

National Premier Disability Services

Access and Inclusion for Culturally and Linguistically Diverse Communities Procedure

Purpose

The purpose of this document is to give clear procedural guidelines on how National Premier Disability Services personnel, volunteers, students and contractors are expected to engage with culturally and linguistically diverse customers, colleagues and communities.

National Premier Disability Services recognises that the cultural context in which we operate is constantly changing and that the communities we provide services to are made up of people from many different lands, races and cultures speaking a diverse number of languages and dialects and that they observe a range of cultural practices and beliefs.

National Premier Disability Services acknowledges that responding to cultural and linguistic diversity means upholding the rights of people of diverse cultural backgrounds and minority groups within our communities, understanding and respecting the diversity of cultural practices and beliefs.

We are committed to working in partnership with the leaders and community members of these diverse population groups to increase our understanding of their rich cultural backgrounds, beliefs and practices. We will work together with the community and the organisations who are engaged with them to achieve better health, wellbeing, social and economic outcomes.

Responsibility

This procedure applies to all National Premier Disability Services personnel.

It is the Business Owner and Service Manager's responsibility to ensure National Premier Disability Services personnel are informed of the National Premier Disability Services commitment to work in a respectful and inclusive manner towards all people.

Procedure details

Definitions

Asylum Seeker: Refer to the definition of refugee below.

Culturally and Linguistically Diverse Communities:

- Culturally and linguistically diverse is a broad and inclusive descriptor for communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religious beliefs.
- 'CALD' is the acronym often used by government and community agencies as a contemporary descriptor for ethnic communities. National Premier Disability Services

personnel will refer to any related population in a more specific manner: e.g. people with a first language other than English, families or individuals originating from *Country-name*.

- People who are generally defined as those from culturally and linguistically diverse communities are those people born overseas, in countries other than those classified by the Australian Bureau of Statistics (ABS) as “main English speaking countries”. The set of main English speaking countries other than Australia used by the ABS comprises Canada, the

Republic of Ireland, New Zealand, South Africa, the United Kingdom, (England, Scotland, Wales and Northern Ireland) and the United States of America.

Customer: National Premier Disability Services is committed to be a customer-centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, National Premier Disability Services Personnel, volunteers and members.

National Premier Disability Services Personnel: All employees, (whether employed full-time, part-time, fixed term or on a casual basis), volunteers, students, contractors and sub-contractors performing work on behalf of National Premier Disability Services.

Manager: An employee who has responsibility for the overall provision of services within a specific portfolio or group of tasks. A manager may have responsibility for the provision of services of other employees (direct reports) and accounts for the employees’ conditions of employment and performance.

Interpreter: Refers to a person who can assist communication through the translation of speech (orally or into sign language), between two or more people who do not share a common language.

Residency Status: residency requirements may be met if customers live in Australia and:

- Are an Australian citizen OR
- Hold a Permanent Visa OR
- Hold a Protected Special Category Visa. I.e. Were in Australia on a Special Category Visa on 26 February 2001 or had been in Australia for at least 12 months in the 2 years immediately before 26 February 2001 and returned to Australia after that day.

Refugee: This term applies to ‘Someone who has left his or her own country and cannot return to it, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality membership of a particular social group or political opinion’. (United Nations 1951)

This term includes any individual who may have entered Australia as:

- Humanitarian program entrant – individuals who are assessed and selected overseas and granted permanent protection. This also includes people who enter with a valid entry visa by plane, who subsequently successfully apply for protection under the terms of the international refugee convention and people who enter without a valid visa (typically by boat) who are granted protection, which may be temporary.

- Asylum seekers who arrive by boat or plane with or without a valid visa. These people subsequently apply for asylum under the terms of the international refugee convention. Asylum seekers living in the community may be in community detention, on a bridging visa or temporary protection visa.

National Premier Disability Services prioritises customers according to need and therefore, does not discriminate on the basis of migration status.

Note: Australian Government definitions for migration options for the population groups identified above can be subject to frequent policy changes. For current definitions check the Australian

Government Department of Immigration and Border Protection website:

<https://www.border.gov.au/>

Respectful and Inclusive Language and Service Access Practices

Informed Consent

Charter of Human Rights and Responsibilities Act 2006

‘...consent must be voluntary, and the person concerned must have been given sufficient information for an informed decision to be made. This would include information such as the nature of the person’s condition and the treatment options available, including explanations of possible risks, side effects and benefits of the treatment.’

As an organisation National Premier Disability Services must meet the *National Safety and Quality Health Standards* requirement for obtaining informed consent from a customer or their carer. This is not only a fundamental right of any service recipient, it is also a moral and ethical obligation for all personnel prior to the provision of service, treatment or sharing of any information. The principle of informed consent is based on the notion that treatment cannot be initiated without the customer’s permission.

