Bruk av tolk i barnevernet

IMDi-rapport 5-2008
Summary

Children from immigrant backgrounds are overrepresented in the child welfare service in relation to the population as a whole. There has also been an increase in the number of children from immigrant backgrounds who are subject to child welfare measures in recent years (Allertsen and Kalve 2006 a).

Naturally, as a result of the increase in the number of children from immigrant backgrounds who come into contact with the child welfare service, an increasing proportion of families who are in contact with the service will experience a language barrier, which, in turn, will result in a greater need for interpreters in child welfare cases.

This report studies the use of interpreters in the child welfare service, a sector in which due protection of the law largely depends on all parties involved in a case understanding and being understood. However, due protection of the law does not depend solely on whether or not an interpreter is used, but also on the quality of the interpretation. It was therefore important in the survey to examine issues such as the extent to which staff in the child welfare service use interpreters when necessary, the reasons why, if applicable, they did not use an interpreter where one was needed, what procedures they have for ordering and using interpreters, experiences of the use of interpreters and the way in which they deal with the use of interpreters. For example, what weight is attached to the interpreter’s qualifications when ordering an interpreter?

The data on which the report is based was collected through a postal survey of employees in the municipal child welfare service and various types of approved child welfare institutions. A total of 1,007 child welfare staff responded to the survey. Sixteen of the respondents also took part in focus group interviews, which were held in two rounds, with seven and nine participants respectively. In the focus groups, selected topics from the survey were investigated more thoroughly. The main findings of the report are summarised below.

Characteristics of respondents to the survey

Eighty per cent of the respondents work in the municipal child welfare service. An equally high proportion of the respondents have three-year university college training as child welfare officers, social workers or social educators. A large proportion of the respondents have worked long enough in the child welfare service to be very familiar with procedures and working methods. More than half of them have worked in the child welfare service for more than six years. A third have worked at their present workplace for six years or more. The respondents come from all over the country, but the biggest proportions come from Western Norway and Eastern Norway. As many as seven out of ten respondents are women. Only a small minority has much experience of using interpreters. Four out of ten have received one or more forms of training in the use of interpreters. That means that more than half have received no such training. Staff in the municipal child welfare service have to a greater extent completed relevant three-year university college training, have had more experience in the use of interpreters, received some training in the use of interpreters and experience a greater need for interpreters in their day-to-day work than staff at institutions.

The use of interpreters in the child welfare service

Roughly 15 % of the respondents state that they need interpreters in half or more of the conversations they conduct. Most respondents state that they have ordered an interpreter in half or more of the instances in which they needed an interpreter. The majority of those who answer that they have ordered an interpreter when one was needed are those with the greatest need for an interpreter in their day-to-day work. However, it is important to emp-
hasise that a fifth of the respondents answer that they have failed to order an interpreter in instances when one was needed. The three factors most frequently cited as the main reason for this are that the child welfare staff have overestimated the family’s Norwegian skills in advance of the conversation, that the families themselves do not wish to have an interpreter present during the conversation and that it has been difficult to get hold of an interpreter in acute situations. Four out of ten believe that increasing the availability of interpreters would make it easier to use interpreters. Moreover, a substantial number of respondents answer that more training is needed in the use of interpreters, that it is necessary to raise the quality of the interpreters available on the market and that increased professionalisation of the occupation of interpreting is required.

When is an interpreter needed?
Most respondents find that they have a great degree of freedom to decide whether or not to order an interpreter in a given situation. Moreover, more than half of them state that they do not require anyone’s approval to order an interpreter. The freedom to make these decisions on their own appears to be greatest among staff in the municipal child welfare service. It is among those who work at institutions, that we find the greatest proportion of employees who are not familiar with the division of responsibility in this context. The actual decision to use an interpreter in a conversation is largely taken on the basis of the employee’s knowledge of the families concerned, either directly or through a third party. An interpreter is nearly always ordered if either the children or the parents master Norwegian insufficiently well for a conversation to be conducted. Our findings indicate that child welfare staff see it as being equally important that the children and parents understand what is said during a conversation.

Procedures for the use and ordering of interpreters
More than half the respondents have procedures for the use of interpreters in their workplace. Such procedures for the use of interpreters are particularly common in the municipal child welfare service. Procedures for ordering interpreters, from where they are ordered and for the payment of interpreting services are most widespread. There are seldom procedures for checking the qualifications of interpreters. Within the municipal child welfare service, it is very common to order interpreters form the municipal interpreting service. This is seen by many as being at the orders of their superior. Several experience that it is difficult to check the interpreter’s qualifications. They find that they must to a great extent trust that the interpreters they order have been quality assured and that they are of adequate standard. Almost half of them see a need for clearer procedures for the ordering and use of interpreters. This need is particularly great among those who have not received training in the use of interpreters, those who have least experience in the use of interpreters and those who do not currently use interpreters in all situations in which one is needed.

