# MULTICULTURAL LANGUAGE SERVICES GUIDELINES

## FOR AUSTRALIAN GOVERNMENT AGENCIES

### The Multicultural language services guidelines for Australian Government agencies

The *Multicultural language services guidelines for Australian Government agencies* (the Guidelines) aim to provide overarching guidance to officers in the Australian Public Service on policies and procedures relating to language service initiatives, such as the use of domestic interpreting and translating services.

The target group for the Guidelines are those for whom language and culture may present barriers to effective participation in the Australian community. Indigenous languages and AUSLAN are not target groups because they are managed separately.

The Department of Families, Housing, Community Services and Indigenous Affairs is responsible for the development of a whole of government Protocol on Indigenous Interpreting, as part of work underway to develop the National Framework on Indigenous Interpreting with state and territory governments. The Protocol provides overarching guidance to officers in the Australian Public Service on language services for Indigenous communities and complements the Multicultural language services guidelines.

Deaf Australia, the national peak organisation for deaf people in Australia has a national policy on interpreting between AUSLAN and English and also a national AUSLAN interpreter register on their website.

See [Deaf Australia](http://www.deafau.org.au/)

For Australian Government agencies that operate in an international environment requiring the engagement of interpreting and translating services in other countries, there are unique challenges in using language services. Every attempt should be made to adhere to the spirit of these guidelines.

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### FOREWORD

I am pleased to present the *Multicultural language services guidelines for Australian Government agencies*, which accompanies the *Outline of procedures for procuring interpreting services, Outline of procedures for procuring translating services,* and a *Model for assessing interpreting and translating services.*

The Guidelines, the Procedures and the Model replace the previous document *Language services guidelines: A toolkit for Commonwealth agencies*, which was introduced in 2002. Historically, the Australian Government has seen the provision of effective communication services for adult migrants as a key to their social and economic integration. Today, new language skills, cultural competency, the ability to navigate support systems, and access to social networks are some of the issues migrants face in successfully integrating into Australian society. For others who migrated in the decades following the Second World War, the challenges of ageing become more complex as acquired English language skills may become progressively diminished.

For some officers who provide a service to people with different communication needs, their duties may be the first experience of interacting with people from different cultures. Given the right tools to communicate, it is an experience that often brings officers practical understanding of the needs of linguistically and culturally diverse people.

The assistance that Australian Government officers provide may assist individuals and families to integrate more successfully. Language services used in the provision of these services result in opening up the doors to government. The services delivered are not only provided on behalf of government, they area vital part of the Australian Government’s broader multicultural policy and its multicultural access and equity obligations to those migrants who have settled here.

I want to stress the commitment of Australian Government agencies to building and maintaining effective linkages with our diverse communities and fostering participation by all in community life. Through the language services provided to our diverse communities, our aspiration to be a compassionate and inclusive nation is continually satisfied.

I commend these *Multicultural language services guid*e*lines for Australian Government agencies.*

Martin Bowles PSM

Secretary

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### INTRODUCTION

**Cultural diversity has always been a part of Australia’s history. It gives vibrancy and dynamism to Australian life.**

**With each new community that settles in Australia, our nation acquires a new cultural asset, with new customs, festivals and opportunities for a greater understanding of the wider world.**

There are many factors that underlie our success in managing this constant demographic change. Multicultural Access and Equity is the Australian Government’s policy that assists government agencies in the delivery of accessible services and outcomes that are equitable to all Australians. According to this policy, programs and services provided by the Australian Government should be accessible by all eligible Australians, responsive to their needs, and deliver equitable outcomes for them, regardless of their cultural and linguistic backgrounds. This is a key principle of our Multicultural Access and Equity obligations, which are embodied in the Australian Government’s Multicultural Policy, its Settlement Policy and its Social Inclusion Agenda.

Australian Government agencies continue to play a key role through the provision of information, policies, programs and services that are fair and responsive to the needs of individuals and Australia as a whole. This responsiveness by Australian Government agencies also contributes to the effectiveness of its programs and enhances social cohesion by raising public confidence in our institutions.

Although the Australian Government invests heavily in English language tuition, including through the Australian Migrant English Program, the reality is that not all Australians or new settlers will be fully competent in communicating in English.

All Australians have the right to communicate and engage with the Australian Government, irrespective of their first language preference and cultural, ethnic, linguistic and religious backgrounds.

In order for Australian Government agencies to communicate and engage effectively with the community, agencies will need to first consider who their clients are, and then the best ways to provide support services for individual clients. A key component of support services must include those measures taken to assist people who have a limited ability to communicate in English.

By facilitating accurate communication between people who have different language needs, the provision of language services, such as interpreting and translating services, is an important step towards meeting the Australian Government’s commitment to multiculturalism. Language services assist Australians to access the necessary information, programs and services they need to fully participate in society.

The more we do to connect people to Australian Government programs and services, the more cohesive and productive we become.

### LANGUAGE SERVICES

For the purposes of this document, ‘language services’ are defined as the measures taken to assist people who have limited ability to communicate in English. Language services may include:

* provision of credentialed interpreters face-to- face or via telephone or video conference
* translation of documents from English into community languages and vice versa, plain English or use of story boards
* employment of, and access to, accredited multilingual staff
* use of multilingual information and educational material.

### OBJECTIVES

The objectives of the *Multicultural language services guidelines for Australian Government agencies* are to:

* provide a practical framework for Australian Government agencies on all forms of communication in languages other than English
* highlight best practice in language service delivery that reflects Australian Government access and equity obligations
* improve the scope for Australian Government agencies to develop their own targeted and achievable Agency Multicultural Plans, that support their core business and reflect their engagement with Australia’s multicultural communities, including through the use of domestic interpreting and translating services
* assist Australian Government agencies to meet their Multicultural Access and Equity obligations
* increase the collaboration and coordination across Australian Government agencies to develop joint strategies and solutions in providing effective language services.

### BROADER POLICY AND REPORTING FRAMEWORK

### The provision of language services by Australian Government agencies can be a vital means of community engagement. While some Australian Government agencies liaise on a daily basis with people whose English language proficiency is limited, other agencies may do so less frequently.

### Regardless of an agency’s level of interaction with people who have limited English language proficiency, it is important that agencies are aware of:

* the communication needs of people whose English language proficiency is limited
* the role language services play in assisting with Multicultural Access and Equity obligations
* the legislative obligations, policies and reporting mechanisms that frame responsibility for the provision of accessible and equitable programs, policies and services.

### The main elements of the legislative and policy frameworks that support these Guidelines are provided below. Please note that this list is not exhaustive and agencies should research further when developing their own policies, guidelines, procedures or plans; for example, to identify any agency specific legislative requirements.

#### AUSTRALIA’S MULTICULTURAL POLICY THE PEOPLE OF AUSTRALIA

### The Australian Multicultural Policy supports initiatives to strengthen accessible and equitable service delivery. One of Australia’s Multicultural Policy principles states (Australia’s Multicultural Policy:

### *The People of Australia*, 2011, p.5):

### *The Australian Government is committed to a just, inclusive and socially cohesive society where everyone can participate in the opportunities that Australia offers and where government services are responsive to the needs of Australians from culturally and linguistically diverse backgrounds.*

### Australia’s Multicultural Policy acknowledges that Australian Government programs and services must be responsive to the needs of all our communities as a multicultural society and places the onus on the Australian Government to deliver equitable services and outcomes to Australians of all backgrounds.

#### AUSTRALIA’S MULTICULTURAL ACCESS AND EQUITY POLICY

### The Multicultural Access and Equity Policy is part of the Australian Government’s vision of a socially inclusive society in which all Australians are valued and have the opportunity to participate fully. It is embodied in the principle that Australian

### Government policies, programs and services should be applicable to all Australians who are eligible for them, be responsive to their needs, and deliver equitable outcomes.

### The Multicultural Access and Equity Policy has been developed in response to a key principle of Australia’s Multicultural Policy that called for the Australian Government to strengthen its access and equity policies to ensure that government programs and services are responsive to the needs of Australia’s culturally and linguistically diverse communities.

### As such, the Multicultural Access and Equity Policy has been strengthened to demonstrate the government’s ongoing commitment to the core principle that government programs and services should be accessible by all eligible Australians, responsive to their needs, and deliver equitable outcomes for them, regardless of their cultural and linguistic backgrounds.

### At its core, the Multicultural Access and Equity Policy is about public service. It is about government agencies respecting and properly serving the multicultural diversity of Australian society and placing the public at the centre of its considerations. It is also about fairness, ensuring that all Australians have equal access to government services and that government policies and programs respect and consider the needs of culturally and linguistically diverse Australians. These core values, properly implemented, help ensure that culturally and linguistically diverse individuals are active and valued participants in Australia’s ongoing economic, social and cultural development.

### The Multicultural Access and Equity Policy also encompasses the full spectrum of government work, including policy development, communication and engagement. The Policy is therefore not restricted to service delivery agencies. It is important that such engagement is equally effective with all sectors of the community.

#### AGENCY MULTICULTURAL PLANS

One of the key obligations under the Multicultural Access and Equity Policy is for Australian Government departments and agencies to develop and implement two-yearly Agency Multicultural Plans (AMPs). AMPs provide Australian Government departments and agencies with a key tool for building multicultural access and equity considerations into their strategic planning, policy and program development, budget and reporting processes and program and service deliveries.

AMPs are based around six ‘dimensions’, each of which has its own set of minimum obligations, which Australian Government departments and agencies are required to meet and report on, with the opportunity to report on additional actions supporting the obligations. Each of these dimensions also encompasses the broader communication and engagement activities of Australian Government departments and agencies, and includes minimum obligations that the Australian Government has committed to delivering in the area. The key dimensions and minimum obligations include:

**1. Leadership**

* Executive accountability: an agency should assign a Senior Executive Officer to be responsible for implementation of multicultural access and equity obligations in the agency.
* Agency commitment: agency leadership to ensure that staff understand and are committed to multicultural access and equity implementation.

**2. Engagement**

* Stakeholder engagement: an agency to have a stakeholder engagement strategy to understand culturally and linguistically diverse communities’ interaction with their agency.
* Language and communication: an agency to have a Language and Communication Plan for multicultural communities, including on the use of languages other than English and incorporating the use of interpreters and translators.

**3. Performance**

* Performance indicators and reporting: an agency to develop a set of key performance indicators (KPIs) relating to engagement with, or outcomes of services to, culturally and linguistically diverse clients.
* Feedback: an agency to have arrangements to ensure affected culturally and linguistically diverse communities are able to provide feedback on agency multicultural access and equity performance.

**4. Capability**

* Cultural competency: an agency to have training and development measures to equip staff with appropriate cultural competency skills.
* Research and data: an agency to collect relevant ethnicity data on the culturally and linguistically diverse groups with which the agency engages and to which it delivers services directly or indirectly.

**5. Responsiveness**

* Standards: any whole-of-government standards and guidelines developed by the agency must address multicultural access and equity considerations.
* Policy, program and service delivery: provision to ensure that policies, programs, community interactions and service delivery (whether in- house or outsourced) are effective for culturally and linguistically diverse communities.
* Outsourced services: where relevant, provision for incorporation of multicultural access and equity requirements into contracts, grant agreements and related guidance material of which the agency has carriage.

