



Public – To be published on the Trust external website

Title: Interpreting and Translation Policy

Ref: CORP-0038-v2.3

Status: Ratified

Document type: Policy

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1 Introduction

The key principles of this policy are of equality, dignity and respect:

- Everyone should be able to access Trust services and receive an equitable level of care, be treated fairly and according to their needs.

Language and communication needs can act as a barrier to accessing Trust services and ensuring that people receive effective and appropriate care and treatment. People who speak a different language including people who use British Sign Language often have worse experiences at the start of, and during their care, when compared with people who speak English or when compared with people who can hear.

The Trust recognises the importance of identifying and meeting different language needs. This includes people who speak or read in a language other than English. It also includes people who are deaf, deafened or who have hearing loss such as people who use British Sign Language (BSL), or read using Braille.

This policy is critical to the delivery of Our Journey to Change (OJTC) and our ambition to co-create safe and personalised care that improves the lives of people with mental health needs, a learning disability or autism. It helps us deliver our three strategic goals as follows:

This policy supports the trust to co- create a great experience for all patients, carers and families from its diverse communities by:

- Enabling our patients, carers and families whose first language is not English to access outstanding and compassionate care all of the time.
- Supporting all our communities to have access to care that is right for them
- Enabling all our communities to have choice and control and support to achieve their goals

This policy supports the trust to be a great partner by :

- Supporting the Trust to have a shared understanding of the needs and strengths of our communities by outlining the trust's commitment to ensuring that the interpreter and translation process is accessible to all patients who have language and communication needs.

2 Why we need this policy

Being unwell at any time can be a stressful experience. Being both unwell and unable to communicate with healthcare professionals can exacerbate the anxiety and distress felt by the service user, their family, their carers and friends. It also puts the service user at an increased risk of further ill health and or deterioration in their condition.

To diagnose, assess and provide care and treatment to service users, staff must be able to communicate effectively and understand both what a service user says and how any words are said and communicated. A staff member who cannot understand the service user is unable to provide care in the same way and of the same standard than if the service user communicated using English. The service user would receive a poorer service. In equality legislation, this is referred to as a negative impact. A negative impact means the service user would not have had fair and equal access to the same quality of care. This is unlawful.

Providing access to a managed interpreting and translation service ensures the Trust meets the healthcare needs of service users and their carers. By doing this, the Trust complies with relevant legislation. By ensuring that Trust staff can communicate effectively with service users increases the opportunity for and likelihood of recovery.

This policy ensures that Trust staff are able to fully acknowledge the importance of, and provide access to, a professional translation, interpretation or British Sign Language (BSL) interpreting service once a need has been identified for the service user and/or their carer.

This policy and its associated guidance must be followed to ensure the smooth transition between identifying need, the actual process of booking an interpreter which ultimately results in the care and treatment that the service user receives.

2.1 Purpose

This policy ensures:

- The interpreting, translation and British Sign Language (BSL) needs of service users and their carers can be met by the Trust;
- The Trust is Human Rights Act 1998 and Equality Act 2010 compliant;
- The Trust is compliant with CQC standards with particular reference to outcomes: 1, 2, 4, 6, 14, 16 and 18.

2.2 Objectives

This policy ensures:

- The interpreting, translation and BSL needs of service users and their carers can be met by the Trust;
- The Trust is Human Rights Act 1998 and Equality Act 2010 compliant;
- The Trust is compliant with CQC standards with particular reference to outcomes: 1, 2, 4, 6, 14, 16 and 18.

3 Scope

This policy applies to all Trust staff. Trust staff are responsible for identifying language needs and booking interpreting and translation services. Not identifying language needs impacts directly on the service users care and experience of Trust services.