The experience of child welfare staff of using interpreters
Getting a conversation involving the use of an interpreter to function properly makes demands on both the member of the child welfare staff and the interpreter. In many cases, the child welfare staff believe it may be a good idea to brief the interpreter in advance about what the conversation concerns. Many expect an interpreter to inform about his or her role at the start of the conversation. Almost half have experienced that a conversation has been difficult to conduct as a result of lack of skills on the part of the interpreter. The proportion who have experienced this is greatest in the municipal child welfare service. Pursuant to Retningslinjer for god tolkeskikk2 (Guidelines for state-authorised interpreters and the interpreting examination, interpreters are required to exercise their profession in accordance with good interpreting practice. The guidelines Retningslinjer for god tolkeskikk were drawn up by a working group appointed by the Ministry of Local Government and Regional Development (then the Ministry of Local Government and Labour).

2 In section 5 of the Regulations of 6 June 1997 relating to the authorisation of state-authorised interpreters and the interpreting examination, interpreters are required to exercise their profession in accordance with good interpreting practice. The guidelines Retningslinjer for god tolkeskikk were drawn up by a working group appointed by the Ministry of Local Government and Regional Development (then the Ministry of Local Government and Labour).
for good interpreting practice), an interpreter shall only interpret what is said. However, several have experienced that an interpreter has gone beyond or deviated from the guidelines. Examples of this could include an interpreter providing additional information about the family’s home country, referring to cultural differences, adopting a comforting role in relation to the family or becoming involved in the case. Many respondents believe that it is fine for the interpreter to supply additional information about a family’s situation or to refer to cultural differences. For most of them, the limit is when the interpreter becomes personally involved in a case. Child welfare staff express a zero tolerance attitude to this.

**Negative consequences of failure to use an interpreter**

One in four child welfare staff experiences that interpreters are used too seldom in relation to the need in their workplace, and this under-consumption is clearest in institutions. Most employees in the child welfare service, regardless of where they work, see that a failure to use interpreters can have clear negative consequences, including families not receiving all the information to which they are entitled and the quality of cooperation with the families being negatively affected. Several people in the focus groups claimed that the child welfare service was in a unique position in terms of the importance of using interpreters. They pointed out that a great deal of decisions in the child welfare service are based on the exercise of discretionary judgement that can have major consequences for the families involved, which makes it important that everyone is assured due protection of the law.

**Need for more training in the use of interpreters**

In order to stimulate increased use of interpreters, there are two factors in particular on which child welfare staff wished greater focus. Firstly, they called for *more information* about the importance of using interpreters and about the situations in which interpreters should be used etc. They also called for more *practical training/courses* in the use of interpreters in day-to-day work. Very few of them had received any training in the use of interpreters, either as part of their education or in-service training. A lack of knowledge can explain why many respondents think it is fine for an interpreter to provide additional information about a family’s home country or special situation and that it is the interpreter who explains cultural differences.

**The need to raise the quality of interpreters and improve procedures for assessing interpreters’ qualifications**

A large proportion of the respondents were concerned about increasing the quality of interpreting. The importance of increasing the professionalism of interpreters was also emphasised in the focus groups. Several respondents called for standardised training/education of interpreters. During the period 2003 to 2006, however, more than 600 have completed training as interpreters, a fact that few of the respondents seemed to be aware of. The lack of procedures for finding the good interpreters appears to be the weak link in this context. For example, the survey revealed that only a minority of the child welfare staff were aware that, by using the National Register of Interpreters, it is possible to request state-authorised interpreters who have completed training as interpreters.

**Where does the problem lie?**

The survey reveals that there are many challenges relating to the use of interpreters in the child welfare service. In general, there is a great need for more training in the use of interpreters in day-to-day work, for raising the quality of the interpreting and for improving procedures for assessing the qualifications of interpreters.
ple, employees in the municipal child welfare service are more concerned with ordering interpreters when one is needed, have more procedures relating to the use and ordering of interpreters and are more concerned about the negative consequences of failing to use interpreters than employees in the institutions. Moreover, a much greater proportion in the municipal child welfare service than in the institutions experience that they have an extensive need for interpreting services in their day-to-day work. There are thus many indications that it is necessary to devote extra attention to the child welfare institutions in future. There may also be grounds for examining in more depth why the need for interpreters is perceived as being much smaller in the institutions than in the municipal child welfare service. Is the real need actually smaller? If so, why? Could it be that institution staff define the need differently from municipal staff?
IMDi-rapport 6-2009
Bruk av tolk i straffesaksdekken
Summary

The Norwegian Directorate of Integration and Diversity (IMDi) is the national authority for interpretation in the public sector and implements measures to improve the quality of interpretation and increase the availability of qualified interpreters. In collaboration with relevant authorities, IMDi carries out annual surveys on the use of interpreters in areas of the public sector. The objective of the surveys is to obtain a good indication of the situation, increase awareness about the use of interpreters and to obtain an informed basis on which to implement measures. So far, IMDi has carried out surveys on the use of interpreters among primary doctors (2007) and in the child welfare service (2008).

