

# USING INTERPRETING SERVICES

**Victorian Government  
Guidelines on Policy  
and Procedures**



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# FOREWORD



More than one million Victorians speak a language other than English at home. Many can speak several languages and act as a bridge between people and cultures within our community. Our linguistic diversity reflects the multicultural and cosmopolitan nature of our State.

There are also Victorians who are not confident in communicating in English. Some are part of our new and emerging communities and are just beginning their journey with the English language; others are older migrants who have experienced difficulty either gaining or maintaining their English language skills.

That is why the Victorian Government makes a strong commitment to language services. We aim to ensure that high quality interpreting and translation services are available for all Victorians who require language assistance when accessing government services.

Service providers need to be aware of their obligations to use language services when engaging with clients with limited English. These guidelines provide a user-friendly, step-by-step guide on best practice in working with interpreters. Companion guidelines are also available on effectively managing translation projects.

In a multilingual society like Victoria, interpreters and translators are important to ensure accessible and responsive services. Interpreters enable people with limited English to have vital information in a form they can understand. I trust that all government departments and agencies will find these guidelines useful in providing information and delivering world class services to Victorians with limited English.

A handwritten signature in black ink, appearing to read 'Matthew Guy', followed by two dots '..'. The signature is stylized and fluid.

**THE HON. MATTHEW GUY MLC**

Minister for Multicultural Affairs and Citizenship





# INTRODUCTION

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

The provision of interpreting and translation services (language services) is essential to ensure that all Victorians have proper access to services. Government departments and funded agencies are supported to ensure that language services are as widely available as possible and are used effectively.

This is a practical guide to using interpreting services. It sets out the obligations of government service providers to provide language services and gives advice to assist in planning for and using language services.

These guidelines are relevant not only for the provision of language assistance for spoken languages, but also for Australian Sign Language (Auslan), the language of the Australian Deaf community. Further information on Auslan interpreting is available at [www.vicdeaf.com.au](http://www.vicdeaf.com.au).

This guide is designed for:

- government departments and funded agency staff who have roles involving direct client contact; and
- managers, diversity/access and equity officers of government departments and funded agencies.

Interpreters can be used both with individual clients and groups who have limited English. Whilst these guidelines have been written to assist service providers working with individual clients, the basic principles and steps also apply to group situations.

This publication focuses on the use of interpreting services. The companion publication *Effective Translations: Victorian Government Guidelines on Policy and Procedures* provides information about commissioning translations for government and can be downloaded from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).

# VICTORIAN GOVERNMENT POLICY

With well over one million Victorians speaking a language other than English at home, and with over 200,000 Victorians with limited English proficiency, the need for language services has never been greater.

All Victorian Government service providers need to be aware that their clients will include Victorians with limited English.

Government departments and agencies have a responsibility to ensure people with limited English have the opportunity to participate in decisions that affect their lives.

## Government responsibility for equitable access to services

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

Departments are also required to develop 'cultural diversity plans' to enhance the provision of culturally sensitive service delivery, involving three key aspects:

- providing cultural competency training for staff;
- ensuring that information on services is readily accessible to culturally and linguistically diverse communities; and
- assessing the effectiveness of service delivery to culturally and linguistically diverse communities.

Cultural diversity plans can stipulate how the provision of language services ensures that information about programs and services is accessible in languages other than English.

The *Victorian Charter of Human Rights and Responsibilities Act 2006* outlines rights which may be relevant when considering access to interpreters.

Victoria's *Equal Opportunity Act 2012* includes a 'positive duty obligation' which means that departments and agencies need to take proactive and reasonable steps to address causes of discrimination, regardless of whether a complaint has been made or not.

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

## Administrative Decisions

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

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

## Victorian Government Policy

Clients who cannot communicate through spoken or written English should have access to professional interpreting and translation services:

- when required to make significant decisions concerning their lives
- when being informed of their rights
- where essential information needs to be communicated to inform decision making, including obtaining informed consent.

Interpreters and translators should be accredited by the National Accreditation Authority for Translators and Interpreters (NAATI) at the professional level where possible.

### Duty of care

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

In relation to language services, the government and its funded agencies have a duty to ensure that members of the public understand the information that is being provided to them, and should provide appropriately trained and accredited interpreters when required. Duty of care may be breached if a staff member unreasonably fails to provide, or inform a client of the availability of language services.

Government and its agencies can fulfil their duty of care by taking reasonable steps to actively identify whether language assistance is required and acting on this. Following the steps in this document will help ensure that these matters are properly considered.

