# EFFECTIVE TRANSLATIONS

VICTORIAN GOVERNMENT
GUIDELINES ON POLICY
AND PROCEDURES

**VICTORIA**
State
Government

# CONTENTS

# FOREWORD

Language services play a vital role in our diverse, multicultural society.

As stated in the new multicultural policy *Victorian. And proud of it*, the Government wants all Victorians to have access to the services they need. In doing so, we aim to ensure that language is not a barrier to accessing government services.

Without the assistance of interpreters and translators, Victorians who are unable to communicate effectively in English cannot access services properly and could experience poorer outcomes from the services they receive.

With our increasing diversity, interpreters and translators have never been more important. New migrants face many cultural and linguistic challenges. The assistance of language professionals is critical to help overcome these barriers.

Our established migrant and refugee communities also rely on language services especially as they grow older and need access to health and aged care services.

The Government actively supports a professional, high quality language services industry in Victoria. We also encourage government service providers to make effective use of language services whenever they are needed.

These Guidelines will assist government departments, agencies and service providers to use language services effectively.

ROBIN SCOTT MP
Minister for Multicultural Affairs

# INTRODUCTION

Effective communication between service providers and clients is essential to delivering high quality services. The Victorian Government is committed to ensuring that all Victorians have equal access to government services, regardless of their English language skills.

The provision of interpreting and translation services (language services) is essential to ensure that all Victorians have proper access to services.

These guidelines are a practical guide to managing translation projects effectively and are highly recommended for all government departments and funded agencies to assist in providing information in languages other than English.

Government departments and funded agencies need to ensure that, whenever required, language services are provided and used effectively. Cultural competency training for staff should be provided to develop understanding and skills on when and how to use language services.

The guidelines set out the obligations of government departments and funded agencies to provide language services and give advice on the practical aspects of planning and delivering translated information. An overview of the translation process is provided in the appendix on page 18.

This guide is especially relevant when translating information for community campaigns and other broad communication activity. Translations may also be required for individual clients, for example to provide personal information in a language other than English, such as an individual care plan, court order or correspondence.

This publication focuses on translations. The following companion publications are also available:

» **Using Interpreting Services**: Victorian Government Guidelines on Policy and Procedures, provides information on arranging interpreting services;

» **Multilingual Information Online**: Victorian Government Guidelines on Policy and Procedures, provides specific advice on publishing website information in languages other than English.

All three guidelines can be downloaded from **www.multicultural.vic.gov.au**

# VICTORIAN GOVERNMENT POLICY

Over one million Victorians speak a language other than English at home and over 200,000 Victorians have limited English proficiency. Language services are critical for many Victorians to access government services and information.

Government departments and agencies have a responsibility to ensure people with limited English, and people who are Deaf or hard of hearing, are given information in their own language to participate in decisions that affect their lives.

## GOVERNMENT RESPONSIBILITY FOR EQUITABLE ACCESS TO SERVICES

The *Multicultural Victoria Act 2011* (the Act) states that all individuals in Victoria are equally entitled to access opportunities and participate in and contribute to the social, cultural, economic and political life of the state. Interpreting and translation services are crucial to ensuring this is achieved. The Act also requires all Victorian Government departments to report annually on the use of interpreting and translation services.

The Victorian *Charter of Human Rights and Responsibilities Act 2006* and the *Racial and Religious Tolerance Act 2001* outline rights and obligations relevant to providing access to language services.

Victoria's *Equal Opportunity Act 2010* includes a 'positive duty obligation' which means that departments and agencies need to take proactive and reasonable steps to address causes of discrimination, regardless of whether a complaint has been made or not.

A number of other Acts, both at the Victorian Government and Commonwealth Government level, also include provisions on the use of interpreting and translating services.

Organisations must not directly or indirectly discriminate against people who have limited English proficiency or use a form of sign language. Discrimination includes:

» refusing to provide a service
» providing a poor quality service
» having unreasonable requirements, conditions or practices within the organisation that disadvantages clients because of their race, disability or other attributes.

The failure to identify the need for, or to promote the availability of, an appropriate language service may have legal consequences.

## PROCEDURAL FAIRNESS

Government departments and agencies, either directly or through funded service providers, routinely make decisions that affect the rights of individuals, or provide services that require client consent.

The failure to identify the need for, or to promote the availability of, language services may create a risk of inadequate procedural fairness. This may result in decisions being reviewed and overturned, incurring additional costs and avoidable delays.