In 2009, we have decided to examine the use of interpreters in the legal sector among employees working in the criminal proceedings chain. The criminal proceedings chain consists of the Norwegian Police Service, the Norwegian Prosecuting Authority, the Courts of Justice and the Norwegian Correctional Services.

The Act relating to the courts of justice explicitly states that the court shall appoint an interpreter if any of the participants in the proceedings does not speak Norwegian. The European Court of Human Rights (ECHR) also has provisions stipulating the rights of those who speak minority languages and the obligations of the state in criminal cases. The need for interpreters in other areas of public administration is regulated by the information and guidance obligation and the obligation to interview parties in a case, as defined in the Public Administration Act.

The extent to which language barriers pose an obstacle to the principle of due process protection depends not only on interpreters being used when necessary, but also on the interpreters having the necessary qualifications. A number of different surveys have previously indicated that poor-quality interpretation or interpreters not being used in the criminal proceedings chain jeopardises due process protection.

The survey consists of a quantitative survey among the relevant agencies in the criminal proceedings chain and focus group interviews with people who have participated in the quantitative survey. The survey will be sent to all the judges sitting in Norwegian district courts and courts of appeal, all public prosecutors and employees of the Director General of Public Prosecutions, and a sample of private advocates and employees of the Norwegian Police Service and the Norwegian Correctional Services. A total of 1,029 people have responded to the survey. The finds are summarised in the sections below.

Few have great need to use interpreters

We have examined how great the need for interpreters is in different parts of the legal system. Few people feel that they require interpreters in a large percentage of the cases they work on. Only 14 per cent of those asked said that they had a great need to use interpreters. Eighty-six per cent said that they felt they needed to use an interpreter in under half of the cases they worked on.

The need varies depending on which part of the criminal proceedings chain a person works in. Employees of the correctional services and the prosecuting authority feel the need to use an interpreter more often than employees in the other parts of the criminal proceedings chain.

There are also great differences in the need to use an interpreter depending on where in Norway a person works. Sixteen per cent of those asked from Oslo/Akerhus state that they have a great need to use interpreters. Four times as many of the respondents
More people with training use interpreters

Very few people have received any form of actual training in the use of interpreters, and many of the employees working in the criminal proceedings chain clearly need more training. The greatest proportion of respondents to have received some form of training work in the courts, while the lowest proportion work as private advocates.

A greater proportion of the respondents who have received some form of training in the use of interpreters use interpreters when they are needed compared with those who have not received any training.

One in four believes that more training would make it easier to use interpreters. This was also an issue in the focus groups, where the majority called for more and thorough training.

A third use an interpreter every time it is needed

One important question in the survey is to what extent an interpreter is actually used when a language barrier exists. Almost a third respond that they use an interpreter every time one is needed. Roughly one in ten responded that they have never used an interpreter when one has been needed.

There is a great difference in the extent to which interpreters are used in the different parts of the criminal proceedings chain. The proportion that uses an interpreter when one is needed is by far highest in the courts and lowest in the correctional services. In the courts, 94.2 per cent respond that they have used interpreters in a large proportion of cases or in every case where an interpreter has been needed. Only 33.9 per cent of correctional services employees responded similarly.

The largest proportion to state that they have never failed to use an interpreter when one has been needed is also employees of the courts and the prosecuting authority. The highest proportion of respondents who feel that interpreters are used to an adequate extent in their workplace work in the courts, while the proportion is lowest in the correctional services. The Act relating to the Courts of Justice’s provisions on the use of interpreters is probably significant to the fact that the courts use interpreters more consistently than the other workplaces.

A majority of those asked (61 per cent) felt that interpreters were used as often as necessary at their workplace. Among the prosecuting authority respondents, a rather significant proportion of eight per cent stated that they felt that interpreters were used more often than was actually necessary. Seventeen per cent feel that interpreters are not used often enough.

Difficult to get hold of interpreters in acute situations

The most important reason stated for not using an interpreter when one is needed is that it is difficult to get hold of interpreters in acute situations. It is natural to imagine that this is the case in unplanned interviews, such as when a formal complaint is made.

The response may also be linked to the low availability of interpreters in certain languages. Almost half of the respondents feel that it is more difficult to get hold of interpreters in some languages than in others. Arabic, Lithuanian, Albanian, Aceh and Romany are some of the languages that most mention as being difficult to get hold of.

Another reason stated for not using an interpreter when one is needed is that other people present have been able to translate. This is particularly prevalent in the correctional services, but it also occurs at other stages in the criminal proceedings chain.

It is also the case that some people overestimate the Norwegian language skills of working in Oslo/Akerhus have a great need to use interpreters than respondents working outside Oslo/Akerhus.
the accused/convicted/imprisoned person or witness, and that they have therefore not organised an interpreter.

Only 31 people state financial considerations as being the reason that interpreters are not used when they are needed. It is still worth noting that almost everyone who gave this response either works in the police service or correctional services.

More correctional services employees than any of the other respondents state that they are encouraged by managers to limit their use of interpreters. In total, very few feel that this reflects reality. More than three quarters of the respondents say that their managers leave it up to employees to decide whether an interpreter is needed in a given situation.