### Departmental language services policies and procedures

This document is a guide to whole-of-government policy on using language services. Individual departments and agencies may have their own language services policy and procedures.

It is recommended that government departments and agencies that provide direct care services establish specific policies and procedures on language services that:

- are consistent with these guidelines;
- take into account any relevant legal requirements;
- require NAATI-accredited interpreters and translators be used;
- address the language needs of clients with limited English;
- define when interpreters must be used; and
- reflect the needs of their particular client groups.

# UNDERSTANDING LANGUAGE SERVICES

## What are language services?

'Language services' cover a range of measures that service providers use to communicate with clients who have limited English.

Language services help make government services more accessible to people who prefer communicating in a language other than English.

## What are language service providers?

Language service providers are agencies that arrange the supply of accredited interpreters and translators. A list of language service providers can be found online on the Community Directory available at [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).

### **Translating and Interpreting Service (TIS) National - Free Medical Interpreting Services**

The Commonwealth Government provides free interpreting services, through TIS National, to non-English speaking Australian citizens and permanent residents when communicating with certain approved groups and individuals. For example, when private medical practitioners provide Medicare-rebateable services and their reception staff arrange appointments and provide test results. Also, pharmacists dispensing Pharmaceutical Benefits Scheme (PBS) medications can access the free interpreting service. Practitioners working in state-funded healthcare services do not have access to TIS free interpreting services; interpreting services for these professionals are funded by the state government.

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

## What is an interpreter?

An interpreter is a qualified professional who enables communication between people who speak a different language. Interpreters take a spoken language or sign language and convert it accurately and objectively into another language. A translator on the other hand only deals with written information.

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

## Accredited Interpreters

In Australia, the National Accreditation Authority for Translators and Interpreters (NAATI) is responsible for ensuring the quality of interpreters. Interpreters are required, as a condition of their ongoing accreditation, to act in accordance with the Australian Institute of Interpreters and Translators (AUSIT) *Code of Ethics*. Auslan interpreters are required to abide by the Australian Sign Language Interpreters' Association (ASLIA) *Code of Ethics*.

An accredited interpreter is required to remain impartial and should not express an opinion or act as an advocate for either party.

NAATI provides an online directory of accredited and recognised interpreters at [www.naati.com.au](http://www.naati.com.au). ASLIA Victoria also provides a directory of Auslan interpreters at [www.asliavic.com.au](http://www.asliavic.com.au).



Victorian Government policy states that interpreters and translators should be NAATI accredited at the Professional level where possible.

### Interpreter accreditation and recognition

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

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

NAATI-accredited Professional interpreters should be engaged where possible. When Professional interpreters are not available, a NAATI-accredited Paraprofessional or NAATI-Recognised interpreter may be the only option. Paraprofessional or Recognised interpreters may be the only practitioners available for less common languages.

Language services include:

- engaging a NAATI accredited interpreter to transfer oral information from one language into another
- providing written information in languages other than English translated by a NAATI accredited translator.

In certain circumstances language aides can provide language assistance in low-risk situations.

## Role of language aides

A language aide (sometimes referred to as a “bilingual worker” or “multicultural education aide”) is an employee who uses a language other than English in the course of their work to assist clients. However, language aides should only assist with low-risk communication.

For example, directing a client to a clinician’s room in a large building may be complex but the risk of a serious adverse effect is low, so a language aide could be used. However, asking a client to sign a consent form is simple but the consequence of poor communication is high, so an accredited interpreter should be used.

There are important differences between the role of language aides and accredited interpreters. Language aides would normally not have the formal qualifications and skills of Professional Interpreters. They would also not be expected to meet the same accountability and professional standards as interpreters.

The language skills of language aides should be verified by the employer in both English and the language other than English. This can be done through a NAATI Language Aide or Interpreter test, so that clients and colleagues can be confident that the staff member’s language skills are sufficient for the role. The NAATI Language Aide Test assesses the candidate’s bilingual skills in a ‘customer service’ scenario. It is not a credential in interpreting or translating and should not be construed as such. For more information on the NAATI Language Aide Test please refer to [www.naati.com.au](http://www.naati.com.au).

It is also important that language aides undertake training to understand the boundaries of their role.

Organisations should maintain a database of language aides in their employment so staff can access them quickly and easily.

Language aides should only provide language assistance where the outcome of a situation has no risk of adverse effects for either the client or the organisation. Language aides should not be used to communicate information that is legally binding or puts at risk either the organisation or the client.

Family members or friends should not be used to interpret in situations involving critical information and decision making.

### Victorian Public Service Language Allowance

The Victorian Public Service (VPS) provides a language allowance to eligible staff who have passed a Language Aide Test or hold a NAATI credential.