3.1 Who this policy applies to

- All Trust staff

3.2 Roles and responsibilities

Role	Responsibility
Trust Staff	<ul style="list-style-type: none"> • Making themselves aware of the content of this policy and its guidance when booking and working with interpreters' further details can be found in the Interpreting and Translation Guidance for Staff CORP-0038-001 • Ensuring language and communication needs of service users, their carers/family members are met when accessing Trust services, by: <ul style="list-style-type: none"> • Assessing the need for an interpreter or translator, and • Following the correct procedure when booking and using an interpreter. • All staff involved in assessing need, booking and working with interpreters must read the Interpreting and Translation Guidance

<p>Managers (as above and including)</p>	<ul style="list-style-type: none"> • Ensuring their staff are fully aware of this policy and its guidance where it is relevant to their role. • Ensuring their staff are able to utilise interpreting, translation and British sign language interpretation services professionally and that they understand the guidance that is linked to this policy. • Ensuring that service users, carers and family member's needs take priority. If managers have concerns about using interpreters, translation and British sign language interpretation they should contact the Equality, Diversity, Inclusion and Human Rights Team Lead for advice (See appendix 1 for contact details).
<p>The Trust Board of Directors</p>	<ul style="list-style-type: none"> • The Trust Board of Directors recognises that Tees, Esk and Wear Valleys NHS Foundation Trust must provide fair and equitable access to its services for the diverse communities it serves. It is imperative that the Trust has excellent provision for interpreting, translation and British Sign Language interpretation services within Trust boundaries. • Recognising that providing interpreting, translation and British sign language interpretation services is essential if the Trust is to encourage people who are deaf, deafened or hard of hearing and people from BAME (Black, Asian and minority ethnic) groups to access Trust services and receive an equally high standard of care as those who speak English.

4 Policy

This Policy and related Guidance ensures that the Trust and its staff can provide fair and equal access to a professional translation, interpretation and sign language interpreting service when there is a need to do so.

A service user/carer who has an identified language or communication need will receive a high standard of care regardless of any communication difficulties or any language barrier that there may be.

As well as providing a policy to work to, guidance must be followed to ensure the smooth running of this service. An interpreter must be booked when a language need other than English is identified by Trust Staff;

- Face to face interpreting must be used for all clinically significant events (see below), whether or not these take place on or off Trust premises;
- Face to face interpreting must take priority and **MUST** be used in the majority of cases. However, on occasion such as in an emergency where the service user speaks a rare language the only option initially may be to use a telephone interpreter; consideration should also be given to the use of Attend Anywhere in this situation

- Generally speaking, telephone interpreting is to be used only when 'face to face' interpreting is not an option or during small non-clinical events such as asking the service user if they are enjoying the food or if they would like something to read;
- All staff will ensure that this service is provided fairly and that the health needs of the individual service user and their carer are met.
- Interpreters usually make notes during an appointment. These notes are to be disposed of at the end of each session by clinician/s involved in the booking. The interpreter has no reason or need to take notes that relate to service user care away from Trust premises.



Face to face interpreting **must** be used for all clinically significant events

4.1 Clinically Significant Events

Face to face interpreters must be used for:

- Admission
- Initial assessment
- Clinical reviews
- The formulation and delivery of care plans
- Meetings
- Ward rounds
- Care planning approach reviews (CPA)
- Introduction of new interventions and medication/therapy reviews etc
- Mental health tribunals
- Care planning and interventions
- For a carer who is supporting a service user and whose first language is not English

Please note: This is not an exhaustive list. If staff have any questions, further information can be found in the Interpreting and Translation Guidance or by contacting the EDI & HR Team directly on 0191 3336267.

4.2 Minimum Standard for Inpatient Wards

Service users that speak a language other than English or communicate using BSL should have daily access to an interpreter, see 5.1 for additional information and for clinically significant events. **It is the responsibility of staff to make sure that the service user does not feel isolated and uninformed during their care.** The service user will have a better experience and opportunity for recovery if they are fully engaged and involved throughout their care.

*Telephone interpreters can be used for small non clinical events such as asking the service user if they are enjoying the food or if they would like something to read.

Staff must take advice and guidance from the Trusts Equality Diversity Inclusion and Human Rights Team and CQC Compliance Team if for any reason they are unable to comply with the requirement for daily access to interpreters.