National Premier Disability Services personnel are therefore required when working with any individual or family where English is not their first language, to take appropriate steps to address language needs, including use of an interpreter. Where an interpreter is not available, it is necessary to explain in a manner which is able to be understood by the customer, depending on their individual circumstances, before any consent is requested, why National Premier Disability Services as the service provider considers the customer's participation in the health care decision is important or needed. This must also include information about the risks and benefits of their therapeutic or treatment options or understand the program or activity they are being offered.

Using an Interpreter

National Premier Disability Services personnel are required to use a professional interpreting service for the following:

- Whenever informed consent is required
- When requested by care recipients and/or their families
- Whenever treatment or care plans are being developed or reviewed

In the context of working with a person who does not speak or read English, it is a requirement of National Premier Disability Services personnel to identify an appropriate process for the translation

of information whether that is verbal, visual or written. E.g. a person who speaks a specific language other than English who has been formally qualified to provide verbal translation for their specific language.

National Premier Disability Services personnel are required, wherever possible, when arranging for the interpretation of information to do this through the use a formally recognised interpreter provider, appropriate to the language needs of the client. Formally trained and accredited interpreters are required to adhere to ethical and privacy related regulations that ensure greater confidentiality of the information shared.

National Premier Disability Services personnel are advised not to make assumptions regarding the language needs of the individual as many population groups have more than one dialect or completely different languages between one location and another. E.g. people who have arrived from the country of Burma may speak one or more of the following languages, depending on which state they originate from: Chin Mizo, Haka Chin, Haka Tedium, Karen, Rohingya and some will also speak Burmese. It is also important to be aware that while an individual may speak a particular language or dialect, this does not necessarily mean they can read the same language.

The individual funding and service agreements across National Premier Disability Services programs commonly have particular interpreter guidelines and preferred providers associated with their funding. It is the responsibility of service area management and National Premier Disability Services personnel to be familiar with these specific requirements and how to access these to ensure accredited interpreters are used wherever possible.

Considerations for selecting an appropriate interpreter should include:

- Same gender interpreter as the customer, especially if translation of gender sensitive medical assessment, treatment or procedures might be required
- Some language or dialect groups, especially those from small populations who are now living in the same local area may prefer an interstate phone interpreter. This can provide a greater degree of privacy for the client
- Family of community members should only be used to interpret information in urgent circumstances, as the nature of the conversation's content may not be appropriate to be shared among people who are known to each other. This is especially important with regards to sensitive gender related or age-related matters. Children should not be asked to interpret for parents.
- Beware of the ethical implications, privacy issues and potential for grave misunderstanding in using bilingual National Premier Disability Services personnel, family members or friends to communicate on behalf of care recipients.
- *Google* translate, or other similar software programs can be useful in an emergency or as an interim while more specific information is being developed. However, it should be noted that not all English words or concepts easily translate across the diverse global languages in existence

Addressing a Person from a Culturally Diverse Background

Where possible, ask the individual how they wish to be addressed and, if working with a family group, identify who is the person with authority to speak for the group. While this may not always

be appropriate depending on the nature or type of the contact, respect for family structure, culture and tradition is very important.

Where the situation requires individuals to be able to speak for themselves it can be helpful to explain this process and how it will assist meeting the needs of the group or individual.

When individuals request the use of their name, practicing pronunciation and using this person's name is one of the most respectful steps you can take towards building a relationship with them. Avoidance of their name altogether for fear of mispronunciation is a barrier to the inclusive and welcoming principle that National Premier Disability Services is committed to demonstrating.

Not all people have a first and last name type structure that is common in Australia. E.g. some of the recent arrival people from Burma have one name that is made up of several parts. In this instance, for the development of National Premier Disability Services and other client software registration processes it is important to follow what has been identified on the individual's Medicare card. This will ensure consistency with government identification and client registration purposes for any future referrals.

Respectful Language and Terminology

National Premier Disability Services personnel are encouraged to use inclusive language. This refers to language that avoids the use of certain expressions or words that might be considered to exclude particular groups of people.

Use the following as a guide:

- Avoid the use of acronyms used to describe people who do not speak English as their preferred language such as CALD (culturally and linguistically diverse), NESB (non-English speaking background) and ESL (English as a second language). These privilege English as a reference point and may imply that any language that is not English is limiting.

Instead, use terms that are more inclusive and respectful of Australia's rich linguistic heritages, such as people for whom English is a second language.

- Avoiding undue emphasis on racial and ethnic 'differences', i.e. only referring to the individual's ethnic or racial background if it is relevant to the issue or discussion.

The use of generic terms and expressions is ideal. For example, use of the term 'Australian' can be highly inclusive, provided it is intended to include all communities and individuals.

