

# USING INTERPRETING SERVICES

VICTORIAN GOVERNMENT  
GUIDELINES ON POLICY  
AND PROCEDURES



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# 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 and refugees face many cultural and linguistic challenges. The assistance of language professionals is critical to help overcome these barriers.

Our established migrant 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.

A handwritten signature in black ink, appearing to read 'R Scott'.

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 outline policy and provide practical advice on using interpreting services effectively. They are highly recommended for all government departments and funded agencies as a guide to communicating through an interpreter.

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

The guidelines set out the obligations of government departments and funded agencies to provide language services and give advice to assist in planning for and using interpreting services.

These guidelines are relevant for spoken language as well as for Australian Sign Language (Auslan), the language of the Australian Deaf community. Further information on Auslan interpreting is available at [www.vicdeaf.com.au/auslan](http://www.vicdeaf.com.au/auslan) and <https://aslia.com.au/about-auslan-english-interpreting/>.

Interpreters can assist in the community with individual clients and groups. While the guidelines have been written from the perspective of working with individual clients, the principles and steps also apply to group situations.

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

- » **Effective Translations:** Victorian Government Guidelines on Policy and Procedures, provides guidance on arranging translations of written information into languages other than English
- » **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](http://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 services 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.

## RISKS OF NOT PROVIDING A QUALIFIED INTERPRETER

Failure to provide a qualified interpreter can have significant negative impacts including:

- » **Reduced or adverse health outcomes**, for example due to incorrect diagnosis because of miscommunication between a patient and a health professional, or hospital readmissions where a patient did not understand how to manage their own care after discharge
- » **Delays or obstructions to justice**, for example, due to additional legal proceedings where procedural fairness failed as a result of not engaging an interpreter.

## 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
- » define when interpreters must be engaged
- » 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](http://www.multicultural.vic.gov.au).

## WHAT IS AN INTERPRETER?

An interpreter is a qualified professional who enables communication between people who speak or sign a different language. Interpreters take a spoken or sign language and convert it accurately and objectively into another language to enable communication between two parties who do not share a common language. A translator on the other hand only deals with written information.



Interpreters interpret everything that is said or signed and must not add, modify or exclude information. This means they will interpret statements even if they are incoherent, nonsensical or unclear in the original language. Interpreting is not always word-for-word because some concepts may not exist in other languages and thus may need further explaining.

An interpreter should possess training in interpreting and a formal credential.

Interpreters play a critical role in delivering services to people with limited English, Deaf people and people who are Deafblind. Interpreter services can be delivered in person or by telephone or videoconferencing.

### **Interpreting for people who are Deaf or hard of hearing**

Auslan is the sign language of the Australian Deaf community. Sign languages are unique to each country. Auslan is not simply English using the hands; it involves a distinct grammar and syntax. Deaf people typically tend to acquire sign language as their primary means of communication in addition to the written or spoken language of the wider community. They are not necessarily fluent in written English and thus English proficiency should not be assumed.

Deaf interpreters are trained and certified users of Auslan who are able to convey meaning from Auslan to a highly visual form of gesture. Deaf interpreters usually work in conjunction with an Auslan interpreter, thereby requiring at least two interpreters for the communication. Examples of where a Deaf interpreter may be required include:

- » communication with children (when their language is not yet formed)
- » refugee and migrants arriving from other countries where the sign language is different to Auslan.

## **TYPES OF INTERPRETING**

### **Consecutive interpreting**

Consecutive interpreting is the most common type of interpreting, where the speaker and the interpreter speak one after the other. The interpreter listens to a few sentences and then relays this in the other language. The speaker then continues and the process repeats.

### **Sight translations**

Sight translations involves an interpreter providing oral and instantaneous interpretation of a written text, such as a consent form.

### **Simultaneous interpreting**

Simultaneous interpreting is most commonly used at conferences. The interpreter interprets at the same time as the speaker continues to talk, so that the speaker and the interpreter speak simultaneously.

Most interpreters are trained in consecutive mode only. If a simultaneous interpreter is required, this should be specifically requested.

## **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.

*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).*

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.

#### COMMONWEALTH GOVERNMENT FREE MEDICAL INTERPRETING SERVICES

The Commonwealth Government provides interpreting services free of charge through TIS National, to non-English speaking Australian citizens and permanent residents when communicating with service providers.

