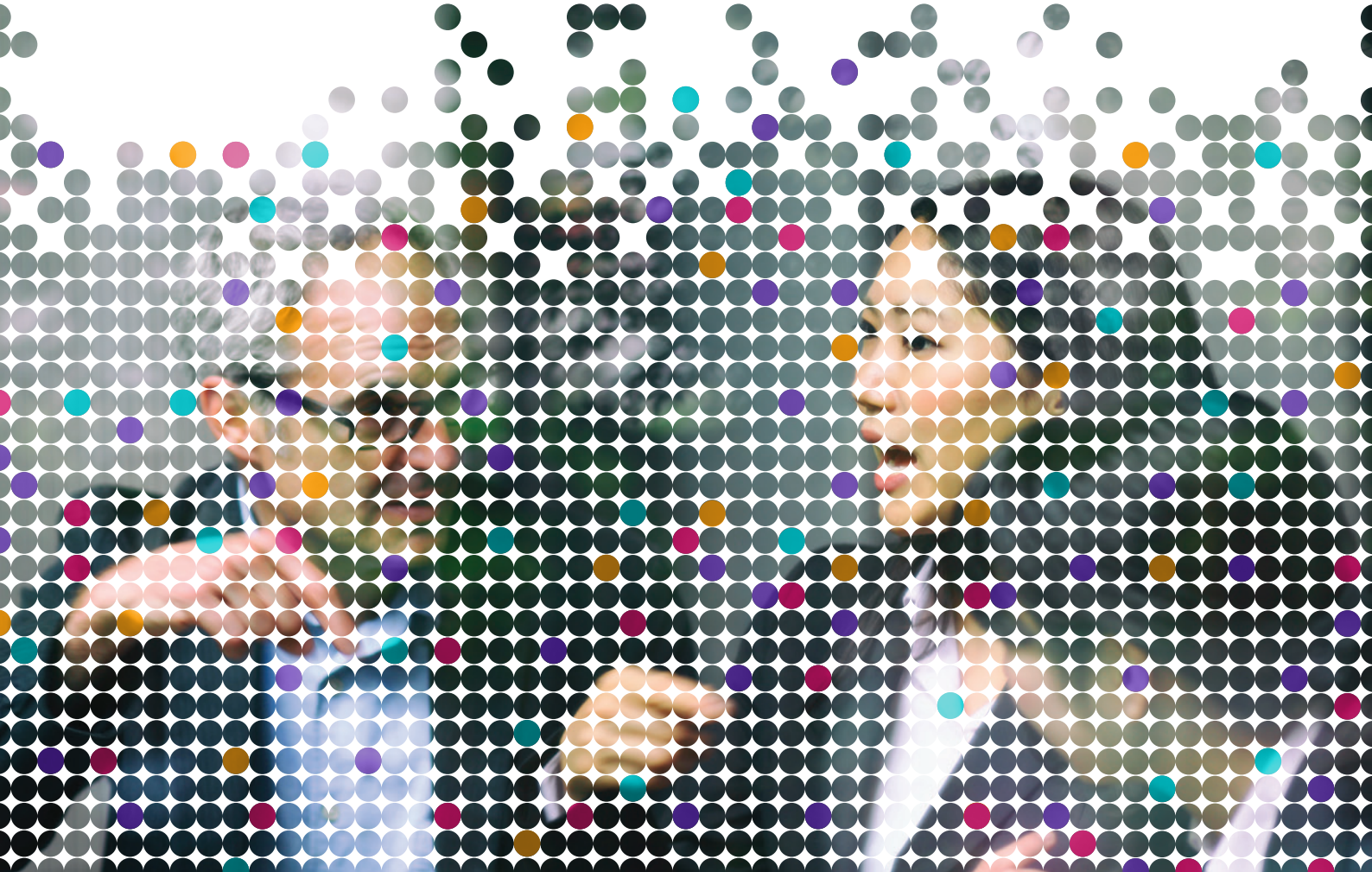
Australian Government

Australian Government Language Services Guidelines

Supporting access and equity
for people with limited English



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Table of contents

Part 1—Language services 2

1. Introduction 3
2. Legislation and policy framework 6
3. National Accreditation Authority for Translators and Interpreters (NAATI) 9
4. Australian Institute of Interpreters and Translators (AUSIT) 10
5. Challenges facing people with limited English proficiency 11
6. Benefits of engaging language services 12
7. Identifying who requires language services 13
8. Budgeting for language services 16
9. Record keeping, monitoring and evaluation 18
10. Feedback and complaints 20
11. Staff training 21
12. Bilingual staff 22

Part 2—Interpreting 23

1. Interpreting introduction 24
2. The role of an interpreter 24
3. When should an interpreter be engaged? 26
4. Supply of interpreters 27
5. Working with interpreters 28
6. What language or dialect is required? 29
7. What type of interpreting service is required? 29
8. Interpreters and conflicts of interest 30
9. Family member/friend acting as an interpreter 32
10. Procuring interpreting services 33
11. National Interpreter Symbol 34
12. Role of bilingual staff 34

Part 3—Translation 36

1. Translation introduction 37
2. What to consider when translating communication products 38
3. Preferred approach to engaging translation services 39
4. Identifying the appropriate languages for translation 42
5. Things to consider when preparing material for translation 43
6. Use of machine translation 45
7. Reviewing the translation product 47
8. Final translation product 48
9. Role of bilingual staff 49
10. Translated forms submitted by members of the public 49

Part 4—Glossary and Appendices 50

Glossary 51

Appendix 1—Other resources 56

Appendix 2—Procedures for working with interpreters—summary 57

Appendix 3—Procedures for working with translators—summary 60

Appendix 4—Language services costing tool 62

Appendix 5—ABS Census data on English language proficiency 64

Appendix 6—General publishing policies 67

Part 1— Language services

1. Introduction **3**

1.1 Intended audience 3

1.2 Language services 4

1.3 Objective of the guidelines 5

2. Legislation and policy framework **6**

2.1 The Australian Public Service Act 1999 (Cwlth) 6

2.2 Multicultural Australia: United, Strong, Successful 6

2.3 Multicultural Access and Equity Policy 6

2.4 The Racial Discrimination Act 1975 (Cwlth) and international obligations 7

2.5 The Freedom of Information Act 1982 (Cwlth) 8

2.6 The Crimes Act 1914 (Cwlth) 8

3. National Accreditation Authority for Translators and Interpreters (NAATI) **9**

3.1 NAATI's certification system 9

4. Australian Institute of Interpreters and Translators (AUSIT) **10**

5. Challenges facing people with limited English proficiency **11**

6. Benefits of engaging language services **12**

7. Identifying who requires language services **13**

7.1 Australian Bureau of Statistics (ABS) language standards 13

7.2 Proficiency in spoken English (overseas born residents) 14

7.3 Longitudinal survey of humanitarian migrants 14

7.4 Languages of newly emerged communities in Australia 15

8. Budgeting for language services **16**

8.1 Procuring language services 16

9. Record keeping, monitoring and evaluation **18**

9.1 Data collection 18

9.2 Client service delivery data 18

9.3 Program management data 18

10. Feedback and complaints **20**

11. Staff training **21**

12. Bilingual staff **22**

1. Introduction

All Australians have the right to communicate and engage with the Australian Government and other essential services, irrespective of their first language preference, their English language ability and their cultural and linguistic backgrounds. Australia has a rich cultural and linguistic diversity. According to the 2021 Australian Bureau of Statistics (ABS) Census, Australian residents were born in almost 200 different countries and speak more than 300 languages, including Indigenous languages.

While most people who belong to Australia's culturally and linguistically diverse communities are able to communicate effectively in English, not all migrants—whether newly arrived humanitarian entrants or residents in Australia for many years—are able to communicate competently in English. Almost 700,000 people born overseas (and aged over 5 years old) self-reported on the 2021 Census that they have limited English proficiency.[1]

The Australian Government recognises that an ability to understand and speak English is integral to participation in work, further study and broader Australian community activities. The Australian Government supports eligible migrants and humanitarian entrants to access English learning opportunities. The Adult Migrant English Program (AMEP), administered by the Department of Home Affairs, provides English language tuition to eligible migrants and humanitarian entrants to help them learn foundation English language and settlement skills to enable them to participate socially and economically in Australian society. See the Home Affairs website for more information about the AMEP.

Learning a new language takes time. Even when people gain a functional level of English, they may require language assistance in stressful or complex situations, such as in medical and legal settings. As a result, they may experience a language barrier when accessing government and other essential services (apart from medical and legal services, other essential services include, for example, pharmaceutical, banking, education and community services). For these reasons, Australian Government agencies need to ensure they are able to communicate with clients who have limited or no English language proficiency in the language of their choice to enable them to access the services they need. The provision of language services can also be a vital means of community engagement.

By facilitating accurate communication, the provision of language services is integral to meeting the Australian Government's commitment to access and equity as set out in the Australian Government's Multicultural Access and Equity Policy (Section 2. Legislation and Policy Framework provides more detail on this Policy).

Language services assist clients to access the necessary information, programs and services they need to participate more fully in society. Language services also contribute to efficient and effective service delivery and help government agencies mitigate risk in their dealings with the public.

1.1 Intended audience

The *Australian Government Language Services Guidelines: Supporting access and equity for people with limited English* (the guidelines) are intended for Australian Government agencies responsible for developing policy and administering programs and services for people with limited English proficiency from Australia's culturally and linguistically diverse communities.

The guidelines are for agencies engaging language services in Australia. The guidelines do not address the particular issues agencies may face when engaging language services in an international environment, although some of the principles and guidance may be applicable.

1 In the 2021 Census, 'Proficiency in Spoken English' refers to people who speak a language other than English at home and who then classify their self-assessed proficiency in spoken English. Limited English refers to a person who has self-assessed their English Proficiency as 'not well' or 'not at all'.

These guidelines do **not** cover the specific language service needs of Aboriginal and Torres Strait Islander people who speak Indigenous languages, or of members of the Deaf Community who speak Auslan.

For Indigenous languages see the Protocols Indigenous Language Interpreting for Commonwealth Government Agencies (the Protocols refer back to these guidelines where they cover common points in more detail).

Information on working with Auslan interpreters in various settings is available from the Australian Sign Language Interpreters' Association (ASLIA)'s website under Policies & Procedures.

1.2 Language services

In this document, 'language services' refers to the measures taken to assist people who have limited ability to communicate in or understand English—whether through interpreting or translating from English into another language or vice versa.

'Interpreting' refers to rendering the meaning of spoken communication in real time into the language spoken by another person so that the speakers can fully and accurately communicate with and understand each other.

'Translating' refers to rendering the meaning of written or other recorded communication from a source language (whether English or another language) into a target language.

Language services may include:

- engagement of interpreters in person, by telephone or by video
- translation of government documents from English into community languages by professional translators
- translation of personal documents from a language other than English
- information on websites translated into community languages
- multilingual telephone information
- multimedia resources and other digital media in languages other than English.

Ideally, interpreters and translators hold a credential conferred by the National Accreditation Authority for Translators and Interpreters (NAATI). Section 3 below provides more information on NAATI.

Australian Government agencies may procure language services through direct sourcing of interpreters and translators, establishing a panel of individual practitioners, or contracting with a language service provider. A language service provider is a company that assigns work on demand to its panel of interpreters and translators. Section 8 provides more detail on types of language services.

Agencies may also employ bilingual staff, who use their skills in service delivery (Section 11 below and Parts 2 and 3 discuss the role of bilingual staff further). Such staff, however, should not be considered as a substitute for language services provided by NAATI-credentialed interpreters and translators.

1.2.1 Note on terminology

The term 'English as a second language' should be avoided. People may speak several languages in addition to or instead of English (making English a third or fourth language, for example). Language other than English (LOTE) may be an alternative.

In recent years, the term 'new and emerging languages' has been used to refer to languages spoken by migrants, often refugees and humanitarian entrants, who have not resided in Australia for a long time. The languages themselves, however, are not 'new and emerging'. For this reason, it is preferable to use the term 'languages of newly emerged communities in Australia', or simply 'languages of newly emerged communities'.

1.3 Objective of the guidelines

The objective of the guidelines is to encourage and assist Australian Government agencies to implement language services for Australian citizens and permanent and other eligible residents by:

- providing a practical framework for Australian Government agencies to support service delivery to people with limited English proficiency
- applying the Multicultural Access and Equity commitments (see Section 2.3) in the delivery of their core business by highlighting good practice in language service delivery
- encouraging agencies to develop their own policy and procedures for agency-specific language services tailored to the communication needs of their clients, services and program delivery
- increasing the collaboration and coordination across Australian Government agencies when providing effective language services.

Australian Government agencies should draw on the information and good practice examples provided in these guidelines to develop their own policy and procedures for using language services.

2. Legislation and policy framework

While some Australian Government agencies liaise on a daily basis with people whose English language proficiency is limited, others may do so less frequently.

Regardless of an agency's level of interaction with people who have limited English, 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 meeting agencies' Multicultural Access and Equity commitments
- the legislative obligations, policies and reporting mechanisms that frame responsibility for the provision of accessible and equitable programs, policies and services.

