

Community Legal Centres Program Interpreter Policy

This policy aims to ensure that clients receiving legal assistance services funded through the Community Legal Centres Program (**CLCP**) have access to professional interpreter services when needed.

Version	Change	Changes effective from
1.0	Initial version introduced in 2023	1 August 2023
1.1	Updated list of eligible organisations in Appendix A and B	1 July 2024

1. Background

This policy consolidates and updates previous guidelines, policies and practices for the use of interpreting services in the CLCP. It has been developed with regard to the Premier’s Memorandum *M2021-04 Language Services Provision in Multicultural NSW* available online, Translating and Interpreting Services National (**TIS National**) policies and processes, and historical use of interpreter services in the CLCP.

The purpose of this policy is to ensure the efficient and effective use of interpreting services by community legal organisations in the course of providing legal assistance services under the *Agreement for Funding of Services – Community Legal Centres Program* (“**CLCP Agreement**”).

2. Application of policy

This CLCP Interpreter Policy is effective from 1 August 2023 and supersedes any previous interpreter policies.

This policy applies to all organisations that receive CLCP funding and should be read in conjunction with the CLCP Agreement.

3. Eligible services

This policy relates to the use and costs of interpreter services when dealing with clients and providing services funded under the CLCP Agreement (“**CLCP funded services**”). Legal assistance services can be to individuals or the community and are defined in the *National Legal Assistance Data Standards Manual* published online.

The CLCP will fund professional interpreting services where eligible organisations are dealing with clients and providing CLCP funded legal assistance services to individuals.

In limited circumstances, the CLCP may fund professional interpreting services where eligible organisations are providing CLCP-funded legal assistance services to the community. For services to the community, such as Community Legal Education activities and resources, organisations must seek approval from the CLCP Unit in writing prior to arranging an interpreter and provide details of the interpreter services requested.

4. CLCP TIS National account

The Legal Aid NSW CLCP Unit manages an account with TIS National used by eligible organisations funded through the CLCP. The CLCP Unit is the TIS account holder for billing purposes and receives and pays the monthly invoice.

Each eligible organisation is issued a unique CLCP TIS client code linked to this account to facilitate access to professional, certified interpreters and charge the costs of services to the CLCP. The CLCP TIS client code should only be used for CLCP funded services.

Organisations are responsible for ensuring that their personnel use the CLCP TIS client code in accordance with this policy.

4.1 Organisations eligible to use CLCP TIS National account

Organisations listed in Appendix A are eligible for a CLCP TIS client code linked to the CLCP TIS National account.

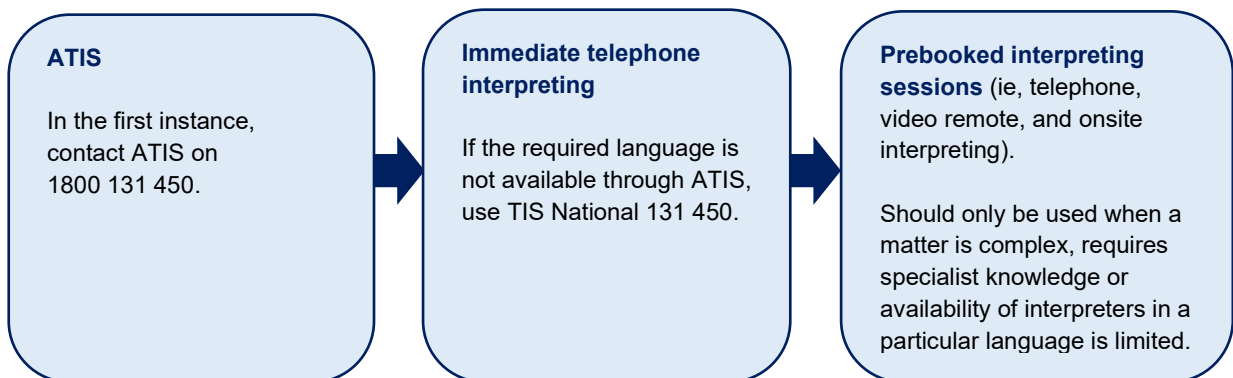
4.2 TIS National services

TIS National provides a range of interpreting services including the:

- automated telephone interpreting service (ATIS),
- immediate telephone interpreting service,
- pre-booked phone interpreting,
- video remote interpreting, and
- on-site interpreting.

Refer to the TIS National website for instructions how to use these interpreting services, cancellation policies and other important information.

Eligible organisations should aim to use interpreting services in a cost-effective manner. For example, ATIS is available in over 50 languages and provides direct access to an immediate phone interpreter without operator assistance. ATIS is charged at a lower rate than immediate telephone interpreting, pre-booked phone interpreting or on-site interpreting services. Wherever possible, eligible organisations should use TIS National services as outlined below.



4.3 TIS National usage reports

The CLCP Unit will send each eligible organisation a report with their individual CLCP TIS National account usage on a regular basis. TIS National usage reports show all details of charges made to the CLCP TIS client code.

Each organisation must review the TIS National usage report to verify the accuracy of the invoice and ensure only CLCP funded services are charged to the CLCP TIS National Account.

Organisations must notify the CLCP Unit in writing if any charges are incorrect. The CLCP Unit will notify TIS National to rectify any errors and manage payment of the invoice.

5. Accessing other interpreting services

Organisations may also seek reimbursement for CLCP interpreting costs separate to the TIS National arrangements in this policy.

Organisations must use interpreters that are certified by the National Accreditation Authority for Translators and Interpreters (NAATI).

When selecting a professional interpreting service provider, organisations should consider:

- service rates,
- available languages,
- service coverage,
- reliability, and
- interpreter availability.