**Victorian Government Policy**

*Victorians who cannot communicate effectively through spoken or written English must have access to professional interpreting and translation services:*

» *when required to make significant decisions concerning their lives*

» *when being informed of their rights*

» *where essential information needs to be communicated to inform decision making, including obtaining informed consent.*

*Interpreters and translators should be credentialed by the National Accreditation Authority for Translators and Interpreters (NAATI) at the Professional level (from 2018 the Professional level will be replaced by a new Certified level).*

## CULTURALLY SENSITIVE SERVICES

The responsibility to provide culturally appropriate services includes, but is not limited to, providing language services. Departments and funded agencies are required under the *Multicultural Victoria Act 2011* to develop 'cultural diversity plans' to enhance the provision of culturally sensitive service delivery. The provision of language services is a key component of cultural diversity planning. Cultural diversity planning also entails:

» providing cultural competency training for staff;

» ensuring that information on services is readily accessible to culturally and linguistically diverse communities; and

» assessing the effectiveness of service delivery to culturally and linguistically diverse communities.

It is also important that departments and funded agencies employ people from diverse cultural and linguistic backgrounds, involve diverse communities in the development of new programs and services, and consider language and culture in the design and delivery of services.

## DUTY OF CARE

The government and its funded agencies have a duty of care to anyone who is reasonably likely to be affected by their activities. Failure to satisfy duty of care can have legal consequences.

In relation to language services, the government and its funded agencies have a duty to ensure that members of the public understand the information that is being provided to them, and should provide appropriately trained and credentialed

interpreters when required. Duty of care may be breached if a staff member unreasonably fails to provide, or inform a client of their right to an interpreter.

Government and its agencies can fulfil their duty of care by taking reasonable steps to actively identify whether language assistance is required and acting accordingly. Following the steps in these guidelines will help to consider these matters properly.

## TRAINING STAFF

All government and funded agencies responsible for delivering services and/or providing information to clients should provide staff with training on cultural competency and working effectively with interpreters. Training should be made available to all employees, from direct service staff to senior management.

In Victoria, professional development on cultural competency and working effectively with interpreters is delivered by a variety of bodies. Contact the human resources or diversity unit of your department or funded agency to find out if any training arrangements are in place.

## BUDGET FOR TRANSLATING COSTS

Costs associated with providing translation services should be factored into budget calculations for all programs where the service is likely to be required.

## DEPARTMENTAL LANGUAGE SERVICES POLICIES AND PROCEDURES

It is recommended that government departments and agencies, that provide direct services, establish their own policies and procedures on language services that:

» are consistent with these guidelines

» take into account relevant legal requirements

» require that any interpreters and translators they engage must have some level of NAATI credential

» address the language needs of clients with limited English

» are reviewed and updated regularly in consultation with relevant community stakeholders

» reflect the needs of their particular client groups.

# UNDERSTANDING LANGUAGE SERVICES

## WHAT ARE LANGUAGE SERVICES?

'Language services' enable communication with clients who have limited English, are Deaf or hard of hearing. Language services include:

» oral or signed information conveyed from one language into another by a NAATI credentialed interpreter

» written information in languages other than English translated by a NAATI credentialed translator

» written English to Auslan 'sight translation' by a NAATI credentialed Auslan interpreter

» audio transcriptions of written English documents translated by a NAATI credentialed translator.

Language services improve access to government services for people who prefer, or need to communicate in a language other than English or in sign language.

## WHAT ARE LANGUAGE SERVICE PROVIDERS?

Language service providers are agencies that arrange to supply interpreting and translating services. A list of language service providers can be found online on the Community Directory available at **www.multicultural.vic.gov.au**.

## WHAT IS TRANSLATION?

Translation means converting written information from one language into another. A translator is a professional qualified to convert written information accurately and objectively into another language.

Interpreting, on the other hand, involves transferring a spoken or signed language accurately and objectively into another language to enable communication between two parties who do not share a common language. A business letter or brochure can be translated; a conversation is interpreted.

Translated information can be used to supplement interpreting, but not to replace it.

A translator should possess training in translating and a formal credential.

## CREDENTIALED TRANSLATORS

In Australia, the National Accreditation Authority for Translators and Interpreters (NAATI – **www.naati.com.au**) is responsible for certifying the quality of translators available. NAATI credentials are evidence that the holder is competent to practise at a specified level, according to their proficiency and skill.

Translators are required, as a condition of their ongoing accreditation, to act in accordance with the Australian Institute of Interpreters and Translators (AUSIT) Code of Ethics, which defines the values and principles guiding the decisions that professional interpreters and translators make in practice.