4.2.1 Explanation of Rights/ Mental Health Tribunals/Managers Hearing

Additionally, under the Mental Health Act sections 132 and 132A, hospital managers must ensure that patients and their next of kin are given and, as far as practicable, understand information about the provisions of the part of the Act that they are subject to and the effect of those provisions. This information must be given both verbally and in writing.

This includes information about the right to appeal to the First Tier Tribunal and Hospital Managers for discharge from the provisions of the Act. Information is available in leaflet form and also in audio visual format in a range of languages; however, the use of an interpreter may be necessary to ascertain understanding and comprehension of the information and the desire to exercise the right of appeal for example.

A First Tier Tribunal (FTT) is classed as a court by the European Convention on Human Rights and as such, a patient is entitled to an interpreter when they attend a FTT (the FTT are responsible for funding the interpreter).

Hospital Managers hearings, whilst still significant and important, are not as formal nor do they have the status of a court however, it is essential that the patient understands the hearing process and is able to make representations and as such an interpreter funded by the responsible authority must be provided where required.

Staff must also read the guidance that links to this policy to ensure a thorough understanding and how access, use the service and work with interpreters, including BSL interpreters and translators.

4.3 Confidential Statement Form for Interpreters

When using an interpreter for the first time, a statement of confidentiality must be completed by the interpreter, before the appointment begins. Once completed this must then be sent to the Manager of the Service who will hold the information on the service user's clinical file. A copy of the confidentiality statement form can be found in Appendix 3 of this policy.

This is a legal document of the Trust and the form once signed, is valid for the duration of the consultation or length of treatment or investigation through that individual Interpreter with the individual service user. Records of any further confidentiality statements should be held within the service user's clinical records.

*Please note, a confidentiality statement form should be signed by the interpreter for each service user that an interpreter is working with.

4.4 Use of Trust Approved Translation and Interpretation Service Providers

Staff must use the Trust's contracted interpreting and translation service provider. Details and information on how to book an interpreter or translator can be found on the Equality

Diversity Inclusion and Human Rights intranet page <https://intranet.tewv.nhs.uk/equality-and-diversity/>

If a member of staff feels that they need to go outside the existing contract for whatever reason, they must speak with the EDI & HR Team on 0191 3336328 to discuss this further.

4.5 Payment of Translation and Interpretation Services

Any person making a booking for either telephone, video or face to face interpreting must have their team cost code centre to make a booking. This enables the Trust to monitor, audit and analyse the usage and cost of face to face, video and telephone interpreters across each service and for the Trust as a whole. Invoices are paid centrally and regular audits are carried out by the finance department to ensure costs are allocated correctly.

4.6 Complaints

The Trust has a policy that ensures all complaints from patients, carers and members of the public regarding the quality of services are dealt with in straightforward, speedy and compassionate manner. Complaints relating to race and disability equality will be dealt with within this policy. The information gathered from complaints is used as a means to continually review and improve practice and services.

The PALS Team and the Equality, Diversity, Inclusion and Human Rights Team monitor complaints and the service user's ethnicity and disability, by way of linking the complaint to the individual service user data which is held on the patient care record system. This data is then analysed to ensure effective monitoring of complaints from people of different ethnic groups and people who have hearing loss are deafened or deaf. The information is considered carefully to further develop the understanding of issues for improvement, promoting equality within services and to combat and eliminate discrimination.

4.6.1 Staff support and raising concerns

If staff have any concerns or would like further support relating to interpreting and translation including the service itself, contact the Equality Diversity Inclusion & Human Rights Lead or the Equality Diversity Inclusion & Human Rights Officer in the first instance by telephoning 0191 3336267.