**6. Openness**

* Publishing: an agency to publish its AMP on its website and performance reports against agency KPIs for culturally and linguistically diverse communities in agency annual reports.
* Data: an agency to make culturally and linguistically diverse data available to other agencies and the public.
* A Multicultural Access and Equity Policy toolkit (the Toolkit) is available to assist departments and agencies with developing their AMPs. More information can be found at: [Department of Immigration and Citizenship, Access and Equity](http://www.immi.gov.au/multicultural-access-equity)

#### AGENCIES’ LANGUAGE AND COMMUNICATION PLANS

In the key area of engagement, each agency is required to have in place a Language and Communication Plan for multicultural communities. The plan should address the use of languages other than English and incorporate working with interpreters and translators.

The development of an agency’s Language and Communication Plan should provide a clear framework for when and how to use language services as well as consideration of the linguistic diversity of Australia’s population in the context of its functions. Research projects, contractual arrangements and data collection initiatives should incorporate linguistic diversity.

The Language and Communication Plan should be flexible enough to facilitate arrangements for language services when required, and to provide guidance on the specific procedures for using language services.

The information and best practice examples provided in this document, along with the step- by-step guides within the Toolkit, should assist Australian Government agencies to develop their Language and Communication Plans. The

National Accreditation Authority for Translators and Interpreters (NAATI) is available to assist Australian Government agencies with best practice guidance.

Further information on the Toolkit and NAATI can be found at: [Department of Immigration and Citizenship, Access and Equity](http://www.immi.gov.au/multicultural-access-equity) and [National Accreditation Authority for Translators and Interpreters](http://www.naati.com.au/)

#### THE AUSTRALIAN GOVERNMENT’S SETTLEMENT POLICY

The Australian Government’s Settlement Policy supports the economic, social and humanitarian benefits of migration. This involves addressing the needs of new arrivals to assist them to develop the knowledge and skills they need to become active and independent participants in Australian society. This also requires governments and society to be responsive to the cultural, linguistic and religious diversity of migrants.

See: [Settlement Policy](http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-policy/)

#### THE RACIAL DISCRIMINATION ACT 1975 (CWLTH)

The Racial Discrimination Act gives effect to Australia’s obligations under the United Nations International Convention on the Elimination of All Forms of Racial Discrimination (1965). Section 9 ( I) of the Racial Discrimination Act provides that it is discriminatory and unlawful to treat a person unfavourably on the basis of: *race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.*

According to the Human Rights Commission Fact Sheet *Racial Discrimination: Know Your Rights ,*3 racial discrimination is interpreted to mean:

* less favourable treatment because of race, colour, descent, national or ethnic origin, or immigrant status
* a rule or policy that is the same for everyone but has an unfair effect on people of a particular race, colour, descent, nationality or ethnic origin or immigrant status.

See: [Racial Discrimination Act 1975](http://www.comlaw.gov.au/Details/C2012C00236) and [Australian Human Rights Commission](http://www.humanrights.gov.au/publications/know-your-rights-racial-discrimination-and-vilification)

#### THE AUSTRALIAN PUBLIC SERVICE ACT 1999 (CWLTH)

The Australian Public Service Act 1999 (the APS Act) requires all Australian Government agencies to recognise the diversity of the Australian community. Specifically, the APS Act (Section 10, the Australian Public Service Values), requires all Australian Government agencies to give effect to the delivery of services in a fair, effective, impartial and courteous manner and to be sensitive to the diversity of the Australian public.

See: [The Public Service Act 1999](http://www.austlii.edu.au/au/legis/cth/consol_act/psa1999152/)

#### SOCIAL INCLUSION AGENDA

The Australian Government’s vision of a socially inclusive society is one in which all Australians are valued and have the opportunity to participate fully in the life of our society.

The Social Inclusion Agenda seeks to address any economic and social disadvantage and recognises that to be socially included, all Australians must be supported to: secure a job; access government services; connect with family, friends, the work environment, personal interests and their local community, when dealing with personal crises; and have their voices heard.

#### THE FREEDOM OF INFORMATION ACT 1982 (CWLTH)

The *Freedom of Information Act 1982* (the FOI Act) expressly recognises that information held by the Australian Government is a national resource and is to be managed for public purposes. This includes access for people with limited English language proficiency.

See: [Commonwealth Consolidated Acts](http://www.austlii.edu.au/au/legis/cth/consol_act/foia1982222/)

Reforms to the FOI Act promote a pro-disclosure culture across government and build a stronger foundation for greater openness and transparency in government. A significant change to the FOI Act is the information publication scheme for Australian Government agencies that:

* requires Australian Government agencies to publish information publication plans
* specifies categories of information that must be published
* provides a means for Australian Government agencies to proactively publish other government information.

Note: The scheme does not apply to a small number of security and intelligence agencies that are exempt from the FOI Act.

Each agency must publish (on its website) a plan showing how it proposes to meet the requirements of the information publication scheme. The plan must indicate:

* what information the agency proposes to publish
* how and to whom the agency proposes to publish the information
* how the agency otherwise proposes to comply with the scheme.

The FOI Act specifies nine categories of information that Australian Government agencies must publish (in addition to their IPS plan) these being:

1. details of the agency’s structure (e.g. in the form of an organisation chart)
2. details of the agency’s functions, including its decision-making powers and other powers affecting members of the public
3. details of statutory appointments of the agency
4. the agency’s annual reports
5. details of consultation arrangements for members of the public to comment on specific policy proposals
6. information in documents to which the agency routinely gives access in response to requests under the FOI Act
7. information that the agency routinely provides to Parliament
8. details of an officer (or officers) who can be contacted about access to the agency’s information or documents under the FOI Act
9. the agency’s operation information (which is information that assists the agency to exercise its functions or powers in making decisions or recommendations that affect members of the public. This includes the agency’s rules, guidelines, practices and precedents relating to those decisions and recommendations).

In striving to achieve greater openness and transparency in government, consideration needs to be given to reaching people with limited English language proficiency. Agency Multicultural Plans and initiatives for publishing information determined necessary by the FOI Act should incorporate consideration and actions for disseminating information to people with limited English language proficiency.

See: [Office of the Australian Information Commissioner, The information publication scheme for Australian Government agencies](http://www.oaic.gov.au/publications/fact_sheets/FOI_fact_sheet4_the_information_publication_scheme.html)

#### THE CRIMES ACT 1914 (CWLTH)

Section 23N of the *Crimes Act 1914* states that:

*Where an investigating official believes on reasonable grounds that a person who is under arrest or a protected suspect is unable, because of inadequate knowledge of the English language or a physical disability, to communicate orally with reasonable fluency in that language, the official must, before starting to question the person, arrange for the presence of an interpreter and defer the questioning or investigation until the interpreter is present*

See: [Crimes Act 1914](http://www.comlaw.gov.au/Details/C2012C00890/Html/Volume_1#_Toc342645923)

### THE ROLE OF LANGUAGE SERVICES IN AUSTRALIAN GOVERNMENT

To ensure that fair, accessible and responsive policies, programs and services are provided to the community, Australian Government agencies need to consider incorporating:

* linguistic diversity into data collections, research projects, contractual arrangements, program and policy development
* the costs of engaging with people with limited English language proficiency in
* New Policy Proposals, budgeting exercises and procurement
* the efficiency and effectiveness of meeting the needs of people with limited English language proficiency in program evaluation processes.

Note: Adapted from the report from the Commonwealth Ombudsman, Use of Interpreters, Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations, Department of Immigration and Citizenship, Report No 03/2009.

These considerations are not new. Historically, they have played a significant part in multicultural access and equity obligations for Australian Government agencies. New initiatives, such as these guidelines and the development of Agency Multicultural Plans and Language and Communication Plans, are aimed at assisting agencies to meet their multicultural access and equity obligations.

The benefits of providing language services are not only enjoyed by people accessing Australian Government programs and services, but also by the Australian Government agencies that communicate and engage with the community. These benefits include:

* fair and equitable access to government programs and services as well as the ability to engage with the Australian Government
* compliance with multicultural access and equity obligations
* equivalent service standards across Australian Government agencies
* better informed clients
* accurate information communicated to Australian Government agencies and individuals
* contribution to Australian Government agencies’ duty of care obligations (where relevant)
* obtaining informed consent from individuals (when required)
* compliance with legal obligations
* enhancing quality of program and service delivery, including potential cost savings resulting from a more targeted approach
* reducing the potential for compensation claims and litigation related to inadequate service provision
* enhanced social cohesion through participation of all Australians in society.

### IDENTIFYING TARGET GROUPS

Different Australian Government agencies communicate with different segments of the Australian community. This means that the language and communication needs of the target groups with which agencies engage will vary. It is therefore crucial that every agency understands its own target groups and tailors its languages services accordingly. Even within an agency’s target audience there may be different audiences for particular products, services or messages. Being able to identify language service requirements at this level will improve the success of each communication. Target groups can be identified in a number of ways:

* ABS Census data provides information on the Australian population as a whole; see [Australian Bureau of Statistics](http://www.abs.gov.au/)
* Agency data collection. When interacting with their clients, it is best practice for agencies to collect data on linguistic and communication preferences so that agencies can tailor their communication with clients with limited English proficiency. Agency data collection is an obligation under Agency Multicultural Plans.
* Department of Immigration and Citizenship Settlement Database (the database provides the general public with statistical data on permanent arrivals to Australia), see [Settlement Reporting](http://www.immi.gov.au/settlement)

### COSTS AND FUNDING

The costs of language services is an important consideration that must be factored into the cost of service delivery for Australian Government agencies and their contractors from the start. For example, it is important that Australian Government agencies consider the costs for the delivery of interpreting and translating services when developing New Policy Proposals, other budget bids, or when developing programs and services. An ‘Assessing interpreting and translating services requirements’ model is provided in these Guidelines. This can assist Australian Government agencies when estimating the costs of providing language services in their funding and service arrangements.

It is particularly important for Australian Government agencies to build these considerations into their procurement processes. This will ensure that those organisations seeking to deliver services on behalf of the Australian Government fully understand the diversity of the community, and can incorporate realistic costs (including those for language services) into their tender proposal or grants application.

Funding arrangements that do not adequately provide for third parties to deliver language- appropriate services to clients with limited English language proficiency create challenges to equitable service delivery. Issues and costs may also arise at a later date if services have not been appropriately delivered initially.

#### BEST PRACTICE EXAMPLES - COSTS AND FUNDING

When the **Australian Taxation Office** (ATO) calculates the cost of a communication campaign or strategy, it includes the costs of activities to address cultural and linguistic barriers, such as research and evaluation, typesetting and printing, audio and visual production, as well as community and media relations (seminars and community events), launch events, advertising and staffing costs.

The **Department of Human Services** (DHS) plans ahead when developing or adjusting programs and services by assuming that a percentage of affected DHS customers will be multicultural. This percentage can be higher for measures that may affect a disproportionate number of people with limited English language proficiency. The number of customers identified is then used to calculate the cost of factors such as interpreters, translated products, multicultural communication strategies and work undertaken by DHS.