The Code of Ethics requires credentialed translators to maintain impartiality and objectivity. Other key principles of the Code include maintaining confidentiality, professionalism and striving for excellence through regular professional development.

The AUSIT Code of Ethics is available at **www.ausit.org**.

*Victorian Government policy states that interpreters and translators should be NAATI credentialed at the Professional level (from 2018 the Professional level will be replaced by a new Certified level).*

## TRANSLATOR CREDENTIALS

A new NAATI certification system is expected to be officially in place from early 2018.

Victorian Government policy in 2017 is that interpreters and translators should be NAATI credentialed at the Professional Level. From 2018 the Professional Level will be replaced by a new Certified Level, which will become the new Victorian Government minimum level of credential.

Further advice on credentials is included at Appendix 2.

It is advisable to avoid using translators based overseas as they may not be NAATI-credentialed. Also, overseas translators may not have a good understanding of the local community or issues and may not be familiar with Australian English.

## LANGUAGE DIRECTION

Translator credentials are classed by language direction, for example, from English into Arabic. Some translators are credentialed to translate in both directions; however, in Australia it is more usual for translators to be credentialed in one direction only, which is almost always from English into the other native language. When producing multilingual information, it is recommended to choose a translator who is credentialed to translate from English into the other language. This is the best way to ensure that the translated text will be accurate and appropriate.

## MACHINE AUTOMATED INTERPRETING AND TRANSLATING TOOLS

Machine automated interpreting and translating tools undertake translating or interpreting with no human involvement and can, for example, automatically translate information on a website from one language to another.

Victorian Government policy strongly recommends engaging NAATI credentialed interpreters and translators and currently advises against the use of automated interpreting and translating tools, which cannot at present be guaranteed to be accurate. While some machine tools are improving, they still have a reasonably high chance of incorrectly translating information.

Machine automated interpreting and translating tools may be unable to take into account:

» variations in dialect and language
» linguistic preferences of communities
» actual meaning (i.e. word for word translation does not consider overall comprehension)
» specific cultural references
» other nuances such as politeness level.

There may be risks of legal action due to distorted translations. It is unlikely that a disclaimer about the content in an automatic translation would relieve an organisation of the responsibility for the information provided.

Written content that has been translated by a machine should always be checked for accuracy by a NAATI credentialed translator.

# PLANNING FOR TRANSLATIONS

Planning is integral to organising translations. Taking time to plan before undertaking a translation project can ensure that the process runs smoothly, meets timelines, targets the most appropriate audience effectively and remains within budget.

## IS TRANSLATION REQUIRED?

When determining the value of translated material the following questions should be considered:

» What is the message?
» Who is the target audience?
» What is the best way of communicating with the target audience?

## WHAT IS THE BEST WAY TO DELIVER TRANSLATED MATERIAL?

Written translations may not always be the most effective way to convey information. For example, instructions may be better provided through images, diagrams or storyboards. Other information may be better delivered in audio format through an interpreter.

Sometimes a combination of communication modes may be appropriate. For example, translated material can be used to supplement interpreting services and provides information that the client can refer to later.

Some migrants may not be literate in their native language as a result of limited or disrupted education. Also, different communities may have particular preferences for receiving information. For example, communities with a strong oral tradition may not be used to written communication and some older people may prefer audio visual material.

Alternative ways of providing multilingual information include:

» information sessions, seminars or presentations
» audio visually through podcasts, CDs or DVDs
» recorded multilingual telephone messages, or telephone interpreters
» storyboards including images, photos, diagrams or charts
» pictures, drawing and object symbols
» radio
» television
» using Deaf interpreters, who relay information from an Auslan interpreter
» Easy English

Many of the above mediums will require translation — for example, translating English language script for audio information or recorded multilingual telephone messages.

Not everyone will have access to these mediums, so consult relevant community organisations for advice on the best way to deliver the information.

Complex information, for example, legal or medical advice, should always be delivered in person through a professional interpreter.

### Easy English

Easy English involves taking complex language and making it as simple as possible without changing the meaning. It makes information accessible to people who have difficulty reading and understanding written text, by using clear, simple language and diagrams.

Producing an Easy English version of the source information may be useful in some situations where a basic level of English proficiency has been acquired by a community. Advice should be sought from the relevant community organisations to determine whether this option is appropriate.