Using children as interpreters
The survey shows that the practice of using others than an interpreter to translate is not very widespread, and children in particular are rarely used in the different situations. One exception is in the case of formal complaints. A quarter of those asked stated that using others to interpret instead of an interpreter happens often or very often in the case of formal complaints. In this type of situation, children are also sometimes used to translate.

Between five and ten per cent of the sample also believe that other people than an interpreter translate very often or often when persons are charged, while they are serving a sentence, when notice is served, during discussion with their defence counsel and during questioning. However, very few feel that this is the case when people are imprisoned on remand, during main hearings and when judgment is pronounced.

Lack of procedures for checking interpreters’ qualifications
More than half of the respondents say that there are procedures for both booking interpreters and where they are to be booked from. Almost 80 per cent have procedures for who pays for interpreters being used in given situations. Only a quarter of the sample, however, state that they have procedures for checking interpreters’ qualifications at their workplace.

The courts have more standard procedures for booking interpreters than the other places of work, but they too lack procedures for quality assurance of interpreters. Almost two thirds of the respondents who work in the courts stated that they had no standard procedures for checking interpreters’ qualifications.

Although few respondents had clear procedures for checking interpreters’ qualifications, more than half said that they would give emphasis to formal interpretation qualifications if they were to book an interpreter the next day.

Four in ten said that they saw the need to have clearer procedures for using and booking interpreters at their workplace. A particularly large proportion of correctional services employees experienced such a need. The need is greatest among those who do not currently have procedures, but also those who already have procedures in place would like these to be clearer.

Many people in the focus groups felt that the procedures they followed were informal, and several of them called for clearer guidelines on using and booking interpreters.

Too little known about the role of the interpreter
An interpreter’s professional code of ethics is based on and individual’s right to express themselves freely without interference. In order to secure this right, it is important that the interpreter only interprets what is said without adding anything or leaving anything out. We asked the respondents whether they had experienced that the interpreter had contributed anything to the discussion apart from interpreting.
Unfortunate consequences
There is widespread agreement among the respondents, across the workplaces, that not using an interpreter can have many unfortunate consequences. A large majority stated that the consequences may be that cases are not sufficiently elucidated, that due process protection is diminished, that the involved parties in a case cooperate poorly and that the opportunity to do a professionally adequate job is reduced.

The focus groups also gave voice to the fact that the use of interpreters in the legal system is exceptionally important, both in ensuring due process protection for the accused and confidence in the system. Several of them highlighted the importance of using interpreters in all links of the criminal proceedings chain, so that cases did not become bigger than necessary. It was also pointed out that there may be major financial consequences if the entire process must be repeated because an interpreter was not used the first time.
IMDi-rapport 2-2011
«Mora mi forstår ikke når lærerne snakker»
Bruk av tolk i grunnskolen i Oslo
The Norwegian Directorate of Integration and Diversity (IMDi) is the national authority for public sector interpreting, and is responsible for improving availability and quality of interpreting. In order to create a knowledge-based foundation for this work, IMDi conducts annual surveys on the use of interpreters in different areas of the public sector. The 2010 survey focuses on interpreting in the schools’ cooperation with the home, and the findings are documented in this report.

Education for All is a fundamental concept in Norwegian educational policy. Children and young people shall have the same rights to education, regardless of where they live, gender, social and cultural background and any special needs.

The cooperation between the school and the home plays a key role in the Norwegian educational system. Both international and Norwegian research show that parental involvement in education has a positive effect on the learning environment and children’s academic achievements. It is the school’s responsibility to facilitate a positive parental cooperation and active involvement by the parents. This responsibility is enshrined in law. However, the legal framework does not include guidelines on how the school should communicate with the home when the parents do not speak Norwegian.

The survey was conducted in two stages. An electronic questionnaire was distributed to head teachers in all primary and lower secondary schools in Oslo in February 2010. It was up to the head teacher to decide whether the link to the questionnaire should be forwarded to employees in the school. A total of 172 employees at the schools returned the questionnaire, either completed in full or in part. IMDi then created four focus groups with a total of 14 participants.

The questionnaire was devised in collaboration with the Education Agency in Oslo. IMDi has sole responsibility for the analyses and conclusions of this report. The main findings of the survey are summarised below.

A minority of the respondents have a great need for interpreters

In order to obtain an overview of the need for interpreting services in the schools’ cooperation with parents, we asked the respondents to estimate how many parents of their pupils speak so little Norwegian that they have difficulty understanding or making themselves understood.