### PROCURING LANGUAGE SERVICES

The method of procuring language services should be based on likely demand patterns and expenditure, and best value for money. It is important that staff know whom to contact when a language service is required. The main purchasing methods are:

* Contracts with language service providers. Where there is significant expenditure on language services, Australian Government agencies should assess the benefits of establishing a formal contract with an approved language service provider. Such contracts should specify the same standards required of the provider that the agency would apply to itself; for example, contracts should specify that interpreters accredited or recognized by the National Accreditation Authority for Translators and Interpreters Ltd (‘NAATI- credentialed’) should be engaged wherever possible.
* Ad hoc buying. Where demand and expenditure are low or unpredictable, Australian Government agencies may wish to procure language services on an as needed basis from freelance interpreters/translators, or a language services provider (while ensuring that these purchasing processes are in line with Commonwealth Procurement Rules), or drawn from a panel of interpreters/translators already established.
* Direct employment. Some Australian Government agencies directly employ full-time or part-time interpreters/translators or bilingual workers where there is stable and significant demand in a given language, and/or where interpreters using particular languages are often needed in emergency situations, such as in hospitals. This approach is not suited to Australian Government agencies with low levels of demand, or where there are changing levels of demand in different languages, or where this may represent a conflict of interest. While bilingual workers may be employed by government agencies they should not be asked to carry out sensitive/complex translating and interpreting tasks (unless they hold a NAATI credential); in those cases, NAATI-credentialed interpreters should be engaged.

Where an Australian Government agency uses an established interpreting service, procedures should be in place to direct dial an interpreting service provider for immediate connection to an interpreter in the event that a person with limited English language proficiency ‘drops in’ to the service agency.

#### COMMONWEALTH PROCUREMENT RULES

Procurement of language services should take the following requirements into consideration.

Australian Government agencies subject to the Financial Management and Accountability Act 1997 (FMA Act) and relevant Commonwealth Authorities and Companies Act 1997 bodies are required to comply with the 2012 Commonwealth Procurement Rules (CPRs).

The CPRs represent the procurement policy framework under which Australian Government agencies govern and undertake their own procurement and combine both Australia’s international obligations and good practice. Together, these enable Australian Government agencies to design processes that are robust, transparent and instill confidence in the Australian Government’s procurement.

The CPRs contain mandatory requirements that apply to all procurements, regardless of their value.

### MONITORING, EVALUATION AND REPORTING

It is imperative that Australian Government agencies regularly monitor and evaluate the language services they have provided to ensure that service design and delivery are both effective and responsive to the needs of people with limited English language proficiency and to multicultural access and equity obligations.

By implementing monitoring and evaluation arrangements, Australian Government agencies can record performance targets, track progress, highlight lessons learned and facilitate improvement of government programs and activities.

To assess whether Australian Government agencies are committed to effective language services, some important questions to ask include:

* Is management within the agency committed to the development and implementation of effective language services? (Multicultural access and equity obligations require that the management commit to this.)
* Does the agency have a Language and Communication Plan for multicultural communities in place to reflect this commitment?
* Are resources allocated to support the planning, implementation, evaluation and quality assurance of language services?
* Does the agency have a range of strategies and initiatives in place to meet the language needs of people in the community with limited English language proficiency?
* Is there a planned and sustained approach to training staff in the use of language services and in following policy and procedures?

Monitoring, evaluation and reporting initiatives on the delivery of language services could include:

* taking into account linguistic diversity in data collections, research projects, contractual arrangements, program and policy development
* factoring language costs into procurement processes in agencies’ Chief Executive Instructions on procurement
* incorporating the needs of clients with limited English language proficiency as a consideration in agencies’ New Policy Proposals, budgeting and procurement guidelines
* considering the efficiency and effectiveness of meeting the needs of clients with limited English language proficiency
* considering the number of people provided with language services, the number of language services provided and the languages in which they were provided
* addressing issues arising where demand was not met (e.g. instances where language service providers were unable to provide requested services)
* assessing the proportion of translators and interpreters who have NAATI credentials and the type of credential held by the interpreters and translators engaged
* addressing the percentage of staff who have received training on how to access language services and how to work with interpreters
* analysing details from client satisfaction surveys
* addressing systemic issues encountered while using language service providers
* responding to feedback from communities and ethnic support agencies
* following up on feedback received
* budgeting expenditure for the provision of language services.
* Each agency’s Language and Communication Plan and Agency Multicultural Plan is aimed at facilitating a more structured approach to evaluation and reporting, both at an agency and whole-of- government level.

#### RECORDING DETAILS

Australian Government agencies should have an internal register or record management system where information about language services provided to people with limited English language proficiency is recorded. An adequate record assists in providing an effective service to individuals, fosters agency transparency and accountability, and can contribute to increased cost efficiencies through better targeted services. The information obtained can also be used for statistical, planning, reporting and future costing purposes. It also provides evidence of an agency’s efforts to meet its access and equity responsibilities in this area, particularly in instances where the offer of a language service is declined.

Accurate record keeping is essential in assessing the extent to which Australian Government agencies are meeting the access and equity needs of people with limited English language proficiency. Officers should keep a record of each individual’s language service needs, including preferred language and dialect, any gender or other requirements, and the type of language service. When an interpreter is engaged, officers should record relevant identifying details. When an interpreter is offered but declined by the person with limited English language proficiency, this should also be recorded.

Additional information that officers may wish to collect includes:

* the occasions when the language service was accessed
* the occasions when a language service was not available and why
* the way in which the language service was accessed
* the way in which the person with limited English language proficiency found out the language service was available
* the way the officer located or decided on the service
* the duration of the language service provided
* the cost of each language service used.

#### BEST PRACTICE EXAMPLES - MONITORING, EVALUATION AND REPORTING

Staff of the **Office of the Commonwealth Ombudsman** are required to record each occasion whenthey engage the services of an interpreter or translator as a means of monitoring usage and acquitting invoices and expenditure. The information recorded includes:

1. a booking code
2. a job number
3. the language, including dialect
4. the interpreter details (name or, at a minimum, whether the interpreter was male or female)
5. date, start and end time of call
6. any relevant comments regarding the service provider or special needs of the client.

The **DHS’s Centrelink** system records a customer’s language preference(s) as part of the initial information- gathering process. This provides a base line for management information. Centrelink also collects customers’ preferred languages. This helps determine what languages are in demand and where, and what languages are hard to service and require further interpreter procurement action. DHS also reports in its annual report the details of the number of limited English language proficiency speaking contacts and other services that are in place.

### MECHANISMS FOR FEEDBACK, COMPLAINTS AND COMPLIMENTS

As with any administrative decision, the quality of the information that informs the decision and natural justice considerations affects its credibility and reasonableness.

Where comments are received on an agency’s information that has been interpreted or translated, the agency should have a database for action and reporting. Other considerations include the following:

* Complaints against interpreters/translators should be incorporated into Australian Government agencies’ standard feedback mechanisms.
* The complaints handling information should be readily accessible to individuals, preferably in a number of key languages (DIAC’s complaints brochure is in English and 29 other languages).
* Client satisfaction surveys should include questions on satisfaction with language services.
* Opportunities should be provided to staff to provide their views on end user usage of language services and any barriers to accessing language services.
* Where a dispute arises over the information provided through an interpreter, it may be necessary for the agency to provide a further opportunity for the person with limited English language proficiency to provide information through a different interpreter.

#### BEST PRACTICE EXAMPLES - MECHANISMS FOR FEEDBACK, COMPLAINTS AND COMPLIMENTS

The **ATO** convenes twice-yearly community consultation forums for people with limited English language proficiency in Melbourne and Sydney. This provides an opportunity for community organisations, community leaders and media outlets for people with limited English language proficiency to provide feedback to the ATO on the information needs of the community as well as on existing ATO information and services.

The **Department of Immigration and Citizenship** (DIAC) website includes a direct link on its homepage titled ‘compliments and complaints’ which provides people with information in English about DIAC’s complaints policy and how to make a complaint. Individuals can complain using an online form, telephone DIAC’s Client Service Feedback line, write to DIAC directly, or use the tear-off feedback form attached to DIAC’s Compliments and complaints brochure. A link to DIAC’s complaints brochure in English and 29 other languages is also provided, and provides information on using Translating and Interpreting Service (TIS) National

The **Attorney General’s Department’s** Access to Justice website is part of a comprehensive package of measures to improve access to justice in the community. The website provides members of the public and service providers with easily accessible information about the location and range of legal information and related service providers in their area. The Access to Justice website provides information in English and 16 other languages to help people connect with a service that can assist them to resolve their issues. The diverse language material emphasises connecting people with services that can provide an interpreter.

See: [Attorney General's Department - Access to Justice](http://www.accesstojustice.gov.au/)

### STAFF TRAINING

Australian Government agencies are encouraged to provide staff with appropriate training on when to engage a language service and how to work with a language service provider, including identifying and engaging the appropriate level of NAATI-credentialed interpreter or translator.

Information on an agency’s preferred language service providers (in compliance with CPRs) should be readily available on Australian Government agencies’ intranet and in their Language and Communication Plan.

Practical steps for staff training that Australian Government agencies may wish to consider include:

* the provision of a cross-cultural communication module as part of induction training for new starters
* the provision of the Multicultural language services guidelines for Australian Government agencies in new starter induction packs
* holding access and equity forums and training sessions for staff on a regular basis
* regular newsletters that are distributed to staff to include language services issues
* an intranet page with helpful and easily accessible resources for staff (including information on financial delegations for costs of language services).

#### BEST PRACTICE EXAMPLES - STAFF TRAINING

**DIAC’s** Translating and Interpreting Service (TIS) National produced a three-part promotional DVD that is a useful training resource for organisations that work with interpreters.

The DVD also provides a simple guide for accessing interpreters through TIS National. The DVD can be found at: [Living in Australia](http://www.immi.gov.au/living-in-australia)

Further information can be found through TIS National’s Client Liaison and Promotions team at: tispromo@immi.gov.au

In addition to providing training during induction, the DHS has developed an award-winning training video/DVD on Working with interpreters. The DVD covers common problems faced when working with interpreters, and includes step-by-step strategies for running streamlined three-way interviews. It includes nine scenarios in a variety of settings including DHS (Centrelink) offices, banks, councils and doctors’ surgeries, as well as tips on how to work with telephone interpreters and interpreters for the deaf and hearing impaired. DHS has also developed another training product called Multicultural customer service training. This training is reinforced by DHS’s Multicultural Service Officers who have responsibility for monitoring interpreter interactions and providing staff with further guidance and training.

### OMBUDSMAN’S BEST PRACTICE PRINCIPLES

Arising from its review of the use of interpreters by selected Australian Government agencies, the Ombudsman’s Office proposed eight best practice principles for Australian Government agencies to adopt. The principles should serve to assist Australian Government agencies when developing their Agency Language and Communication Plans and their Agency Multicultural Plans. The principles state that agencies should:

* have a policy on the use of interpreters
* promote access to interpreter services
* provide fair, accessible and responsive interpreting services
* specify who can be engaged as an interpreter
* provide staff training
* maintain good records
* provide an accessible complaint handling mechanism
* promote qualified interpreters.

See: [Commonwealth Ombudsman, Use of Interpreters, Australian Federal Police, Centrelink, Department of Education, Employment and Workplace Relations,](http://www.ombudsman.gov.au/files/investigation_2009_03.pdf)

#### BEST PRACTICE EXAMPLE - OMBUDSMAN’S BEST PRACTICE PRINCIPLES

The **DHS** has clear policies that provide step-by-step guidance to staff regarding why and how to access an interpreter and translator. These policies have been identified by the Commonwealth Ombudsman as best practice. Topics covered include interpreting and translating services, communicating with customers, booking an interpreter/translator, working with customers with special needs, and languages by country. The policies are accessible to staff on the DHS’s internal website and in its electronic reference suite for staff, which details policies and work procedures.