5 Definitions

Term	Definition
Translation	Translation is the written conversion of one language to another. Languages are complex and translation is very rarely word for word. Some meanings are intrinsic to the language, whereas other meanings have to be captured and expressed using linguistic devices. A translation is therefore an individual's view of the meaning of the source text. Any worthwhile translation should be

	written specifically for a target audience to ensure it is meaningful to the reader
Interpretation	<p>The term ‘interpretation’ emphasises the exchange of connotative meaning between languages so that both affect and meaning are conveyed. The interpreter is someone who translates what has been said by one person into another person’s language or dialect into a form – a second language – which is readily understood by another person. This should be to facilitate communication between two people or groups of people. Interpreters interact directly with the different parties involved. It is clearly a much quicker and less scrutinised process than translation, and it is therefore essential to have an experienced, impartial and totally trustworthy interpreter.</p> <p>There are two types of interpreting – simultaneous, where the interpreter speaks while the foreign-language speaker is talking, and consecutive, where the interpreter waits for appropriate pauses before speaking. Interpreters tend to specialise in one type, but some are able to do both.</p> <p>Simultaneous interpreting is often whispered and is particularly useful during a lengthy speech that is best not interrupted. A conversation or interview is usually best served by consecutive interpretation.</p>
British Sign Language Interpretation (BSL)	<p>British Sign Language (BSL) is an unspoken language and has evolved wherever communities of deaf people have come together. Each country has its own sign language, just the same as with spoken languages. There are other non-BSL forms of sign language which include Cued Speech, Paget-Gorman Sign System, Signed English and Sign Supported English. These may include the use of speech. These forms do not represent the natural language of deaf people and are usually used in training and education settings.</p> <p>BSL is the first or preferred language of nearly 70,000 deaf people in the United Kingdom, and is our fourth indigenous language. The Government recognised BSL as a language, in its own right, on 25th March 2003. (Many thousands of hearing people also use it.) BSL is not based on English. Its signs do not match each English word and it has its own grammatical structure. It is a very visual language which is constantly developing and changing, as does every living language.</p>

6 Related documents

- Interpreting and Translation Guidance
- Human Rights, Equality and Diversity Policy

7 How this policy will be implemented

- This policy will be published on the Trust’s intranet and external website.

- Line managers will disseminate this policy to all Trust employees through a line management briefing.
- Information and regular updates will be published on the Trust Intranet, E-Bulletin and the Equality and Diversity pages.
- Information on how to contact interpreting and translation services will be made available on posters which will be displayed in all clinical areas.
- The Equality Diversity inclusion & Human Rights Team will provide advice, support and guidance to Trust staff when necessary.

7.1 Implementation action plan

Activity	Expected outcome	Timescale	Responsibility	Means of verification/ measurement
N/A				

7.2 Training needs analysis

Staff/Professional Group	Type of Training	Duration	Frequency of Training
N/A			

8 How the implementation of this policy will be monitored

Number	Auditable Standard/Key Performance Indicators	Frequency/Method/Person Responsible	Where results and any Associate Action Plan will be reported to, implemented and monitored; (this will usually be via the relevant Governance Group).
1	Currently inpatient usage to ensure it meets the required standards	EDI and HR team. Weekly review. (It is hoped to develop an interpreting dashboard in IIC for patients whose first language is not English to allow managers to monitor implementation of this policy themselves)	EDI and HR steering group

9 References

[The Equality Act 2010 - Public Sector Equality Duty](#)

[The Human Rights Act 1998](#)

[The Care Quality Commission - Essential Standards of Quality and Safety](#)

10 Document control (external)

To be recorded on the policy register by Policy Coordinator

Date of approval	14 December 2022
Next review date	14 December 2025
This document replaces	CORP-0038-v2.2 Interpreting and Translation Policy
This document was approved by	Executive Directors
This document was approved	14 December 2022
This document was ratified by	Executive Directors
This document was ratified	14 December 2022
An equality analysis was completed on this policy on	15 September 2022
Document type	Public
FOI Clause (Private documents only)	n/a