To be eligible, staff must undertake regular direct client contact where they use their other language and have passed a relevant NAATI test.

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

### Role of family and friends

Friends or family members generally do not have the required language competence, may lack impartiality and are not bound by the same standards of conduct as accredited interpreters. Friends and family can have an important and helpful role supporting and advocating for the client. This role should be acknowledged, valued and understood as separate from and complementary to the role of an interpreter. Engaging a qualified interpreter enables family and friends to focus on their advocacy and support role.

Most importantly, family members or friends, especially children, should not provide language assistance in critical situations as it will be difficult for them to remain impartial, maintain confidentiality and accurately convey information, which can compromise the duty of care to the client.



### CASE STUDY

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

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

# PREPARING FOR INTERPRETING

Some funded agencies directly employ full-time or part-time interpreters where there is stable and significant demand in a given language.

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

## Training staff

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

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

## Collecting data for service planning

### Client and service usage data

Regular collection of data on clients and their service usage enables:

- better understanding of their language needs;
- monitoring the accessibility of the services provided to people who speak other languages; and
- identification of potential language service gaps.

A system to collect this data is particularly useful if a significant proportion of clients have limited English language proficiency.

The *Victorian Government Standards for Data Collection on Interpreting and Translating Services* ([www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au)) provide guidance on collecting data on language services, including client demographics, expenditure and complaints.





### Demographic data

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

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

- Census data on cultural and linguistic diversity for Victoria is available by local government area including key indicators such as country of birth, language spoken at home, English proficiency and religion. The publication *Population Diversity in Victoria: 2011 Census: Local Government Areas* is available from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).
- The Australian Bureau of Statistics (ABS) website ([www.abs.gov.au](http://www.abs.gov.au)) provides data sets which can be used for targeted demographic analysis. Available data includes age, gender, place of residence, citizenship status, country of origin, ancestry, religion, language spoken at home, level of English proficiency (note this is self-assessed), level of education, level of income and access to the internet.
- For the most recent data on newly arrived migrants, see the Settlement Reporting Facility at [www.immi.gov.au](http://www.immi.gov.au), which includes the number of migrants settling in Victoria, their country of birth, languages spoken, English proficiency, religion and year of arrival.

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

### Promoting the availability of interpreters

It is important that all government departments and funded agencies make it clear that interpreters are available to clients who require language assistance.

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

### National Interpreter Symbol

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

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

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



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

These include the:

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

### Interpreter Card

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

The wallet-sized card shows the National Interpreter Symbol and the cardholder's preferred language. The Victorian Interpreter Card can be downloaded free from [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).



# ARRANGING AN INTERPRETER

## Assessing the need for an interpreter

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

Assessing how well a person can understand English is the first step in identifying the need for an interpreter. Even when a client appears to have adequate proficiency in English, a stressful or unfamiliar situation may affect the client's ability to communicate effectively.

Engaging an interpreter is recommended if:

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

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

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

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

## Determining the preferred language

A client's language cannot be determined reliably from their country of birth. For example, a person from China may speak Mandarin, Cantonese, Hakka or another Chinese dialect. In some cases more than one language may be spoken.

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

- If a client speaks sufficient English, it may be possible to ask for their preferred language, especially if they have used interpreters previously.
- Use visual aids that list languages. The client may be able to point to the language they speak. *Identifying Languages* posters are available for order or download from the National Interpreter Symbol page at [www.multicultural.vic.gov.au](http://www.multicultural.vic.gov.au).
- If this fails, contact a language service provider and they may be able to assist you to identify the language through a telephone interpreter.

## If interpreting is refused?

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

Possible reasons are that the client:

- has misunderstood why an interpreter is needed
- may feel confident communicating in English
- may prefer a family member or friend to act as an interpreter
- may know the interpreter assigned to the interview and feel uncomfortable
- may be concerned that they will have to pay for the interpreter
- may be uncomfortable with the gender of the interpreter.

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

## Choosing the mode of interpreting

There are three ways of providing interpreting services:

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

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

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

## Telephone interpreting

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

Telephone interpreting can also be used to access an interpreter in languages for which there are a limited number of accredited interpreters, or to establish the language spoken and the nature of an enquiry before an onsite interpreter is booked.

Telephone interpreting is more effective when a landline is used rather than a mobile phone. It is also recommended that a telephone with two handsets or speakerphone be used where possible.

As telephone interpreters cannot take into account non-verbal communication, they are not used for Auslan clients.

However, calls to someone who is Deaf can be made using an ordinary handset through the National Relay Service (NRS) on 133 677.