The majority reported that a small share of the parents speak so little Norwegian that they have difficulty understanding or making themselves understood. One in every seven respondents reported that this applies to half or more of the parents in their classes. The respondents who answered this question were, not surprisingly, from schools in districts with a high share of immigrants. A small share of the respondents stated that none of the parents speak so little Norwegian that they have difficulty understanding or making themselves understood. Accordingly, the majority of these respondents were from schools in districts with a low share of immigrants. One out of ten also reported that they do not know if the parents speak enough Norwegian to understand or be understood.
One out of four do not use interpreters when needed in formal conversations with the home

A key focus of the survey is whether the school employees use the services of an interpreter when needed. Only one in seven said that an interpreter is used in all conversations where the parents speak so little Norwegian that they have difficulty understanding or making themselves understood. It was emphasised in the questionnaire that this relates to situations where a formal conversation takes place, such as a development conversation, parent-teacher meeting or such like, with the relevant pupil’s parents or guardians. Half of the respondents reported using interpreters in all or a large share of the conversations, while just one out of four said that interpreters were booked in a small share or none of the conversations.

It emerged in the focus groups that the content of the conversation was a determining factor in whether an interpreter was booked or not. A number believed it was more important to book an interpreter for multi-disciplinary meetings where decisions were made, than for parent-teacher meetings or development conversations where the purpose is to review the curriculum plan or discuss the pupil’s development.

Almost four out of ten believe that an interpreter is not used often enough at their workplace. Half believe that an interpreter is used as often as needed. There is little to suggest that interpreters are over-used in primary and lower secondary schools in Oslo. Only one respondent in the survey believed that interpreters are used too often. A teacher in one of the focus groups asserted that «No one books the services of an interpreter for fun. So if you need an interpreter, then an interpreter is booked.»

School employees, family and acquaintances are used as interpreters

The main reason for not booking an interpreter is that other persons who can translate have been present and translated in formal conversations that the school has with the parents. More than half of the respondents give this as the reason. Native language teachers or other school employees are most commonly used instead of interpreters. It emerged from the discussions in the focus groups that the schools have different attitudes to using school employees as interpreters. Some actively recruit multi-lingual employees so that they can be used as interpreters, while others have avoided using employees as interpreters because they had negative experiences with mixing the roles.

Relatives or acquaintances are also used as interpreters in formal conversations between the school and the home. The topic of the conversation can be a determining factor in whether a school employee permits the use of relatives/acquaintances as interpreters. It emerged from the focus groups that it is more common nowadays to book an interpreter than to use a family member or other relatives as interpreters.

Pupils interpret during parent-teacher meetings

Pupils are also used as interpreters in formal conversations between the school and the home. According to the survey, using the pupil as an interpreter seems to be just as acceptable as using a family member or acquaintance. One out of three report that this happens either occasionally or often. Many of the participants in the focus groups believed, however, that there was a fundamental difference between using the pupil as an interpreter and using a family member or acquaintance. Several expressed concern that the role of the interpreter is a burden for the pupil and that the school contributes to undermining the parental role when it allows the pupil to act as an interpreter.

Very few said that the school administrators request pupils to be used as interpreters. The participants in the focus groups believed
that it was often random that the pupil was used as an interpreter and that this normally happens when the need for an interpreter has not been registered in advance. A quarter of all respondents stated that pupils are rarely used as interpreters in formal conversations between the school and the home, while one in three reported that they are never used. A number of schools appear to have an unwritten rule that pupils are not to be used as interpreters.

Previous surveys have shown that children sometimes act as interpreters for their parents when visiting the doctor or with the police. We therefore asked the school employees if they knew whether the pupils were missing lessons to act as interpreters for their parents, either for the school or outside the school. Two out of seven reported that they are aware that pupils have missed lessons in order to act as interpreters. The majority said that this was in connection with matters outside the school and that it happens only seldom. However, the participants in the focus groups could give several examples where the pupil had missed lessons in order to translate for his/her mother or father at a public office.

**Difficult to find interpreters in some languages**

The second most common reason for not using the services of an interpreter is that interpreters are not available for all languages. Almost half of the respondents said that interpreters are more difficult to find for some languages than others. The respondents mentioned 25 different languages in which it is difficult to find an interpreter. Nevertheless, the focus groups agreed that if forward planning was applied then securing the services of an interpreter was normally unproblematic for the majority of languages.

Increasing the availability of interpreters also scores the highest on the list of measures that the respondents believe would make it easier to use an interpreter. Almost two out of three believe that having more interpreters would help. One out of three also state that having interpreters for more languages would make it easier to use an interpreter.

**Various reasons for not using interpreters**

Around one in three respondents believe that parents’ reluctance to use interpreters is one of the main reasons why interpreters are not used to a sufficient degree. According to the school employees, the reason for parents not wanting to use interpreters may be that the parents overestimate their own proficiency in the Norwegian language, or that they don’t trust the interpreters that are booked. Some have also experienced that the parents do not attend a meeting even although the school has booked an interpreter. Participants in the focus groups believed that one explanation for this could be that the parents had a different expectation to the cooperation between the school and the home than is typical in Norway, and that they did not consider it important to take part in parents-teacher meetings or parents’ evenings.