### GUIDELINES FOR ORAL COMMUNICATION (INTERPRETING)

THIS CHAPTER COVERS ORAL COMMUNICATION WITH PEOPLE WITH LIMITED ENGLISH LANGUAGE PROFICIENCY. GENERALLY THIS WILL OCCUR IN PERSON, VIA TELEPHONE OR BY VIDEO-CONFERENCING AND INVOLVE A TWO-WAY EXCHANGE. SUCH INTERACTION WILL USUALLY REQUIRE AN INTERPRETER, BUT THERE ARE CIRCUMSTANCES WHERE IT MAY BE APPROPRIATE TO WORK WITH BILINGUAL STAFF.

There are a range of situations where oral communication with a person or group of people with limited English language proficiency may arise, such as seeking or providing information, determining eligibility for and accessing government services, or participating in the policy and program development process. For example:

* at a government shopfront
* contacting a government call centre
* appearance before a court or tribunal
* group information sessions
* focus groups or community consultations
* medical appointments
* receiving government services
* making a complaint
* participating in an investigation.

### WHAT LANGUAGE OR DIALECT IS REQUIRED?

The language and dialect of a person should be the first consideration to be taken into account before using a language service. It is misleading to guess a person’s language by country of birth. Always ask what language the person prefers to communicate in. For example, a person from the People’s Republic of China may speak Mandarin, Cantonese, Hakka or another Chinese language.

A practical tool that your agency may wish to use is the *I need an interpreter* card. The wallet-sized card, featuring the National Interpreter symbol, is designed to assist limited English language proficiency speakers to request an interpreter when they need to communicate with Australian Government agencies, community groups and businesses. Clients with limited English language proficiency can simply show the card to advise that they need an interpreter. The Translating and Interpreting Service (TIS) National is managed by the Department of Immigration and Citizenship. Language services provided by TIS National are available to all government agencies, community organisations and individuals on a user pays basis.

*I need an interpreter* cards can be ordered from the TIS National Client Liaison and Promotions team at: tispromo@immi.gov.au. Other interpreting service providers may also have similar products available.

### WHAT ARE ‘NEW AND EMERGING’ LANGUAGES?

A new and emerging language is one which:

* has only recently (although not exclusively) become a spoken language in Australia
* has become a spoken language in Australia through the recent arrival of migrants (usually refugee/humanitarian entrants)
* is not an Australian Aboriginal or Torres Strait Islander language
* is not widely spoken or commonly known in Australia
* has not yet reached the stage where academic education or instruction, or NAATI accreditation in translating and interpreting, is readily or widely available in Australia.

Due to the changing nature of Australia’s Humanitarian and Migration Programs, the Australian Government is continually encouraging and recruiting interpreters in new and emerging languages. Interpreters in new and emerging languages are critical to recent arrivals accessing Australian Government services in Australia.

#### BEST PRACTICE EXAMPLE - WHAT ARE ‘NEW AND EMERGING’ LANGUAGES?

DIAC provides funding for the New Interpreters Project, administered by NAATI, to address the shortage of credentialed interpreters in new and emerging languages. The project aims to increase the number of NAATI-accredited and recognised interpreters in new and emerging languages that are in demand in both metropolitan and selected regional areas of Australia. Project participants receive funding to undertake a preparatory workshop and to meet the other fees associated with applying to NAATI for recognition as an interpreter or for paraprofessional interpreter accreditation testing.

#### WHAT TYPE OF LANGUAGE SERVICE IS REQUIRED?

Interpreters can be requested to provide a service on site, via video conferencing or over the telephone. In an on-site interpreting setting all parties who wish to speak to one another are located in the same place. Telephone interpreting involves a three-way- conversation between an individual (or group), an interpreter and an officer, all of whom may be in different locations. Video-conference interpreting involves the same process as telephone interpreting, except that all parties are able to view each other, and specific equipment is required.

#### Telephone interpreting

Officers should consider telephone interpreting in the first instance, unless there is good reason why an on-site interpreter is required.

There are several advantages associated with engaging a telephone interpreter (rather than an on-site interpreter), including:

* an increased pool of available interpreters irrespective of the client location (as their time is used more effectively and travel time is not required)
* cost effectiveness
* availability in emergencies and for immediate assistance
* increased confidentiality and privacy, particularly in smaller communities.

#### On-site interpreting (face-to-face)

An on-site interpreter attends a meeting or interview in person. On-site interpreters may be engaged when it is considered more practical to do so, or where sensitive and complex issues are to be discussed. On-site interpreters may also be engaged for matters that take a considerable length of time.

On-site interpreters could be considered in instances where communication involves:

* sensitive or complex, time-consuming issues
* group meetings or interviews planned in advance
* situations where, for practical reasons, telephone interpreting is not appropriate; for example, where there is heavy reliance on mobile phones.

#### Video-conference interpreting

Video-conference interpreting involves an interpreter to deliver a service via video-link and allows remote access to an interpreter. The benefits of video- conference interpreting include enabling face-to-face communication with an individual with limited English language proficiency and an interpreter without the travel time and expense. This enables the interpreter and individual with limited English language proficiency to view non-verbal communication cues, such as facial expressions. You should check with the interpreter provider regarding the costs of this service and the electronic equipment required.

Location: The spread of population across Australia poses substantial challenges to the delivery of language services. Achieving equitable service delivery in rural, regional and remote areas can be challenging.

In many languages, particularly new and emerging languages, there is a limited pool of NAATI credentialed interpreters Australia-wide. These shortages are likely to be more pronounced outside metropolitan areas.

Telephone interpreting or video-conferencing may assist in facilitating access to interpreters in new and emerging languages, or when services are required in rural or remote areas.

#### BEST PRACTICE EXAMPLE - WHAT TYPE OF LANGUAGE SERVICE IS REQUIRED?

The **Department of Human Services’ Child Support Agency (CSA)** has a phone-first policy in all customer engagement that supports telephone interpreting in preference to on-site interpreting. This encourages all staff to engage telephone interpreters for all basic interactions with limited English language proficiency speakers so that CSA staff can understand an individual’s needs and provide assistance as required.

### INTERPRETERS

Engaging a credentialed interpreter (i.e. an interpreter accredited or recognised by NAATI) should be considered when a client:

* requests an interpreter
* cannot be understood in English
* states they speak little or no English
* does not appear to understand information given in English
* nods or says ’yes’ to all comments and questions (noting this may demonstrate a lack of understanding or possibly a cultural sign of respect)
* indicates a preference to speak in another language
* cannot respond adequately to a question
* speaks in a language other than English at home or with friends
* is unable to explain or demonstrate key information
* is a newly arrived migrant, refugee or humanitarian entrant
* is in a stressful or emotional state or in an unfamiliar environment.

A credentialed interpreter must be engaged:

* whenever possible, but especially where the information is complex and it is important that the information is precisely conveyed
* where there is a risk that the person with limited English language proficiency could misunderstand the information and the misunderstanding could lead to a risk to themselves or others
* where there is a potential conflict of interest
* where Australian Government officers are obliged by their agency’s legislative requirements to engage an interpreter
* when the client produces an I need an interpreter card.

### THE ROLE OF AN INTERPRETER

Interpreters provide an accurate transfer of meaning between the two languages of what is being said. Interpreters should be independent of the person with limited English language proficiency. They are not advocates or counsellors and, in general, they should not be asked to provide advice, an opinion, an explanation, or any other assistance beyond interpreting the conversation.

The interpreter must **not:**

* provide advice as to how to answer a question
* elaborate or explain the meaning of a question (If the limited English language proficiency speaker is confused by a question or gives a confused response, the interpreter should interpret that to the person asking the questions.)
* provide opinion about the accent and language of the client with limited English language proficiency, except as it relates to the accuracy of the interpreting
* make comments to the client with limited English language proficiency, or to the person asking the questions (If the limited English language proficiency speaker asks the interpreter a personal question, or says something which is irrelevant in the interpreter’s opinion, in all instances it is the role of the interpreter to make this known.)
* express an opinion as to whether a statement made by the client with limited English language proficiency is true or not true
* discontinue interpreting because the interpreter considers the client with limited English language proficiency has a reasonable command of English.

NAATI credentialed interpreters are bound by the Australian Institute of Interpreters and Translators (AUSIT) Code of Ethics and should provide impartiality in fulfilling their interpreting role. It is not uncommon for individuals to request an interpreter with a particular ethnic, cultural, political and/or religious background; however, there are associated risks with this that Australian Government agencies should take into account:

* Interpreters are professionals and are NAATI- credentialed based on their ability to transfer meaning between two languages. Using specific interpreters, based on their cultural, religious and/or political background could be considered a breach of anti-discrimination and equal employment opportunity legislation.
* The great majority of interpreting and translating services, including those provided by TIS National, will not give the requesting agency a choice in determining the cultural, religious and/or political background of a contracted interpreter, as they are not required to collect this information from interpreting staff. To do so may also be considered a breach of anti-discrimination legislation.

### WHO SHOULD PROVIDE INTERPRETING SERVICES?

Australian Government policy is to engage only NAATI-credentialed interpreters unless there are compelling reasons not to do so; for example, in emergencies or when an insufficient number of credentialed interpreters are available.

An agency’s policy on interpreters should clearly state who should and should not be engaged as an interpreter.

A NAATI-credentialed interpreter is one that has been accredited or recognised by the national accreditation authority. Credentialing ensures an interpreter is competent in both languages (English and the language for which they hold a credential) as well as governed by the AUSIT code of professional conduct and ethics.

There are five pathways to obtain a NAATI credential. NAATI awards translating and interpreting accreditation credentials to candidates who meet the standards for:

* completion of a NAATI-approved tertiary course
* performance of a NAATI accreditation test
* assessment of qualifications obtained overseas
* membership of recognised international translating and/or interpreting professional bodies
* advanced standing in translation or interpreting (also known as ‘recognition’).

NAATI acknowledges several formal levels of accreditation: conference, professional and paraprofessional. Every effort should be made to engage the highest NAATI-credentialed interpreter available (that is, normally NAATI Professional level and above for accredited languages) for all sensitive, complex and technical matters. This requirement should be covered in any contracts for interpreting services.

If an interpreter is required for new and emerging languages where accreditation is not yet available, interpreters with NAATI recognition should be engaged wherever possible.

Revalidation is the mechanism by which translators and interpreters with NAATI credentials demonstrate at regular intervals that they remain up-to-date and committed to the highest level of competency and currency in the profession. From 1 July 2012 NAATI credentials with an expiry date (awarded from 1 January 2007) require revalidation every three years. It is good practice to engage NAATI-credentialed interpreters who participate in the revalidation system.

In a small number of dialects/languages a NAATI- accredited or recognised interpreter may not be available, or an insufficient number of NAATI- credentialed interpreters may be available. In these instances, employers of interpreters should have quality assurance processes in place to deliver appropriate standards and levels of competency (as defined in the procurement process).

Depending on the type of interaction with a client with limited English language proficiency, an officer may need to also take into account factors such as gender and dialect when arranging for an interpreter.