For example, when private medical practitioners provide Medicare-rebateable services and their reception staff arrange appointments and provide test results. Also, pharmacists dispensing Pharmaceutical Benefits Scheme (PBS) medications can access the free interpreting service.

Practitioners working in state-funded healthcare services do not have access to TIS free interpreting services; interpreting services for these professionals are funded by the relevant state government.

Further information on eligibility for free interpreting services provided by TIS National can be found at [www.tisnational.gov.au](http://www.tisnational.gov.au)

The National Auslan Interpreter Booking and Payment service (NABS) is funded by the Commonwealth Government to provide free interpreting services to people who use sign language for private health care appointments. Funding for this service will transition to the National Disability Insurance Scheme (NDIS) for some people who use sign language interpreting services.

Further information on NABS and changes relating to the NDIS can be found at [www.nabs.org.au/](http://www.nabs.org.au/)

#### CREDENTIALLED INTERPRETERS

In Australia, the National Accreditation Authority for Translators and Interpreters (NAATI) is responsible for ensuring the quality of interpreters. Interpreters 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. Auslan interpreters are required to abide by the Australian Sign Language Interpreters' Association (ASLIA) Code of Ethics.

The *AUSIT Code of Ethics* is available at [www.ausit.org](http://www.ausit.org).

The *ASLIA Code of Ethics* can be found at [www.aslia.com.au](http://www.aslia.com.au).

These codes define the values and principles guiding the decisions that professional interpreters and translators make in practice.

A credentialed interpreter is required to remain impartial and should not express an opinion or act as an advocate for either party. Other key principles of the codes include maintaining confidentiality, professionalism and striving for excellence through regular professional development.

NAATI provides an online directory of credentialed interpreters who have agreed to have their names included at <https://www.naati.com.au/Online/PDSearch/StartNewSearch>

ASLIA also provides a directory of Auslan interpreters at <https://aslia.com.au/booking-an-interpreter/>

## INTERPRETER CREDENTIALS

NAATI credentials are evidence that the interpreter is competent to practise at a specified level.

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

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 NAATI Certified Level, which will become the new minimum credential level required by the Victorian Government.

For languages of communities that have settled more recently in Australia, and also for less common languages, NAATI Professional level interpreters may not exist or are in short supply. In these cases lower level NAATI credentialed interpreters may need to be engaged.

Further advice on credentials is included at Appendix 1.

## VICTORIAN PUBLIC SERVICE LANGUAGE ALLOWANCE

The Victorian Public Service (VPS) provides a language allowance to eligible staff who have passed a language aide test or hold a NAATI credential (Victorian Public Service Enterprise Agreement 2016 section 31.4, page 50).

To be eligible, staff must be in roles that involve regular direct client contact and they use their other language. Also they need to have passed a relevant NAATI test. Staff should speak with their manager if they feel they are eligible to apply for this allowance.

More information on the VPS Language Allowance program can be found at [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au)

## ROLE OF LANGUAGE AIDES

A language aide (sometimes referred to as a “bilingual worker” or “multicultural education aide”) is an employee who uses a language other than English in the course of their work to assist clients. However, language aides do not necessarily hold NAATI credentials and should therefore not be expected to perform the role of a credentialed interpreter.

Language aides should only assist with low-risk and non-critical communication, generally of a basic customer service nature such as providing directions, making appointments or obtaining basic personal details such as name and address. They must not interpret information that is legally binding or puts either the client or the organisation at risk.

For example, asking a client to sign a consent form is simple but the consequences of poor communication are potentially serious, so a credentialed interpreter should be used.

*Language aides should only provide language assistance when the outcome of a situation has no risk of adverse effects for either the client or the organisation. It must be made clear to all parties that a language aide is not a NAATI credentialed interpreter.*

*Language aides should not be engaged:*

- » *to communicate information that is legally binding or puts at risk either the organisation or the client*
- » *when a client has requested a credentialed interpreter.*

There are important differences between the role of a language aide and a NAATI credentialed interpreter. A language aide would normally not have the formal qualifications and skills of a credentialed interpreter and would not be expected to meet the same accountability and professional standards as interpreters.