For more information on Easy English visit: **www.scopevic.org.au/index.php/cms/ frontend/resource/id/193**

### LOCATE DATA SOURCES

Understanding the pattern of need for language services is a core responsibility for all departments and funded agencies who deliver services to the community. This should occur as an integral part of operational service planning and monitoring, as well as part of broader strategic planning.

Research and consultation is required to identify the target audience and to select the appropriate languages for translation. It may be necessary to use multiple data sources, such as Australian Bureau of Statistics Census data, the most recent settlement data, and service usage data to gain an accurate picture of the diversity in the target community. Where relevant, data could also be requested from service delivery and community organisations.

Consultation with community organisations who work with the target groups can also be helpful to determine the communication preferences of the target audience, the languages to be translated and other culturally specific information to ensure the translation is effective.

### CLIENT AND SERVICE USAGE DATA

Departments must collect, analyse and report on language services data. Regular collection of data on clients and their service usage enables:

» better understanding of the language needs of clients;

» monitoring of service accessibility for people who speak or sign other languages; and

» identification of potential language service gaps.

Client information on age, language spoken at home, preferred language and English proficiency is important to plan translations.

The identification of clients who require language services should be included in referral information and be part of standard initial contact with clients. Where specific language services are required by a client, such as an interpreter, this information should be recorded in the client's record so that others are alerted.

A system to routinely collect this data is required especially if a significant proportion of clients have limited English language proficiency.

*The Victorian Government Standards for Data Collection on Interpreting and Translating Services* (**www.multicultural.vic. gov.au**) provides guidance on collecting data on language service needs, including client demographics, expenditure and complaints.

## DEMOGRAPHIC DATA

Language spoken at home and the level of English proficiency are the most important factors to consider when planning for language services. Country of birth, while relevant, is an insufficient indicator of preferred language (see below).

Demographic data can be accessed from various sources to help identify which language groups may require translations. The following sources are useful:

» Census data on cultural and linguistic diversity for Victoria is available by local government area including key indicators such as country of birth, language spoken at home, English proficiency and religion. The data is available from **www.multicultural.vic.gov.au**.

» The Australian Bureau of Statistics (ABS) website (**www.abs.gov.au**) provides data which can be used for specific demographic analysis. Available data includes age, gender, place of residence, citizenship status, country of origin, ancestry, religion, language spoken at home, level of English proficiency (note this is self-assessed), level of education, level of income and access to the internet.

» For the most recent data on newly arrived migrants, see the Settlement Reporting Facility at **https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settlement-services/settlement-reporting-facility**, which includes the number of migrants settling in Victoria, their country of birth, languages spoken, English proficiency, religion and year of arrival.

By combining different data sources, a more accurate demographic picture can be obtained that reflects changes between Census periods.

## IDENTIFY THE TARGET AUDIENCE

When deciding the languages to be translated consider the target audience rather than just using the top languages spoken in Victoria. Understanding the target audience is important to determine the appropriate style for the translated material. Some factors to consider include:

### Age

Consider the age of the target audience where relevant. For example, information on Alzheimer's disease, which generally affects older people, should be translated for communities with an older age profile. Whereas information on early childhood services would target migrant groups with a younger age profile.

### Gender

Consider the gender of the target audience where relevant. For example, translated information on breastfeeding would be most relevant to communities with a higher proportion of women of child-bearing age.

### Other factors

Consider whether the information to be translated has special relevance to migrants from particular countries, ethnic or religious backgrounds. For example, residents born in countries where voting is not compulsory, or where the electoral system is different, may have the highest need for translated information on voting requirements.

## SELECT THE LANGUAGES

Once the basic demographics and other characteristics of the target audience have been identified, a number of additional factors will need to be considered to determine the most appropriate languages for translation. The following are important to consider:

### Preferred language

While country of birth is a useful starting point, this does not necessarily indicate the preferred language of the target audience. In some countries, several languages may be spoken. Also, some people may have spent considerable time in a country other than the one they were born in, and may speak the language of that country. It is advisable to check with the language service provider, or relevant community organisations, to determine the preferred language.

### Dialects

Dialect and regional variations should also be considered when selecting languages for translation as the target audience may have a preferred dialect. Language service providers and community organisations can be a good source of advice in this regard.

### Writing systems

Different writing systems may be used within particular languages. For example, some Chinese languages use simplified character sets while others use traditional characters. Consult a language service provider about the appropriate writing system for the target languages.

