



Language Services Policy

Policy Statement

Purpose

1. To provide accessible, professional and culturally appropriate responses which meet the language and communication needs of people accessing and using the Department's services, including people who have difficulty communicating in English or who are Deaf, hard of hearing, visually impaired or who have limited literacy skills.

Scope

2. This policy applies to Western Australians who require assistance with communicating effectively in spoken or written English and who wish to access services delivered by the Department, including:
 - Indigenous Australians
 - people from culturally and linguistically diverse backgrounds
 - people who are Deaf or hard of hearing
 - people with limited literacy skills
 - people with a visual impairment.
3. This policy is to be applied by all employees, contractors and volunteers of the Department and sets out the Government's principles and minimum standards for the provision of interpreting and translating services in the delivery of services and programs.

Policy

4. This policy is intended to achieve the following objectives:
 - 4.1. departmental services will be responsive to the needs of people who have difficulty communicating in English, or who are Deaf or hard of hearing, or visually impaired
 - 4.2. the rights and responsibilities of clients to access departmental services will not be compromised by their inability to communicate effectively in spoken or written English (refer *Appendix 1 – Rights and Responsibilities*).
5. The Department should give preference to using practitioners with professional interpreter accreditation, as well as those who are engaged with professional associations and who have formal training (refer *Appendix 2 – Qualifications and Credentials*).
6. Language services will be provided free of charge and will be funded by the relevant business areas in the delivery of services and programs.

Procedure

7. The Business Areas will:
 - 7.1. encourage current and new staff to complete the online [Diverse WA Cultural Competency Training](http://www.omi.wa.gov.au) (www.omi.wa.gov.au).

- 7.2. plan for, fund and deliver language services that take into account relevant government policies, legal circumstances and the particular profile and needs of current and potential clients.
 - 7.3. ensure clients who may not be able to communicate in spoken and/or written English are made aware of:
 - 7.3.1. their right to communicate in their preferred language
 - 7.3.2. when and how to ask for an interpreter
 - 7.3.3. the complaints process (refer to *Appendix 3 – Complaints Process*)
 - 7.4. use multilingual communication strategies where appropriate (ie. translated brochures/subtitled videos) as described in *Appendix 4 – Multilingual Communication Strategies*.
 - 7.5. consider collecting and analysing cultural and linguistic data on clients (as per *Appendix 5 – Data Collection and Monitoring*) so the Business Area can more accurately anticipate the need for interpreters/translators.
 - 7.6. where appropriate, utilise the Department of Finance’s [Common User Agreement \(CUA\)](#) to engage an interpreter or translator to ensure quality assurance including monitoring and evaluating interpreter or translator services (refer to *Appendix 6 – Contractual Requirements – Monitoring and Quality Assurance*).
 - 7.7. implement their own business area processes to support this policy which may include promoting the availability of interpreters, training, responsibility for identifying the need for an interpreter, budget allocation, coordinating the engagement of interpreters and translators, register of preferred competent interpreters, booking system, using interpreting services efficiently.
8. Assessing how well a person can understand and communicate in English is the first step in identifying the need for an interpreter. In assessing the need for an interpreter or translator, staff should:
- 8.1. be aware that it is not acceptable to simply rely on clients to request an interpreter as many clients may not be aware of their right to request an interpreter, or be able to do so in English (refer to *Appendix 7 - Assessing the Need for an Interpreter* – includes a decision-making tree). A good strategy is to ask the person to paraphrase what you have just said to them, in their own words. This will determine the person’s level of comprehension and whether an in interpreter should be provided.
 - 8.2. consider other factors such as:
 - 8.2.1. the “I need an Interpreter” card
 - 8.2.2. the client’s ability to communicate in English
 - 8.2.3. the purpose of the communication and the kind of information, including its complexity, that needs to be conveyed. Seek an appropriate practitioner with the qualification levels appropriate to the task (refer to *Appendix 2 – Qualifications and Credentials*)
 - 8.2.4. the client’s ability to effectively communicate in a stressful or unfamiliar environment