The main policy and legislative frameworks are listed below, however this is not exhaustive and agencies should identify any agency-specific legislative or policy requirements when developing their own policies, guidelines, procedures or plans.

2.1 The Australian Public Service Act 1999 (Cwlth)

The Australian Public Service (APS) Values (Section 10, *Australian Public Service Act 1999*) state that the APS is "committed to service". Most pertinent with regard to language services, the APS Values stipulate that the APS "…works collaboratively to achieve the best results for the Australian community and the Government" and the "APS respects all people, including their rights and their heritage".

See: *The Public Service Act 1999*

2.2 Multicultural Australia: United, Strong, Successful

Australia's multicultural statement—*Multicultural Australia: United, Strong, Successful*—reaffirms the Australian Government's commitment to a multicultural Australia defined by shared values of freedom, democracy, the rule of law and equality of opportunity. The statement complements Australian Government policies and programs that, together with numerous community and volunteer activities, inspire, support and sustain Australia's unity.

2.3 Multicultural Access and Equity Policy

The Department of Home Affairs is the lead agency for the implementation of the Multicultural Access and Equity Policy. The *Multicultural Access and Equity Policy Guide* states that "there is an obligation on Australian Government departments and agencies to ensure their programmes and services are accessible by all eligible Australians, responsive to their needs, and deliver equitable outcomes for them, regardless of their cultural and linguistic backgrounds."

Accordingly, Australian Government agencies seek to ensure their programs and services, including those delivered by third parties, meet the needs of all Australians. Agencies take primary responsibility for identifying, understanding and responding to the needs of their clients, including those relating to language services.

The policy is not limited to service delivery agencies, but covers the full spectrum of government work, including policy development, communication, engagement and evaluation. The policy sets out six commitments to build multicultural access and equity considerations into Australian Government policies, programs and services:

1. **Leadership**—Australian Government agencies will demonstrate a commitment to multicultural access and equity and take responsibility for its implementation.
2. **Engagement**—Australian Government agencies will identify and strategically engage with clients, and stakeholders from Australia's culturally and linguistically diverse communities.
3. **Responsiveness**—Australian Government agencies will have strategies in place to ensure that policies, programs, community interactions and service delivery (whether in-house or out-sourced) are responsive to clients from culturally and linguistically diverse communities.
4. **Performance**—Australian Government agencies will have strong and clear mechanisms in place to measure their multicultural access and equity performance.
5. **Capability**—Australian Government agencies will understand, and have the capacity to respond to, the cultural and linguistic diversity of Australia's population.
6. **Openness**—Australian Government agencies will be transparent in their implementation of multicultural access and equity.

The engagement commitment specifies that Australian Government agencies should 'set clear guidelines for when and how staff should use translating and interpreting services'. The responsiveness commitment notes that the provision of translating and interpreting services should be factored into tender specifications when outsourcing the delivery of programs or services. The performance commitment also refers to the need for these services in the context of feedback and complaints mechanisms.

Further multicultural access and equity resources to assist agencies are available on the Department of Home Affairs website.

2.4 The Racial Discrimination Act 1975 (Cwlth) and international obligations

The *Racial Discrimination Act 1975* gives effect to Australia's obligations under the United Nations International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). 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.*

See: *Racial Discrimination Act 1975*

In addition to Australia's international obligations under ICERD, Australia is a signatory to the International Covenant on Civil and Political Rights (ICCPR). Each State Party to the ICCPR undertakes 'to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, *language* [emphasis added], religion, political or other opinion' (among other distinctions). Article 25 (c) of the ICCPR states:

> *Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:*
>
> […]
>
> *(c) To have access, on general terms of equality, to public service in his country.*

The Australian Human Rights Commission website provides the text of ICERD and ICCPR and a chart of rights and articles covered by the human rights instruments.

2.5 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. The FOI Act stipulates that agencies should take reasonable steps to assist an applicant making an FOI request and this includes access for people with limited English language proficiency.

See: *Freedom of Information Act 1982*

See: FOI Guidelines

2.6 The Crimes Act 1914 (Cwlth)

Under Part IC Investigation of Commonwealth Offences of the *Crimes Act 1914*, Section 23N 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.

Section 23YDA sets out the general provisions for when interpreters must be present.

See: *Crimes Act 1914*

3. National Accreditation Authority for Translators and Interpreters (NAATI)

NAATI is a not-for-profit company limited by guarantee, jointly owned by the Commonwealth, state and territory governments and incorporated under the *Corporations Act 2001*.

NAATI plays a vital role in supporting people with limited English proficiency to communicate with government and other services providers. NAATI's mission is to set and maintain high national standards in translating and interpreting to enable the supply of appropriately credentialed translating and interpreting professionals responsive to the changing needs and demography of Australia's culturally and linguistically diverse society.

NAATI achieves this by maintaining examiner panels, setting assessments at various levels, and conferring credentials on interpreters and translators who pass the assessment. Credentials comprise:

- 'certifications', where a language test is available, or
- 'recognised practising', where no test is available, owing to the lower community demand for a language.

NAATI issues credentials in about 178 languages, including about 70 migrant and 30 Indigenous languages, as well as Auslan.

NAATI also endorses translating and interpreting courses offered by universities, vocational education and training providers and other registered training organisations. Where a qualification at an educational institution holds NAATI endorsement, students who complete the qualification at the standard required by NAATI may apply to sit a certification test. NAATI endorsement acts as a quality seal that gives credibility to an institution's qualification(s) as well as providing a valuable incentive to future students.

3.1 NAATI's certification system

NAATI's certifications are as follows:

Translating	Interpreting
	Certified Conference Interpreter
	Certified Specialist Interpreter (Health) / (Legal)
Certified Translator	Certified Interpreter
	Certified Provisional Interpreter
Recognised Practising Translator	Recognised Practising Interpreter

NAATI introduced these certifications on 1 January 2018. Practising NAATI interpreters and translators were encouraged to transition their former accreditation to the certification system.

Applicants for NAATI certification normally need to pass both an ethical and intercultural assessment before they are eligible to sit a certification test. Ethical competency is the knowledge and understanding of the relevant code of ethics required by interpreters and/or translators that allows them to apply this to situations in professional practice, client interactions and other professional activities. The code of ethics is maintained by the Australian Institute of Interpreters and Translators (see Section 4 below).

NAATI defines intercultural competency as the knowledge and skill required by interpreters and translators that allows them to identify culturally specific information in the source language, appropriately reflect these in the target language and deal with clients in a culturally appropriate manner.

Owing to low demand for a language, and/or lack of assessors, NAATI may be unable to establish an examination panel to assess interpreters/translators at the certification level. For such languages, NAATI may confer a Recognised Practising Interpreter and/or Recognised Practising Translator credential on interpreters/translators in place of a certification. Practitioners holding this credential have demonstrated their English language proficiency and passed the ethical and intercultural tests.

Under NAATI's certification system, interpreters and translators need to recertify every three years upon demonstrating their currency of practice and undertaking professional development activities.

For more information on NAATI's credentials, endorsed qualifications and other services, see NAATI's website.

4. Australian Institute of Interpreters and Translators (AUSIT)

AUSIT is the national association for the translating and interpreting profession. AUSIT members adhere to a strict code of ethics and undertake continuous professional development. NAATI-credentialed interpreters and translators must adhere to the AUSIT Code of Ethics.

Engage NAATI-credentialed interpreters and translators

The precept of these guidelines is that Australian Government agencies engage interpreters and translators holding a credential conferred by NAATI. A NAATI credential ensures that an interpreter or translator is competent in both English and the language for which they hold a credential and adheres to the AUSIT Code of Ethics.

5. Challenges facing people with limited English proficiency

There are various reasons why people have limited English proficiency—whether in speaking, understanding, writing or reading—and may therefore require language services. Variables affecting an individual's ability to become proficient in speaking and understanding English include:

- age on arrival
- length of time in Australia
- extent of formal, first-language schooling before settling in Australia
  - disrupted or no access to formal schooling
  - level of literacy in first language and whether first language has a written form
- physical and mental health conditions
- effects of pre-migration experience of trauma
- caring responsibilities
- exposure to an English-speaking environment (in their community or work place)
- plateau effect in language acquisition and/or diminishing English language ability over time through lack of opportunity to use English
- declining English language ability owing to age.

The impact of these factors will vary depending on individual experience and circumstance. According to research, however, a key factor for both adults and children is the extent of formal schooling in a first/other language.

While many migrants and humanitarian entrants are able to improve their English language proficiency over time, some may continue to have limited or no English language proficiency and may therefore experience a significant and ongoing language barrier when trying to access government and other services.



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6. Benefits of engaging language services

Engaging language services provides the following benefits to people with limited or no English language proficiency:

- accurate communication between Australian Government agencies and individual clients
- equitable access to government programs and services
- ensuring clients accurately understand the information they receive and the consequence of the information they provide
- enhanced social cohesion.

Australian Government agencies benefit through:

- compliance with legal obligations and duty of care
- improved program management and service delivery, including potential cost savings resulting from a more targeted approach
- achieving equivalent service standards across Australian Government agencies
- obtaining informed consent from individual clients
- reducing the potential for compensation claims and litigation related to inadequate service provision
- fulfilling the Australian Government Multicultural Access and Equity Policy commitments.

In order to realise these benefits, Australian Government agencies should consider the following questions:

- 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 the agency leadership committed to the provision of effective language services, including the evaluation and quality assurance of language services?
- Does the agency have clear guidelines in place for staff about when and how to use language services?

7. Identifying who requires language services

Different Australian Government agencies communicate with different segments of the Australian community. As a result, the language and communication needs of the target groups with which agencies engage will vary.

It is crucial that agencies understand their clients and tailor the provision of language services to those who may require them. Even within an agency's wider target group, there may be different audiences for particular products, services or messages. Identifying language service requirements at this level will improve the success of each communication.

The following data sources may assist agencies identify target client groups who have limited English language proficiency and the languages they speak:

- ABS Census data provides information on the Australian population as a whole.
- The Australian Government's Settlement Database (SDB) stores statistical data on permanent arrivals to Australia. The Department of Home Affairs uploads regular settlement reports on data.gov.au. The Department of Home Affairs also provides bespoke reports upon request, which can be lodged here.
- The Australian Census Migrant Integrated Dataset (ACMID) dataset links 201 Census records to data from the SDB to create combined records for permanent skilled, family and humanitarian migrants.
- Agency data collections include reports, surveys and important administrative data obtained when interacting with clients—such as the languages clients speak and understand.
- Some private companies offer demographic data analysis and communication strategies.

7.1 Australian Bureau of Statistics (ABS) language standards

The ABS produces language standards on how to collect, process and present quality data on languages spoken in Australia. The ABS recommends these standards be used in all ABS and non-ABS collections where information on languages spoken is needed. There are five language standards:

- First Language Spoken
- Languages Spoken at Home
- Main Language Other Than English Spoken at Home
- Main Language Spoken at Home
- Proficiency in Spoken English.

The ABS has also published the Australian Standard Classification of Languages (ASCL) (ABS Cat. No. 1267.0) to meet a statistical and administrative need for a classification of languages. It was designed for use in the collection, aggregation and dissemination of data relating to language usage in Australia. ASCL is used within the ABS and by other organisations in the fields of health, community services, and education in a number of administrative and service delivery collections.

The classification was developed through extensive research, stakeholder consultation and data analysis, including the use of Census of Population and Housing data to separately identify languages used in Australia by a significant number of people. The ASCL is reviewed after each Census to ensure that all languages spoken by a significant number of people in Australia are included in the classification.

7.2 Proficiency in spoken English (overseas born residents)[2]

According to the 2021 Census, approximately 700,000[3] people aged five years or over[4] who were born overseas[5] self-reported having limited English proficiency.[6] Of these:

- almost 507,000 were over 45 years old
- just over 165, 000 were between 25 and 44 years old
- almost 28,000 were between 5 and 24 years old.

2021 ACMID data shows almost three quarters (2.2 million or 73%) of permanent migrants use a language other than English at home.

Humanitarian migrants were the most likely to use another language at home (94%) and reported having the highest levels of low English proficiency (29.2%) followed by family visa stream migrants (17.6%). Most permanent migrants (2.7 million or 89%) reported being proficient in English, which is they only spoke English or spoke English very well.

See also Appendix 1—English proficiency data.

7.3 Longitudinal survey of humanitarian migrants

Humanitarian migrants with limited English language proficiency are a particular target group that may have a higher need for language services. The Department of Home Affairs has conducted a survey of a cohort of humanitarian migrants who arrived in Australia between May and December 2013—*Building a New Life in Australia (BNLA): The Longitudinal Study of Humanitarian Migrants*.[7] Among other topics, the survey has linguistic background, their knowledge and acquisition of English and their access to interpreting assistance.

See Part 2—Interpreting, Section 3.1 of these guidelines for findings from this survey that highlight issues about interpreting services.