Clarifying the preferred writing system is especially important when providing translated information online, because this may require technical changes to ensure the script displays correctly on the website. More information is in the *Multilingual Information Online: Victorian Government Guidelines on Policy and Procedures*, available from **www.multicultural.vic.gov.au**.

# PREPARING FOR TRANSLATION

## TEXT FOR TRANSLATION

The following tips will assist in preparing a text for translation.

**Clarity**  Use plain English and write in the active voice. Explain unfamiliar concepts and complex terminology. Avoid idioms, metaphors, acronyms, professional jargon, slang, colloquialisms, euphemisms and figures of speech.

**Brevity**  Keep it short. Consider a summary version for translation rather than the full publication. This ensures the source text is easier to translate and comprehend. A clear source for additional information such as a website or a phone number should be included wherever relevant. Any staff member receiving calls for additional information should be trained in how to use the services of an interpreter.

**Appropriateness**  Adapt the source text to each community group. Consider the level of pre-existing knowledge in the target group. For example, recently arrived communities may be less familiar with the service system than more established communities. Also, be alert to cultural sensitivities about particular topics. Consult the relevant community about the most appropriate way to deal with the topic. Ensure that any images or graphics are culturally appropriate.

**Accuracy**  Proof read the English text prior to submitting it for translation and ensure it is the final version. The translator will translate everything as provided and is not responsible for correcting errors or unclear information. Consider using an editor to ensure the clarity and accuracy of the source text.

## DESIGN TEMPLATE

The translation may take up more or less space than the English text. Text expansion and reduction should be taken into account when creating the design template for your publication. Consult the language service provider and brief your graphic designer beforehand.

## BILINGUAL PUBLICATIONS

Consider bilingual versions that include both English and the other language in the same publication. This allows an English speaking user to refer to the translated version with a non-English speaking client.

# ARRANGING TRANSLATIONS

### ENGAGE THE TRANSLATION SERVICE

Determine which language service provider is to be used for the translation. Some departments and agencies have existing arrangements or contracts with particular language service providers which staff are required to use. Check whether this applies to your organisation.

If your organisation does not have a contract with a particular provider and you need to find one, consult the online Community Directory at **www.multicultural.vic.gov.au**.

### BRIEF THE TRANSLATOR

Before the language service provider can quote for the translation, they will need to understand the requirements.

Basic information will include:

» name of the organisation commissioning the translation

» the purpose of the translation

» the audience for the translation. Be specific; state the ethnic group, age, gender and any other details to help the translator determine the appropriate language and style for the translation.

» how the translated material will be published or broadcast (e.g. brochure, website, media release, podcast)

» any technical requirements such as the computer operating system and software. Check with IT staff to ensure that uncommon language scripts and fonts are enabled on the system. If not, advise the language service provider to determine the best format (eg. MS Word, PDF, Adobe InDesign) for the translation. Guidance on this is in Multilingual Information Online: Victorian Government policy and procedures available at **www.multicultural.vic.gov.au**

» additional information including any deadlines and copyright arrangements if applicable.

Information on the specific job requirements can include:

» the text to be translated including a glossary of key terms

» the languages (including dialects) for translation

» the required credential level for the translator and, if relevant, required specialisation in a particular field (e.g. health, legal)

» independent checking by another translator

» the need for the translation to be typeset or to be provided in a particular format (e.g. HTML or PDF)

» translation of the glossary of key terms for future reference

» certification of the translation (e.g. for legal purposes) if required

» confidentiality requirements

» including the language and title of the document in English on the translated material

» any elements of the text that do not need to be translated (e.g. logo, acronyms, names).

### INDEPENDENT CHECKING

It is highly recommended that translations be independently checked by another translator with at least the same level of credential as the original translator. The language service provider can arrange this for an additional fee. Independent checking ensures quality and accuracy and involves comparing the translation with the original text.

In addition, it is recommended that the translated material be tested with representatives from the target community group.

# FINALISING THE TRANSLATION PROJECT

## DESIGN AND PRODUCTION

If your translation is intended for public distribution, you may need to consider the following points in relation to design and production:

» Let the graphic designer know if the translation entails scripts that run in a different direction

» Include both the language and publication title in English on the front cover of the translation for easy identification

» If publishing translations on a website, ensure multilingual content is deployed wherever possible as HTML as well as a PDF to allow search engines to locate the information in a language other than English.

» Consider placing the National Interpreter Symbol on translated materials, with a corresponding telephone number for interpreter assistance, where possible. National Interpreter Symbol: Guidelines for Use can be downloaded from **www.multicultural.vic.gov.au**.