## Videoconference interpreting

Videoconferencing allows remote access to an interpreter through video. Videoconference interpreting enables face-to-face communication and offers some advantages over telephone interpreting.

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

The Department of Human Services has Video Relay Interpreting (VRI). For further information visit [www.dhs.vic.gov.au](http://www.dhs.vic.gov.au).



## Booking the interpreter

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

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

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

Similarly when booking a telephone interpreter, inform the language service provider about the telephone system that will be used, for example, is it a speaker phone, or will the interviewer and client be using a dual handset telephone?

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

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



## Case study

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

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

# WORKING WITH INTERPRETERS

## Preparing for the session

- Brief the interpreter by providing general background information, such as the reason for the session, specific terms to be used and what needs to be achieved.
- For onsite interpreting, ensure the room is set up appropriately. Ideally, seats will be arranged in a triangle with the service provider facing the client.
- For Auslan interpreting it is normally best if the interpreter is seated or stands next to the service provider and opposite the client.
- For long sessions, a break for the interpreter should be considered.
- Avoid leaving the interpreter alone with the client, either in the room where the interview will take place or a waiting room.
- For a telephone interpreting interview, ensure you have access to the appropriate telephone technology, and understand how to work the telephone system.

## Beginning the interview

- Introduce yourself and the interpreter to the client.
- Explain the interpreter's role, noting that the interpreter's role is not to add to the communication, but only to interpret what is being said.
- Explain the purpose of the session and what you hope to achieve. Do not assume that the client knows what the interview is about.
- Explain to the client that questions or concerns can be raised at any time during the interview.

## During the interview

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

### At the end of the interview

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

### After the interview

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

### Complaints and feedback

Accredited interpreters are expected to comply with the *Code of Ethics* developed by the Australian Institute of Interpreters and Translators (AUSIT) or Australian Sign Language Interpreters Association (ASLIA). If an interpreter fails to comply with the principles outlined in the relevant *Code of Ethics*, complaints can be lodged with the language service provider.

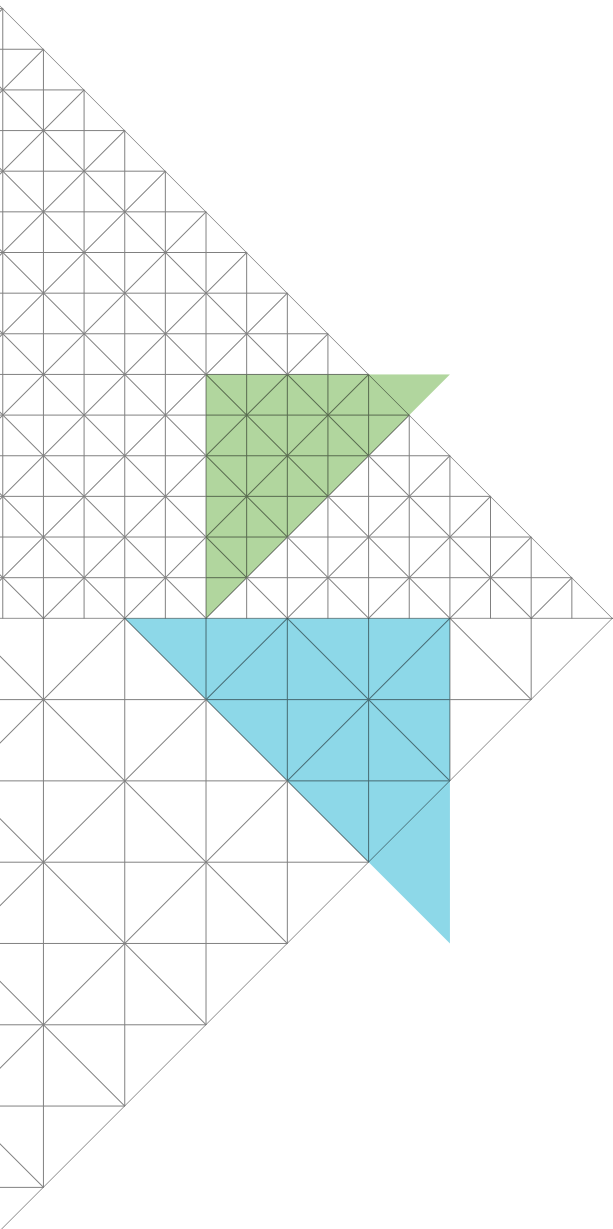
The *AUSIT Code of Ethics* is available at [www.ausit.org](http://www.ausit.org).

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

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

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





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**Accessibility**

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