Version	Date	Amendment details	Status
2	14 Feb 2018	Review date extended	Withdrawn
2	13 Feb 2019	Document under review due to tendering process, review date extended from 31 March 2019 to 30 November 2019 allow review work to be done	Withdrawn
2.1	19 Sept 2019	Full review conducted. Minor changes made. Added Skype reference and amended interpreting provider link.	Withdrawn
2.2	16 Dec 2020	Section 5.2 Minimum Standard for Inpatient Wards – amendment to wording regarding access to interpreter	Withdrawn
2.2	Oct 2020	Review date extended to 25 Sept 2022	Withdrawn
2.3	14 Dec 2022	Full review with Minor changes. Additional wording added for clarity following feedback from a staff member	Ratified

Appendix 1 - Equality Impact Assessment Screening Form

Please note: The Equality Impact Assessment Policy and Equality Impact Assessment Guidance can be found on the policy pages of the intranet

Section 1	Scope
Name of service area/directorate/department	Equality Diversity Inclusion and Human Rights Team – People and Culture Directorate
Title	Interpreter & Translation Policy
Type	Policy
Geographical area covered	Trustwide
Aims and objectives	The aim of the policy is to give Trust staff clear instruction on when to book an interpreter or translator to support service users and their carers to access Trust services in the same way as people who speak English, are not deaf or can read.
Start date of Equality Analysis Screening	01 September 2022
End date of Equality Analysis Screening	15 September 2022

Section 2	Impacts
Who does the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan benefit?	The policy positively benefits service users and their carers who use a language other than English, people who are deaf and deafened and communicate using British Sign Language and people who cannot read who may need support via the usage of CD, DVD or translated documents/leaflets which enables all service users and carers to have fair and equitable access to Trust services

<p>Will the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan impact negatively on any of the protected characteristic groups? Are there any Human Rights implications?</p>	<ul style="list-style-type: none"> • Race (including Gypsy and Traveller) NO • Disability (includes physical, learning, mental health, sensory and medical disabilities) NO • Sex (Men and women) NO • Gender reassignment (Transgender and gender identity) NO • Sexual Orientation (Lesbian, Gay, Bisexual, Heterosexual, Pansexual and Asexual etc.) NO • Age (includes, young people, older people – people of all ages) NO • Religion or Belief (includes faith groups, atheism and philosophical beliefs) NO • Pregnancy and Maternity (includes pregnancy, women / people who are breastfeeding and women / people on maternity leave) NO • Marriage and Civil Partnership (includes opposite and same sex couples who are married or civil partners) NO • Armed Forces (includes serving armed forces personnel, reservists, veterans and their families) NO • Human Rights Implications NO
<p>Describe any negative impacts / Human Rights Implications</p>	
<p>Describe any positive impacts / Human Rights Implications</p>	<p>This policy will benefit the mental health and wellbeing of all protected groups, particularly people of different ethnicities and/or certain types of disabilities such hearing loss.</p>

<p>Section 3</p>	<p>Research and involvement</p>
<p>What sources of information have you considered? (e.g. legislation, codes of</p>	<p>Equality Act 2010 Human Rights Act 1998</p>

practice, best practice, nice guidelines, CQC reports or feedback etc.)	
Have you engaged or consulted with service users, carers, staff and other stakeholders including people from the protected groups?	Yes
If you answered Yes above, describe the engagement and involvement that has taken place	<p>There was a consultation when this policy was originally written and only minor changes have been made to incorporate changes in technology to improve communication such as Attend Anywhere.</p> <p>The interpreting service is continuously monitored to ensure that the service delivers, meeting people's needs. Feedback from the previous policy and ongoing feedback from staff has been used to improve the process of using the interpreting service and to update this version of the policy.</p>
If you answered No above, describe future plans that you may have to engage and involve people from different groups	

Section 4	Training needs
As part of this equality analysis have any training needs/service needs been identified?	No
Describe any training needs for Trust staff	Working with Interpreters training is available for staff to access in the Trust however it isn't mandatory
Describe any training needs for patients	N/A
Describe any training needs for contractors or other outside agencies	N/A

Check the information you have provided and ensure additional evidence can be provided if asked