The language skills of language aides should be verified by the employer in the language other than English. This can be done through a NAATI language aide or interpreter test to ascertain whether the staff member's language skills are sufficient for their role. The test is not a credential in interpreting or translating and should not be construed as such. For more information please email NAATI at [info@naati.com.au](mailto:info@naati.com.au).

It is also important that language aides undertake training to understand the boundaries of their role. Organisations should maintain a database of language aides in their employment so staff can access them quickly and easily.

Departments and funded agencies may also employ bilingual staff who have NAATI interpreting credentials and have been employed specifically for their language skills, such as 'Karen health education worker'. These staff may be engaged as interpreters up to the skill level of their NAATI credential. NAATI credentials should be verified during the recruitment process.

## INTERPRETING IN CRITICAL CONTEXTS

Critical contexts involve confronting or sensitive subject matter that requires skilled interpreters who have undertaken specialised training and are able to interpret in complex situations.

Critical contexts can include interpreting in situations relating to family violence, sensitive policing, court, human services or health matters (such as sexual health and mental health matters).

Interpreter impartiality, independence, professionalism, high skill level and adherence to ethical standards are even more important in these contexts.

It is never appropriate to use family members, friends or children as interpreters

in critical contexts given the risks. In the case of family violence, a person will often not feel comfortable to disclose the extent of the violence they have experienced if the interpreter is known to them, and especially if a family member is doing the interpreting. It will also be difficult for a family member or friend to remain impartial, maintain confidentiality and accurately convey information. This will compromise the duty of care to the client and risk important information not being shared.

There is also the risk of unintended harm, and exposure to emotionally distressing information, resulting in vicarious trauma to the family member or friend. Children are especially vulnerable, particularly if they have experienced family violence.

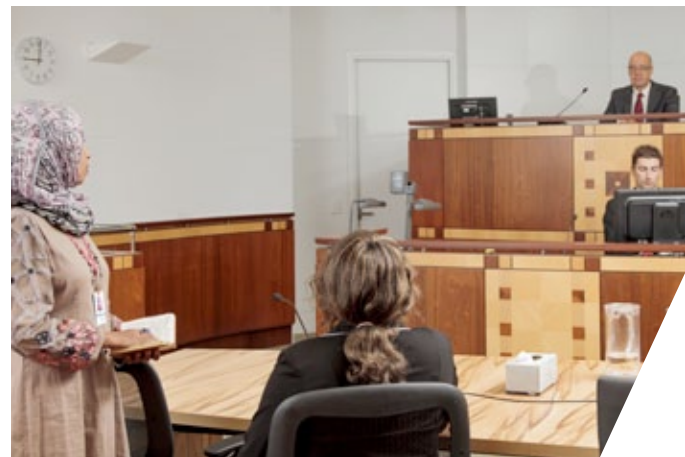
### **The following are important considerations when engaging an interpreter for a critical context:**

- » A NAATI Professional level (Certified level from 2018) interpreter should be used wherever possible
- » The interpreter should have specialist training and experience in the specific context (for example, family violence, health or legal specialisations). This may involve an added cost that recognises the interpreter's specialist skills
- » Gender should be considered carefully and be the choice of the client. Where possible, a female interpreter should be booked for women in addressing family violence and women's health matters
- » Without exception, two separate interpreters must always be provided if both the alleged perpetrator and victim require an interpreter for family violence and other justice matters (including policing and court matters)
- » The interpreter must not be known to the clients in critical contexts. For small communities, where anonymity is not possible, telephone or video interpreting should be pursued (interstate if necessary)
- » Under no circumstances should alleged or convicted perpetrators of family violence be engaged to interpret
- » Clients should be asked if they would like to know the name of the interpreter beforehand, particularly for small communities, to enable any confidentiality or conflict of interest issues to be addressed
- » Face-to-face (onsite) interpreting should be used provided it meets the above conditions. Telephone or video conferencing interpreting services may be a suitable alternative if onsite services are not available.

Interpreters should be briefed beforehand on the purpose of the interaction and any sensitive matters, for example risk that the client may self-harm or become violent. It may be helpful to agree on a 'signal word' which the interpreter can use to convey safety concerns during the interview.

Interpreters should be offered structured opportunities to debrief after the interview, especially when the subject matter is confronting, or threatening, or strongly emotive. This will help manage stress, maintain wellbeing and alleviate the risk of vicarious trauma to the interpreter.