- 8.2.5. whether the client prefers to communicate in her/his own language, even though they can communicate in English
 - 8.2.6. the risks of miscommunication and the potential for legal liability or legal consequences for the department.
9. When the services of an interpreter or translator are required, staff should:
- 9.1. ensure the service is carried out professionally (refer to the Information sheets for [Working with an interpreter on-site](#) and [Working with a telephone interpreter](#)).
 - 9.2. record relevant information in determining the language service, as required by business area guidelines and the Department's record keeping policy. Relevant information may include client details, why an interpreter (or translator) was used/not used, practitioner's details, level of qualification, whether the client was advised of the complaints process and an evaluation of language service.
 - 9.3. monitor and record the frequency of language service usage as per business area guidelines to inform an annual Corporate Services management report for the Director General (refer to *Appendix 5 Data Collection and Monitoring*).

Definitions

Interpreter: A person who facilitates communication between two parties who use different languages by providing an oral or signed message or statement from one language into another.

NAATI: National Accreditation Authority for Translators and Interpreters.

Translator: A person who facilitates communication between two parties who use different languages by providing a written transfer of a message or statement from one language to another.

References and Attachments

References

- *Australian Human Rights Commission Act 1986*
- *Racial Discrimination Act 1975*
- *Disability Discrimination Act 1992*
- Accessible Government Services for All Annual Report (2006)
- National Indigenous Reform Agreement (2016)
- *Equal Opportunity Act 1984 (WA)*
- *Disability Services Act 1993 (WA)*
- The Western Australian Language Services Policy 2014 and Guidelines (OMI)
- The Policy Framework for Substantive Equality (EOC)
- Customer Service Charter (DotAG)
- Information sheet – Working with a telephone interpreter (OMI)
- Information sheet – Working with an interpreter on-site (OMI)

Attachments

- Appendix 1 – Rights and Responsibilities
- Appendix 2 – Qualifications and Credentials
- Appendix 3 – Complaints Process
- Appendix 4 – Multilingual Communication Strategies
- Appendix 5 – Data Collection and Monitoring
- Appendix 6 – Contractual Requirements – Monitoring and Quality Assurance
- Appendix 7 – Assessing the need for an interpreter (including decision making tree)



Rights and Responsibilities

Party	Rights	Responsibilities
DotAG staff	<ul style="list-style-type: none"> Request the services of an interpreter or translator to assist their work Professionalism from interpreter or translator including compliance with the AUSIT or ASLIA Code of Ethics Quality service from interpreting and translating services 	<ul style="list-style-type: none"> Provide services that are non-discriminatory and do not result in disadvantage to any client due to language/cultural barriers Understand when an interpreter or multilingual strategies may be required Request the services of an interpreter or translator Provide adequate job specifications to contracted services Treat the interpreter or translator with respect Ensure that the client is aware of the interpreter's role Ensure that the interpreter is able to work in a safe, healthy environment Provide the interpreter with adequate pre-interview briefing and post-interview debriefing Maintain professionalism Deal with complaints promptly and appropriately
Client	<ul style="list-style-type: none"> Not to be disadvantaged in accessing government services Access to an interpreter Request an interpreter (including a preferred interpreter) or translated information in preferred language Refuse the use of an interpreter Respect, including not being coerced into communicating in broken English Request consideration of gender and religious/cultural/kinship affiliations 	<ul style="list-style-type: none"> Respect the right of the agency to engage an interpreter Respect the role of an interpreter Not ask personal details of the interpreter Be punctual and cooperative