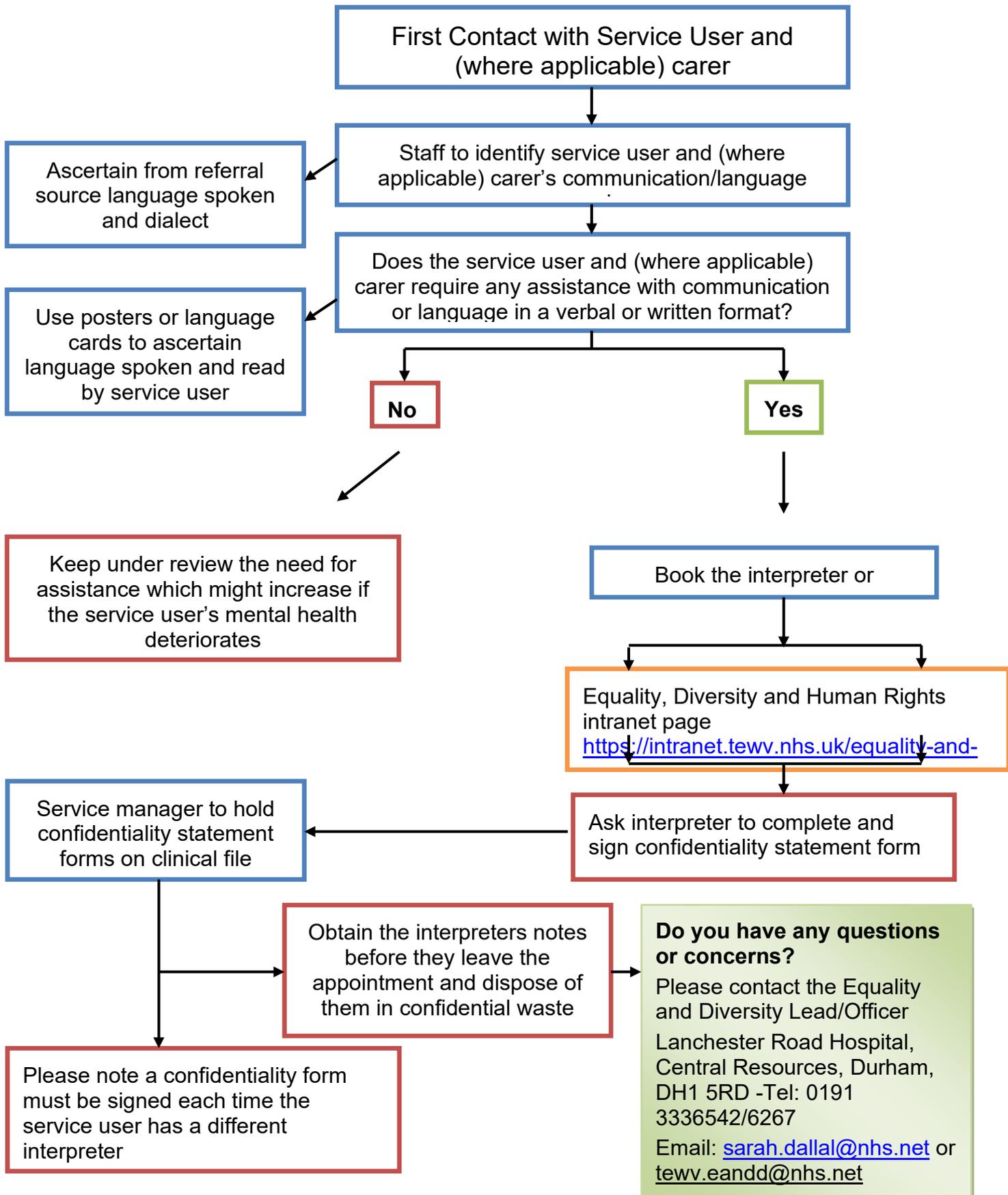
Appendix 2 – Approval checklist

To be completed by lead and attached to any document which guides practice when submitted to the appropriate committee/group for consideration and approval.