Officers must consider the potential legal and other consequences of adverse outcomes when using non–NAATI-credentialed people to ‘interpret’ if a NAATI-credentialed interpreter is in fact available.

When using an interpreter, the following should also be considered.

* Is the interpreter insured for professional indemnity, public liability and workers compensation?
* Is the interpreter cleared by Australian
* Federal Police checks?
* Is the interpreter bound by the AUSIT Code of Ethics?

The supply of interpreters in the Australian interpreting industry is fundamentally determined by migration patterns and market forces. There is a finite pool of people with capabilities in both community languages and English and the professional skills needed to work as NAATI- credentialed interpreters. This especially applies to people with capabilities in new and emerging languages. Booking interpreting services in advance will assist with securing an interpreter for an assignment.

#### BEST PRACTICE EXAMPLES - WHO SHOULD PROVIDE INTERPRETING SERVICES?

The **Social Security Appeals Tribunal (SSAT)** provides clear guidelines on the use of NAATI-credentialed interpreters. The function of the SSAT requires that NAATI-credentialed interpreting is provided where this is needed by applicants or other parties who engage with the tribunal. There would be risk of harm to a party’s legal rights if they were not afforded NAATI credentialed interpreting services when needed to communicate with the tribunal. In a hearing context, the information being discussed is often complex and it is extremely important that it is precisely conveyed.

**TIS National** currently has more than 2300 interpreters on its panel. TIS National’s recruitment policy is to only recruit NAATI-accredited interpreters, where NAATI accreditation is available, and recognised interpreters, where accreditation is not yet available.

Occasionally however, due to operational requirements, it is necessary to recruit interpreters without NAATI credentials. To ensure that the quality of TIS National interpreters is not compromised, applicants without NAATI credentials must undergo a stringent recruitment process and demonstrate excellent English language skills and in-depth understanding of the AUSIT Code of Ethics. If suitable, they are required to sign an undertaking of sitting a NAATI accreditation test within 12 months of joining the TIS National panel of interpreters.

Whilst on the panel the interpreters are encouraged to participate in professional development activities, which are promoted by TIS National via a monthly newsletter for interpreters.

TIS National also works closely with the various leading Australian education providers to promote interpreting courses in new and emerging languages so that the interpreters will have an opportunity to obtain NAATI credentials by successfully passing an approved course.

### THE ROLE OF BILINGUAL STAFF

Within this document, the term ’bilingual’ refers to someone who speaks two languages fluently and has the ability to understand and communicate effectively in two cultural environments.

Bilingual staff are people who can perform their duties in two (or more) languages but they are not interpreters and should not be as asked to work as interpreters. Australian Government agencies should be aware of the difference between bilingual work and interpreting and ensure guidance on the appropriate roles to be performed by bilingual staff within an agency is included in the agency’s Language and Communication Plan for multicultural communities.

A bilingual staff member may be engaged by an agency to fill ‘simple communication’ gaps when working with individuals with limited English language proficiency. ‘Simple communication’ must be viewed as communication where the outcome has limited risk of adverse effects for both the person with limited English language proficiency and the organisation. Bilingual staff should not be asked to communicate information that is legally binding, or that puts at risk either the organisation or the person with limited English language proficiency. This role should be performed by a credentialed interpreter.

There are a number of important issues to consider when using a bilingual staff member employed by an Australian Government agency, or third party provider (or an interpreter):

* Do they have the NAATI Language Aide certificate?
* Are there ethical implications? (Bilingual workers are not interpreters and so are not bound by the AUSIT code of ethics, but will be bound by the Australian Public Service (APS) Code of Conduct.)
* Is there a real or perceived conflict of interest in performing the role; for example, when a decision maker acts as the interpreter?
* Is there potential for misunderstandings to occur? Knowing a foreign language well for everyday communication is not the same as having the ability to accurately convey complicated information from one language to another, which is what credentialed interpreters are qualified to do.

Where an officer is unable to access a NAATI- credentialed interpreter, a bilingual staff member with the appropriate language aide credential may be asked to interpret, depending on the situation. For example, officers should, wherever possible, only engage bilingual workers for simple communications such as assistance in contacting appropriate services or arranging appointments. Officers should avoid allowing bilingual staff to interpret complex, detailed, technical or sensitive information due to the potential for misinterpretation and conflict of roles, particularly where the outcome could be legally challenged.

Some Australian Government agencies provide a language allowance to staff who are fluent in English and one or more languages other than English. Employees are paid an allowance to work directly with speakers of languages other than English, and agree to use their language skills to assist members of the public who have low English language proficiency. It is preferable that allowance recipients be credentialed by NAATI, which confirms that recipients’ skills meet national standards for interpreters and language aides. Note that holders of the Language Aide credential are not qualified to act as interpreters or translators (see the Glossary). Agencies’ Language and Communication Plans for multicultural communities should provide clear guidance on where the agency feels it is and is not appropriate to involve bilingual staff as interpreters in particular situations.

#### BEST PRACTICE EXAMPLES - THE ROLE OF BILINGUAL STAFF

The **DHS** provides a full call centre service for Centrelink customers who speak a language other than English. Customer enquiries are answered by bilingual staff who work in Centrelink’s multilingual call centre. All bilingual staff members in DHS who use their language skills where there is a business need in their workplace for a language other than English are paid the Community Language Allowance.

The **Office of the Commonwealth Ombudsman** maintains a panel of providers who are to be used when interpreting or translating services are required. In addition, the office maintains a register on the intranet of staff who are able to provide interpreting services and who receive the Community Language Allowance. These staff may be called to provide face-to-face interpreting in the office in which they are located. Staff are not expected to transfer calls across offices to makeuse of a staff member’s language skills.

The **ATO** has a Community Language Allowance (CLA) program through which employees who speak a language other than English are recruited to assist the ATO with interpreting, translating and proofreading services. There are currently 81 NAATI-accredited staff in the ATO CLA program that also support community relations activities, including assisting with seminars, festivals, radio programs and related activities.

**Can family members/friends provide interpreting services?**

To ask a person’s carer, family member or friend to interpret complex, technical and sensitive information is discouraged. Relying on a person’s friends, children or other relatives to act as an interpreter can have serious consequences such as:

* breach of privacy and confidentiality
* lack of impartiality
* filtering of personal information to ‘protect’ their relative or friends
* using information for private advantage or gain
* inability to cope with subject matter or specialised terminology
* in rare cases, vicarious trauma.

There are instances where, for practical reasons, a person’s friend or family member (over the age of 18) may be asked to interpret simple messages, such as where and when an appointment has been scheduled, or, in extreme circumstances where only family or friends are available, to provide language services (e.g. at sea on a suspect illegal fishing vessel).

**Children under 18 years of age are not appropriate interpreters in any context.**

A child should not be asked to interpret because:

* they almost certainly do not have the required interpreting skills
* the process can seriously distort power and authority relationships within a family
* the parent or service provider may not be able to disclose all the information in order to protect the child from information that is not age appropriate.

**What real, potential or perceived risks should I be aware of?**

A real conflict of interest is one where there is an actual conflict between an interpreter’s duties and responsibilities, and their private interests.

**EXAMPLE:** An interpreter is also the registered migration agent of a person with limited English language proficiency. The interpreter has an active interest in the outcome of the case, which could impact on their capacity to be impartial in their interpreting responsibility.

A potential conflict of interest arises where an interpreter has private interests that could conflict with their public duties.

**EXAMPLE:** An interpreter is also a distant relative of the person with limited English language proficiency. Although the NAATI-credentialed interpreter is expected to act impartially, a potential conflict may arise where the interpreter (depending on the proximity of the relationship) may act in the person’s interest. This has potential to create a conflict of interest between the interpreter’s duty to act impartially and their private interest in protecting their relative.

A perceived conflict of interest can exist where a third party could form the view that an interpreter’s private interest could improperly influence the performance of their duties, now or in the future.

**EXAMPLE:** A NAATI-credentialed interpreter acts as both the interpreter and decision maker in a sensitive child support case. A third person may perceive that a conflict of interest exists as the interpreter is not seen to be acting impartially and independently from the decision-making process.

Conflicts of interest can be identified and avoided through the effective use of NAATI-credentialed interpreters. These people are bound by the AUSIT Code of Ethics, which requires disclosure when a conflict of interest occurs, or has the potential to occur.

#### BEST PRACTICE EXAMPLE - CONFLICT OF INTEREST

**DHS** staff always supply the name of the person requiring assistance when booking interpreters. This provides an interpreter with the opportunity to declare a conflict of interest up front (e.g. when the person is a relative). Dealing with conflict of interest forms part of the interpreter’s contract and is addressed at the familiarisation sessions that are held when they first join the register. All DHS staff, including bilingual staff, have been trained to identify situations that may give rise to a conflict of interest and are provided with guidelines on how these situations should be dealt with.

According to the AUSIT Code of Ethics, 14 interpreters and translators are protected from a conflict of interest by adhering to the following rules:

* Do not recommend to individuals any business, agency, process, substance or material matters in which they have a personal or financial interest, without fully disclosing this interest to them.
* Disclose all conflicts of interest, including assignments for relatives or friends, and those affecting their employers.
* Do not accept, or withdraw from, assignments in which impartiality may be difficult to maintain because of personal beliefs or circumstances.

**People can perceive a conflict of interest in a bilingual staff member who fulfils both the role of decision maker and interpreter.**

Government agency staff members, including bilingual officers, are not bound by the AUSIT Code of Ethics. Even though government officials must adhere to the APS Code of Conduct, which requires disclosure of any real or potential conflict of interest, the scope of the APS Code of Conduct is not explicit in regard to circumstances where a bilingual staff member is communicating with individuals or groups. Involving a bilingual worker in communicating with a person with limited English language proficiency may inhibit disclosure of any concerns they may have regarding the bilingual worker’s agency.

**A conflict of interest arises when a family member/friend is used to interpret sensitive, complex or technical information.**

If a friend or family member acts as an interpreter in a situation where a conflict of interest cannot be avoided, that conflict of interest must be appropriately managed and documented. Consent should be sought from the individual to use the family member or friend as the interpreter, particularly if the family member or friend has a pecuniary or other vested interest in the matters under discussion.

Although the onus of declaring a conflict of interest rests with the individual interpreter, Australian Government agencies should encourage the disclosure in their Language and Communication Plan, by:

* directing staff to ask the interpreter whether there is a real or potential conflict of interest before the assignment
* requesting interpreters to sign a conflict of interest declaration before the engagement (depending on the nature of the service).

To minimise any possibility of conflicts of interest in the future, Australian Government agencies should record this information on file or in their language services register.

### WHAT IF A PERSON REFUSES A LANGUAGE SERVICE?

If you feel you require language services (such as an interpreter) to communicate effectively with a person who has limited English language proficiency but they disagree then you should inform them that language assistance is needed to continue the conversation.

Several strategies to try could include:

* explaining to the person that it is you who require the language service, not them
* speaking with family members or friends present to ascertain the reason why the person is refusing the language service
* engaging a telephone interpreter to assist you in ascertaining the issues and explain the need for the language service.

If the person with limited English language proficiency is adamant that a language service is not required, it is recommended that a file note be made (or recorded in your agency’s register) noting their decision.