Interpreter/translator	<ul style="list-style-type: none"> • Respect as a professional • Adequate briefing prior to an interview • Adequate instructions for translations • Safe and healthy working conditions • Debriefing following assignment if required 	<ul style="list-style-type: none"> • Comply with relevant code of ethics including the principles of impartiality and confidentiality and providing a quality service in terms of accuracy and faithfulness • Wear or carry appropriate identification • Participate in briefings and debriefings • Maintain professionalism including being punctual and dealing with complaints promptly and appropriately • Maintain skills by undertaking regular professional development
Interpreting and translating services	<ul style="list-style-type: none"> • Adequate job specifications from agencies • Reliability and professionalism from interpreters and translators 	<ul style="list-style-type: none"> • Provide a high quality service to the department • Deal with complaints promptly and appropriately • Provide formal identification badges for interpreters, which include their qualification/credential • Treat interpreters and translators with respect • Provide support to interpreters and translators including: <ul style="list-style-type: none"> ○ attending to their safety ○ providing constructive feedback ○ proactive communication ○ transparent and fair job allocation ○ incentives for professional development and training ○ providing professional development and training opportunities ○ Provide accessible complaints processes
Accompanying persons such as family and friends	<ul style="list-style-type: none"> • Attend interview by agreement from all parties 	<ul style="list-style-type: none"> • Not to interfere with interpreting • Provide support and speak only to the interviewee • Not to ask questions of the interpreter after the interview



Qualifications and Credentials

The Western Australian Language Services Policy recognises that an interpreter or translator may have obtained:

- university qualifications in interpreting or translating—for example, a bachelor's degree—or vocational education and training ((VET) qualifications from a State training provider (such as a TAFE college)—for example, a diploma
- certification issued by the National Accreditation Authority for Translators and Interpreters (NAATI).

Ideally, practitioners will have both qualifications and NAATI certification.

For languages of some Indigenous and new and emerging communities, a tertiary qualification or NAATI certification may not be available. In such cases, interpreters or translators may have received NAATI recognition or, in the case of Indigenous interpreters, be registered by the Kimberly Interpreting Service.

The qualification and certification levels will reflect interpreters' and translators' skills at different levels of complexity. When booking an interpreter or translator, the department should request the booking agency provide a practitioner with the qualifications or certification levels appropriate to the task. Awareness of the relevant skills required for various circumstances will contribute to the department's quality control processes.

Tertiary qualifications

Australia has a national policy for regulating tertiary qualifications in the education and training sector—the Australian Qualifications Framework (AQF)—which provides the standards for Australian qualifications.

An AQF qualification is the result of an accredited complete program of learning that leads to formal certification. A qualification certifies the knowledge, skills and learning outcomes of the graduate obtained through study, training, work and life experiences.

An AQF qualification is recognised across Australia and by other countries. The AQF covers qualification levels and types from a Level 1 (Certificate 1) to a Level 10 (doctoral degree).

Tertiary qualification may include the following:

- University graduate certificate, bachelors and masters degree in interpreting and translating
- Vocational Education and Training:
 - Advanced Diploma of Interpreting
 - Diploma of Interpreting
 - Advanced Diploma of Translating
 - Diploma of Translating

NAATI credentials

The National Accreditation Authority for Translators and Interpreters Ltd (NAATI) is the body responsible for setting and monitoring the standards for the translating and interpreting profession in Australia. It does this through its credentialing system.

NAATI credentials include NAATI Certification and NAATI Recognition.

NAATI revalidation

Revalidation is the mechanism by which translators and interpreters with NAATI certification 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 certifications with an expiry date require revalidation.

From 1 January 2007, all certifications awarded by NAATI were awarded with an expiry date, initially three years from when they were awarded. Practitioners with older certifications were provided with the opportunity to opt in to the system.

Before the expiry of the certification, practitioners are required to provide evidence of continuing work practice and professional development to renew the certification for a further three-year period.

If a practitioner does not apply for revalidation or does not meet the revalidation criteria, the certification will lapse.

INTERPRETERS

Conference Interpreter (Senior)

This is the highest level of NAATI interpreting certification. It reflects a level of excellence in conference interpreting, recognised through demonstrated extensive experience and international leadership. It encompasses and builds on the competencies of conference interpreter certification.