In addition to meeting the client's interpreting needs, it is important that the services being provided are also culturally responsive.



## CASE STUDY

**Q** A police officer is called by neighbours who have heard shouting, banging and crying next door. He arrives to find a husband, wife and eight year old child, all of whom migrated to Australia a year ago. The wife cannot speak English, while the child and husband have limited English. The officer explains that he has been asked to investigate due to the noise. When asked if there are any issues, the husband says that everything is fine, but the fearful body language of the child and mother, as well as broken crockery on the floor, make the officer suspect family violence.

The officer explains that he needs to hear the wife's perspective through an interpreter, who he attempts to call by telephone. As he is unable to arrange an interpreter quickly enough, he asks the husband to interpret.

The wife doesn't say much. The officer also attempts to ask the child questions, but the child is tearful and hides behind his mother. As he has assessed that there is no immediate risk to the wife or child, the officer gives his phone number to the wife and the husband separately and says that they should make contact if there is anything that they would like to discuss. He also requests their respective mobile phone numbers. The following day he asks a female colleague to call the wife with the assistance of a NAATI credentialed female interpreter who specialises in family violence interpreting and speaks the wife's native language. The wife happens to be home alone and is able to talk freely through the interpreter with the female officer. She is clearly uncomfortable but mentions that things have been a bit stressful at home. Were the decisions made on interpreting appropriate?

**A** The officer should not have asked the husband to interpret as he is a family member and a possible perpetrator of family violence. He is unlikely to convey the wife's responses accurately and impartially. More importantly, the wife would not have felt comfortable to disclose her experience of family violence to the police officer through her husband. Because an interpreter was not immediately available and there was no immediate risk to the wife or child, the officer was right in following up at a more appropriate time. If an interpreter had been available to attend at the home, a follow-up interpreter assisted interview, with the wife alone, would be highly recommended. The officer's subsequent choices in engaging a female colleague and a NAATI credentialed female interpreter with specialist family violence skills during the day when the husband was likely to be at work were appropriate.



## CASE STUDY

**Q** An obstetrician had an appointment with a client who was able to speak a limited amount of English. Usually the obstetrician and the client are able to understand each other quite well. However, on this particular day, there was a problem that caused the client great distress and she was not able to communicate well in English for the obstetrician to understand. Her 11 year old daughter also attended the appointment, and although the obstetrician knew she could speak English, chose to engage an interpreter to assist with communication. Was this the right decision?

**A** Yes, the decision to engage a NAATI credentialed interpreter rather than the client's 11 year old daughter was a good one. Government policy states that it is not acceptable for family, friends, or children to interpret complex or sensitive information. The potential risks to the client, the child and the service provider in this situation are significant.

### ROLE OF FAMILY AND FRIENDS

Family members, friends, carers, and other support persons should not be used in the place of a credentialed interpreter because of potential breaches of confidentiality, possible misinterpretation, conflict of interest and roles, potential loss of objectivity and unintended harm or exposure to emotionally distressing information. Friends and family members generally do not have the required language competence, particularly for technical or complex medical or legal terms, and are not bound by the same standards of conduct as credentialed interpreters.

All communication should be through a credentialed interpreter even if there are bilingual family members or friends present.

Friends and family can play an important and helpful support and advocacy role. This should be acknowledged, valued and understood as separate from, and complementary to, the role of the interpreter. Engaging a credentialed interpreter enables family and friends to focus on their advocacy and support role.

Some clients and their families may not feel comfortable having an interpreter assist with communication. It may be necessary to explain

the role of the interpreter and the professional standards they are required to meet, including confidentiality and impartiality.

Every reasonable effort must be made to use a credentialed interpreter before a family member or friend is asked to assist. If the matter needs to be dealt with immediately and an interpreter cannot be arranged in time, it may be necessary to ask the family member or friend to assist. However, a credentialed interpreter should be engaged as soon as practicable to ensure information has been accurately conveyed. The decision to ask a family member or friend to assist must be recorded.

### CHILDREN AND INTERPRETING

It is not acceptable to ask children under 18 years of age to interpret. Children are unlikely to have the required language skills and are unlikely to be in a position to interpret exactly what is said. It will be difficult for them to remain impartial, maintain confidentiality and accurately convey information, which can compromise the duty of care to the client.