### PROCURING INTERPRETING SERVICES

When procuring the services of a NAATI-credentialed interpreter, the language service provider will require specific information to process the booking, such as:

* the person’s name
* the language/dialect required
* the preferred gender of the interpreter
* the date and time the interpreter is required (include time to brief the interpreter)
* the type of appointment (e.g. medical or legal, individual or group session)
* the address of the agency requiring the interpreter
* the name and telephone contact details of the person to whom the interpreter reports
* the nature of the matter to be discussed (e.g. aged-care health assessment)
* the approximate duration of the appointment
* whether you or the client wish to have a specific interpreter for continuity of care reasons
* the level and currency of the interpreter’s NAATI credentials
* the telephone system that will be used if booking a telephone interpreter (e.g. speaker phone).

### PROVIDING CONTEXTUAL INFORMATION

Investigative agencies such as the Australian Federal Police, tribunals and courts have particular practice requirements that interpreters must adhere to for on-site assignments. This highlights the importance of providing interpreters with contextual information, such as translations of commonly used terms.

#### BEST PRACTICE EXAMPLE - PROVIDING CONTEXTUAL INFORMATION

The **Migration Review Tribunal (MRT)/ Refugee Review Tribunal (RRT)** provide interpreters with contextual information on what to expect during their on-site assignment. The guidelines also provide background information, including the role of the tribunals and key terms used in the migration context, such as the definition of ‘refugee’ in the Refugees Convention. The MRT/RRT have also developed a resource folder with translations of the ‘refugee’ definition in several commonly used languages, which is available in the hearing room for the reference of applicants and interpreters.

### GUIDELINES FOR WRITTEN AND AUDIO-VISUAL COMMUNICATION (TRANSLATION)

THIS CHAPTER COVERS COMMUNICATION WITH PEOPLE WITH LIMITED ENGLISH LANGUAGE PROFICIENCY VIA WRITTEN OR AUDIO-VISUAL MATERIAL. COMMUNICATION OF THIS NATURE IS USUALLY ONE-WAY; FOR EXAMPLE, INFORMATION IS PROVIDED BY AN AUSTRALIAN GOVERNMENT AGENCY TO A RECIPIENT OR RECIPIENTS. THE COMMUNICATION CAN OCCUR VIA A RANGE OF MEDIA SUCH AS WEBSITES, BROCHURES, NEWSPAPERS, MAGAZINES, TELEVISION, RADIO OR DVD, AND REQUIRES THE MESSAGE TO BE TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH.

There is a range of situations in which communication with a person or groups of people with limited English proficiency via written or audio- visual material may arise. These include:

* government information or advertising campaigns
* information about government policies or services
* requests for community input in program or policy development.

### PREPARING FOR TRANSLATION OF MATERIAL

Translating is the process of transferring written source language texts to equivalent written or spoken target language texts. Translation covers not only transfer of meaning, but also many other factors. The concepts, structure, syntax, lexicon and grammar of one language may differ radically from that of another.

Australian Government agencies may want to consider developing a glossary of terms for translations to ensure that common words or phrases for that agency are consistently translated in the same way.

When materials need to be translated, best practice dictates that this be undertaken by NAATI- credentialed translators. This means the actual translation is carried out by the NAATI-credentialed translator, and this translator’s stamp is affixed to the finished text. Translations should be independently checked by at least one other credentialed translator.

Agencies should clearly articulate in their Language and Communication Plan the approval processes required for material to be translated and any preferred translating service.

### IDENTIFYING APPROPRIATE MATERIAL FOR TRANSLATION

Australian Government agencies are required to engage with the community for a range of reasons and to promote access to all their programs and services, including the provision of information in English and other community languages, where appropriate.

If written information is needed for people who can read English it may also be needed for people who cannot.

Translated material is useful for:

* providing detailed information to people for whom English is not their first language
* improving community knowledge of available services, resources, rights and entitlements
* in some cases, reducing or eliminating the need for an interpreter.

**Consideration should be given to:**

* whether the material addresses a topic that is likely to be sensitive or unfamiliar to the target audience (if so, you may wish to consult with ethnic community organisations, community workers and/or relevant individuals)
* developing alternatives within translated documents, as well as other forms of information dissemination for people with limited English language proficiency
* the audience’s reaction to what you are saying (e.g. how is this type of information handled, and what tone and type of language are normally used in the specific culture you are targeting when discussing the issues you are presenting?).

### CONSULTATION

To ensure that printed material is useful and linguistically appropriate, it is important to consult with migrant community organisations, community workers (preferably those that work in the specific field covered by the information material) and community members.

These consultations should provide additional insight into the following crucial factors:

Individuals who do not need an interpreter for verbal communication may still prefer written information to be translated.

* Individuals may not be literate in their preferred language. This may be the case for people from countries with oral traditions.
* Workers in the field and ethnic communities can advise about which language groups have a significant need for translated information.
* Smaller, recently arrived communities are likely to have fewer alternative information sources, such as internet access and community networks, than established communities.
* Some language groups regard printed information as a more useful source of information than verbal sources.
* Some languages do not have a written form or have had a written language for a short period of time, resulting in little experience of using written texts for information.

In most cases, the most effective communication strategy will be a combination of translated material with other language services.

#### BEST PRACTICE EXAMPLE - CONSULTATION

The **ATO** has a Community Relations team to deliver tax assistance, support and educational activities nationally, while taking into account issues relating to cultural and linguistic diversity. The team’s expertise in diverse cultures, community engagement, technical tax knowledge and multilingual skills are the key to building the communities’ confidence in ATO services.

As part of the Access and Diversity Unit, the team of community relations staff are supported by over 30 part-time and casual bilingual officers to deliver tax information sessions, media monitoring, presenting tax information on radio and television as well as participating in community events.

In 2011–12 the ATO community relations team presented 454 tax segments on national SBS radio and on 12 community and commercial radio stations in 22 languages, presented 140 language and basic English tax seminars for 4684 new arrivals, delivered more than 261 face-to-face community tax advisory sessions at community centres, and attended 51 key community events.

### COMMUNITY PROFILES

Community profiles seek to present the ‘cultural’ characteristics (along with demographic data) of multicultural communities. Having an understanding of your agency’s clients also includes an awareness of the main languages they speak based, for example, on the demographics and migrant settlement patterns of multicultural communities.

The Department of Immigration and Citizenship has developed Community Profiles to assist service providers to better understand the backgrounds and needs of Humanitarian Program arrivals. They are available at: www.immi.gov.au

(Note: Community profiles are not intended to lead to stereotyping and should be used with caution.)

#### BEST PRACTICE EXAMPLE - IDENTIFYING THE APPROPRIATE LANGUAGE FOR TRANSLATION

The **DHS’s Child Support Agency (CSA)** currently offers its customers translated versions of key publications in five languages: Arabic, Chinese, Spanish, Turkish and Vietnamese. The publications are translated into the five languages based on available demographic data of the most commonly spoken languages other than English, and results of previous CSA research indicating the predominant cultural backgrounds of its customers.

### IDENTIFYING THE APPROPRIATE LANGUAGE FOR TRANSLATION

Selecting languages for the translation of information can be challenging. Considering the languages with the highest number of speakers may not necessarily be the most targeted or useful approach. Often what is required is an understanding of the target audience, their language needs and the type of materials that are to be translated.

In determining what languages should be selected, an officer may wish to use the following tools:

* Demographic data: if the text is required for the entire Australian population, officers may wish to translate documents in the most common community languages.
* Country and language lists: to determine the languages spoken in a particular country of origin.
* Community profiles: if the text targets specific groups, such as newly arrived refugees and humanitarian entrants, community profiles can assist in providing culturally appropriate information.

**Factors to consider**

Officers are encouraged to consider the following factors collectively when deciding the appropriate languages for translated communication materials.

* **Product usage:** correlate usage of products and services with users. This will help in determining how many users are from multicultural backgrounds.
* **Reach:** provide information to the largest portion of affected customers when considering language needs.
* **Language needs:** understand factors associated with limited English language proficiency and literacy levels, such as socioeconomic background and community, and language support (in-language radio broadcasts, ethnic newspapers, etc.)
* **Level of language:** the level of language (informal, contemporary, ‘street speak’, formal) will be determined by the target group of the translated material and should be specified to the translator.
* **System data:** use language service usage data from your agency’s systems to identify future language needs (e.g. demand for interpreter services).

This may be apparent based on your client profiles. If not, you can seek information from:

* [ABS Census](http://www.abs.gov.au)
* [Department of Immigration and Citizenship Settlement Database](http://www.immi.gov.au/settlement)
* local government authorities
* the [Victorian Multicultural Commission](http://www.multicultural.vic.gov.au)
* a website that lists certified languages by country, for example [Certified Languages](http://www.certifiedlanguages.com/) and [Ethnologue](file:///C%3A%5CUsers%5CDN0005%5CAppData%5CLocal%5CTemp%5Cwww.ethnologue.com)

#### BEST PRACTICE EXAMPLE - IDENTIFYING THE APPROPRIATE LANGUAGE FOR TRANSLATION

The ATO realises that when it comes to providing translated materials it is not possible or necessary to translate each product into every language spoken in Australia.

By taking a strategic approach and prioritising the languages for translation the ATO can maximise the resources available to the groups that will most benefit from the translated materials.

Priority languages are determined using research findings and statistics sourced from the Australian Bureau of Statistics and DIAC. The data is based on a combination of demographic variables including population size, English language proficiency, the number of people recently arrived in Australia and new arrival growth pattern over the last four years.

The ATO is currently reviewing its priority languages list with the release of the latest Census data and can share the information with other government agencies upon request.

### WHAT MEDIUM SHOULD I SELECT FOR TRANSLATED INFORMATION?

Consultation with target community groups, the interpreting and translating industry, and linguistic experts may be necessary to identify the preferred communication medium. Australian Government agencies should consider using a range of communication channels. For example:

* audiotapes, CDs or DVDs may be considered for those who require or prefer oral information, particularly for when literacy in a first language may also be low
* website information, pamphlets, fact sheets and brochures may be used for those who prefer written information
* storyboards may be used for those who prefer pictorial information; see [Moreland Community Services](http://www.moreland.vic.gov.au/community-services)

#### BEST PRACTICE EXAMPLE - WHAT MEDIUM SHOULD I SELECT FOR TRANSLATED INFORMATION?

The **Australian Customs and Border Protection Service’s** ‘Know before you go’ brochure is available in 14 languages. It is aimed at providing important information to travellers on how to prepare and what to expect when passing through Customs and Border Protection at an international airport or seaport. The brochure was translated into the 14 languages in recognition of access and equity principles and is available at [Customs and Border Protection](file:///C%3A%5CUsers%5CDN0005%5CAppData%5CLocal%5CTemp%5Cwww.customs.gov.au).

### WHAT SHOULD I CONSIDER WHEN PREPARING DOCUMENTS OR MATERIAL FOR TRANSLATION?

The translation of information intended for members of the public should be in simple, plain English. A translation will be far more effective if the original English text is clear and stylistically consistent.

Consideration may need to be given to seeking specialist advice on communication products. This could assist in decisions on considerations such

as whether it is appropriate to simply translate an English language product, whether the product needs to be adapted or modified, or whether a completely different product should be developed.

Some of the things to consider when preparing material for translation are given below.

