Services Centre where people can speak to customer service personnel through a telephone interpreter. We are also aware that this service is very useful to the people from NESB who utilise this service as they feel that their complaints are aptly dealt with.

NEDA strongly recommends that either a central interpreter service be created and financially supported by telecommunications companies for their general use; or each telecommunications company establish its own interpreter service, as in the case of Telstra. It is important to note too, that this interpreter service should cover all languages spoken in Australia as well as Auslan in order to communicate with people who are deaf.

Such a service could be used not only for complaints but also to make contractual agreements in order to ensure that people from NESB fully comprehend the contract prior to signing up. It will also better comply with Clause 3.3: Access to Information.

Cultural Competency Training

People from NESB often practise cultures that are different to the dominant Anglo-Saxon culture in Australia. In some cultures saying "no" to strangers is considered to be rude. In other cultures women may not be permitted to make decisions but may feel they are pushed into contractual agreements by sales representatives.

Consequently, NEDA calls for cultural competency training for all telecommunications staff, regardless of whether they work with customers or not as their decisions collectively are likely to impact on customers. This training should be incorporated in the staff induction and refreshed periodically, we suggest every 24 months.

Training in cultural competency may actually increase sales as staff learn ways to communicate with people from diverse cultures. In addition, with the use of interpreters, cultural competency training may also significantly reduce complaints.

Disability Awareness Training

NEDA warmly notes that the TCP Codes recognise the need for information in alternative formats.

We also take this opportunity to emphasise the importance for telecommunications companies to understand the needs of people with cognitive and psychiatric disabilities.

To use a case study, a woman from NESB with psychiatric disability approached an advocacy provider to help her extricate herself from a contract she had signed over the telephone, having not fully comprehended the terms and conditions of the contract. The salesperson who had sold her the product had been very polite and obliging, so she felt it would be rude to decline the offer and was embarrassed to ask for further clarification of the contract's terms and conditions.

She approached an advocacy agency for assistance and at first the woman's supplier was reluctant to listen to her case. After spending hours on the phone speaking with different representatives, the woman's contract was finally rescinded.

It should not be so difficult to convince telecommunications companies that people with certain disabilities have difficulty comprehending the terms and references of contracts. Disability training in the staff induction and refresher training of all staff – again we suggest 24 months – will go long way to understanding the many types of disabilities and learning how to deal with people who live with disability.

In closing, NEDA believes the TCP Code Dr C628:2011 has come a long way in understanding the needs of people with disability and people from non-English speaking backgrounds (NESB). Yet, while the Codes mention the need for training and use of languages other than English, NEDA feels it does not go far enough. Including in the Codes an interpreter service that caters for all languages, or as many as possible, together with periodic cultural competency and disability awareness training will greatly improve telecommunications companys' interaction with many vulnerable groups, thereby increasing sales and reducing complaints.

Please do not hesitate to contact me if you wish to discuss this matter further (details below).

Yours sincerely

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