# PREPARING FOR INTERPRETING

Some funded agencies, such as hospitals directly employ full-time or part-time in house interpreters. However, most Victorian interpreters work as independent contractors through a language service provider.

Before booking an interpreter, check if your organisation has an arrangement with a particular language service provider.

## 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 INTERPRETING COSTS

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

## COLLECTING DATA FOR SERVICE PLANNING

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.

Detailed projections of the need for different languages, including Auslan are important both for service planning and to inform language service providers about likely needs.



### Client and service usage data

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

- » better understanding of their language needs
- » monitoring of accessibility for people who speak or sign other languages
- » identification of potential language service gaps.

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

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

*The Victorian Government Standards for Data Collection on Interpreting and Translating Services* ([www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au)) provide guidance on collecting data on language services, 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). For Deaf and hard of hearing people Auslan language services should be provided.

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

- » Census data on Victoria's cultural and linguistic diversity is available by local government area including key indicators such as language spoken at home, English proficiency, religion and country of birth
- » The Australian Bureau of Statistics (ABS) website ([www.abs.gov.au](http://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.

## PROMOTING THE AVAILABILITY OF INTERPRETERS

Interpreting services should be promoted broadly and offered to individual clients. Active and direct approaches are encouraged, rather than waiting for clients to ask for language services. It is important that a client's English proficiency level is not assumed to be sufficient.

All government departments and funded agencies are responsible for ensuring that clients understand:

- » they have a right to communicate in their preferred language
- » an interpreter will be provided, if needed, unless the client explicitly refuses
- » interpreters are provided at no cost to the client
- » interpreters are professionals and confidentiality is part of their code of conduct
- » interpreters are there to assist both the client and the service provider to communicate effectively.

All staff should be made aware of relevant language services policies and be adequately trained to work with interpreters.

### National Interpreter Symbol

The National Interpreter Symbol is a nationally recognised symbol to indicate to people with limited English that they can ask for language assistance.

Service providers should display the symbol especially in client reception and contact areas and on their websites.

*Interpreter Symbol: Guidelines for Use* can be downloaded from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).

Resources promoting the National Interpreting Symbol can be downloaded free from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au) or orders can be placed by emailing [language.services@dpc.vic.gov.au](mailto:language.services@dpc.vic.gov.au).

These resources include the:

- » interpreter symbol multilingual poster
- » interpreter symbol desk tent card
- » interpreter symbol stickers.

There is also a universally recognised symbol for sign language interpretation. This symbol is used to show that Auslan interpreters can be provided. To obtain a copy of this symbol please contact Vicdeaf at [auslanconnections@vicdeaf.com.au](mailto:auslanconnections@vicdeaf.com.au)



### Interpreter Card

The Victorian Interpreter Card is an easy and effective way for people with limited English to request language assistance.

The wallet-sized card shows the National Interpreter Symbol and a space to insert the cardholder's preferred language.

The Victorian Interpreter Card can be downloaded free from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).



# ARRANGING AN INTERPRETER

## ASSESSING THE NEED FOR AN INTERPRETER

Wherever possible the need for an interpreter should be determined prior to an appointment. It is important that staff who make the appointment ask if an interpreter is required.

Assessing how well a person can understand English is the first step in identifying the need for an interpreter. Even when a client appears to have adequate proficiency in English, a complex, stressful or unfamiliar situation may affect the client's ability to communicate effectively. Similarly, although a Deaf or hard of hearing person may demonstrate fluency in written or spoken English, they may need, or prefer, to communicate in Auslan through an interpreter.

Engaging an interpreter is strongly recommended if the client:

- » requests an interpreter
- » cannot comprehend or respond to basic questions in English
- » is difficult to understand, or can only respond in a limited way
- » relies on family or friends to communicate
- » prefers to speak in his/her own language
- » speaks English as a second language, and is in a stressful, complex or unfamiliar situation.

To assess a client's level of English language proficiency, the following basic questions may be useful:

- » Why are you here today?
- » Is English your first language?
- » In which country were you born?
- » How long have you lived in Australia?
- » How long have you been learning or speaking English?

If the client cannot respond to these questions fluently, or if the responses are difficult to understand, an interpreter is strongly recommended.