Conference Interpreter

This represents the level of competence required to handle complex, technical and sophisticated interpreting, in both consecutive and simultaneous modes, in line with recognised international practice. Conference Interpreters operate in diverse situations, including at conferences, high-level negotiations, and court proceedings and may choose to specialise in a particular area(s).

Professional Interpreter

This represents the minimum level of competence for professional interpreting and is the minimum level recommended by NAATI for work in most settings, including banking, law, health, and social and community services. Professional Interpreters are capable of interpreting across a wide range of semi-specialised situations and are capable of using the consecutive mode to interpret speeches or presentations.

Paraprofessional Interpreter

This represents a level of competence in interpreting for the purpose of general conversations. Paraprofessional Interpreters generally undertake the interpretation of non-specialist dialogues. Practitioners at this level are encouraged to obtain professional-level certification.

Deaf Relay Interpreters

Deaf Relay Interpreters (DRIs) are expected to have NAATI certification and will ideally hold an Australian Qualifications Framework (AQF) qualification in interpreting.

Where practitioners with tertiary qualifications or certification are not available, it is preferred that people providing language assistance have either:

- completed as a minimum the following three generic units of competency from the Diplomas of Interpreting and Translating or similar:
 - PSPTIS501A Negotiate Translating and Interpreting Assignments
 - PSPTIS502A Prepare to Translate and Interpret
 - PSPTIS503A Apply Codes and Standards to Ethical Practice

or

- hold NAATI Recognition.

Where a certified or qualified Deaf Relay Interpreter is not available, language assistance may be sought from people who hold DRI certification obtained from a State training provider (such as a TAFE), the National Auslan Interpreter Booking and Payment Service (NABS) or ASLIA National.

TRANSLATORS

Advanced Translator (Senior)

This is the highest level of NAATI translating certification. It reflects a level of excellence in specialised translating, recognised through demonstrated extensive experience and international leadership. It encompasses and builds on the competencies of Advanced Translator certification.

Advanced Translator

This represents the level of competence required to handle complex, technical and sophisticated translations in line with recognised international practice. Advanced Translators operate in diverse situations and may choose to specialise in a particular area(s) including translating technical manuals, research papers, providing translations for conferences, high-level negotiations and court proceedings.

Professional Translator

This represents the minimum level of competence for professional translating and is the minimum level recommended by NAATI for work in settings including banking, law, health, and social and community services. Translators at this level work across a wide range of subjects involving documents with specialised content.

Paraprofessional Translator

This represents a level of competence enabling the production of translation of non-specialised information (for example a birth certificate). Practitioners at this level are encouraged to obtain professional-level certification.

Interpreting and translating services are expected to identify interpreter and translator skills and competencies appropriate to the particular interpreting or translation task.

NAATI Recognition

NAATI Recognition is a separate category from NAATI Certification. It is granted only in languages for which NAATI does not test and, unlike certification, does not specify a level of proficiency. Recognition does not have the same status as certification because NAATI has not undertaken a formal assessment to determine a particular standard of performance.

NAATI Recognition acknowledges that, at the time of the award, the applicant had recent and regular work experience as an interpreter. In order to be granted NAATI Recognition, the applicant must provide proof of English proficiency and complete an introductory NAATI workshop or related activity. Recipients of NAATI Recognition are encouraged to obtain certification as it becomes available.



Complaints Process

Complaints may be viewed from three perspectives:

- the client — about the quality of an interpreter/translation
- the Department — about the quality of an interpreter/translation
- an interpreter/translator — about their experience of the interpreting or translating process.

Clients

Clients may complain about their experience of an interpreting session or translation organised by the department through that the Customer Management Feedback System (CFMS).

The department's complaints process is accessible to clients through:

- a clearly identifiable link to feedback on the 'home' or 'contact us' pages of the website
- a statement encouraging clients to provide feedback or make a complaint
- guidelines on how the agency uses information from client feedback and complaints
- clear identification of the issues about which a person may or may not complain
- guidelines on how to escalate a complaint if it is not resolved to the client's satisfaction
- clear reporting frameworks and procedures.