## EVALUATE AND MAINTAIN TRANSLATIONS

Translated material should be reviewed periodically to determine if the information is effective, relevant and current:

» Consider a maintenance schedule for translated material, especially if it is on a website. Ensure that all translated information is updated if the original English version changes.

» Consider ways to assess the effectiveness of the translated publication in conveying the intended information. This might include consultation with target communities and specifically requesting feedback on the form or brochure, and/or conducting surveys of the target audience and relevant service providers.

» Monitor the distribution of the translated material by collecting statistics on the number of page visits if the material is on the internet. For printed material, determine how many brochures were provided, in which languages and to which target groups.

## COMPLAINTS AND FEEDBACK

NAATI credentialed translators are expected to be accountable and comply with the Code of Ethics developed by the Australian Institute of Interpreters and Translators (AUSIT). If a translator fails to comply with the principles outlined in the AUSIT Code of Ethics, complaints can be lodged with the relevant language service provider.

The AUSIT Code of Ethics is available at **www.ausit.org**.

Issues such as deadlines not being met, incorrect charges or using translators with inappropriate levels of credential, should be raised with the language service provider in the first instance.
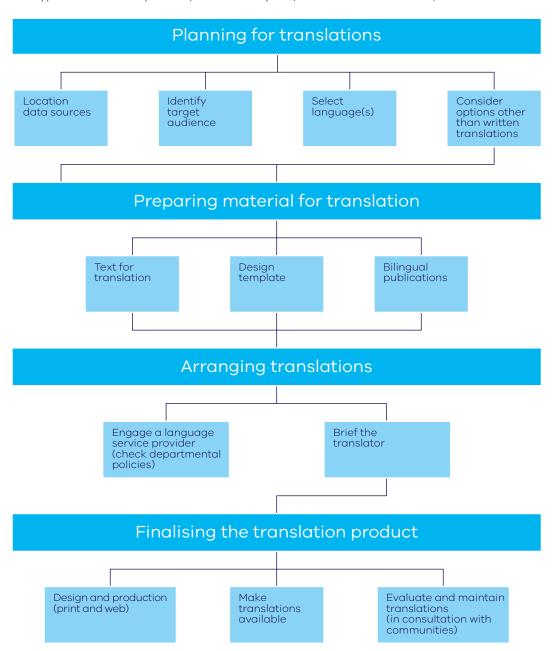
Language service providers will generally have a complaints policy and processes to resolve issues.

You may also wish to raise with NAATI, as the national standards and accreditation body, any significant ethics breaches or provide feedback for considering improvements to the credentialing system. NAATI can revoke credentials where this an appropriate course of action.

In addition to referring complaints to language service providers, departments and service providers should also provide information on how clients can access their own complaints and feedback mechanisms.

# APPENDIX 1: OVERVIEW OF THE TRANSLATION PROCESS

The typical translation process, whether for print, website or other media, involves:

## Planning for translations

- Location data sources
- Identify target audience
- Select language(s)
- Consider options other than written translations

## Preparing material for translation

- Text for translation
- Design template
- Bilingual publications

## Arranging translations

- Engage a language service provider (check departmental policies)
- Brief the translator

## Finalising the translation product

- Design and production (print and web)
- Make translations available
- Evaluate and maintain translations (in consultation with communities)

# APPENDIX 2: NAATI CERTIFICATION SYSTEM FOR TRANSLATORS

## CURRENT SYSTEM

**Advanced Translator**

Advanced Translators handle complex, technical and sophisticated material, compatible with recognised international standards. They may choose to specialise in certain areas. Advanced translators are credentialed to translate either into one language only or into both languages, depending upon their level of credential.

**Professional Translator**

This is the minimum level of competence for professional translating. Translators convey the full meaning of the information from the source language into the target language in the appropriate style and register. Translators at this level work across a wide range of subjects involving documents with specialised content. They are qualified to translate into one language only or into both languages, depending upon their credential (see 'Language direction' on page 10).

**Paraprofessional Translator**

This represents the level of competence required to produce translations of non-specialised information.

**Recognised Translator**

Recognition acknowledges that the candidate has had recent and regular experience as a translator, but no level of proficiency is specified. A Recognised Translator has reasonable proficiency in English and has completed basic training.

## NEW NAATI CERTIFICATION SYSTEM

NAATI is currently updating its certification system. A new system is expected to be in place from early 2018.

This appendix will be updated to reflect the changes when they come into effect and will be available at: **www.multicultural.vic.gov.au**.