ABS Census Dictionary, 2021 note on Proficiency in Spoken English:

For each person who speaks a language other than English at home, this variable classifies their self-assessed proficiency in spoken English.

Responses to the question on proficiency in English are subjective. For example, one respondent may consider that a response of 'Well' is appropriate if they can communicate well enough to do the shopping while another respondent may consider such a response appropriate only for people who can hold a social conversation. Proficiency in spoken English should be regarded as an indicator of a person's ability to speak English rather than a definitive measure of his/her ability and should be interpreted with care.

Nevertheless, it is a useful indicator of the ethnicity of the population and for the planning and provision of language services.

2 This data has been sourced from the Australian Bureau of Statistics (ABS) Census TableBuilder, 2021 Census Tables on 17 November 2023. Figures within this document have been randomly adjusted to avoid the release of confidential data.
3 This number includes results where Country of Birth is 'not stated'.
4 The number of children under 5 years old born overseas with limited English language proficiency was approximately 10,000
5 If Australian-born is included, approximately an additional 125, 200 children under 5 years old self-reported as having limited English language proficiency.
6 Limited English proficiency includes people who have reported 'not well' and 'not at all' as their response to the 'Proficiency in Spoken English' question in the 2021 Census.
7 Department of Home Affairs. (2017). Building a New Life in Australia (BNLA): The Longitudinal Study of Humanitarian Migrants—Findings from the first three waves. Canberra: Department of Home Affairs.

7.4 Languages of newly emerged communities in Australia

Migrants to Australia, in particular those who arrive under the Humanitarian program, continue to come from new countries of origin, adding to Australia's cultural and linguistic diversity.

Languages of newly emerged communities often are not widely spoken or commonly known in Australia. NAATI generally cannot assess interpreters and translators at the certification level in these languages and they are not offered for study at university.

To address the need for language services in these languages, the Australian Government works with NAATI, state and territory governments, language service providers and community bodies to encourage and recruit members of new communities to work as interpreters and translators (ideally with a view to obtaining a NAATI Recognised Practising credential—see Section 3 above).

Interpreters and translators in languages of newly emerged communities play a vital role in assisting recent arrivals to access services. It is important that Australian Government agencies identify whether their programs and services are accessible to speakers of these languages, who are likely to have a high need for language services.

8. Budgeting for language services

In line with the Australian Government's responsiveness commitment in the Multicultural Access and Equity Policy (see Section 2.3 above), Australian Government agencies should incorporate the cost of language services into their procurement and grant processes. This should be done when:

- developing New Policy Proposals
- making other budget bids
- developing and implementing programs and services.

Organisations seeking to deliver services on behalf of the Australian Government should also be required to incorporate realistic language services costs into their tender proposal or grant application.

Funding arrangements that do not adequately cover contracted service providers to deliver language services to clients with limited English language proficiency create challenges to equitable service delivery. Issues and additional costs may arise at a later date if services have not been appropriately delivered initially.

According to AUSIT, there is no standard industry rate for translating or interpreting, and language professionals set their own fees and conditions.[8]

Language service providers that assign work to practitioners will specify payments in their agreements with interpreters and translators on their panel. Some state and territory governments - Victoria's, for example - have set minimum pay and conditions, which may provide a general guide when estimating language service costs.

A language services costing tool has been provided at Appendix 2 to help agencies estimate the costs of providing language services in their funding and service arrangements.

GOOD PRACTICE

Services Australia budgeting for language services good practice example

Services Australia ensure that they consider customers with language needs when assessing new or revised policies and servic es. Human Services assumes a set percentage of customers need an interpreter for all face-to-face and telephone interactions. If there is a measure that affects a disproportionate number of customers requiring an interpreter, Services Australia sets a higher percentage.

Services Australia also budgets for the costs of translation, multicultural communication s trategies, and stakeholder engagement with customers with limited English.

8.1 Procuring language services

The method of procuring language services should be based on likely demand patterns and expenditure, and best value for money. 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. Contracts should specify the same standards required of the provider that the agency would apply to itself; for example, contracts should specify that interpreters holding a National Accreditation Authority for Translators and Interpreters credential ('NAATI-credentialed') should be engaged wherever possible.

8 AUSiT, Frequently Asked Questions—Rates and Pricing.

- **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 draw from an already established panel of interpreters/translators. The department/agency should also ensure the interpreters/translators are NAATI-credentialed.

- **Direct employment**

This refers to the employment of 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, where there are changing levels of demand in different languages, or where this approach may represent a perceived conflict of interest.

Bilingual staff should not be asked to carry out sensitive or complex translating and interpreting tasks. In such cases, NAATI-credentialed interpreters should be engaged.

Australian Government agencies subject to the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) are required to comply with the 2014 Commonwealth Procurement Rules (CPRs).

GOOD PRACTICE

Budgeting for language services Australian Taxation Office good practice example

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, translations, typesetting and printing, audio and visual production, as well as community and media relations (seminars and community events), public relations activities, launch events, advertising and staffing costs.

9. Record keeping, monitoring and evaluation

Accurate record keeping is essential for measuring the extent to which Australian Government agencies are meeting their access and equity obligation to people with limited English language proficiency.

9.1 Data collection

Data collection supports Australian Government agencies to:

- respond to feedback from communities and ethnic support agencies and follow up on feedback received
- address systemic issues encountered while using language service providers
- track progress, highlight lessons learned and facilitate improvement of government programs and activities
- report on Multicultural Access and Equity Policy commitments.

Regular reporting can feed into monitoring and evaluation of the language services to ensure that service design and delivery are both effective and responsive to the needs of people with limited English language proficiency and meet the department or agency's multicultural access and equity commitments.

9.2 Client service delivery data

Australian Government agencies should have an internal register or record management system to record data on client service delivery and/or program management. Client service delivery data may include:

- individual clients' language service needs, including preferred spoken and written language and dialect (in accordance with the Australian Bureau of Statistics' Standards on Cultural and Language Diversity)
- the type of language service (interpreting, translating, and, if necessary, bilingual assistance)
- the number of people provided with language services
- the languages in which language services were provided
- the number of language services provided
- requests for preferred gender of interpreter
- web search analytics from translated pages to disaggregate client data
- details from client satisfaction surveys
- information about complaints.

In addition, client delivery data should capture:

- instances where a request for an interpreter was not met and why
- instances when an interpreter was offered but declined by the client
- information on how communication issues in such cases were managed.

9.3 Program management data

Program management data may include:

- key performance indicators in relation to providing services to people with limited English proficiency
- linguistic diversity information to be taken into account in data collections, research projects, contractual arrangements, program and policy development
- proportion of translators and interpreters who have NAATI credentials and the type of credential held by the interpreters and translators engaged
- budgeting expenditure for the provision of language services.

If agencies are reporting on the delivery of language services, it could include:

- when the language service was accessed
- instances where 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.

If a family member or friend has informally interpreted a simple conversation (such as making an appointment), the nature of the conversation should be recorded.

GOOD PRACTICE

Record keeping, monitoring and evaluation Services Australia good practice example

Services Australia's Centrelink system records customers' spoken and written language preference.
Services Australia use this information to identify Centrelink customers with limited or no English language proficiency. This means the agency can arrange interpreting and translating services without the customer needing to ask every time. It also provides the agency with information about customer language needs and helps the agency determine which languages are in demand in different locations. Services Australia systems also help the department identify and address any language service gaps.

10. Feedback and complaints

Australian Government agencies should ensure that people with limited English language proficiency are able to provide feedback and/or lodge a complaint about the provision of language services.

Agencies should also be aware that NAATI and AUSIT have complaint handling procedures.

Agencies should consider the following in relation to feedback and complaints:

- Client satisfaction surveys should include questions on satisfaction with language services
- Complaints handling information should be readily accessible to individuals, preferably in a number of key languages
- Australian Government agencies should ensure contracts with language service providers include a complaint mechanism
- Australian Government agencies should also have a procedure for people to lodge a complaint about interpreters/translators
- Where a dispute arises over information provided through an interpreter, the agency should provide a further opportunity for the person with limited English language proficiency to provide information through a different interpreter
- Agencies should record feedback and/or complaints for action and reporting purposes.

GOOD PRACTICE

Mechanisms for feedback, complaints and compliments Department of Employment, Skills, Small and Family Business good practice example

Job seekers and employers are able to lodge complaints about the services they are provided through the Department of Employment, Skills, Small and Family Business National Customer Service Line (NCSL) and can also seek assistance from the department through the Employment Services Information Line. Customer Service Officers (CSOs) on these lines will organise an interpreter through the Translating and Interpreting Service (TIS National) where needed to assist the job seeker or employer. Should a job seeker or employer indicate they require an interpreter or a CSO believes an interpreter is required, the CSO will arrange one through TIS National. Alternatively a job seeker or employer may contact TIS first and ask for the Employment Service Information Line on 13 62 68. TIS National usage is costed on the basis of the past 12 months actual expenditure. TIS National charges the department monthly on the number of interpreting services provided to the department.

GOOD PRACTICE

Mechanisms for feedback, complaints and compliments Australian Taxation Office good practice example

The ATO convenes community consultation forums for people with limited English language proficiency based on project and business needs. 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.

11. 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 Australian Government agencies' preferred language service providers (in compliance with CPRs) should be readily available on their intranet. It is important that staff know who they should contact when a language service is required.

Once staff are appropriately trained, agencies should seek their views on client usage of language services and any barriers to accessing language services. Staff insights can be fed into the evaluation of the agency's language services guidelines and procurement of language services.

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

- providing a cross-cultural communication module as part of induction training for new starters
- holding regular access and equity forums and training sessions for staff
- having an intranet page with helpful and easily accessible information on language service issues.

GOOD PRACTICE

Staff training
Services Australia good practice example

Services Australia has developed an internal training package available to staff through its eLearning system. The interactive training uses short videos to demonstrate common problems staff may face when working with interpreters. It includes strategies for running streamlined interviews and guides staff through the technical processes involved in accessing interpreters.

Services Australia has also developed a Multicultural Awareness Capability Framework to build its workforce's cultural competency. It contains a suite of modules designed to build staff capability to engage and interact with people from Australia's culturally and linguistically diverse (CALD) communities. This includes a Multicultural Awareness eLearning module, a core attitudinal module called 'Multiculturalism: Our Stories', and multicultural awareness sessions for Senior Executive Service staff.

These modules explore the experiences of people from Australia's CALD communities through the unique element of storytelling. In some modules, community guest speakers are brought in to share their personal stories and insights with staff.

The agencies Multicultural Service Officers reinforce the training by monitoring interpreter interactions and providing staff with further guidance.

12. Bilingual staff

For the purpose of these guidelines, 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 can perform their duties in two (or more) languages, if required. Benefits of bilingual staff include:

- their knowledge and understanding of their organisation's terminology, policies and procedures
- effective and efficient service delivery
- saving time and cost for the organisation
- saving time and limiting possible misunderstanding for the client.

However, agencies should be aware of the difference between bilingual work and interpreting and translating. Bilingual staff are not interpreters or translators and should not be required to provide these services in place of credentialed practitioners.

As AUSIT states in answer to a Frequently Asked Question on bilingual staff, interpreters have highly developed skills in language transfer, draw on a range of professional tools and training, and comply with a professional code of ethics when undertaking assignments. These attributes provide greater assurance both to the client and to Australian Government agencies.

As bilingual staff are not credentialed interpreters, they are not bound by the AUSIT code of ethics. However, if they are employed by the Australian Public Service, they are bound by the Australian Public Service (APS) Code of Conduct.

When an agency is unable to engage a NAATI-credentialed interpreter or translator or determines it is not necessary, a bilingual staff member with the appropriate language aide credential may be asked to interpret for simple communication tasks, such as providing assistance in contacting appropriate services or arranging appointments.

'Simple communication' is defined as communication where the outcome of the communication has a low risk of adverse effects for both the person with limited English language proficiency and the agency.

Bilingual staff should not interpret or translate complex, detailed, technical or sensitive information. Neither should they communicate information that is legally binding, could be legally challenged, or that puts at risk the person with limited English language proficiency, or the organisation's interests and objectives.

Some Australian Government agencies provide a language allowance to bilingual staff. These 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 undertake an assessment of their language skills by NAATI or another assessing organisation. As noted, staff members who have passed the NAATI Community Language Aide Test (or an equivalent assessment) are not qualified to act as translators or interpreters.

In summary, notwithstanding the benefits of a diverse and bilingual workforce, knowing another language well for everyday communication is not the same as having the ability to accurately convey complicated information from one language to another, particularly in complex or stressful situations, ones involving technical matters, or when subject to legislative oversight. In these cases, a credentialed interpreter and/or translator should be engaged.

Agencies should provide clear guidance to staff on where it believes it is and is not appropriate to rely on bilingual staff in particular situations. This should include an assessment of the following questions:

- Have they passed the NAATI Community Language Aide Test (or an equivalent assessment)?
- Are there ethical implications?
- Is there a real or perceived conflict of interest in performing the role?
- Is there potential for a misunderstanding to occur that could have serious consequences for the client or for the agency?