The Department

The Department may make complaints about interpreting and translating services through:

- the Department of Finance, if services are obtained via the Common Use Arrangement for Interpreting and Translating Services (CUAITS2012)
- direct recourse to the booking agency that referred the interpreter or translator to the assignment
- AUSIT and the Western Australian Institute of Translators and Interpreters (WAITI). AUSIT has the ability to investigate breaches of its Code of Ethics and Code of Professional Conduct by its members
- the Department of Immigration and Citizenship (DIAC) if the complaint is in relation to the Translating and Interpreting Service (TIS) National
- the National Accreditation Authority for Translators and Interpreters (NAATI) if the complaint relates to an interpreter or translator who has NAATI Certification or NAATI Recognition.

Interpreters/translators

Interpreters and translators wishing to make a complaint about their experiences of the interpreting or translating assignment may do so to their employer or their booking agency, or to the department, through existing complaints processes. Interpreters and translators may also lodge complaints with the Ombudsman Western Australia (telephone 9220 7555 or freecall 1800 117 000 for country and interstate callers).



Multilingual Communication Strategies

Communication strategies play a critical role in providing accessible and responsive services to all Western Australians.

How to communicate effectively with people from Indigenous communities, people from culturally and linguistically diverse (CaLD) backgrounds and people who are Deaf or hard of hearing is therefore an important consideration.

In some cases, targeted strategies may be required to ensure messages reach particular groups. The following steps can be integrated into generic communication strategies or form the basis of targeted approaches.

- Identify the purpose of the communication, for example, to raise awareness about a policy or to provide information about a government service.
- Collect and analyse relevant data to identify client/customer demographics. Different groups will have specific and varying communication needs and may require information at different times and through different channels and formats.
- Identify and consult with relevant organisations, groups and individuals to:
 - define areas of greatest need for information provision
 - identify the most effective communication tools
 - seek assistance with testing the effectiveness of the communication tools and appropriateness of the messages for the target audience
 - seek assistance with information dissemination where appropriate.¹

This could include forming partnerships with local Indigenous, multicultural and disability service delivery organisations, associations and networks, local governments, State or Australian government agencies and non-government organisations.

Consider a range of communication tools, such as:

- engaging interpreters for face-to-face information sessions
- use of plain English in verbal and written communications
- graphics such as international signs, symbols and storyboards translated information for electronic media such as email or internet web pages, or printed publications such as brochures, booklets, fact sheets, flyers and mainstream and/or ethnic media²
- audio-visual materials such as:
 - subtitled, dubbed, voice-over or original language videos
 - audio cassettes
 - multilingual telephone lines

¹ See the Office of Multicultural Interests (2010) [Directory of Services for New Arrivals in Western Australia](#) for a full list of services for people from CaLD backgrounds.

² For any proposed media engagement, including with multicultural media, please consult the Public Affairs branch in the first instance on 9264 1451.

- Indigenous and ethnic radio³ and television scripts
- discussion groups, information sharing sessions and seminars through an interpreter/bilingual worker
- for Deaf people, information in Auslan in an electronic format, on DVD, via video link online or on DVDs as Picture in Picture (PiP).

A mixture of approaches is generally more effective than communication strategies that rely on only one or two methods. Note that, if a person speaks English as their second language they may be disadvantaged if provided with information only in written format. Review the effectiveness of the strategies and amend them as required.

³ For any proposed media engagement, including with multicultural media, please consult the Public Affairs branch in the first instance on 9264 1451.



Data Collection and Monitoring

Data collection

To plan for the provision of language services, the department is encouraged to collect cultural and linguistic data on clients using their services, according to the Australian Bureau of Statistics (ABS) standard set of indicators. The department should endeavour to collect the minimum core set of indicators, which comprises:

- country of birth;
- main language other than English spoken at home;
- proficiency in spoken English; and
- Indigenous status.