	Title of document being reviewed:	Yes / No / Not applicable	Comments
1.	Title		
	Is the title clear and unambiguous?	Y	
	Is it clear whether the document is a guideline, policy, protocol or standard?	Y	
2.	Rationale		
	Are reasons for development of the document stated?	Y	
3.	Development Process		
	Are people involved in the development identified?	Y	
	Has relevant expertise has been sought/used?	Y	
	Is there evidence of consultation with stakeholders and users?	Y	Both for original document and ongoing feedback to E& D team
	Have any related documents or documents that are impacted by this change been identified and updated?	Y	
4.	Content		
	Is the objective of the document clear?	Y	
	Is the target population clear and unambiguous?	Y	
	Are the intended outcomes described?	Y	
	Are the statements clear and unambiguous?	Y	
5.	Evidence Base		
	Is the type of evidence to support the document identified explicitly?	Y	
	Are key references cited?	Y	
	Are supporting documents referenced?	Y	
6.	Training		
	Have training needs been considered?	Y	
	Are training needs included in the document?	Y	n/a
7.	Implementation and monitoring		

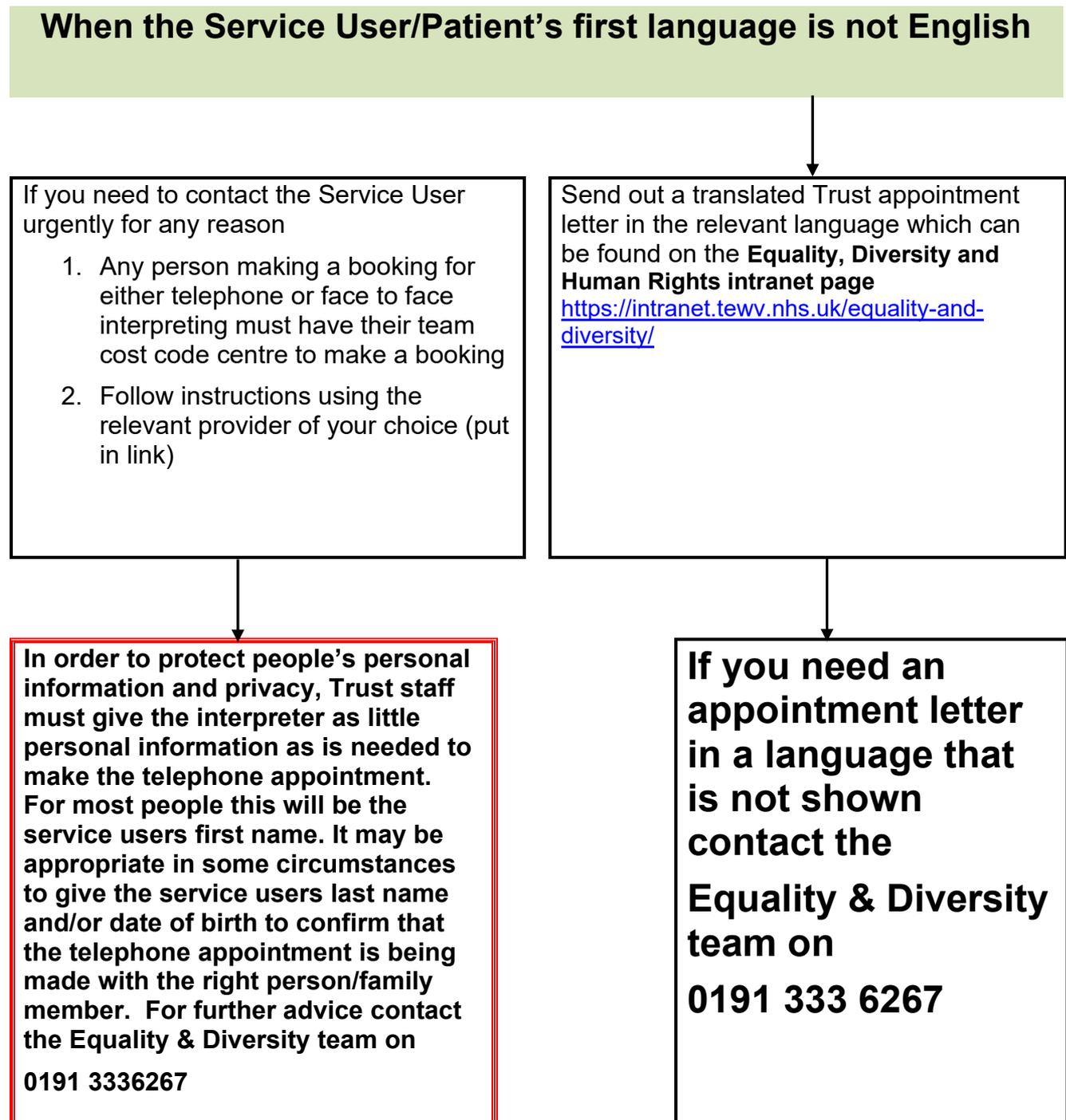
	Title of document being reviewed:	Yes / No / Not applicable	Comments
	Does the document identify how it will be implemented and monitored?	Y	n/a established process
8.	Equality analysis		
	Has an equality analysis been completed for the document?	Y	
	Have Equality and Diversity reviewed and approved the equality analysis?	Y	
9.	Approval		
	Does the document identify which committee/group will approve it?	Y	MG (or ED)
10.	Publication		
	Has the policy been reviewed for harm?	Y	
	Does the document identify whether it is private or public?	Y	public
	If private, does the document identify which clause of the Freedom of Information Act 2000 applies?	n/a	

