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# Interpretation Services: Members' Experiences

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## Accessing Interpretation Service | July 2024

### Context

One of SIAA members reached out to ask what happens when Advocacy Partner/Independent Advocate needs an interpreter during Mental Health Tribunals or in other circumstances. As we are aware that there is a variety of approaches, we reached out to the wider membership to ask the following questions:

*When working with Advocacy Partners who require an interpreter:*

- *Who do you contact to provide an interpreter?*
- *Who pays for the interpreter?*

*What happens when independent advocate requires an interpreter? Is it possible to arrange it through local NHS interpreter service, or is it a potential conflict of interest and an independent interpreter should be arranged instead?*

11 organisations (out of 34) within SIAA membership answered to the call for evidence.

In principle, it is the obligation of the public body that makes the referral or is involved in the dispute or assessment to arrange and pay for interpretation service. It is due to their human rights obligations in making reasonable accommodations to ensure the equality of access and enable participation.

The collated answers below outline practice in specific scenarios and situations.

## Who do you contact to provide an interpreter? Who pays for the service?

### NHS

The majority of responses mentioned contacting *NHS for arranging and paying for* interpretation services in specific circumstances, where:

- Advocacy Partner is inpatient in the hospital (NHS interpretation service contacted directly);
- Advocacy Partner is going through Mental Health Tribunals, Compulsory Treatment Orders (CTO)/other visits (ward staff contacted);
- Advocacy Partner is an inpatient (ward staff contacted – “we would normally use the interpreter as is being used on ward for ward rounds”);
- Advocacy Partner is subject to Mental Health Act (MHA) in hospital or community (Ward staff/Mental Health Officer (MHO) contacted);
- the referral comes from NHS.

However, some limitations to the NHS interpretation service were acknowledged in several responses. For example, access to the service can be variable: it’s “sometimes” a possibility. Furthermore, the service is only available for NHS appointments, and does not cover any prep work with an advocate or other appointments.

### Local authority

In many cases, *local authority are the ones arranging and paying for* an interpretation service, especially in cases where:

- Advocacy Partner is under Adult Support and Protection (ASP), Adults with Incapacity (AWI), MHA legislation (HSCP or social worker is contacted, especially if it’s a joint meeting at home);
- Advocacy Partner has an allocated social worker (social worker is contacted);
- the referral comes from any branch of local authority (that branch is contacted).

However, making those arrangements can be more problematic. One response mentioned “We recently were considering using a sign language support service as social work said they wouldn’t cover cost for an advocacy appointment (family/social work issue). When we approached our local authority, we were told they wouldn’t cover cost (same for interpretation service).” Another stated: “Where we have found difficulty, is when the individual does not have an allocated social worker then it can be challenging to access interpretation through the local authority.”

### Other

Outside of NHS or local authority settings, arranging for an interpreter is more problematic. One response stated that HM Courts & Tribunals Service (HMCTS) is contacted for the service if they are the body involved in the dispute or assessment, while another mentioned

arranging interpretation through tribunal service for Mental Health Tribunal (noting that it covers the Tribunal itself only).

### Advocacy organisations

In many cases, *advocacy organisations* find themselves in a situation where they need to *arrange and pay* for an interpreter, especially in cases where:

- an alternative interpreter is needed due to conflict of interest or lack of availability;
- advocate needs an interpreter for “non-NHS/LA advocacy”;
- they want to use the same interpreter for 1-1 prep work and other appointments;
- in collective advocacy.

The specific approach is down to independent advocacy organisations’ internal policies. In some cases, we heard that funders are of the opinion that interpretation should be covered in the funding they already provide.

In the specific case of collective advocacy, one respondent told us that: “Collective advocacy provision faces specific barriers with the expectation that any requirement is funded by the organisation and included in the budget when bidding for contracts. The cost is never realistic within the specification is our experience and is not met without use of reserves. Predicting the cost is not impossible but there is an expectation to absorb it within budgets that are too tight.”

### Other remarks and recommendations

There is a [Scottish Govt procurement framework agreement for translating and interpretation services](#) which third sector organisations can access if they’re funded wholly or mainly by a public body. Importantly, this doesn’t cover British Sign Language (BSL) interpretation.

Other organisations/public bodies are sometimes open to advocate’s suggestions or recommendations when it comes to choosing an interpreter. This can sometimes be a family member, which one respondent recommended due to their experience with court-arranged interpreter: “We take language for granted, but it is quite a complex issue. We had a Chinese client recently and the courts arranged a professional interpreter. However, on the day it was discovered that they spoke different dialects of Chinese, and so struggled to understand each other.”