One in every three respondents also reported that booking an interpreter is too time-consuming. Few respondents in the survey believe that finances are the reason for not using interpreters to a sufficient degree. However, in the focus groups, financial considerations were highlighted as a key reason for not using interpreters. It was noted that the cost of using an interpreter had increased, but the schools had not received any extra resources to fund this. Some respondents also believed that it was unfortunate that interpreting services had to be covered through the schools’ local budget because it could easily be competing against other areas of spending. Several of the participants in the focus groups further believed that uncertainty surrounding the need for interpreters and the fact that interpreting is not a discussed topic at school, play a role in the low usage rate of interpreters.
Challenging to use interpreters at parents’ evenings

Few respondents report using interpreters at parents’ evenings. Many school employees find it a challenge to hold parents’ evenings when parents that do not speak Norwegian are present. Four out of five said that they normally hold parents’ evenings in Norwegian even although not all of the parents are proficient enough in Norwegian to understand or be understood. More than half report that they often or always welcome parents bringing someone with them to interpret at parents’ evenings. Some schools also use translated material as an alternative to parents’ meetings when providing information to the parents.

Alternative methods of organising the parents’ evenings, such as gathering the parents who speak the same language from different levels, were discussed in the focus groups. It was also stressed that facilitating a good cooperation with parents with immigrant backgrounds was not just about overcoming language barriers. For example, it was pointed out that many parents with immigrant backgrounds have different expectations to the cooperation between the school and the home from native Norwegians, and that many probably didn’t consider the parents’ evenings to be very useful. It was observed here that the school has a responsibility to clarify what the school and the parents expect of each other, and to arrange the parents’ meetings so that they are relevant.

The schools have fixed routines for booking and paying for interpreting services

Although many of the participants in the focus groups believe that interpreting is not a discussed topic at the schools, most of the respondents say that there are fixed routines for booking an interpreter, for who pays for the service and for where interpreters are booked from. It is largely up to the individual employee to decide whether an interpreter is to be used, and it is rarely necessary to obtain approval from the school administration to book an interpreter. However, one in three respondents believe that clearer routines are needed for booking and using interpreters. A further one in four also believe that better routines in the workplace would make it easier to use an interpreter.

Only a handful of the respondents report that their school has routines for checking the interpreters’ qualifications. Two out of three respondents state that they book interpreters through the municipal interpreting service, and in the comments field in the questionnaire many school employees reported that they consider it to be the responsibility of the interpreting service to quality assure interpreters. It emerged in the focus groups that the participants were uncertain as to how they could check the interpreters’ qualifications. The national register of interpreters, which gives users access to the relevant interpreter’s qualifications, was largely unheard of among respondents, with only one in five being aware of the register.

Uncertainty surrounding role of the interpreter

The code of professional ethics is a key component in the education and training of interpreters. The interpreter’s code of ethics defines the role of an interpreter in a communication exchange. The core principal is that the interpreter shall interpret everything and act as a neutral party. IMDI’s previous surveys, however, have shown that public users of interpreters often have different expectations of the interpreter’s role. This also applies to the school employees in this survey. Many have experienced that the interpreter goes beyond its professional role by providing additional information on a family’s native country or special situation, or explains events by referring to cultural differences. However, there are strong indications that the school employees also expect the interpreter to contribute with more than interpreting. More than half of the respondents in the questionnaire believe that it is
acceptable for the interpreter to explain events by referring to cultural differences or giving information on the family’s native country or special situation. The majority also believes that it is acceptable for the interpreter to summarise the conversation at the end. The responses may indicate that some of the school employees have insufficient knowledge of guidelines for communication via an interpreter, causing them to be uncertain about the interpreter’s role as well as their own responsibilities in the conversation.

Good communication with the home is vital
What are the consequences of insufficient use of interpreters? This question was put to the respondents who said that interpreters were not used often enough. More than six out of seven believe that under usage of interpreters leads to parents not receiving the information they need, and the school not receiving the necessary information from the parents. More than half also believe that under usage of interpreters makes it difficult to identify special needs for a pupil and carry out special measures.

Several respondents reported in the comments field to the question that under usage of interpreters generally makes the cooperation between the school and the home more difficult, and creates an unnecessary distance between the two.

Many participants in the focus groups stated that the schools depend on having a dialogue with the parents in order to be able to facilitate a good learning situation. It was observed that communicating without an interpreter could be a challenge since a great deal of time is spent on providing explanations without any guarantee that the information is understood. Without an interpreter many also believed that it is difficult to convey subtle differences that can be vital to the pupil’s learning situation. One teacher stated «We accept a kind of superficial level of communication when an interpreter is not used. If an interpreter is not used it is because the teacher does not seek information to help the child that will give him/her the best possible opportunities to develop.»
IMDi-rapport 3-2011

Rett til informasjon ved språkbarrierer

Bruk av tolk i Arbeids- og velferdsforvaltningen (NAV)
Summary

The Norwegian Directorate of Integration and Diversity (IMDi) is the national authority for public sector interpreting, and implements measures to improve the quality of interpretation and increase the availability of qualified interpreters. In collaboration with relevant authorities, IMDi carries out annual surveys on the use of interpreters in areas of the public sector. The objective of the surveys is to obtain a good indication of the situation, increase awareness among civil servants about the relation between communication and due process of law, and to obtain an informed basis on which to implement measures. So far, IMDi has carried out surveys on the use of interpreters among primary doctors (IMDi, 2007), in the child welfare service (IMDi, 2008), in the criminal proceedings chain (IMDi, 2009) and in primary and lower secondary schools in Oslo (IMDi, 2011).