Part 2—Interpreting

1. Interpreting introduction **24**

2. The role of an interpreter **24**

2.1 Interpreter's skills 24

2.2 Limits on the interpreter's role 25

2.3 Commonwealth Ombudsman's Best Practice Principles 25

3. When should an interpreter be engaged? **26**

3.1 Longitudinal survey of Humanitarian migrants: findings on interpreting assistance 26

4. Supply of interpreters **27**

5. Working with interpreters **28**

5.1 Risks associated with choosing an interpreter based on a particular background 28

6. What language or dialect is required? **29**

7. What type of interpreting service is required? **29**

7.1 On-site interpreting (face-to-face) 29

7.2 Telephone interpreting 30

7.3 Video interpreting 30

8. Interpreters and conflicts of interest **30**

8.1 Actual, potential or perceived conflicts of interest 30

8.2 Practices to avoid conflicts of interest 31

9. Family member/friend acting as an interpreter **32**

10. Procuring interpreting services **33**

10.1 Providing contextual information 33

10.2 What if a person refuses to engage with an interpreting service? 33

11. National Interpreter Symbol **34**

11.1 Using the symbol 34

12. Role of bilingual staff **34**

Languages connecting the community to Human Services 35

1. Interpreting introduction

This part covers oral communication with people with limited English language proficiency. Interpreting refers to the act of orally conveying meaning accurately between two languages. This can occur in person, by telephone or by video.

Government agency staff may need to speak with a person or group of people with limited English language proficiency in a range of situations, such as seeking or providing information, determining eligibility for and accessing government services, or participating in the development or evaluation of policies, programs and services. Such interactions include:

- discussions at a government shopfront
- contacting a government call centre
- group information sessions
- focus groups or community consultations
- receiving government services
- providing feedback on a government service
- participating in an investigation.

Other important settings are the delivery of health, aged care and disability services, as well as courts and tribunals.

2. The role of an interpreter

The role of an interpreter is to provide an accurate transfer of meaning in real time of what is being said so that the person with limited English proficiency is able to access a government or other community service and receive the same level of assistance as an English speaker. Engaging an interpreter should ensure that a person with limited English proficiency does not experience a language barrier when accessing services.

2.1 Interpreter's skills

An interpreter has a range of distinct professional knowledge and skills[9] in addition to the ability to fully understand and speak two or more languages. They include:

- ethical understanding of their role, including the need to act impartially at all times in the interpreting encounter
- an understanding of the cultural contexts in which both languages are spoken—that is, intercultural understanding
- providing consecutive interpreting and simultaneous interpreting, as appropriate
- identifying and conveying the language register (such as formal or informal language) being used
- drawing on strong memory and/or note-taking skills during an assignment
- applying active listening skills
- anticipating when to intervene during an interaction to seek clarification on behalf of either party, and to make clear to both parties that they have intervened
- respecting role boundaries of all participants.

9 These skills along with others are included in ISO 13611: 2014 Interpreting—*Guidelines for community interpreting*. ISO 13611:2014 establishes criteria and recommendations for community interpreting during oral and signed communication. As noted in Part 1, Australian Government agencies may consider purchasing their own copies of this standard from SAI Global.

2.2 Limits on the interpreter's role

An interpreter should not provide any other assistance beyond interpreting the conversation. The interpreter must **not:**

- act as an advocate or counsellor
- provide advice as to how to answer a question
- elaborate or explain the meaning of a question
  - for example, 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 either party, without clearly indicating to both parties that they intend to make a comment for the purpose of conveying the expressed meaning
  - for example, If the speaker with limited English language proficiency 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 to the other party.
- 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 aware of the need to act impartially in fulfilling their interpreting role, possess the above-mentioned skills, and understand the limits of their role.

2.3 Commonwealth Ombudsman's Best Practice Principles

GOOD PRACTICE

Commonwealth Ombudsman's Best Practice Principles

Following a 2009 review of the use of interpreters within four Australian Government departments and agencies, the Commonwealth Ombudsman proposed eight best practice principles, which remain current. The principles state that Australian Government agencies should:

- have a policy on the use of interpreters
- promote access to interpreting 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 the use of credentialed interpreters.

See: Commonwealth Ombudsman Fact Sheet—Use of interpreters.

3. When should an interpreter be engaged?

Australian Government agencies should engage a NAATI-credentialed interpreter whenever information needs to be conveyed fully and accurately, and particularly when:

- the information or policy is complex, or of a legal or technical nature
- Australian Government officers are obliged by their agency's legislative requirements to engage an interpreter
- 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.

Engaging a NAATI-credentialed interpreter should be the default approach when a client:

- produces an 'I need an interpreter' card
- 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 response)
- indicates a preference to speak in another language
- cannot respond adequately to a question
- is unable to confirm they have understood key information.

3.1 Longitudinal survey of Humanitarian migrants: findings on interpreting assistance

Two findings on interpreting assistance from the *Building a New Life in Australia (BNLA): The Longitudinal Study of Humanitarian Migrants* (as referenced in Part 1, section 7.3) raise particular issues. Firstly, BNLA respondents who had been in Australian for up to two and half years (that is, at Wave 3) said that the most common reason they were not able to access interpreting services was that they were told their English was 'too good', possibly because service providers perceived that the clients have a greater English proficiency. This serves as a reminder to Australian Government agencies and their contracted providers that language services should be available whenever a client requests them—irrespective of the client's perceived proficiency.

Another finding indicates that over time respondents were more inclined to rely on 'friends/family' for interpreting assistance (in Wave 1 over 25 per cent of respondents stated they relied on 'family/friends'; this increased to over 30 per cent at Wave 3—respondents could select multiple responses). While the BNLA report does not explain this increase, it may reflect the fact that younger family members' English may improve more quickly than that of their parents. However, a key principle of these guidelines is that family members **should not be** asked to act as an interpreter (see Part 2, Section 9 for further guidance on this point).

4. Supply of interpreters

Migration patterns and market forces directly determine the supply of interpreters in the Australian interpreting industry. 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 languages of newly emerging communities in Australia. Booking interpreting services in advance will assist with securing an interpreter for an assignment.

In a small number of languages and dialects a NAATI-credentialed interpreter may not be available, or an insufficient number of NAATI-credentialed interpreters may be available at any one time. In these instances, Australian Government agencies should ascertain whether the language service providers have quality assurance processes in place to ensure any interpreter to whom the providers assign work can meet appropriate standards and levels of competency (as defined in the procurement contract the language service provider has entered into with an Australian Government agency).

Agencies must consider the potential legal and other consequences of adverse outcomes when using a non–NAATI-credentialed interpreter if a NAATI-credentialed interpreter is in fact available or could be available (that is, by rescheduling the engagement).



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5. Working with interpreters

Australian Government agencies should provide guidance to staff working with interpreters to communicate with clients. Staff may need training to ensure they communicate effectively with clients through an interpreter. Agency staff should:

- brief the interpreter before the assignment, if possible
- allow additional time for the client service to cater for consecutive interpreting
- speak clearly and at a moderate pace
- address the client, not the interpreter
- be aware of non-verbal communication cues, such as facial expressions and body language of the client (while noting possible cultural differences, such as avoiding eye contact)
- pause frequently to allow the interpreter to convey the message
- avoid interrupting the interpreter while the interpreter is conveying a message
- explicitly invite the interpreter to seek clarification both from the staff member and the client
- ensure the setting allows for clear communication (all involved are comfortable, minimise background noise and other possible interruptions).

Agencies should confirm, as a minimum, that the interpreter has obtained Australian police checks and is bound by the AUSIT Code of Ethics. Language service providers may provide professional indemnity, public liability and workers compensation cover for interpreters that they employ (and to whom they assign work). However, some interpreters who work independently (because they choose to or because demand is low for their language) may not have this cover. Agencies should balance the risk of engaging interpreters who may not have the above cover against the need to provide an interpreter in the required language.

5.1 Risks associated with choosing an interpreter based on a particular background

Members of the public may request an interpreter with a particular ethnic, cultural, political and/or religious background. However, there are risks associated with this approach that Australian Government agencies should take into account:

- 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.
- Language service providers who assign work to interpreters may not give the agency or the end client a choice in requesting 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. It is acceptable, however, for someone to request an interpreter of a specific gender, either for cultural reasons or in family safety situations, for example.

6. What language or dialect is required?

After establishing whether an interpreter is needed, agency staff must establish the language in which the person prefers to communicate. Staff should not assume an individual's language is linked to their country of birth. For example, a person from the People's Republic of China may speak Mandarin, Cantonese, Hakka or another Chinese language. Accordingly, staff should always ask what language the person prefers to communicate in—and where possible this information may be recorded in the agency's client management system.

A practical tool that agencies may wish to use is the *I need an interpreter* card. The wallet-sized card, featuring the National Interpreter Symbol, is designed to assist clients with limited English language proficiency 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. This card is produced by TIS National, which is managed by the Department of Home Affairs.

I need an interpreter cards can be ordered from the TIS National Client Liaison and Promotions team at: . Other language service providers may also have similar products available.

7. What type of interpreting service is required?

Interpreters may provide their services on site, over the telephone, or by video conferencing.

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

In an on-site interpreting setting all parties who wish to speak to one another are located in the same place. An on-site interpreter attends a meeting or interview in person to interpret the exchange. On-site interpreters could be considered in instances where communication involves:

- sensitive or complex issues
- issues that may take a considerable length of time
- group meetings or interviews that can be planned in advance
- situations where it is considered more practical to do so.

On-site interpreting may be either consecutive or simultaneous. Consecutive interpreting refers to when the interpreter interprets first for one person and then the other. Most interpreting encounters in which Australian Government agencies are likely to be involved (either directly or through a service provider) would be consecutive. Simultaneous interpreting refers to when the interpreter interprets at the same time as the person speaking. This is more common in conference interpreting or high-level summits. Whispering the simultaneous interpretation is known as chuchotage.

7.2 Telephone interpreting

Telephone interpreting involves a three-way conversation over the telephone between an individual (or group), an interpreter and an officer, all of whom may be in different locations.

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
- cost-effectiveness (as the interpreter's time is used more effectively and travel time is not required)
- availability in emergencies and for immediate assistance
- increased confidentiality and privacy, particularly in smaller communities.

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.

7.3 Video interpreting

Video interpreting—also referred to as video remote interpreting—involves the same process as telephone interpreting, except that all parties are able to view each other. Specific equipment is required.

Video interpreting involves an interpreter delivering the interpreting service by video-link. A key advantage of video interpreting is that it enables face-to-face communication between the agency, the interpreter and the individual with limited English language proficiency without the travel time and expense that may be incurred by on-site interpreting. This enables the interpreter and individual with limited English language proficiency to view non-verbal communication cues, such as facial expressions. Agencies should confirm costs of this type of interpreting service with their interpreting services provider. In addition, specific electronic equipment and IT support may be required.

Telephone interpreting or video-conferencing may help in facilitating access to interpreters in languages of newly emerging communities, or when services are required in rural or remote areas.

8. Interpreters and conflicts of interest

An actual, potential or perceived conflict of interest may arise when the interpreter, owing to a personal or private interest in the communication encounter, fails to comply with their interpreting responsibility to remain impartial and to convey content and intent of the source message fully and accurately.

Although the onus of declaring a conflict of interest rests with the individual interpreter, Australian Government agencies should encourage the disclosure in their guidelines on the use of language services 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).

Australian Government agencies should record this information on file or in their language services register.

8.1 Actual, potential or perceived conflicts of interest

An actual conflict of interest exists when an interpreter, as a result of their private interests, has failed to comply with their interpreting responsibilities (as set out in the AUSIT Code of Ethics). For example, the interpreter may also be the migration agent for the person who has limited English and may therefore not accurately convey information to a government agency.

A potential conflict of interest arises where an interpreter has private interests that could conflict with their responsibility as an interpreter. For example, an interpreter is related to or known by the person who has limited English language proficiency—as a result, the interpreter may be tempted to act in the person's interest or, indeed, against it.

A perceived conflict of interest exists 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.

8.2 Practices to avoid conflicts of interest

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

According to the AUSIT Code of Ethics, 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
- withdraw from or do not accept assignments in which impartiality may be difficult to maintain because of personal beliefs or circumstances.

Adherence to the AUSIT Code of Ethics and Professional Conduct is a requirement to maintain a NAATI credential. NAATI investigates any allegation reported to it of unprofessional conduct by a practitioner with any NAATI credential. If a very serious allegation is substantiated, NAATI can revoke the credential.

Clients or other parties who work with interpreters can bring any breach of the Code of Ethics to AUSIT's attention. AUSIT has processes for investigating such complaints, as do many of the agencies or institutions that purchase interpreting and translating services, and requires its practitioners to adhere to the AUSIT Code. Complaints can also be raised with NAATI.

Unless they are individual members of AUSIT, bilingual staff of an Australian Government agency are not bound by the AUSIT Code of Ethics. While staff 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.