* Ask ‘What am I writing for, and for whom?’ Adhere to the document’s purpose: is it to provide information (e.g. fact sheets, brochures or pamphlets) or is it to receive information
* (e.g. questionnaires or surveys)? What are the key messages that need to be communicated? What are the key pieces of information that need to be obtained?
* Do not include large amounts of information.
* Consider the use of maps, pictograms or diagrams as these can be more effective with international readers than lengthy text.
* Use short and concise sentences.
* Do not use metaphors, colloquialisms, or culturally specific humour.
* Use plain English.
* Replace uncommon words with common ones.
* Explain concepts that are introduced which may be unfamiliar (check whether your agency has a glossary of terms that could be passed on to the translator).
* Use specific rather than general terms.
* Use an active voice.
* Use consistent grammar.
* Avoid ‘officialese’, ‘legalese’ and professional jargon.
* Avoid lengthy titles by breaking them down into shorter ones.
* Use clear and appropriate headings.
* Keep the most important ideas and messages at the beginning.
* When using shortened forms (abbreviations, acronyms or initialisms) spell out in full at the point of their first use.
* Allow background explanation for concepts in Australian society (e.g. Goods and Services Tax, Australian Business Number).

**What is plain English?**

The term ‘plain English’ refers to clear language that a target audience can readily understand and act on the first time they read it. While it uses words and expressions that are familiar to everyone, it is not simplistic or childish. Even complex concepts and legal documents, such as contracts and legislation, can be written in plain English while maintaining legal accuracy.

Plain English is effective because it:

* focuses on the message
* uses no more words than are necessary
* avoids jargon and complex language.

Note: Text-based products featuring non-Roman fonts (such as Asian and Middle Eastern languages) will require typesetting and translation services, as most Australian Government agencies will not have the software that supports these languages.

### WHAT SHOULD I CONSIDER WHEN PREPARING DOCUMENTS OR MATERIAL FOR TRANSLATION?

The **Department of Agriculture, Fisheries and Forestry (DAFF)** has produced a *Foreign language reference guide*. The guide aims to assist Australian Quarantine and Inspection Service (AQIS) officers working at airports to communicate with people with limited English language proficiency about items of concern, and to understand product information printed in a foreign language on product packaging. The guide includes 17 languages and general advice for staff in managing communication with limited English language proficiency speakers.

**Copyright and liability**

It is illegal to use someone else’s work without their permission, regardless of whether it is translated into another language.

* Check to see if the material being translated is under copyright.
* Check on the copyright rules of the translating organisation.
* Seek formal written approval from the author or authorising person before requesting the translation of copyright material.
* Verify with parties concerned whether you are permitted to translate documents of a confidential or legal nature.

Consider providing clauses in any translation contracts that require the translating organisation to insert a copyright notice on all written material. For example:

*In all Contract Material supplied in accordance with the definition of ‘Contract Material’ in Clause*

*1.1.1, the Contractor must insert the following Commonwealth Copyright Notice on the first page of all written or paper based Contract Material:*

*© Commonwealth of Australia [2013]*

*This work is copyright. Apart from any use as permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission from the Commonwealth. Requests and inquiries concerning reproduction and rights should be addressed to the Department of Immigration and Citizenship, 6 Chan Street, Belconnen, ACT, 2617.*

**Guidelines on information and advertising**

The Department of Finance and Deregulation administers the Guidelines on information and advertising by Australian Government departments and agencies, which apply to all FMA Act agencies. These guidelines provide a framework for conducting all publicly funded information and advertising campaigns, which include printed and online products and/or materials. These guidelines explain the context in which Australian Government campaigns should be conducted, when they can be conducted, how campaign materials should be presented, and the legal and procurement responsibilities that need to be considered. See: [the Department of Finance and Deregulation](file:///C%3A%5CUsers%5CDN0005%5CAppData%5CLocal%5CTemp%5Cwww.finance.gov.au)

**The Commonwealth Electoral Act 1918 and the Broadcasting Services Act 1992**

The *Commonwealth Electoral Act 1918* and the *Broadcasting Services Act 1992* contain provisions that require the identification and authorisation of all advertisements and other printed materials that contain political and electoral matters. This ensures that regulators and Australian voters know who is responsible for the statements contained in publications or broadcasts. Due to the broad scope of political and electoral matters covered by these Acts, products appearing as part of an advertising campaign (not just advertising but brochures, posters and DVDs) must be authorised to ensure compliance with these laws.

### WHO CAN I ENGAGE TO PROVIDE TRANSLATING SERVICES?

The translation of documents should be performed by a NAATI-credentialed translator whenever possible. If a NAATI-credentialed translator is not available, or cannot provide translation services for the language required, a non–NAATI-credentialed translator can be considered.

An agency’s policy on translators should clearly state who should and should not be engaged as a translator.

The role of a translator is to convey in another language what has been written by keeping the semantic and stylistic equivalence. A skilled translator possesses the ability to translate ideas, style and expressions, not just words.

Being devoted to the meaning of the original text is the basic responsibility of a translator. It is vital that the translator displays knowledge and experience in the source and target language and, most importantly, to the subject content.

When considering using a translating service, some questions to ask include:

* What level of accreditation does the translator have?
* NAATI accredits translators at four levels: paraprofessional, professional, advanced and advanced senior. Ask to see the translator’s NAATI certificate, ID card or translator stamp.
* Accreditation may be unavailable for language groups that are uncommon or recently established in Australia. However, NAATI may accord recognition to acknowledge that a translator has had recent and regular experience.
* The Australian Government’s policy is that agencies should use NAATI- accredited translators at the professional level where available, paraprofessional level as the next option, and recognised translators only when professional and paraprofessional levels are not available.
* Does the translator have qualifications or experience in the relevant field (e.g. health)?
* It is preferable, but not always possible, to work with a translator who has some familiarity with the relevant subject matter, concepts and terminology.

When advertising campaign material needs to be translated, the standard practice is that this is undertaken by translators who have been credentialed by NAATI. Translations should always be independently checked by another NAATI- credentialed translator. If the subject matter of the campaign includes complex, technical or legal content, material should be ‘back-translated’ (the engagement of a second translator – possibly from another agency – to translate a document back into its original language) to ensure the translation correctly reflects the original text. The design, production and despatch of translated advertisements and other campaign materials should be undertaken by a specialist supplier.

Australian Government agencies should note that NAATI-credentialed translators are able to provide certification on request that their translation is true and accurate to the best of their knowledge. Certification includes the translator’s name, details of their NAATI accreditation/recognition, language and language direction, date and signature.

For more information visit the [AUSIT](http://www.ausit.org).

Australian Government agencies should be aware that some translation service providers may use offshore translators. If a requirement for NAATI- credentialed translators is included in a contract, this may be met by using a NAATI-credentialed translator to complete quality assurance on work completed by offshore translators. Best practice is for the translation to be done by a NAATI-credentialed translator and to be quality assured by at least one other NAATI-credentialed translator.

Agencies should specify if they have a preference for how the work is completed, in line with Commonwealth Procurement Rules and how data is stored in line with the Australian Government

Information Management Office’s publication ‘*Better Practice Guide for Privacy and Cloud Computing for Australian Government Agencies*’.

#### BEST PRACTICE EXAMPLES - WHO CAN I ENGAGE TO PROVIDE TRANSLATING SERVICES?

The **ATO** has established a panel of service providers to assist with the provision of strategic advice, translation services, cross-cultural training, product development and radio and TV production services that supports the delivery of critical messages to audiences whose first language is not English.

Establishing the Diverse Audiences Services panel has streamlined procurement processes, obtained value for money and optimised quality standards.

Within the ATO deeds of standing offer with individual suppliers, the ATO has included a clause on ‘piggy backing’ which allows other Australian Government agencies to join the contractual arrangements entered into between the ATO and the contractor for the same goods or services.

The **Department of Health and Ageing (DoHA)** website has a list of online translation tools that can be used by consumers to translate small amounts of information. While these tools are helpful, they are simple mechanical translations and cannot necessarily be relied upon.

DoHA has a disclaimer on the website.

The disclaimer reads:

Disclaimer: The external website translation services found on this page are not owned or operated by the Department of Health and Ageing.

The Department of Health and Ageing does not warrant the accuracy, authenticity or completeness of any information translated via these services and does not control, nor does it accept liability for, any loss suffered due to reliance on these translation services. It would be advisable to obtain independent professional advice in relation to any information translated using the external website translator service from the Department’s [website](http://www.health.gov.au).

**Use of automated translation services in translating government information**

Sometimes the timeframes for translating text may not suit a particular situation or schedule. In an effort to reduce timeframes, some Australian Government agencies may consider using automated translation services available on the internet. This option should only be used with caution and only when all other options have been discounted. A quality assurance process should be established before this type of translation is considered or conducted. Legal advice on necessary disclaimers if such systems are to be used is essential.

Australian Government best practice is that translation of government documents should be performed by a NAATI-credentialed translator wherever possible.

Note: Non-accredited but bilingual staff or automated translations should not be used as a substitute for a NAATI-credentialed translator, particularly where the content of the document could have significant legal consequences for the agency.

In addition, automated translation software is commonly used by some translation service providers. Agencies should seek to understand the capabilities and limitations of the software and consider whether the use of such software is appropriate for the type of translation required before procuring such a service. The use of online automated translations tools should not be used for the translation of government publications or information.

Multilingual staff may be considered to translate informal documents for everyday work practice; for example, when a person with limited English language proficiency requires a translation of standard information into the written language indicated on their *‘I need an Interpreter’* card. Otherwise, staff should only be used to undertake translations if they hold the appropriate NAATI accreditation or recognition.

**Do you know your agency’s translating service provider?**

Some Australian Government agencies, including the Attorney-General’s Department, maintain a register of translators whose services are used regularly. Your agency should have listed the preferred translation service provider and the method of using its services in its Language and Communication Plan. If not, a translator can be sourced from translation services in the Yellow Pages, or a search conducted for an available translator on the NAATI website Online Directory at [www.naati.com.au](file:///C%3A%5CUsers%5CDN0005%5CAppData%5CLocal%5CTemp%5Cwww.naati.com.au) or in the AUSIT directory at [www.ausit.org](file:///C%3A%5CUsers%5CDN0005%5CAppData%5CLocal%5CTemp%5Cwww.ausit.org).

### WHAT PARAMETERS SHOULD I DEFINE FOR THE TRANSLATION SERVICE PROVIDER?

When requesting translations:

* Specify the target audience for the translated publication.
* Specify the layout required for the translation.
* Provide any material, such as graphics or tables, that is to be included.
* Advise of any software requirements.
* Specify your final translation format, such as printed, CD or email (note that translations are often loaded onto the internet in PDF documents, whereas HTML can be a more accessible format).
* Specify if you require the work to be done by a NAATI-credentialed translator in Australia.
* Specify any quality assurance measures required (e.g. a second NAATI-credentialed translator to proof read the translation).
* Indicate your delivery and address requirements, whether by post, facsimile or courier.
* Provide translators with background material, including a glossary of any program-specific or specialist terms used, to assist them in understanding the document.
* Ensure that the translator has been given a contact to discuss any issues that arise during the translation process.
* Indicate the date you require your translated material. If the translation is urgent, check that the translation can be completed on time and if urgency fees apply.
* Consider any time constraints that may affect your translation timeline; for example, desktop publishing requirements.
* Indicate if certification is required (such as an agency or NAATI stamp, or an affidavit to be signed by the translator).
* Check whether professional indemnity insurance cover is included (to cover instances where your organisation becomes involved in
* a legal issue regarding the translation). If your agency has a contract with an interpreting provider, this should be included.