The other indicators in the standard set are: ancestry, birthplace of parents, first language spoken, languages spoken at home, main language spoken at home, religious affiliation and year of arrival in Australia.

Business areas are encouraged to collect the minimum core data set and to identify and include relevant standard variables as appropriate.

Business areas may collect data for different reasons for unique administrative and management processes. There is also no single measure of cultural and linguistic diversity.

The type of data collected and how it is collected will depend on the:

- core business;
- target demographic of a business area or program; and
- purpose of the data (for example performance indicators, service needs analysis, community profiles).

Combining main language other than English spoken at home with proficiency in spoken English can help identify the need for language services and inform marketing and communication strategies. For more information, see the [Guide to cultural and linguistic data collection for the Public Sector](#), available on the Office of Multicultural Interests website at: www.omi.wa.gov.au

Monitoring

To monitor the extent to which language services are provided, and to assist future planning, the department may wish to record data on the:

- number of times an interpreter has been engaged;
- languages for which interpreters have been engaged and into which languages documents have been translated;
- expenditure on interpreting and translating;
- languages for which interpreters or translators are required but not able to be sourced from a provider;
- number of times an interpreter has been requested by a client and subsequently declined, including the reasons why; and/or
- type of interpreting service used, for example, telephone or face-to-face.



Contractual Requirements – Monitoring and Quality Assurance

Paying for interpreters

Business Areas are responsible for ensuring language services, including paying for interpreters, are considered in annual budgeting processes. This includes client-initiated contact. Clients of the department do not pay for interpreting services.

The *Western Australian Language Services Policy 2014* requires the Department to incorporate language services needs in contractual arrangements with funded organisations.

Quality assurance in interpreting

The Department may establish quality assurance measures such as:

- including quality assurance requirements in contractual arrangements;
- monitoring the quality of interpreting services
- evaluating the quality of interpreting services.

Contractual arrangements

The Department should include quality assurance requirements in any contractual arrangements they have with:

- interpreting and translating services
- service providers in receipt of agency funding.

These should cover requirements in relation to:

- practitioners' tertiary qualifications/NAATI certification levels
- a commitment to engaging practitioners who adhere to professional codes of ethics
- transparent and accessible complaints processes.

Interpreting and translating services included as providers through the Common Use Arrangement for Interpreting and Translating (CUAITS2012) are required to adhere to quality assurance arrangements detailed in their contracts.

Monitoring

The Department can monitor the use of interpreting services by:

- obtaining feedback on the outcome of the service from staff, clients and practitioners
- providing regular feedback to the Department of Finance if using the CUA
- instituting effective complaints processes that:
 - are accessible and visible to staff, clients and practitioners, including translated information where relevant
 - are prompt and appropriately implemented
 - are reviewed and adapted as required.

Evaluation

The Department can evaluate their use of interpreters. This could include an assessment of information gathered through the monitoring process.

Case study: Taking responsibility for quality

I recently terminated an interview because the interpreter's level of English was the same as the client's. I could hear that the client was getting frustrated. She was saying things like "no good, no good" and the interpreter had difficulties in explaining what the client was saying. So I said "I'm sorry I'm not able to understand and I need to terminate the interview". Afterward I provided feedback to the service provider about the issue.



Interpreting

Assessing the need for an interpreter

Staff should make an initial assessment of whether any communication with a client is significant enough to require the use of interpreting services.

Where the assessment indicates it is warranted, the department should provide an interpreter where a person has difficulty communicating in English. If a person requests an interpreter, or shows a Western Australian Government or Department of Social Services Interpreter Card, they should be provided with one.

The 'I need an Interpreter' card aims to help clients request an interpreter and makes it easier for staff to arrange for an interpreter in the appropriate language.



If a person presents an 'I need an Interpreter' card:

- check the language on the front of the card
- inform the client that you will arrange for an interpreter
- arrange an interpreter as per the Department's policy or guidelines
- make a note in the client's file (if relevant) to assist with arranging an interpreter on any subsequent visit.