GOOD PRACTICE

Dealing with conflict of interest Services Australia good practice example

Services Australia always give interpreters t he customer's name when they make a boo king. This lets interpreters declare any conflicts of interest up front (for example, if the person is a relative). Declaring conflicts of interest is part of interpreters' contracts. It is addressed at familiarisation sessions that interpreters attend when they first join the agencies register. Services Australia train all staff to identify any conflicts of interest and gives them guidelines to help them deal with these situations.

9. Family member/friend acting as an interpreter

Australian Government agencies should not ask or allow a client's carer, family member or friend to interpret complex, technical and sensitive information. Relying on a person's relative or friend to act as an interpreter can have serious consequences, such as:

- inaccurate information being conveyed
- breach of privacy and confidentiality
- lack of impartiality
- filtering of personal information to 'protect' their relative or friends
- use of information for private advantage or gain
- inability to cope with subject matter or specialised terminology
- vicarious trauma.

Agencies should provide clear guidance as to the circumstances in which it is and is not appropriate for agency staff to involve adult family members or friends in interpreting simple messages. The guidance should include an assessment of potential risk to the individual and the agency. For example, a person may ask that their friend or family member over the age of 18 interpret simple messages, such as where and when an appointment has been scheduled.

In some cases, a client may refuse to have a credentialed interpreter present, preferring to rely on their family member/friend. If a family member/friend interprets anything other than simple messages, a client file note should be made to record the nature of the interaction and the information given to the non-credentialed interpreter to convey.

Informed consent should also be sought from the individual to use the family member/friend as the interpreter. Ensuring that this consent is informed may require the obtaining of consent to be conveyed in a way that does not involve the family member/friend interpreting—such as by using a signed translated form.

A conflict of interest may arise when a family member/friend interprets 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.

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

Children must not be asked to interpret under any circumstance because:

- children may lack fluency in both languages and therefore the potential risk of miscommunication is greatly increased
- children may not fully understand the content and context of the information, owing to their level of cognitive development
- the process can distort authority relationships within the family
- the parent or service provider may not be able to disclose all the required information in order to protect the child from information that is not age appropriate.

10. Procuring interpreting services

In general, when procuring the services of a NAATI-credentialed interpreter, the language service provider may 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 telephone system (fixed, mobile, speaker) being used.

10.1 Providing contextual information

Contextual information refers to the situation and details which may be taken for granted but can have a significant impact when interpreting is required. An interpreter should be fully briefed about the situation before beginning to interpret to enable them to select the correct words and phrases to suit the context.

Investigative agencies such as the Australian Federal Police, tribunals and courts have particular practice requirements for working with interpreters. These requirements include the importance of providing interpreters with contextual information, including relevant printed documents, commonly used terms and adequate briefing, to help the interpreter prepare for the assignment.

10.2 What if a person refuses to engage with an interpreting service?

If staff feel they require an interpreter to communicate effectively with a person who has limited English language proficiency but who is unwilling to engage with the interpreter, strategies to try could include:

- explaining to the person that it is the staff member who requires the language service, not them
- speaking with family members or friends present to establish the reason why the person is refusing the language service
- engaging a telephone interpreter to assist in establishing the issues and explain the need for the language service.

If the person with limited English language proficiency continues to refuse the language service, agencies and service providers need to assess the risk of continuing the conversation without an interpreter. A file note should be made to record the incident and the reason to discontinue the conversation.

GOOD PRACTICE

Procuring interpreter services
Department of Employment, Skills, Small and Family Business good practice example

The Department of Employment, Skills, Small and Family Business requires its employment services providers to provide interpreters to facilitate communication with program participants. Providers of the main national employment service, jobactive, must engage NAATI-credentialed interpreters when a job seeker requests it and/or the provider considers it appropriate, to ensure job seekers understand their requirements. jobactive providers can seek reimbursement for interpreter services through the Employment Fund, a flexible pool of funds to be used for goods and services to support and assist job seekers to get and keep a job.

11. National Interpreter Symbol



The National Interpreter Symbol is a national public information symbol, developed by Victoria in partnership with the Commonwealth and other state and territory governments. The purpose of the symbol is to indicate that people with limited English proficiency can ask for language assistance when using government and other services.

11.1 Using the symbol

Australian Government agencies, as well as other community and private organisations, are encouraged to use the symbol. The symbol may appear on webpages or be on display wherever government and community services are being delivered, such as at public hospitals, police stations, schools, community centres, housing and employment service providers, local councils and migrant resource centres. The more places that use the symbol, the more recognition and understanding there will be that interpreting services for organisations and clients are available. The National Interpreter Symbol in JPEG and EPS formats can be downloaded from the Department of Social Services website.

12. Role of bilingual staff

[Also refer to Part 1, Section 12.]

Bilingual staff may perform their duties in their language other than English, if required. An advantage of bilingual staff is their knowledge and understanding of their organisation's terminology, policies and procedures. As noted in Part 1, bilingual staff are not interpreters and should not be required to work as interpreters. In particular, they should not be asked to carry out sensitive or complex interpreting tasks. In such cases, a NAATI-credentialed interpreter should be engaged. This will ensure the accuracy of the communication encounter, as well as its impartiality.

GOOD PRACTICE

Bilingual staff Services Australia good practice example

Services Australia provides a phone service for Centrelink customers who speak a language other than English. Bilingual staff who work in the Multilingual Phone Service answer Centrelink customer enquiries.

Bilingual staff are also located in service centres across the country. These bilingual staff conduct their normal interviews or customer interactions in another language and are not used as interpreters.

When bilingual staff have proven language skills and there is a demand for their skills, Services Australia pays them the Community Language Allowance (CLA). To receive CLA, staff must show proof of language qualification or have passed a CLA proficiency test.

Languages connecting the community to Services Australia

Across Australia, Services Australia has 540 bilingual staff, who speak more than 40 languages.

These staff use their language skills every day to help people who are culturally and linguistically diverse have the same access to the department's services as people who speak English.

The agencies national Multilingual Phone Service is the largest of its kind in the Southern Hemisphere, handling approximately 2500 calls a day in more than 30 languages.

A bilingual staff member in the Multilingual Phone Service, who uses Arabic to help people every day, remarks:

'Some things said in English don't translate well in Arabic, so I need to put together an example that better describes a scenario people can relate to and understand.

'When I was growing up we had a rule that Arabic was to be spoken at home and English at school so that my siblings and I were able to learn both.

'What I love about the language is that there are so many ways to describe things so that they have a really deep meaning and can be tailored.

'My taking calls in a language that a caller can better relate to makes them feel more comfortable and they can easily do their business.'

The department also provides free interpreter and translation services in more than 230 languages.

In 2017–18, more than 2000 interpreters assisted with more than 800,000 appointments with people over the phone and in person.

As the staff member said, 'If we didn't offer services to people in their preferred language a lot of people just wouldn't know what to do.

'People really appreciate being able to call the Multilingual Phone Service and speak to someone in their preferred language.'



Sourced from Department of Human Services

Part 3—Translation

1. Translation introduction **37**

2. What to consider when translating communication products **38**

2.1 Consultation 38

3. Preferred approach to engaging translation services **39**

3.1 Defining parameters for the translation service provider 39

3.2 Specifications for translation assignments 39

3.3 Quality assurance measures 40

3.4 Identifying translation costs 40

4. Identifying the appropriate languages for translation **42**

5. Things to consider when preparing material for translation **43**

5.1 Choosing the medium for translated information 44

6. Use of machine translation **45**

6.1 Limitations of machine translation 46

6.2 Computer-assisted translation software 46

7. Reviewing the translation product **47**

8. Final translation product **48**

8.1 Sample disclaimer 48

9. Role of bilingual staff **49**

10. Translated forms submitted by members of the public **49**

1. Translation introduction

Communication products developed by Australian Government agencies may need to be translated into languages other than English to be understood by target audiences who have limited English language proficiency.

Written, audio and visual communication products for individuals or groups of people with limited English proficiency may include:

- government information or advertising campaigns
- information about government and/or agency-specific policies, programs or services
- communication to generate certain actions or desired behaviour
- requests for community input in program or policy development, evaluation, or feedback.

Translated communication products are a key element in meeting access and equity commitments. They improve knowledge of available services, resources, rights and entitlements. Often the most effective communication strategy may be a combination of translated products provided in parallel with other language services. Depending on the situation, they may either complement the role of an interpreter or reduce the need for an interpreter.

A translated product must maintain an equivalence between the source language and the target language in relation to:

- what the communication is aiming to do (that is, the purpose of the communication)
- the meaning conveyed by the word choices
- the form (or grammar) of the texts.

In order to ensure this equivalence, a translator should have deep knowledge of the source and target language and an understanding of the purpose and broader context of the product requiring translation. In addition, NAATI-credentialed translators have passed an intercultural assessment (see Part 1, Section 3), which demonstrates that they have the necessary cultural knowledge to undertake the translation.

2. What to consider when translating communication products

Agencies should develop their own internal guidelines that clearly articulate:

- the use of language services for written and other recorded material
- the approval processes required for material to be translated
- procurement of translating services through a single provider or panel of providers, and
- quality assurance of the translated product.

Agencies should consider:

- whether the communication product addresses a topic that is likely to be sensitive or unfamiliar to the target audience
  - if so, agencies may wish to consult with ethnic community organisations, community workers and individuals from the relevant community
- how cultural factors may influence the target audience's reaction to the communication product
  - for example, how is this type of information handled, and what tone and type of language are normally used in the specific culture which is being targeted when discussing these issues?

Agencies may need to develop alternative forms of information dissemination for people with limited English language proficiency.

2.1 Consultation

To ensure that communication products are effective and culturally and linguistically appropriate, it is important to consult with migrant community organisations, community workers (preferably those who are working in the specific field covered by the information material) and community members. These consultations should consider the following 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 spoken language.
- Some languages do not have a written form or have only had a written form for a short period, resulting in little experience of using written texts for information.
- Smaller, recently established communities may be less likely to have alternative information sources such as established media in the community language.
  - Although this may be mitigated by social media, the accuracy of online information may be an issue.
- There may be different attitudes to the reliability of different information sources (printed versus verbal)—these differences may become apparent only through the consultation process.

GOOD PRACTICE

Material for translation
Department of Employment, Skills, Small and Family Business good practice example

The Department of Employment, Skills, Small and Family Business provides on its website a variety of translated material about the jobactive employment services program (and other departmental programs) for the use of employment service program providers and job seekers/program participants. Among these is a fact sheet designed to respond to a specific identified need to help job seekers gain a better understanding of Mutual Obligation Requirements (the activities job seekers may need to do to keep receiving income support payments). The document has been translated into six of the most widely used refugee community languages, as identified through job seeker caseload data on language needs.

3. Preferred approach to engaging translation services

Some Australian Government agencies have existing arrangements for obtaining translating services, such as a panel of translation providers or access to a department-funded procurement process for language services. Agencies should document the process for seeking approval to translate Australian Government agency documents.

Where no panel is in place, the NAATI Online Directory at www.naati.com.au or the AUSIT directory at www.ausit.org can be consulted.

Agencies should:

- confirm what level of NAATI credential the translator holds
- ascertain the translator's qualifications and experience in the relevant field
  - it is preferable, but not always possible, to work with a translator who is familiar with the relevant subject matter, concepts and terminology in both languages
- ask the translator to affix their translator stamp to the translation.

3.1 Defining parameters for the translation service provider

Australian Government agencies should be aware of *ISO 17100:2015 Translation services—Requirements for translation services* and may request that translation service providers comply with this standard.

All translation service assignments should:

- specify whether the work is to be completed by a NAATI-credentialed translator in Australia
- specify any quality assurance measures required (see below)
- indicate whether the translated product requires a NAATI-credentialed translator's stamp (or another form of affidavit to be signed by the translator).

NAATI-credentialed translators are obliged to certify that their translation is true and accurate to the best of their knowledge. The translator should affix their personal NAATI-issued translator's stamp on the translated product. In addition to the stamp, the translator should provide their name, details of their NAATI credential, language and language direction (that is, they may be able to translate only from English to the target language, but not vice versa), date and signature.

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.

Agencies should specify how the work is completed, in line with Commonwealth Procurement Rules and whether and how the translation service provider stores copies of the translated product in line with Australian Government requirements.

3.2 Specifications for translation assignments

When requesting translations:

- Specify the target audience for the translated publication.
- Provide translators with background material, including a glossary of any specialised terms used, to help them understand the document.
- Specify the layout required for the translation.
- Provide any graphics, tables or other material that will be included.
- Advise of any software requirements (for example, HTML, PDF, Word).
- Specify the final translation format, such as printed, storage device, online format or email.
  - Translations are often loaded onto the internet as PDF documents, whereas HTML can be a more accessible format.

- Provide the translator with an agency contact to discuss any issues that arise during the translation process.
- Consider any time constraints that may affect the translation timeline; for example, desktop publishing requirements.
- Indicate any delivery and address requirements.
- Check whether professional indemnity insurance cover is included, to cover instances where your organisation becomes involved in a legal issue regarding the translation.
  - If agencies have a contract with a translating provider, this should be included.