Appendix 3 – Flowchart on the Process of Using Interpretation Services



Appendix 4 – Flowchart on the Process of Booking Appointments

Flowchart for the process of booking appointments for people who do not speak English



Appendix 5 – Confidentiality Agreement

Confidentiality agreement

I have read and understand the relevant parts of the NHS Codes of Practice on Confidentiality and Consent and agree to act in accordance with these Codes.

I agree to be bound by this confidentiality agreement not to disclose any personal information about clients or service users, other than to the Clinical or Medical practitioner in charge of their care, and to act in accordance with the NHS guidelines.

I will not retain any notes or records relating to any service user including notes taken in the course of a consultation to aid in interpreting or translation. I will ensure that my notes are given to a member of Trust staff for appropriate safe disposal before I leave the appointment.

I understand that the information that I am permitted to give about a service user is limited to the data required by the Trust for booking and billing purposes only.

I understand that if I breach the Common Law Duty of Confidentiality the Trust may take legal action against me.

Name of Interpreter

Signature by Interpreter..... Date

Name of Service Provider

Signature on behalf of Service Provider.....Date

Appendix 6 - Staff Questionnaire

INTERPRETING SERVICES QUALITY AUDIT AND EVALUATION QUESTIONNAIRE

We would like to evaluate the interpreting service you recently used. We would be very grateful if you could take a few minutes to complete the following questionnaire.

1. Which interpreting and translation provider did you use?

.....

2. Did you find it easy to contact them: Yes / No

If no please comment:

3. Was an interpreter/translator available for the time you wanted them? Yes / No

If no please comment:

4. Which language/dialect did you request?

5. Why was an interpreter/translator required:

Ward round	
Care planning meeting	
Initial Assessment	
Other (please specify)	

6. Did you request a specific interpreter? Yes / No

If yes please comment:

7. When the interpreter arrived were they:

Helpful Yes/No **Professional** Yes/No **Confidential** Yes/No

8. Did you feel that the interpreter had sufficient understanding of mental health/learning disability issues? Yes/No

Comments:

9. Do you have any other comments to make?

Your name: (Please print clearly)

Team / Ward: (Please print clearly)

Thank you for your help.

Please return the form by email to:

tevv.eandd@nhs.net or by post to, The Equality Diversity Inclusion & Human Rights Team, Tarncroft, Lanchester Road, Durham DH1 5RD