This last survey of this kind was carried out in 2010, when we decided to examine the use of interpreters in the Norwegian Labour and Welfare Service (NAV). The survey was sent to a random selection of 40 per cent of the target group employed by NAV Local Services, NAV County Service, NAV International (including NAV National Office for Social Insurance Abroad and NAV EEA), NAV Intro, NAV Employment Counselling, NAV Inclusive Workplace Support Centre and NAV Technical Aids Centre. The sample comprised 5,148 respondents, of which 3,328 people responded to the survey. This means that the response rate was 65 per cent. In addition, the data basis consists of three focus group interviews with people who responded to the survey.

NAV mainly administers the welfare benefits at the disposal of the Norwegian society, and its user group is more or less the entire population. One of NAV’s main goals is to provide good service adapted to the users’ requirements and needs. To achieve this, NAV must adapt its communication based on the users’ abilities and needs. In cases where there are language barriers, it is necessary to use a qualified interpreter.

The use of interpreters can also be crucial to ensure that NAV’s practice is in accordance with applicable legislation. According to the Act relating to social services, people who work on providing social services are obliged to consult their users and put great emphasis on the users’ opinions (Sosialtjenesteloven, 1991, § 8-4). The Labour and Welfare Administration Act (NAV-loven, 2006), § 6 sets out the obligation to ensure user participation at system level, while section 15 of the same act regulates user participation at the individual level. This section states that anyone who contacts NAV is entitled to information about NAV’s services and benefits, and that individual plans prepared by a NAV office must be formulated in cooperation with the user.

The main purpose of the survey was to map the practice of using interpreters in NAV and to identify the employees’ attitudes in their communication with users who do not master the Norwegian language to a sufficient extent. Another important objective was to obtain an overview of the need for interpreters in NAV and to what extent interpreters are used when they are needed. The following paragraphs provide a summary of the main findings of the survey.

Only a few have a great need to use interpreters

Slightly less than 80 per cent of the respondents have had cases in 2010 where the users spoke so little Norwegian that they had difficulties understanding and making themselves understood. Based on the answers, it seems 63 per cent of the respondents have needed an interpreter in a few cases, while 11 per cent have needed an interpreter for approx. one third of cases. Three per cent
have needed an interpreter in about fifty per cent of cases and as many have needed one in more than fifty per cent of cases. Every fifth respondent has not needed an interpreter. The survey thereby indicates that only a minority, 17 per cent of NAV employees, have a great need for interpreters.

The analysis shows that respondents working in municipal services need interpreters in more cases than respondents working in government services. Municipal services are often social assistance, qualification benefits for long-time recipients of social security benefits, debt counselling and social housing, while government services are often tasks relating to the National Insurance Act, for example employment schemes.

The results also show that NAV employees who have received training in the use of interpreters have more cases where interpreters are needed than those who have not received training. Seven out of ten NAV employees have not received training in the use of interpreters.

More than half do not or seldom use interpreters in planned meetings when one is needed

One important question relating to the use of interpreters in the public sector is to what extent an interpreter is actually used in cases where a language barrier exists. In the survey, the respondents were asked to state what they would do in situations where the user speaks so little Norwegian that he/she has difficulties understanding and making him/herself understood. A distinction was made here between planned meetings where the NAV employees have booked an appointment with the user and unplanned meetings where the user appears at a NAV office without an appointment.

For planned meetings, one third respond that they often or always use an interpreter. Fourteen per cent use interpreters sometimes, while 54 per cent state that they never or rarely use interpreters in situations where the user speaks so little Norwegian that he/she has difficulties understanding and making him/herself understood. For unplanned meetings, 85 per cent respond that they rarely or never use interpreters, even if one is needed. One out of ten employees use interpreters sometimes, and five per cent use interpreters often or every time.

Four out of ten feel that interpreters are not used often enough

Another topic covered by the survey was to what extent the respondents feel that interpreters are used often enough. Slightly less than one third of the employees responded that they felt that interpreters are used as often as necessary. On the other hand, 40 per cent feel that interpreters are used too rarely in NAV. One per cent responded that they feel interpreters are used too often. Compared to managers, there are more case officers who feel that interpreters are used too rarely.

Using children as interpreters

Children are used as interpreters in both unplanned and planned meetings in NAV. For unplanned meetings, nine per cent respond that they often or always use children as interpreters. If we include the respondents who respond sometimes, the results show that 30 per cent of NAV employees use users’ children as interpreters in unplanned meetings to a greater or lesser extent.