The design, production and despatch of translated communication products, particularly advertising materials, may need to be undertaken by a specialist supplier.

3.3 Quality assurance measures

The translation assignment should specify the required quality assurance measures. Measures include:

- revision—a bilingual examination of the target language content against the source language content for its suitability for the agreed purpose
- review—a monolingual examination of the target language content[10] back-translation—re-translating a translated product back into English.

Time and budget permitting, it is preferable for a second NAATI-credentialed translator to independently revise the translated product against the English original.

For some assignments, particularly where the subject is complex, technical or has significant legal implications, the translated product should be 'back-translated' into English to ensure the translation accurately conveys the meaning and purpose of the original text. Again, a second NAATI-credentialed translator should undertake the back translation.

Where a second translator may have revised the translation as part of the translation assignment, the primary translator who has undertaken the initial translation is ultimately responsible for the translated product.

Agency staff, whether they are bilingual or do not know the target language, can also conduct quality assurance, as described in more detail in Section 7, Reviewing the translation product.

3.4 Identifying translation costs

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.

Agencies should obtain an itemised, written estimate from the translator or the language service provider 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. Agencies should note whether there are any additional costs when the translation:

- is cancelled, or changes are required to the English text
- is urgent
- is to be proofread 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 proofreading and editing services)
- is to be back-translated into English by another translator to allow comparison with the original text
- requires further changes at the final proofreading of the typeset copy.

10 *ISO 17100.2015 Translation services—Requirements for translation services* makes this distinction between a 'revision' and a 'review' of a translated product.

GOOD PRACTICE

Preferred approach to translation services Services Australia good practice example

Services Australia operates a panel of creative and digital communication providers, which includes translation services. The panel contains 19 translation companies, which use NAATI-credentialed translators. More than 60 Australian Government agencies use the panel. The benefits of the panel include:

- better value for money, as providers submit competitive pricing to be included in the only comprehensive arrangements for communication products and services across government
- cost savings and red tape reduction for participating agencies, which no longer have to run complex, lengthy and costly procurement processes to establish their own arrangements
- cost savings and red tape reduction for industry, which no longer has to respond to multiple panel-level tenders for similar services with different conditions of tendering and different contractual terms
- better compliance by government with procurement and contracting rules
- a 'centre of excellence' within the department, whereby the department provides process and subject matter advice and assistance to both agencies and contractors.

Agencies wishing to access or learn more about the panel can email cooperative.procurement@servicesaustralia.gov.au.

4. Identifying the appropriate languages for translation

Selecting languages for translation requires careful consideration. Identifying the languages with the highest number of speakers may not 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, the following resources may be useful:

- demographic data sources such as ABS, Local Government Areas, ACMID (see Part 1 Section 7) to understand the demographics of your target audience
- reliable online lists of languages to determine the languages spoken in a particular region or country of origin (for example, Ethnologue)
- community profiles to help provide culturally appropriate information especially if the text targets specific groups, such as newly arrived refugees and humanitarian entrants,
- community workers who can advise which language groups rely more on translated information.

In addition, agencies should be aware that a written language may have subtle differences from another related language, and using the incorrect language may cause confusion or offence.



Agencies should consider:

- how many clients currently using the products, programs and services are from culturally and linguistically diverse backgrounds
- the largest portion of affected customers when considering language needs
- availability of and placement in community language media (SBS, in-language radio broadcasts, ethnic media, etc.)
- language service usage data from your agency's administrative and/or reporting systems
- factors often associated with limited English language proficiency (and literacy levels), such as socioeconomic background, level of education, literacy/illiteracy in another language and cultural background.

GOOD PRACTICE

Identifying the appropriate language for translation Department of Human Services good practice example

The Department of Human Services has translated information on 100 different topics in 69 languages. Human Services uses data to identify which languages information should be translated into. The department uses its own customer profiles and Australian Bureau of Statistics data to help determine how many customers are likely to be impacted, as well as literacy rates in their own language. Human Services also takes into account niche and vulnerable customer groups, as well as the languages spoken by migrant and refugee groups arriving in Australia.

5. Things to consider when preparing material for translation

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

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.

Agencies may consider engaging a provider (for example, from the Department of Human Services' whole-of-government panel of creative and digital communication providers) to meet 'plain English' requirements.

Other things to consider when preparing material for translation include the following:

- ask, 'what am I writing and who is it for?'
- place the most important ideas and messages at the beginning
- avoid 'officialese', 'legalese' and professional jargon
- avoid lengthy titles by breaking them down into shorter ones
- avoid metaphors, colloquialisms, or culturally specific expressions
- avoid large amounts of information
- avoid acronyms, or be sure to expand clearly on first usage (first usage might require several expansions in an online document that is split over many webpages)
- use clear and appropriate headings
- use short and concise sentences
- use specific rather than general terms
- adhere to the document's purpose:
  - Is it to provide information (e.g. fact sheets, brochures or pamphlets)
  - What are the key messages that need to be communicated?
  - Is it to receive information (e.g. questionnaires or surveys)?
  - What are the key pieces of information that need to be obtained?
- use an active voice ('I wrote the paper', rather than 'The paper was written by me')
- use consistent grammar
- replace uncommon words with common ones
- when using shortened forms (abbreviations, acronyms or initials), spell out in full at the point of their first use
- allow background explanation for concepts that may not have an equivalent outside Australia or in languages other than English (e.g. Goods and Services Tax, Australian Business Number)
- consider the use of (culturally appropriate) diagrams, pictograms or maps as these can be a more effective method of communicating the information than lengthy text
- explain concepts which may be unfamiliar to the average reader
- provide a glossary of terms to the translator
- include contact details as appropriate.

5.1 Choosing the medium for translated information

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

- audio or video recordings may be considered for those who require or prefer oral information, particularly in cases where literacy in a first language may also be low or for those languages with a strong oral tradition
- 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.

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



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6. Use of machine translation

Machine translation technology is developing rapidly (see the Glossary for a description of machine translation).

Australian Government agencies are beginning to recognise and realise the benefits of deploying machine translation in a controlled process to translate public-facing web pages into community languages. The benefits of machine translation may include reduced cost and the ability to update material in languages other than English in line with updates to the English language text (whereas previously there may have been significant time lags in completing such updates).

Machine translation applications (such as Google Translate and Microsoft Translator) are freely and readily available through web browsers. Members of the public may use these tools to translate information on government web pages. However, such a 'self-service' approach, in which there is no quality assurance process to validate the translation, is likely to result in translated information that is unclear and potentially misleading. Agencies can mitigate the risk associated with uncontrolled use of machine translation by managing and providing their own machine-translated output.

When agencies use machine translation to create static translations they should comply with the International Standard *ISO 18587:2017 Translation service—Post-editing of machine translation output—Requirements*. This standard sets out the need for human translators to undertake a thorough post-editing of machine translation output to check its accuracy and comprehensibility. It also outlines the specific skills translators should have to undertake post-editing work. Australian Government agencies should engage NAATI-credentialed translators to post-edit machine translation output.

The above guidance may not apply to the deployment of online dynamic translators, which provide translations in real time. When deploying online dynamic translators, agencies should consider including an automatic post-editor where necessary (as described in Annex E of ISO 18587:2017)—for example, if the content being translated includes site-specific terminology.

Agencies should engage NAATI-credentialed translators to create translations for use in an automatic post-editor.

Deploying machine translation may involve:

- identifying and recording the risks and benefits
- engaging stakeholders as required
- analysing and pre-editing the text to be translated (to ensure that it is clear, unambiguous and is in plain English)
- identifying specialised or technical terms requiring translated equivalents in the target languages
- developing a glossary of specialised/technical terms
- understanding the 'capabilities and limitations of the software and considering whether the use of such software is appropriate for the type of translation required before procuring such a service' [ISO 18587: 2017]
  - This may also include the use of automated evaluation metrics—such as 'Bilingual evaluation understudy'—which assess the quality of machine translation output by comparing it with human translations.
- considering the use of appropriate and ongoing quality assurance processes using NAATI-credentialed human translators or bilingual staff. These processes should track quality over time and be used to undertake remedial action
- considering privacy implications for the treatment of personal information. This may include ensuring that the machine translation service has onshore storage so that no personal/sensitive information is sent offshore. The onshore/offshore capability differs between software providers
- gathering and preparing data for customising and training machine translation models
- working with NAATI-credentialed translators to undertake post-editing of machine output
- obtaining legal advice on necessary disclaimers for the use of machine translation
- considering whether translations presented to users need to be stored for audit or other purposes.

In short, Australian Government agencies should use machine translation only after:

- assessing and recording the risks (which may include the risk of not using it)
- considering whether the output should undergo an appropriate level of post-editing or quality assurance by NAATI-credentialed human translators to ensure the translations produced are fit for purpose
- confirming that the translated text conveys the meaning of the English original and meets the agency's intention for the communication product.

6.1 Limitations of machine translation

Notwithstanding the advances to date and the rate of development in machine translation, machine technology continues to have limitations.

Fundamentally, 'machines cannot make conscious, ethical decisions, nor can they evaluate risk'.[11] Machines cannot understand the broader cultural and intercultural context of a document, and cannot ask questions of its author to clarify its meaning and purpose in order to provide a fit-for-purpose translation.

Machine-translated output may be less reliable (or not viable) for minor languages, owing to insufficient linguistic data available in such languages to 'train' machine translation.

Human translators have a sophisticated understanding of the different linguistic structures of the source language and target language (for example, whether the subject is more commonly found at the start of a sentence or the end) as well as an understanding of the cultural context and how this may affect the translation.

Accordingly, agencies should ensure that the quality of the machine translation output is indeed adding value to the process. It may be more laborious for a human translator to fix a poor quality machine-translated text than to start from scratch. This may have cost implications. While a human translator may receive a lower rate of pay for a post-editing assignment, if the task is more complex than initially envisaged, the cost may increase.

6.2 Computer-assisted translation software

As ISO 18587:2017 says, translators commonly use computer-assisted translation (CAT) tools, also known as automated translation software, to increase their productivity.

11 Dr Joss Morkens, 'The roles of humans and machines in translation: legal and ethical considerations', *In Touch*—Magazine of the Australian Institute of Interpreters and Translators, Volume 25, Number 3, Spring 2017, p.8

7. Reviewing the translation product

Australian Government agency staff, even if they do not understand the translated language, should review the translated output to check, where possible, that the following elements are consistent with the English language original:

- layout
- fonts
- headers and footers
- correct spelling of names
- pagination
- formatting of tables
- number of bullet points
- titles, words or emails that should remain in English
- numbers, including phone numbers and data.

The review may involve a sample of texts and a risk-based approach.

Agencies should note any apparent discrepancies and refer them back to the translator for revision as required. Each version of the document should include a time and date stamp and changes should be clearly marked on each version for the translator.

Agencies should pay particular attention to any information that may be culturally sensitive. In keeping with their Code of Ethics, NAATI-credentialed translators should not omit any text on the grounds of perceived sensitivity. The translation service provider (or the individual translator) should be required to resolve any discrepancies.

GOOD PRACTICE

Reviewing the translation product
Department of Home Affairs good practice example

Reviewing (as distinct from revising) the translated product is a valuable exercise. The *Beginning a Life in Australia* (BaLIA) booklet, prepared by the Department of Home Affairs, provides helpful settlement information and links to other websites and resources for newly arrived migrants, humanitarian entrants, and their sponsors and service providers. Both bilingual departmental staff and staff not familiar with the target language reviewed drafts of the translated products in different languages. The review of the translated products involved a range of measures and raised various issues, including:

- counting paragraphs, sentences and dot points identifying that paragraphs had been omitted and some sentences had been duplicated
- bilingual staff advising that the language used in the translated product, although similar, was not in fact the intended language (another translator was then engaged)
- an awareness of cultural sensitivity resulting in the omission of information on female genital mutilation being identified.

8. Final translation product

It is good practice to ensure that:

- the final typeset copy is proofread by a credentialed translator before the document is printed or loaded electronically
- depending on time, budget and the complexity of the document, 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 at 8.1. (Note: agencies should check with their legal areas when finalising their own disclaimer).

8.1 Sample disclaimer

If the original document has been provided by a third party prior to translation, a disclaimer must be placed on the translated document stating that the act of translating the document does not guarantee its authenticity.

Agencies should consult with their Legal areas to prepare disclaimers. Below is a 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.*

9. Role of bilingual staff

[See also Section 12 in Part 1.]

Bilingual staff may translate informal documents for everyday business purposes. For example, a client with limited English language proficiency requires a translation of standard information for their immediate, personal use.

Bilingual staff should **not** be used as a substitute for a NAATI-credentialed translator, either to undertake significant work to translate an agency's communication products or where the content of the document could have significant wellbeing consequences for the client and/or legal consequences for the agency.

GOOD PRACTICE

Bilingual staff
Australian Taxation Office good practice example

The ATO has a Community Language Allowance program through which employees who speak a language other than English are identified to assist with interpreting, translating and proofreading services. They also support community relations activities, including assisting with seminars, festivals, radio programs and related activities. The Community Language Officers in the ATO hold NAATI credentials.