The language your client speaks will be written in English on the front of the card. However, more than one language may be written on the card. This means the cardholder is proficient in each of these languages. It is important to make every effort to arrange an interpreter in the client's first language. If this is not possible you may be able to engage an interpreter in one of the other languages listed.

If the client does not have an 'I need an Interpreter' card it may be difficult to assess whether a person needs an interpreter. The ability to speak English does not necessarily mean that a person will understand complex language. For example, a client who has sufficient English to organise a parking permit, for example, may not have sufficient English to understand the implications of a complex medical procedure.

Other people may not need an interpreter but may require written information to be translated or need assistance with writing in English. In the case of Auslan users, the majority will be comfortable reading and writing in English but will need an interpreter for face-to-face communication.

Aboriginal languages

English is by far the most common language used by Indigenous peoples today, yet many speak a dialect of English that differs considerably from the Standard English used in Australian media and education. This dialect is referred to as Aboriginal English. The second most common language is Kriol which draws largely on the English language for vocabulary, but has features of an Indigenous language. Many non-Indigenous Australians, hearing either an Aboriginal English dialect or Kriol, will assume that these languages are essentially the same as Standard Australian English. However, this assumption can lead to serious miscommunication.

Underlying the Aboriginal English and Kriol languages is the Aboriginal culture. Words that may seem to be the same as English have been changed to fit the Indigenous context. For example, the meaning of 'cheeky' changes and can refer to something that is dangerous or harmful. Likewise, the grammars have differences so that the requirement of English to specify gender in pronouns he/she/it does not apply to Aboriginal English and Kriol. They use only one form of the pronoun. Concepts reflecting the Aboriginal world view are retained in both Aboriginal English and Kriol and can be easily misinterpreted by the Standard English speaker.

To help you decide whether or not a person needs an interpreter you may:

- ask a question that requires a person to answer in a sentence
- give the person a set of information and ask them to repeat this in their own words.

Be aware of the risks of gratuitous concurrence, which occurs when a person nods to acknowledge you (similar to 'aha', 'hmm' or 'uh-huh'). This does not necessarily mean agreement to what is said and may not even indicate that the person understands what has been said to them. If there is any doubt about a person's ability to communicate or understand English, an interpreter should be engaged.

Engaging an interpreter may be critical in some circumstances, such as:

- appearances in courts/tribunals
- obtaining informed consent (for example, for health, mental health or aged care assessment)
- conveying complex or vital health information
- swearing of affidavits or statutory declarations.

If a face-to-face interpreter is not available then, if appropriate, you could:

- access an interpreter via telephone, videoconference or video calling
- make an appointment for your client to come back later and arrange for an interpreter to be available then
- provide written information in a language the client can read, if it is available
- use a bilingual staff member who speaks the client's language, if one is available, to gather some basic information and/or to help arrange an appointment with an interpreter.

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Note that bilingual staff are not interpreters and should only be used to convey simple information. They may not have the language skills required for a particular situation and are not bound by a professional code of ethics requiring confidentiality, impartiality and accuracy. However, where bilingual staff are used, conflicts of interest and/or potential conflicts of interest must be declared.