## DETERMINING THE PREFERRED LANGUAGE

While country of birth is a useful starting point, this does not necessarily indicate a client's preferred language. In some countries several languages may be spoken. For example, a person from China may speak Mandarin, Cantonese, Hakka or another Chinese dialect. 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.

The following steps may help to determine a client's preferred language:

- » check for information about spoken or sign language on client files or referrals
- » if a client speaks sufficient English, it may be possible to ask what their preferred language is
- » Use visual aids that list languages. The client may be able to point to the relevant language. Identifying Languages posters are available for order or download from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au)
- » If this fails, contact a language service provider who may be able to assist to identify the language through a telephone interpreter.

Some clients may request an interpreter from a particular country. NAATI credentialed interpreters are able to communicate with the full range of people who speak a particular language regardless of their country of origin. For example, an interpreter credentialed in Arabic is qualified to interpret for Arabic speakers from different countries where Arabic is spoken, such as Egypt, Iraq or Saudi Arabia.

## IF INTERPRETING IS REFUSED

If a client refuses the offer of an interpreter, it is important to try to clarify and address the reasons.

Possible reasons are that the client may:

- » have misunderstood why an interpreter is needed
- » feel confident communicating in English
- » prefer a family member or friend to act as an interpreter
- » know the interpreter assigned to the interview and feel uncomfortable
- » be concerned that they will have to pay for the interpreter
- » be uncomfortable with the gender, religion or ethnic background of the interpreter
- » be worried that their personal information will be disclosed
- » not want to be understood (eg. if the client fears prosecution).

You may wish to engage a telephone interpreter, or speak to friends or family where appropriate, to assist you in understanding the issues, and to explain why an interpreter is needed.

It may also be helpful to point out that:

- » the interpreting service is free
- » the role of a professional interpreter and their Code of Ethics means they must maintain confidentiality and impartiality
- » it is you who needs the interpreter to make sure you perform your role well
- » there are different modes of interpreting and asking whether the client would be more comfortable with a different mode to what you had planned.

If the client continues to refuse the offer of having an interpreter you may choose to continue with the appointment and document your concerns.

## CHOOSING THE MODE OF INTERPRETING

There are three ways to provide interpreting services:

- » onsite (face-to-face)
- » telephone
- » videoconferencing

Remote interpreting (telephone or video conferencing) should be considered in the first instance, if appropriate. Remote interpreting is often a more efficient way to engage an interpreter unless the situation requires the interpreter to attend in person.

Clients have a right to request a particular mode of interpreting. Where possible and practical, the preferred mode should be used.

### Onsite interpreting (face-to-face)

Onsite interpreters attend in person and should be engaged when complex, legally binding or lengthy matters need to be discussed. Onsite interpreting takes into account non-verbal cues (e.g. body language), and therefore is recommended in complex situations.

### Telephone interpreting

Telephone interpreting is particularly useful in emergency situations and when immediate assistance is required. It is also useful for shorter, less complex communication. Telephone interpreting may be the only option in some cases (e.g. in rural and regional areas and when videoconferencing is not available).

Telephone interpreting can also be used to access interpreters in languages for which credentialed interpreters are in short supply. It can also be used to establish the language spoken and the nature of an enquiry before an onsite interpreter is booked. Telephone interpreting can provide increased

confidentiality, particularly in smaller communities, and is also cost effective.

Telephone interpreting works best with landlines but can also be done with mobile phones. It is recommended that a telephone with two handsets or speakerphone be used where possible. Privacy and sound quality should be taken into account when choosing a location for the call.

Telephone interpreters are not suitable for Auslan clients. Calls to someone who is Deaf can be made using an ordinary handset through the National Relay Service (NRS) on 133 677.

### Videoconference interpreting

Videoconferencing allows remote access to an interpreter, enabling face-to-face communication. It shares many of the advantages of telephone interpreting and offers some additional advantages given that it allows for non-verbal cues.

Although videoconferencing facilities are becoming increasingly available, this option is not always possible.

The Department of Human Services has Video Remote Interpreting (VRI) for Deaf and hard of hearing clients. VRI uses video communication technology and the internet to connect to an Auslan interpreter. For further information visit [www.dhs.vic.gov.au](http://www.dhs.vic.gov.au).

## BOOKING THE INTERPRETER

The language service provider requires specific information to book an interpreter.