### WHAT COSTS DO I NEED TO IDENTIFY?

Fees for translations vary depending on the complexity and length of the assignment. An approximate rate, or a formal quotation of translation costs, can be requested at the time services are procured.

You should obtain an itemised, written estimate from the translator or agency to establish the per-word cost, turnaround time and any administration fees, and to document any special instructions before the project is assigned to the translator. Information should be sought on the fees that may apply if:

* the translation job is cancelled, or changes are required to the English text
* the translation will be proof read and/or edited by a second translator (either by requesting this service from the translation agency or,
* if working with an individual translator, by selecting a second translator to perform proof reading and editing services)
* translations of important information need to be checked (back-translated to allow comparison with the original text) by another translator
* the costs involved for any changes or discrepancies and for final proofing of the typeset copy.

### REMEMBER

Ascertain whether your agency has existing arrangements for obtaining translating services (e.g. a Translations Provider Panel or access to a department-funded credit line for language services) and the process for seeking approval to translate Australian Government agency documents.

### THE FINAL TRANSLATION PRODUCT

**What should I look for in the final version of a translated document?**

Proofreading should include:

* checking for misspellings
* layout (does it match the source language document?)
* fonts (have correct fonts been used?)
* headers and footers (are they consistent with the source language document?)
* correct spelling of names
* pagination (is it the same as in the source language document?).

It is good practice to ensure that:

* each version of the document includes a time and date stamp and that changes are clearly marked on each version for the translator
* the final typeset copy is proofread by a credentialed translator before the document is printed or loaded electronically
* you consider having the document translated back into English (back-translation)
* the final translation document includes a reference in English to the document title and the language into which it has been translated (to allow service providers to identify the language for distribution purposes)
* the translated document is field tested
* with relevant organisations or personnel to ensure there are no discrepancies before the document is distributed more widely
* there is a disclaimer on the translated document stating that the act of translating the document does not guarantee its authenticity if the document has been provided by a third party. An example of a disclaimer covering this issue is provided over the page. (Note: agencies should check with their Legal areas when finalising their own disclaimer).

**SAMPLE DISCLAIMER**

The Commonwealth does not guarantee the authenticity of the document from which this translation was made and expresses no views as to the accuracy or otherwise of any information contained in the original document or this translation. The Commonwealth gives no warranty in relation to this translation, including the accuracy of the translation. The Commonwealth and its officers, employees or agents shall not be liable for any damage, loss or injury arising directly or indirectly from any person’s use of or reliance on this translation, whether or not such use or reliance is based on information or advice given by the agency, negligently or otherwise.

### MULTICULTURAL LANGUAGE SERVICES GUIDELINES

| GLOSSARY OF TERMS |
| --- |
| Accreditation | Accredited interpreters have demonstrated the necessary skills and knowledge required to meet NAATI standards. |
| Agency Multicultural Plan (AMP) | Australian Government agencies are required to develop and implement an Agency Multicultural Plan (AMP) every two years. The AMPs provide Australian Government agencies with a key tool for building multicultural access and equity considerations into the strategic planning, policy development, budget and reporting processes of Australian Government policies, programs and service delivery. The AMPs are based around six key areas, each with a set of minimum obligations, which Australian Government agencies are required to meet and report on. |
| AUSIT | The Australian Institute of Interpreters and Translators Incorporated (AUSIT) is the professional association for translators and interpreters in Australia. |
| Back-translation | Having a document translated back into English. |
| Bicultural person | Someone who has the ability to understand and communicate effectively in two cultural environments. |
| Bilingual person | Someone who is able to communicate fluently in two languages. They may have been awarded a NAATI Language Aide certificate in recognition of this skill. |
| Culturally and linguistically diverse | There are many elements to cultural and linguistic diversity within the Australian community.A standard set of Cultural and Language Indicators has been developed by the ABS (country of birth of person, main language other than English spoken at home, proficiency in spoken English, Indigenous status, ancestry, country of birth of father, country of birth of mother, first language spoken, language spoken at home, religious affiliation, and year of arrival in Australia). They provide a range of information that is pertinent to the measurement of cultural and language diversity, and of related advantage or disadvantage in terms of access to government services.[Ausstats](http://www.ausstats.abs.gov.au/Ausstats) |
| Freedom of Information (FOI) Act  | The FOI Act expressly recognises that information held by the Australian Government is a national resource and is to be managed for public purposes. The FOI Act specifies nine categories of information that Australian Government agencies must publish;see [www.austlii.edu.au](file:///C%3A%5CUsers%5CDN0005%5CAppData%5CLocal%5CTemp%5Cwww.austlii.edu.au) |
| Information Publication Plans  | The Freedom of Information Act requires Australian Government agencies to publish (on their website) an information publication plan showing how it proposes to meet the requirements of the information publication scheme. The plan must indicate:• what information the agency proposes to publish• how (generally on its website), and to whom (generally to the Australian community), the agency proposes to publish the information• how the agency otherwise proposes to comply with the scheme; see [Office of the Australian Information Commissioner](http://www.oaic.gov.au/publications) |
| Interpreting services | The act of transferring a spoken or signed language into another spoken or signed language.**Telephone interpreting** is a service that connects interpreters via telephone to individuals who wish to speak to each other, but do not share a common language.**On-site interpreting** (or face-to-face interpreting) requires the interpreter to be physically present in order for the interpretation to take place.**Video conference interpreting** uses an interpreter to deliver a service through video facilities and allows remote access to an interpreter. |
| I Need an Interpreter card | TIS National produces an *‘I need an interpreter’* card for use by limited English language proficiency communicators who require interpreting assistance.The wallet-sized card, featuring the National Interpreter symbol, is designed to assist limited English language proficiency communicators in requesting an interpreter when they need to communicate with Australian Government agencies, community groups or businesses. Limited English language proficiency communicators need only show the card to advise that they need an interpreter.A panel on the front of the card allows the limited English language proficiency speaker’s language preference to be written, and the reverse side features TIS National’s contact details. |
| Language and Communication Plan | Australian Government agencies are required to have in place a Language and Communication Plan, including on the use of languages other than English, and incorporating the engagement of interpreters and translators.The development of an agency’s Language and Communication Plan should provide a clear framework for when and how to use language services as well as consideration of the linguistic diversity of Australia’s population in the context of its functions. |
| Language services | Language services are measures taken to assist people who have limited ability to communicate in English. Services may include:• provision of interpreters face-to-face or via telephone or video conference• translation of documents from English into community languages and vice versa• employment of, and access to, accreditation for multilingual staff• provision of English tuition• use of multilingual information and educational material. |
| Limited English language proficiency | In order to effectively deal with Australian Government agencies this document refers to people with limited English language proficiency as anyone who is not confident or has limited ability to communicate in English in a particular circumstance or environment, even if they do have the ability to speak some English. |
| Multicultural Access and Equity(A&E) Policy | Multicultural Access and Equity Policy reflects the principle that all Australians should be able to access Australian Government programs and services equitably, regardless of their cultural, linguistic or religious backgrounds. |
| Multiculturalism | A term in Australia that is used to describe the cultural and linguistic diversity of society. It is not about specific groups of people but about our multicultural community as a whole. Australia’s Multicultural Policy The People of Australia embraces Australia’s shared values, languages and cultural traditions. |
| Multicultural Access and EquityPolicy toolkit | Information provided to Australian Government agencies to assist them to meet their Access and Equity obligations. The Toolkit can be located at: [Multicultural Access and Equity Policy Toolkit](http://www.immi.gov.au/multicultural-access-equity) |
| National Accreditation Authority for Translators and Interpreters (NAATI) | The National Accreditation Authority for Translators and Interpreters Ltd. (NAATI) is the national standards and accreditation body in Australia for translators and interpreters. Further information is available at [Naati](http://www.naati.com.au/) |
| NAATI-credentialed interpreter | NAATI-credentialed interpreters have been accredited or recognised by NAATI. |
| NAATI-credentialed translator | NAATI-credentialed translators have been accredited or recognised by NAATI. |
| New or emerging language | A new or emerging language is one which:* has only recently (although not exclusively) become a spoken language in Australia
* has become a spoken language in Australia through the recent arrival of migrants (usually refugee/humanitarian entrants)
* is not an Australian Aboriginal or Torres Strait Islander language
* is not widely spoken or commonly known in Australia
* has not yet reached the stage where academic education or instruction, or NAATI accreditation in translating and interpreting, is readily or widely available in Australia.
 |
| Paraprofessional  | A specific level of a NAATI credential. |
| Professional | A specific level of a NAATI credential. |
| Recognition | Recognition is an award granted by NAATI, with no specification of level of proficiency. Recognition is only for languages not accredited by NAATI (or where accreditation has only recently been introduced) and subject to specific standards being met (see also accreditation). Should demand for the services of interpreters and translators in the recognised language increase to the level where the market-place requires accredited interpreters or translators, NAATI can establish an examination panel and begin testing and accrediting interpreters/ translators in that language. |
| Revalidation | Revalidation is the mechanism by which translators and interpreters with NAATI credentials demonstrate at regular intervals that they remain up-to-date and committed to the highest level of competency and currency in the profession. Revalidation is applicable to credentials awarded by NAATI after 1 January 2007, and is required every 3 years. |
| Translating and Interpreting Service (TIS) National | DIAC provides interpreting services through the Translating and Interpreting Service (TIS) National for people with limited English language proficiency and for the English speakers who need to communicate with them. TIS National is available 24 hours a day, seven days a week for any person or organisation in Australia requiring interpreting services. |
| Translating services | The act or process of translating, especially from one language into another. |
| Translator | The primary role of a translator is to transfer written information from one language into another. |

### MULTICULTURAL LANGUAGE SERVICES GUIDELINES

### LIST OF SHORTENED TERMS

### ENEDTERMS

ABS Australian Bureau of Statistics

AMP Agency Multicultural Plan

APS Australian Public Service

APS Act Australian Public Service Act 1999 (Cwlth)

ATO Australian Taxation Office

AUSIT Australian Institute of Interpreters and Translators

CD compact disc

CLA Community Language Allowance

CPG Commonwealth Procurement Guidelines

CPR Commonwealth Procurement Rules

CSA Child Support Agency

Cwlth Commonwealth

DAFF Australian Government Department of Agriculture, Fisheries and Forestry

DHS Australian Government Department of Human Services

DIAC Australian Government Department of Immigration and Citizenship

DoHA Australian Government Department of Health and Ageing

DVD digital video disc

FaHCSIA Australian Government Department of Families, Health, Community Services and Indigenous Affairs

FMA Act Financial Management and Accountability Act 1997 (Cwlth)

FOI Act Freedom of Information Act 1982 (Cwlth)

Guidelines, the Multicultural language services guidelines for Australian Government agencies

ID identification

IPS Information Publication Scheme

KPI key performance indicator

MRT Migration Review Tribunal

NAATI National Accreditation Authority for Translators and Interpreters

NESB non–English-speaking background

RRT Refugee Review Tribunal

SBS Special Broadcasting Service

SSAT Social Security Appeals Tribunal

TIS National Translating and Interpreting Service National

Toolkit, the Multicultural Access and Equity Policy toolkit

WCAG Web Content Accessibility Guidelines