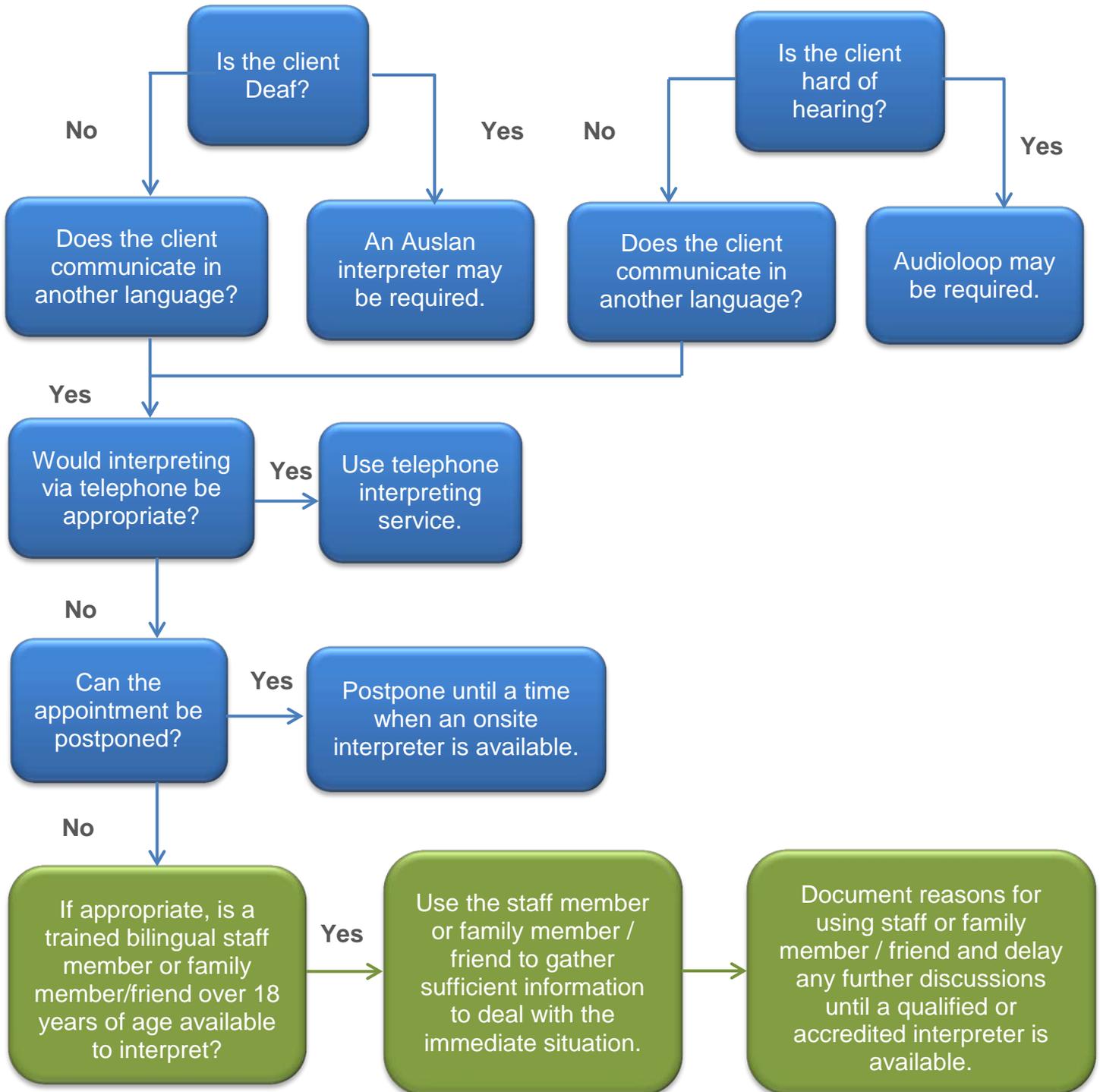
Clients may ask to use a family member or friend to interpret for them. This is not recommended as they may be emotionally involved, and may lack the necessary skills and impartiality. They are not bound by the same standards of conduct, such as maintaining confidentiality, as interpreters. However, providing the action does not compromise the service being provided, and does not expose the department to legal liability, a family member or friend (over the age of 18) may be used in urgent situations or for basic communication exchanges. For example, in an emergency such as a car accident involving police and paramedics, a family member might provide initial information on behalf of a person but an appropriate NAATI certified or tertiary qualified interpreter should be sought immediately before further discussions are held.

Persons under the age of 18 years must not be engaged for any bilingual communication exchange.

In all cases where a person other than an interpreter has been used, details of the decision and the circumstances justifying that decision should be documented to address any potential liability issues.



When to use an interpreter – Decision making tree



When using an interpreter, document reasons for using them, the type of interpreter used and the outcome.