The practice of using children as interpreters is somewhat less widespread in planned meetings. Here, approx. five per cent respond that they use users’ children as interpreters in planned meetings often or every time, while 16 per cent respond that they sometimes use children in the user’s family as interpreters. As such, more than 20 per cent of NAV employees use children as interpreters in planned meetings to a greater or lesser extent. The analysis shows that for planned meetings, the use of children as interpreters is more widespread than the use of other NAV employees as interpreters.
Using other family members or acquaintances as interpreters

The results also show that it is relatively common for adult relatives or friends of the family to assume the role of interpreter in planned meetings with NAV. More than half of the employees respond that they sometimes, often or always use adult relatives as interpreters in unplanned meetings. For planned meetings, 14 per cent respond that they use adult relatives as interpreters every time or often, while slightly less than one third respond that this happens sometimes.

Seven out of ten NAV employees disagree with the statement that it is not necessary to use an interpreter when other family members or acquaintances who can be used as interpreters are present. In general, more employees in management positions feel that a qualified interpreter is unnecessary when there are other family members or acquaintances present who can act as interpreters.

Lack of procedures for checking interpreters’ qualifications

Results from the survey show that the majority of employees feel that the procedures for checking interpreters’ qualifications could be better. Twenty-three per cent of respondents reply that there are no procedures for checking interpreters’ qualifications, while 18 per cent respond that these procedures are unclear. As for procedures for who books interpreters, where interpreters are booked from and who pays for the interpreters, approx. 50 per cent of the respondents state that these procedures are clear (48, 49 and 46 per cent, respectively).

Interpreters are normally booked through the municipal interpreting services, and it is normally the case officer who needs an interpreter who books one. Slightly less than one out of ten respondents state that it is a requirement that the interpreter is listed in the Norwegian National Register of Interpreters. This register provides an overview of the qualifications of practising interpreters and can be used to check interpreters who have been booked through an agency. Twenty-one per cent of the respondents state that they have never heard of the Norwegian National Register of Interpreters.

Both in the survey and in the focus groups it is found that managers in the workplace do not impose any restrictions on the use of interpreters, but nor do they work actively to encourage more discussion about the use of interpreters in the workplace.

Thirty-eight per cent of the respondents state that the need for an interpreter is normally identified by the fact that this need has been registered in previous contact with the user. General feedback from the focus groups still suggests that NAV does not have standard procedures for registering the need for interpreters.

The greatest barrier – case officers are not informed of the need for an interpreter

The most common reason for interpreters not being booked is that the case officer has not been informed of this need in advance. Fifty-one per cent of the respondents state that this is the most common reason. Participants in the focus groups emphasised electronic self-registration as a possible explanation for why the need for an interpreter is not picked up by case officers.

The majority of respondents feel that the case officer him/herself has overall responsibility for ensuring that an interpreter is present when a user has inadequate Norwegian language skills. Slightly less than one third feel that the user and the case officer share this responsibility, whereas seven per cent feel that the user has the overall responsibility him/herself.

Too little known about the role of the interpreter

An interpreter’s professional code of ethics (UDi, 1997) is based on basic human rights, among other things individuals’ right to
express themselves freely and without interference. The interpreter must therefore only interpret what is said – without changing, adding anything or leaving anything out. In the survey, the respondents were therefore asked whether they have experienced that an interpreter has contributed to a conversation apart from interpreting.

More than half have experienced that the interpreter has summarised the conversation, and 70 per cent think this is OK. Seventy per cent have experienced that an interpreter has had difficulties interpreting technical terms one or more times. We do not know why interpreters have difficulties interpreting technical terms, but we can assume that it has to do with NAV’s difficult working language. Almost 40 per cent have experienced that the interpreter has interfered in the case, while very few, only one per cent, think it is OK that the interpreter interferes in a case.

Nearly half, 47 per cent, have experienced that the interpreter has provided the user with additional information about the public welfare system and Norwegian society, and almost as many think it is OK that the interpreter provides such information to the user. Forty per cent of the respondents have experienced that the interpreter has provided additional information about the user’s home country and culture, and nearly six out of ten think it is OK to receive such additional information. This means that more people think it is OK that the interpreter provides additional information about the user than that he/she provides additional information to the user.

However, the survey shows that there is a positive correlation between having experience of using interpreters and attitudes: fifty-four per cent of the respondents who have a lot of experience of using interpreters think that it is not OK that the interpreter provides additional information about the public welfare system, compared with 32 per cent of those with little experience of using an interpreter.

**Measures to increase the use of interpreters in NAV**

The majority of the respondents agree that not using interpreters has negative consequences. The consequence that most respondents agree may occur is that the user does not receive information about his/her obligations and rights. There is reason to assume that NAV would benefit from improving its use of interpreters.

When asked what can be done to improve the use of interpreters in NAV, case officers and managers are in relative agreement. Case officers emphasise improved procedures relating to the use of interpreters, improved training in the use of interpreters and increased access to qualified interpreters as important factors. Managers in NAV believe that an increased focus on the importance of communication through interpreters, more training in the use of interpreters and increased access to interpreters would improve the use of interpreters in NAV.