Use phrases that refer to a person or group's background or origin, e.g. 'Australian of Irish background', 'Australians of Chilean descent'.

Use a qualifier in conjunction with the noun Australian, e.g. 'Vietnamese-born Australian', 'Iraqi-Arabic-speaking Australian', 'Jewish Australians', etc.

It should be noted that some Australians prefer not to be identified through origin or descent at all and, when known, this preference should be respected.

- Avoid the promotion of 'racial or ethnic invisibility', e.g. the use of umbrella terms such as 'Asians'. These references ignore multiple ethnicities within each of the groups. Instead, refer to people from Indonesia, Thailand, etc.
- Avoid stereotyping, e.g. making positive or negative generalisations about members of a particular racial, ethnic or national group in ways that detract from people's fundamental humanity and individuality.
- Avoid the use of derogatory labelling, offensive humour and ethnic and racial slurs, e.g. the use of terms whose main function is to set aside some groups from an implied mainstream by stressing their eccentricity or undesirability, or by attempting to be divisive through language by suggesting a 'them and us' mentality. The use of terms like 'ethnics' or 'ethnic Australians' can imply a distinction that is divisive, whereas 'ethnic and racial groups' is a more straightforward and descriptive usage.
- Avoid 'positive'/patronising comments based on stereotypes, such as, 'You speak such good English!'
- Use terms that are inclusive such as 'first name' and 'family name', rather than 'Christian name' and 'surname'
- Avoid referring to people by their migration status, such as 'former refugee', 'humanitarian entrant' or 'former humanitarian entrant', 'new arrival', etc.

Service Access

National Premier Disability Services is committed to providing service to all population groups irrespective of race, religion, politics, age, disability, gender and sexuality. We create accessible services that consider geographical disadvantage, disability, financial hardship, cultural background and language barriers.

All customers must be informed of their right to access professional interpreting services at any time and of the availability of telephone interpreting services.

National Premier Disability Services personnel are encouraged to:

- Conduct the entry and orientation program in the preferred language of customers and their families through an interpreter as required.
- Use professional translators to translate all documents requiring the consent of care recipients such as care plans, as well as other documents as required.
- Provide information about services, including health and personal care procedures, in the preferred language of customers.
- Ensure care recipients and their representatives have access to internal and external complaint mechanisms and quality improvement systems in their preferred language.
- Communicate the organisation's planning objectives to care recipients and their families in their preferred language and offer a variety of ways to provide feedback e.g. written comment, interviews and group discussion.

Increasing Workforce Capacity

<p>Access and Inclusion for Culturally and Linguistically Diverse Communities Procedure National Premier Disability Services</p>	<p>Reviewed: Nov 2018 Next Review: Nov 2019</p>
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Recruitment

Recruitment opportunities should include active promotion to multilingual applicants especially in service or program areas where it can reasonably be expected that customers will present with diverse language requirements. Contact National Premier Disability Services for support to target advertising for particular groups and translation or interpreting needs.

It is appropriate to use the language skills of unaccredited bilingual National Premier Disability Services personnel for social communication translation with customers or their carers.

Professional Development

The following list of considerations do not replace ongoing professional development specific to diverse population groups but are included as reminders of the unconscious behaviour and values that we sometimes hold and that can create barriers in engagement with people from diverse population groups.

National Premier Disability Services personnel should be aware of:

- Their own cultural influences
- Not judging other people's behaviour and beliefs according to the standards of their own culture
- Making assumptions about cultural influences and applying generalisations to individuals
- Understanding that the behaviour and beliefs of people within each culture are as diverse as the behaviours and beliefs between cultures
- The varying extent and speed to which people adopt practices of their new country and retain those from their cultural background. This can also vary within one family
- Individual choice and difference and that not all people will identify with their cultural, traditional or religious backgrounds
- The nature of culture itself as a fluid entity, undergoing transformations as a result of globalisation, migration and the diaspora influence
- Accessing increased knowledge about different cultural practices and issues through cultural background information sessions and/or resources and cultural awareness training

References or related Documents

National

- Australian Human Rights Commission Act 1986 (Cth)
- Racial Discrimination Act 1975
- Victorian Charter of Human Rights and Responsibilities 2006
- United Nations Declaration on the Rights of Indigenous People
- Australia Charter of Healthcare Rights
- Commonwealth Centre for Cultural Diversity in Ageing <http://www.culturaldiversity.com.au/>

Victoria

- Equal Opportunity Act 2010
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities Act 2006

Related Policies/Documents

- Customer Rights and Responsibilities Policy and Procedure
- Consumer Feedback and Complaint Policy and Procedure

Valuable resources can be found at:

- Foundation House for Survivors of Torture and Trauma www.foundationhouse.org.au/
- Eastern Health Transcultural Services www.easternhealth.org.au/site/item/152-cue-cards-in-community-languages