10. Translated forms submitted by members of the public

Some Australian Government agencies allow members of the public/clients to lodge online forms in languages other than English. If a client communicates online in a language other than English the client's feedback will need to be translated into English. Agencies should have procedures to manage the translation of such forms. It is preferable that NAATI-credentialed translators or bilingual staff who hold a NAATI credential translate the form's content. Agencies should not rely on machine translation of these forms, owing to the limitations of machine translation outlined in Section 6.1 above.

Apart from the potential for inaccuracies in the translation, another consideration is that some clients may respond in languages not spoken by bilingual staff, which may lead to inconsistent or unequal treatment.

Agencies may allow instantaneous, written two-way communication online. Staff need to be appropriately qualified and trained to respond in languages other than English.

Part 4—Glossary and Appendices

Glossary 51

Appendix 1—Other resources 56

1.1 State and territory government resources 56

1.2 Community resources 56

1.3 International standards 57

Appendix 2—Procedures for working with interpreters—summary 57

2.1 Face to face or telephone 57

2.2 Booking an interview 57

2.3 Before the interview 58

2.4 At the beginning of the interview 58

2.5 During the interview 58

2.6 During public forums and consultations 59

Appendix 3—Procedures for working with translators—summary 60

3.1 Preparing for translation 60

3.2 Prepare documents and other material for translation 60

3.3 Define the parameters required for the translation service 61

3.4 Identify the cost of the translation service 61

3.5 The final translated product 61

Appendix 4—Language services costing tool 62

4.1 Consider your client base 62

4.2 Consider the language services you may require 62

4.3 Phone interpreting 62

4.4 Onsite interpreting 63

4.5 Translated material 63

4.6 Budget allocation 63

Appendix 5—ABS Census data on English language proficiency 64

5.1 Overseas born residents (aged 5 years or over) with limited English proficiency —state/territory breakdown 64

5.2 Overseas born residents (aged 5 years or over) by English proficiency and state/territory 64

5.3 Number of speakers (exceeding 2000) with limited spoken English by language spoken at home (other than English) 65

Appendix 6—General publishing policies 67

6.1 Copyright and liability 67

6.2 Guidelines on information and advertising 67

6.3 The Commonwealth Electoral Act 1918 and the Broadcasting Services Act 1992 67

Glossary

Term	Description
ABS	Australian Bureau of Statistics
APS	Australian Public Service
APS Act	*Australian Public Service Act 1999* (Cwlth)
ATO	Australian Taxation Office
AUSIT	The Australian Institute of Interpreters and Translators Incorporated (AUSIT) is the professional association for translators and interpreters in Australia.
Australian Government agencies	Refers to departments and agencies as listed on Australia.gov.au.
Back-translation	Having a document translated back into English.
Bilingual person	Someone who is able to communicate fluently in two languages. Australian Government agency staff may have passed a NAATI Community Language Aide test (or a similar assessment) and receive additional remuneration in recognition of this skill.
Certification	Certification is the term NAATI uses to acknowledge that an individual has passed a NAATI assessment designed to test the ability to meet a particular professional standard required by the translating and interpreting industry in Australia.
CLA	Community Language Allowance Staff who are proficient in a community language may be paid CLA, to recognise bilingual staff who use the language for business needs.
CPRs	Commonwealth Procurement Rules CPRs are the basic rules set for all Commonwealth procurements and govern the way in which entities undertake their own processes.
Credential	Credential is the umbrella term NAATI uses to refer to certifications and other levels of recognition it confers on interpreters and translators who have passed NAATI's assessments or met necessary standards of practice (in languages where tests are not available).

Term	Description
CALD	Culturally and linguistically diverse The term culturally and linguistically diverse (CALD) emerged in the late 1990s in preference to a previous category of 'non-English speaking background' (NESB). In 2001, the then Commonwealth Interdepartmental Committee on Multicultural Affairs issued the *Standards for Statistics on Cultural and Language Diversity* (Standards). The Standards advised that NESB no longer be used as it had conflicting definitions, it grouped people who were relatively disadvantaged with those who are not disadvantaged, it was unable to separately identify the many cultural and linguistic groups in Australian society and it developed negative connotations. 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. Notwithstanding these data items, it is worth noting that the majority of 'culturally and linguistically diverse' people in Australia speak English well.
Cwlth	Commonwealth
DHS	Australian Government Department of Human Services
FOI Act	*Freedom of Information Act 1982* (Cwlth) 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 departments and agencies must publish. See www.austlii.edu.au
Guidelines	Australian Government Language Services Guidelines
IPS	Information Publication Scheme Under Part II of the FOI Act, Australian Government agencies are required to publish (on their website) an IPS and an IPS Plan. 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.

Term	Description
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 by telephone to individuals who wish to speak to each other, but do not share a common language. Face-to-face or on-site 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 people with limited English language proficiency who require interpreting assistance. The wallet-sized card, featuring the National Interpreter symbol, is designed to assist people with limited English language proficiency to request an interpreter when they need to communicate with Australian Government departments and agencies, community groups or businesses. People with limited English language proficiency 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.
Languages of newly emerged communities	Languages of newly emerged communities are languages that are not widely spoken or commonly known in Australia. They are spoken by a relatively small number of migrants—usually refugee/humanitarian entrants—who have recently arrived in Australia. Education providers generally do not offer instruction, and NAATI does not conduct assessments for interpreting and translating in these languages. Instead, NAATI may confer a Recognised Practising credential for people working in their communities as interpreters and/or translators.
Language services	Language services are measures taken to assist people who have limited ability to communicate in English. Services may include: • provision of interpreters in person or by telephone or video interpreting • translation of documents from English into community languages and vice versa • employment of, and access to, appropriately trained bi/multi-lingual staff • provision of multilingual information products.

Term	Description
Language service provider	A company providing interpreting and/or translating services to individuals and organisations. Language service providers maintain panels of interpreter and/or translators. The language service provider allocates assignments to their panel practitioners upon request by either individuals or organisations.
Limited English language proficiency	To facilitate people's ability to deal effectively with Australian Government departments and 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. The term is based on the Australian Bureau of Statistics Census question related to English proficiency: respondents who self-report as not speaking English well or at all are regarded as having limited English language proficiency.
LOTE	Language other than English
Machine translation	Machine translation (MT) is an automated system that analyses a source text to produce equivalent text in a target language. Over the years, different technical approaches have been developed. MT began with a rules-based approach to identify and find equivalence between the grammars of both source and target languages. This proved less successful than a statistically based approach which applies algorithms to large amounts of text (available online) to identify the probability of sequences of words in both the source and target language and an approximate translation. Neural machine translation—which has superseded statistically based MT—also calculates the probability of a translation by emulating how the interconnections within the human brain process complex information.
Multicultural Access and Equity 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 used in Australia 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 embraces Australia's shared values, languages and cultural traditions.
NAATI	National Accreditation Authority for Translators and Interpreters 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.
NAATI-credentialed interpreter	NAATI-credentialed interpreter refers to interpreters who have obtained a NAATI credential. Further information on NAATI credentials is available at NAATI.

Term	Description
NAATI-credentialed translator	NAATI-credentialed translator refers to translators who have obtained a NAATI credential. Further information on NAATI credentials is available at NAATI.
PGPA Act	*Public Governance, Performance and Accountability Act 2013* (Cwlth)
Recertification	Recertification is the process by which translators and interpreters with NAATI credentials demonstrate that they remain active in and committed to the translation and interpreting industry at regular intervals. Since January 2018, NAATI's certification system has included a recertification requirement. Before the expiry of the credential, practitioners are required to provide evidence of continuing work practice and professional development to recertify the credential for a further three years.
TIS National	A business unit within the Department of Home Affairs, Translating and Interpreting Service (TIS) National is a language service provider. Government agencies and private organisations procure language services from TIS National to deliver services (primarily interpreting) 24 hours a day, seven days a week to any person or organisation in Australia.
Translating services	The act or process of translating from one language into another.
Translator	A person who has the language skills to be able to accurately transfer written information from one language into another.
WCAG	Web Content Accessibility Guidelines

Appendix 1—Other resources

State and territory governments as well as community organisations, industry representative bodies and professional associations have also produced a range of guidance on facilitating communication with people who have limited English proficiency.

1.1 State and territory government resources

Australian Capital Territory	ACT Language Services Policy
New South Wales	Multicultural NSW—Interpreting and Translation
	New South Wales Language Service Guidelines
Northern Territory	Language Services Policy
Queensland	Queensland Language Services Policy
South Australia	Interpreting and Translating Policy
Tasmania	Multicultural Language Services Guidelines
Victoria	Victorian Government Guidelines on Policy and Procedures for Interpreting, Translating and Multilingual Information Online
	Health: DHHS—Language services policy and guidelines for health and human service provision in Vic.
Western Australia	Language Services Policy

1.2 Community resources

The Australian Government has produced two fact sheets on interpreting in family safety situations. These are available at the bottom of the Family Safety Pack web page on the Department of Home Affairs website.

The Judicial Council on Cultural Diversity's Recommended National Standards for Working with Interpreters in Courts and Tribunals provides guidance on working with interpreters that may be helpful and broadly applicable to interpreting encounters faced by Australian Government agencies and their service providers. Annexure 4 of the Standards in particular is a useful tool to determine the need for an interpreter.

The Migrant and Refugee Women's Health Partnership has produced the Competency Standards Framework for Clinicians, which includes the 'Culturally responsive clinical practice: Working with people from migrant and refugee backgrounds' and 'Guide for clinicians working with interpreters in healthcare settings'.

The Melbourne-based community organisation ***centre for culture, ethnicity & health*** has developed a range of useful language services resources that can be accessed from its Knowledge Hub.

1.3 International standards

The International Standards Organisation publishes standards on language services. The guidelines refer to three of these standards:

- *ISO 13611: 2014 Interpreting—Guidelines for community interpreting*
- *ISO 17100:2015 Translation services—Requirements for translation services*
- *ISO 18587:2017 Translation services—Post-editing of machine translation output—Requirements*

ISO products are copyright. Agencies may choose to purchase their own copies, if necessary, from the Australian distributor, SAI Global.

Appendix 2—Procedures for working with interpreters—summary

2.1 Face to face or telephone

2.1.1 Preparing for an interpreter

- Identify when to engage an interpreter (e.g. ascertain the client's English language ability; ask whether the client has an 'I need an interpreter' card). Check agency legislative requirements.
- Identify the language and dialect required.
  - If the client cannot provide the information, you may wish to contact a language service provider or use a country and language list, such as: Certified Languages International—languages by country or Ethnologue Languages of the World. (NAATI relies on Ethnologue to recognise and categorise languages in which it offers testing for its credentials.).
- Identify the type of interpreting service required (telephone, on-site, video conferencing).
- Identify the appropriate resource to provide interpreting services (a NAATI-credentialed interpreter or bilingual staff, noting caveats in these guidelines).
- Determine real/potential/perceived risks/conflict of interest with the proposed interpreting method.
- Avoid or mitigate real/potential/perceived risk (NAATI-credentialed interpreters abide by the AUSIT Code of Ethics).
- Refer to your agency's information on interpreting service providers (preferred or contracted provider).
- Record interpreting assignment details on your agency's register.

2.2 Booking an interview

Most interpreting service agencies require:

- the client's name
- the language/dialect
- preferred gender of the interpreter
- date and time the interpreter is required (include some time prior to the interview to brief the interpreter)

- type of interview (e.g. medical, legal)
- address of the agency requiring the interpreter
- name and telephone contact details of person to whom the interpreter reports
- nature of the matter to be discussed (e.g. aged-care health assessment)
- duration (approximately) of the interview
- notification if you or the client wish to have a specific interpreter for continuity of care reasons
- information on the telephone system (if applicable) that will be used (e.g. speaker phone)
- the agency cost code/contact for the invoice to be sent to.

2.3 Before the interview

- Brief the interpreter about the interview topic and provide contextual information.
- If the client and/or the interpreter are on-site, arrange the seating to optimise communication with the client (e.g. in a circle or triangle formation), and/or arrange for a hands-free telephone function.
- Check to see that the client and interpreter understand and are comfortable with each other.
- Obtain translations of suitable information products in the client's preferred language, if relevant.
- Allow for extra time over the usual duration of an interview.

2.4 At the beginning of the interview

- Sit opposite the client and look at the client, not at the interpreter, while talking.
- Speak directly to the client, as you would with an English speaker (not to the interpreter or into the hands-free phone).
- Speak in a normal tone of voice but at a slower speed than usual.
- Communicate using short sentences whenever possible.
- Introduce yourself and the interpreter to the client.
- Explain to the client the purpose of the interview and how it will proceed.
- Speak in the first person to the client (e.g. 'How are you feeling?'), not to the interpreter (e.g. 'Ask her how she is feeling').
- Explain that the interpreter's role is only to interpret what is being said and that the interpreter is completely impartial.
- Explain to the client that questions or concerns can be raised at any time during the interview.
- Explain to the client that all information provided by the client is confidential, personal information is protected by privacy law, and the interpreter is bound by a code of ethics.