To book an onsite interpreter, the following information is essential:

- » client's name
- » language/dialect required
- » preferred gender of the interpreter (if relevant)
- » date and time the interpreter is required – ensure you allow time to brief the interpreter beforehand
- » type of appointment, for example, a medical or legal appointment or court hearing, etc.
- » address where the interpreter is required to attend
- » name and telephone contact details of the person the interpreter needs to report to
- » nature of the matter to be discussed, for example, an aged care health assessment, a family violence police interview, etc.
- » anticipated length of the interview
- » the interpreter's name, if a specific interpreter is required for continuity of care reasons.

When booking a telephone or video remote interpreter, inform the language service provider about the telephone or video system that will be used, for example, whether a speaker telephone, a VRI system or a dual handset telephone will be used.

For some clients, the gender, ethnicity or religion of the interpreter will be important. Prior to booking an interpreter, you may wish to ask the client if he or she has a preference.

In some smaller communities, the interpreter may be known to the client. This may present difficulties for the client and or the interpreter especially in sensitive situations. Knowing the name of the interpreter prior to the interview is useful to identify any concerns the client or interpreter may have.

In some circumstances an interpreter will be required immediately and language service providers are often able to provide a telephone interpreter in these situations.



## CASE STUDY

A woman who spoke Korean as her first language went to a police station to report an accident. An unknown person had run into her parked car and left the scene without leaving their personal details. The police officer at the station was having difficulty understanding the client's concerns, and suggested an interpreter be called to ensure that all accident were accurately recorded. The client refused the offer of an interpreter because she thought that she would be charged for this service.

The police officer, not knowing why the client was refusing an interpreter, asked the woman to wait and called a telephone interpreter. After a brief conversation with the interpreter, the police officer understood why the offer of an interpreter had been refused and was able to assure the client that she would not have to pay for the interpreter. With the help of the interpreter, the client was able to file her complaint and the police officer was able to collect the necessary information to investigate further. are significant.



### WHEN AN INTERPRETER IS NOT AVAILABLE

At times it will not be possible to engage a NAATI credentialed interpreter. This may be because none are available in a particular language or because it is not possible to meet the urgency of the request. Rural areas in particular may experience difficulty in securing onsite interpreters.

In these cases:

- » if an NAATI credentialed interpreter is not available at the professional level (certified level from 2018), request an interpreter at a lower level and record the reason for this. Interpreters should not be asked to interpret beyond the skill level for which they are certified.
- » determine if there's an option to reschedule the client's appointment time to when a suitably qualified interpreter is available
- » if an onsite interpreter cannot be found for a rural or regional location, try to arrange a telephone interpreter



# WORKING WITH INTERPRETERS

## PREPARING FOR THE SESSION

- » Consider if time is required to brief the interpreter prior to the session commencing and if so factor this into planning your session.
- » If required, brief the interpreter on the context to help ensure accuracy in the interpreting. Provide general background information, such as the reason for the session, specific terms to be used and what needs to be achieved. Documents may be provided in advance, where appropriate.
- » For onsite interpreting, ensure the room is set up appropriately. Ideally, seats will be arranged in a triangle with the service provider facing the client.
- » For Auslan interpreting it is normally best if the interpreter is seated or stands next to the service provider and opposite the client.
- » For long sessions, a break for the interpreter should be provided – after 45 minutes (consecutive interpreting); after 15 minutes (simultaneous interpreting)
- » Avoid leaving the interpreter alone with the client, either in the room where the interview will take place or a waiting room.
- » For a telephone or video interpreting interview, ensure you have access to the appropriate telephone or video technology, and understand how to work the system.
- » Advise the client of the name of the interpreter in case they know the interpreter and have any concerns about anonymity. Source an alternative interpreter if there are privacy concerns.

## BEGINNING THE INTERVIEW

- » Introduce yourself and the interpreter to the client.
- » Explain the interpreter's role, noting that the interpreter's role is not to add to the communication, but only to interpret what is being said.

- » Explain that the interpreter is bound by the professional interpreting Code of Conduct and that this means the interpreter must protect the client's privacy.
- » Explain the purpose of the session and what you hope to achieve. Do not assume that the client knows what the interview is about.
- » Explain to the client that questions or concerns can be raised at any time during the interview.