2.5 During the interview

- Speak clearly and concisely.
- Avoid jargon, slang, abbreviations or overly technical terms.
- Remember to pause after about two or three short sentences to give the interpreter a chance to interpret.
- Do not ask the interpreter to summarise.
- Be aware that it may take more words than you have spoken to convey the message (each language is different).
- Stop speaking when the interpreter signals by raising a hand, or is starting to interpret.

- Use pen and paper, particularly for key information, dates and numbers.
- Avoid lengthy discussions with the interpreter, because it will exclude the client. If you must discuss something with the interpreter, always tell the client what you are discussing and why.
- Should you believe at any point that the non-English speaker does not understand, it is your responsibility (not the interpreter's) to explain more simply.

2.6 During public forums and consultations

2.6.1 Before the consultation

- Ascertain whether an interpreter will be required and in which language/s by asking invitees before the consultation.
- Consider whether avenues for feedback/complaint should be included in translated written material.
- Consider having both male and female interpreters as gender may be a sensitive issue in some cultures (i.e. males speaking directly to females and vice versa).
- Brief the interpreter about the forum or consultation topic and any questions which are likely to arise from participants.

2.6.2 During the consultations

- If the majority of the audience are speakers of a particular language, engage an interpreter during the consultation. Follow the principles for using interpreters.
- Consider whether written material relating to the consultation should be available in relevant community languages.
- Depending on the composition of the audience and the content of the consultation, consider holding separate consultation sessions in relevant community languages.
- The presenter should never use any jargon or slang and should use a shortened form (an abbreviation or acronym) only when this is clearly understood by the client or repeated in full until clearly understood.
- Advise the audience of avenues for feedback on the consultation session.

2.6.3 Following the consultation

- Record the outcomes of the consultation, including any complaints about the interpreting encounter or translated information.

Appendix 3—Procedures for working with translators—summary

3.1 Preparing for translation

- Identify the appropriate material to translate. Assess whether the material is sensitive or unfamiliar to the target audience. (You may wish to consult with ethnic community organisations or community workers).
- Be aware of cultural influences and the reaction from your audience. How is this information handled or perceived in the clients' culture?
- Identify the appropriate languages for translation (and literacy levels in other languages). Resources available include:
  - demographic data
  - country/language lists
  - community profiles
  - systems data.
- Try to identify the literacy levels of the clients in the other languages you are targeting.
- Identify the appropriate medium for translated information (e.g. printed material, online, storage device).

3.2 Prepare documents and other material for translation

- Consider your key message, or key information that needs to be conveyed.
- Use short sentences in simple English.
- Explain unfamiliar concepts, spell out acronyms, avoid professional jargon and be aware of the tone and type of language being used to present specific issues.
- Consider using maps, pictograms, diagrams or infographics rather than lengthy text.
- Be aware of copyright laws and liabilities. If required, seek formal, written approval from the author for both use and translation.
- Comply with your agency's accessibility guidelines and the 'Web Content Accessibility Guidelines (WCAG) 2.0 See: W3C.
- Add the document to your agency's Information Publication Scheme plans (a requirement under the FOI Act).
- Identify who will provide the translation service (e.g. NAATI-credentialed translator procured directly or through your agency's panel provider).
- Check the translator's level of certification, experience in the subject and insurance cover—go to NAATI's website to view its online directory and online verification portal.

3.3 Define the parameters required for the translation service

Decide and specify whether the following are required:

- background material, glossary of terms and point of contact to discuss issues that arise during the translation process (providing a 'glossary of terms' with an explanation of common words/phrases will assist in encouraging consistent/accurate translations)
- layout, graphics or tables that are to be included
- software requirements, final format (printed, online, storage device)
- delivery address and method of delivery (postage, email, or website)
- timelines, including urgency fees, time constraints on desktop publishing requirements, and turnaround time for corrections or amendments
- certification stamp
- indemnity insurance (to protect against litigation arising from translation).

3.4 Identify the cost of the translation service

- Obtain an itemised estimate in writing (per word, turnaround time, administration fees, cancellation/correction fees).
- Check your agency's existing translation cost process.
- Itemise and cost proofreading/editing, revision by a second interpreter, back-translation, and post-editing of machine translation.
- Confirm your agency's register for translating costs and cost codes.

3.5 The final translated product

- Proofread the final translated product.
- Check that the source document layout matches, the fonts are correct, the headers and footers are consistent, names are spelt correctly, pagination is correct, and, where possible, for misspellings.
- Ask bilingual staff to review and/or proofread translated product to highlight text that may require double checking before finalisation.
- Ensure that each version of the document is identifiable by a version number, a time and date stamp and that changes are clearly marked on each version for the translator.
- Consider having the translated material back-translated into English.
- Ensure that the final typeset copy is proofread by a translator before the document is printed or loaded electronically.
- Include an English document title and the translated language to allow service providers to identify the product for record keeping and distribution purposes.
- Consider field-testing the translated document with relevant organisations or personnel before wider distribution.

Include details in the agency's annual report on language services.

Appendix 4—Language services costing tool

4.1 Consider your client base

If you are currently providing a similar service, consider:

- how many clients with low English language proficiency currently access your service?
  - Number of individuals
  - Number of client contacts per year
- listing the predominant languages other than English spoken
- how often were interpreters engaged in the last financial year*?
  - Phone interpreting services
  - On-site interpreting services

*Note: if you are not sure of these figures, you can contact your interpreting service provider or the government body that has provided access to these services.

- do you expect your client base to change in the next financial year?

If you do not currently provide a similar service, consider:

- how many clients with low English language proficiency do you expect to access your service? (Demographic data from your local government area, such as 2021 ABS Census data, the Australian Census and Migrant Integrated Dataset 2021 (ACMID), ABS TableBuilder and Settlement Reports may help to determine this.)
- listing the predominant languages other than English spoken

4.2 Consider the language services you may require

All clients must be able to communicate their needs in a language of their choice, including through professional interpreters where necessary. The use of NAATI-credentialed interpreters is particularly important for complex, sensitive or technical interactions.

4.3 Phone interpreting

Phone interpreting is most useful for short and unplanned interactions. Most interpreting service providers can connect you to a phone interpreter within a few minutes of calling. You can also pre-book phone interpreting sessions. This is useful for planned interactions, or if you know you need to request a less common language.

4.4 Onsite interpreting

Onsite interpreting is useful when you have a group of people needing the same language interpreter, when you are discussing complex ideas, or when you anticipate that the appointment will go for an extended period.

4.5 Translated material

Translated material is useful if you need to provide detailed information, particularly if you need to provide the same information to many people in the same languages.

4.6 Budget allocation

Project a budget allocation for the provision of language services, including the following:

- estimated number of occasions of onsite interpreter services required
- unit cost for onsite interpreting*
- estimated number of occasions of telephone interpreter services required
- unit cost for telephone interpreting*
- estimated total number of words requiring translation
- unit cost of translation* ($ per 100 words).

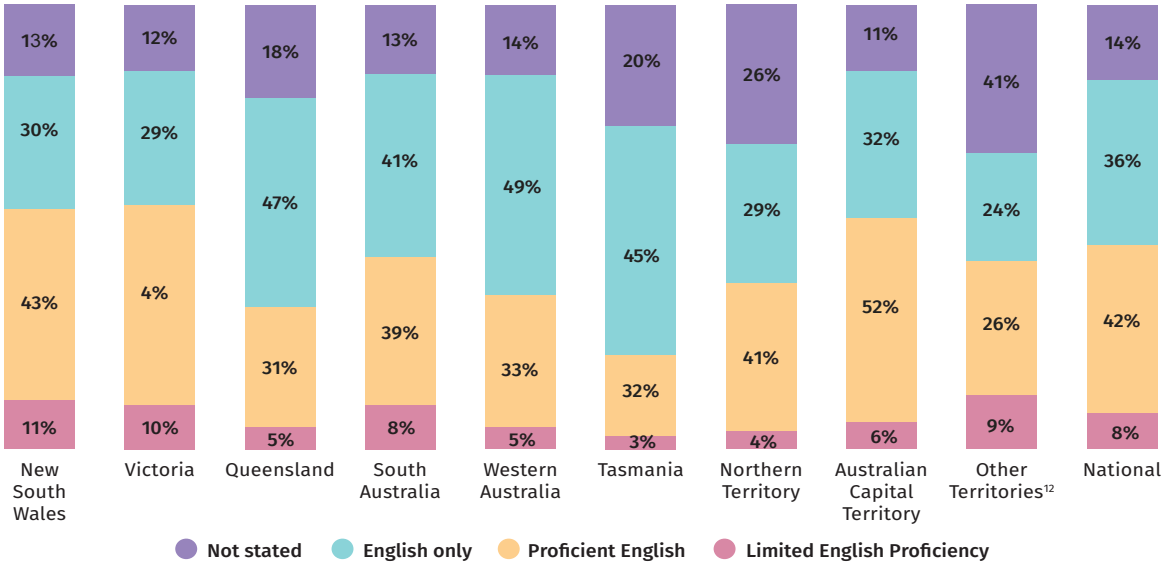
*We suggest that you compare a few quotes from different language service providers. It is important to ensure that the language service provider engages NAATI-credentialed interpreters and translators.

Appendix 5—ABS Census data on English language proficiency

5.1 Overseas born residents (aged 5 years or over) with limited English proficiency—state/territory breakdown

State	Limited English Proficiency
New South Wales	302,467
Victoria	233,619
Queensland	67,092
Western Australia	44,033
South Australia	37,560
Australian Capital Territory	8186
Tasmania	3497
Northern Territory	2693
Other Territories	191
Total	**699,344**

5.2 Overseas born residents (aged 5 years or over) by English proficiency and state/territory



12 Other territories: Jarvis Bay Territory, Christmas Island, Cocos (Keeling) Island and Norfolk Island.

5.3 Number of speakers (exceeding 2000) with limited spoken English by language spoken at home (other than English)[13]

Language spoken at home	English proficiency in spoken English reported as 'not well'	English proficiency in spoken English reported as 'not at all'	Total
Mandarin	111,683	43,637	155,321
Vietnamese	70,899	16,917	87,817
Cantonese	48,005	16,440	64,442
Arabic	36,895	8,700	45,592
Greek	28,461	2,090	30,547
Italian	22,200	1,706	23,904
Korean	23,890	2,285	26,181
Spanish	11,805	1,492	13,301
Thai	11,458	565	12,017
Khmer	8,819	2,426	11,243
Turkish	9,488	1,052	10,536
Hazaraghi	7,479	2332	9,805
Macedonian	8,582	733	9,318
Assyrian	5,045	3,061	9,109
Persian (excluding Dari)	7,431	1,253	8,682
Serbian	7,074	1,197	8,273
Croation	5,740	424	6,169
Nepali	3,889	2,127	6,018
Russian	4,820	907	5,722
Dari	4,333	1,293	5,629
Chaldean	3,687	1,931	5618
Karen	3,417	1,731	5,151
Hindi	4,273	804	5,077
Portuguese	4,602	404	5,007

13 Results are based on the number of people who were born overseas and aged 5 years or over at the time of the 2021 Census. It includes results where country of birth is 'not stated'. It does not include results for people who speak English only.

Language spoken at home	English proficiency in spoken English reported as 'not well'	English proficiency in spoken English reported as 'not at all'	Total
Indonesian	4,581	398	4,980
Japanese	4,527	277	4,799
Tamil	3,772	530	4,300
Burmese	3,444	738	4,180
Gujarati	2,641	1,021	3,663
Polish	3,318	313	3,630
Urdu	3,103	498	3,608
Min Nan	2,789	730	3,608
Samoan	3,152	202	3,351
Tagalog	2,894	106	3,001
Chinese, nfd	2,335	661	2,996
Bengali	2,543	315	2,856
Sinhalese	2,402	254	2,653
Bosnian	2,308	385	2,856
Lao	2,323	279	2,607
Kurdish	1,847	647	2,496
Chin Hakka	1,701	525	2,220
Hakka	1,683	432	2,118
Malay	1,913	148	2,067

Appendix 6—General publishing policies

6.1 Copyright and liability

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

- confirm whether the material being translated is under copyright
- confirm the copyright rules of the translating organisation
- seek formal written approval from the author or authorising person before requesting the translation of copyright material
- confirm with parties concerned whether you are permitted to translate documents of a confidential or legal nature.

In any translation contract, consider providing clauses 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 [2018]*
>
> *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 Home Affairs*.

6.2 Guidelines on information and advertising

The Department of Finance administers the guidelines on information and advertising by Australian Government agencies, which apply to all PGPA Act agencies. The guidelines provide a framework for conducting all publicly funded information and advertising campaigns, which include printed and online products and/or materials. They also explain when and how Australian Government campaigns should be conducted, and the legal and procurement responsibilities that need to be considered.
See: Department of Finance.

6.3 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. 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 other audio or video recordings) must be authorised to ensure compliance with these laws.