## DURING THE INTERVIEW

- » Talk directly to the client (not the interpreter) and maintain eye contact with the client.
- » Use the first person when speaking to the client. For example, say "What time did you arrive today?" instead of "What time did she arrive today?"
- » Use clear language and avoid using slang, colloquialisms and metaphors.
- » Make one point at a time. Pause at the end of a full sentence. Keep questions, statements and comments short. This allows the interpreter to understand and remember what is being said and to interpret in stages.
- » Allow the interpreter to clarify information with you. If there is a need to clarify, ask the interpreter to explain this to the client first.
- » Allow the client to ask questions or raise issues at any time in the interview.
- » If you have any questions about the client's cultural background, ask the client directly and not the interpreter.
- » Summarise the discussion occasionally to ensure the client understands the information.
- » Do not for any reason ask the interpreter to edit or omit information.
- » Any direct questions for the interpreter are best asked at the end of the session.

### AT THE END OF THE INTERVIEW

- » Summarise key points for the client. Check that the client understands any information you have conveyed.
- » Allow the interpreter to leave separately to the client.

### AFTER THE INTERVIEW

- » Debrief the interpreter and discuss any issues experienced in the interview that related to the role of the interviewer or the interpreter.
- » Do not to ask the interpreter to express an opinion about the client or what they have said.
- » Provide feedback about the interpreting session and ways in which the interpreter assisted the interview to run smoothly.
- » Raise any unprofessional or unsatisfactory practices directly with the interpreter at the end of the interview.

### WORKING WITH AUSLAN INTERPRETERS

Auslan interpreters work in a similar way to other interpreters. However, the interpreter will typically need to sit next to the service provider (English speaker) to allow the Deaf or hard of hearing person to maintain eye contact with the speaker, read body language and engage with the interpreter.

### COMPLAINTS AND FEEDBACK

NAATI credentialed interpreters are expected to be accountable and comply with the Code of Ethics developed by the Australian Institute of Interpreters and Translators (AUSIT) or the Australian Sign Language Interpreters Association (ASLIA).

If an interpreter fails to comply with the principles outlined in the relevant Code of Ethics, complaints should be lodged with the language service provider.

The *AUSIT Code of Ethics* is available at [www.ausit.org](http://www.ausit.org).

The *ASLIA Code of Ethics* can be found at [www.aslia.com.au](http://www.aslia.com.au).

If there are issues with the performance of a specific interpreter, discuss these with the interpreter in the first instance. If not resolved, contact the relevant language service provider to make a formal complaint.

Other issues, such as the interpreter not attending, charging incorrect fees or interpreters with inappropriate level of credential, can also be raised with the language service provider.

Language service providers will generally have a complaints policy and processes to resolve issues. Complaints to a language service provider should include the booking reference number, the interpreter's name, the date and time of the booking and a clear description of the issue.

You may also wish to raise some matters with NAATI, as the national standards and accreditation body. Any significant feedback can assist NAATI to make improvements to the credentialing system. NAATI can revoke credentials where there has been a serious breach of professional ethics.

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

# APPENDIX 1: NAATI CERTIFICATION SYSTEM FOR INTERPRETERS

## CURRENT SYSTEM

- » Professional Interpreter - This is the minimum credential recommended by NAATI for work in most settings, including banking, law, health, and social and community services. Professional interpreters interpret across a wide range of semi-specialised situations.
- » Paraprofessional Interpreter - This credential relates to interpreting general conversations. Paraprofessional interpreters generally undertake interpreting in non-specialist areas.
- » Recognised Interpreter - This credential acknowledges that the interpreter has had recent and regular work experience in interpreting, but no level of proficiency is specified. In order to be granted NAATI Recognition, the interpreter must provide proof of English proficiency and complete an introductory NAATI workshop or related activity. There is no NAATI testing for this credential. Recognised interpreters are encouraged to obtain higher accreditation wherever possible.

## 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](http://www.multicultural.vic.gov.au).

*Victorian Government policy currently states that NAATI-credentialed Professional interpreters should be engaged. When Professional interpreters are not available, a NAATI-credentialed Paraprofessional or NAATI-Recognised interpreter may be the only option.*

*For some languages used by communities that have settled more recently in Australia, and also for less common languages, NAATI Professional level interpreters either do not exist or are in short supply. In those cases NAATI Paraprofessional or NAATI Recognised interpreters may need to be engaged.*

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