5.1 Eligibility to claim reimbursement of interpreting costs

Organisations listed in Appendix A should use TIS National for interpreting services relating to CLCP funded services in the first instance. In the course of providing a CLCP funded service, an organisation may require Auslan services, Aboriginal language services or a service not available through TIS National. In these circumstances, the organisation should procure a professional interpreting service to meet client need. The organisation may then claim reimbursement of these eligible costs incurred from the CLCP Unit.

Organisations listed in Appendix B may seek reimbursement for all interpreting costs incurred for CLCP funded services.

5.2 How to claim a reimbursement

Organisations must submit a tax invoice to the CLCP Unit to claim reimbursement for eligible costs. The tax invoice from the organisation must:

- be on the organisation's letterhead and include the ABN,
- show a breakdown of the total costs of the interpreting services, with a separate line item for the GST paid, and
- be accompanied by copies of the tax invoice(s) and/or receipt(s) from the certified interpreter service provider, with all CLCP funded services itemised and client names de-identified.

Organisations should submit one invoice for all reimbursement claims for each quarter of the financial year. The due dates are set out in the table below.

Quarter	Period	Date invoice due to CLCP Unit
Quarter 1	1 June to 30 September	10 October
Quarter 2	1 October to 31 December	10 January
Quarter 3	1 January to 31 March	10 April
Quarter 4	1 April to 31 May	10 June*

*The Quarter 4 invoices must be submitted by 10 June to ensure payments are processed prior to the end of financial year. Any interpreter service costs incurred in the month of June are to be invoiced in the Quarter 1 period of the following financial year.

6. Record keeping

Each organisation should have systems in place to ensure that interpreting services charged to the CLCP TIS National Account or claimed as reimbursements are CLCP funded services only. This may include a guidance document, internal policy and/or training personnel.

Organisations are responsible for keeping financial records and maintaining an updated interpreter register that contains accurate details of the organisation’s use of interpreting services. The purpose of the register is to record interpreter usage while providing the CLCP funded services and to assist with claiming reimbursement for eligible interpreting costs. The CLCP Unit may request a copy of any such register or records if required for auditing purposes.

The register should include:

- Provider (such as TIS National, Auslan)
- Date of interpreter service
- Type of service (such as immediate telephone, prebooked telephone, face-to-face, online)
- Language required
- Duration of service
- Funding body
- Name of personnel who booked and/or used the service

A sample template is at Appendix C. Organisations may use this template or create and maintain their own records, as long as they are adequate to verify their usage each month. Verifying means the details of the services and charges are accurate and were incurred while providing CLCP-funded services.

7. Efficient use of interpreter services

Organisations are expected to ensure that interpreting services are provided to clients when needed. Organisations are encouraged to also consider the following practices to use interpreter services efficiently:

- confirm appointments with clients to avoid cancellation fees, as far as practicable,
- provide sufficient notice of cancellation to avoid cancellation fees, as far as practicable,
- consider the minimum time charged when deciding between pre-booked telephone, video remote and onsite interpreter services for client appointments, and
- consider the interpreter provider’s policies and fee schedules for each service type.

Below are examples of efficient use of interpreter services.

Provider	Provider policy and fee structure*	Efficient use of interpreting service
TIS National	Pre-booked telephone and video remote interpreting services require a minimum of 24 hours’ notice of cancellation to avoid charges, and onsite interpreting services require a minimum of 48 hours’ notice. Onsite interpreting also has a minimum booking time of 90 minutes.	Organisations are encouraged to consider whether pre-booking or onsite interpreters are required. If a client appointment is expected to be less than 90 minutes, organisations should consider telephone or video remote interpreting where the minimum booking time is 30 minutes, or immediate telephone interpreting where the minimum booking time is 15 minutes. Client appointments should also be confirmed 48 hours beforehand to avoid cancellation charges.
Auslan	When making a booking of 2 hours or more without breaks, Auslan will charge a 2-hour minimum call-out fee and require 2 interpreters. However, only 1 interpreter is required for bookings of up to 1.5 hours or 2 hours with breaks specified. This policy is in place to protect the Workplace Health and Safety of the interpreter. Auslan also requires a minimum of 48 hours’	At the time of booking, organisations are encouraged to provide information on scheduled breaks and/or other supports in place to avoid additional charges. Client appointments should also be confirmed 48 hours beforehand to avoid cancellation charges.

Provider	Provider policy and fee structure*	Efficient use of interpreting service
	notice for cancellations to avoid charges.	

*These examples are based on external provider policies available at the time of writing and are subject to change. Organisations are responsible for obtaining up-to-date information about charges, policies and other conditions when procuring services from an interpreting service provider.

8. Management of funding

CLCP interpreter services are funded through an overall pool of Commonwealth and NSW funding for the community legal sector. Funding is for eligible costs incurred using the CLCP TIS National account and any reimbursements paid to CLCs for other certified interpreting service providers.

Legal Aid NSW will be responsible for managing payments to TIS National and organisations using the available pool of funding. The CLCP Unit is also responsible for monitoring expenditure of each organisation through the reimbursement claims and the regular TIS National usage reports.

From time to time, for auditing purposes, the CLCP Unit may request information or records from an organisation to ensure that all costs incurred are in accordance with the CLCP Agreement and this policy.

9. Exclusions to the CLCP Interpreter Policy

9.1 Translation

Document translation costs are not covered by this policy. Organisations should budget for translation costs using existing funding arrangements.

9.2 Ineligible interpreting services

The following services are not eligible for reimbursement by the CLCP Unit and should not be charged to the CLCP TIS National account:

- Interpreter costs incurred while providing services outside the CLCP Agreement, and
- Interpreter costs related to services funded by other funding agreements, government agencies and/or funding bodies.

Organisations delivering services funded by other bodies should discuss access to interpreters with the relevant government agency or funding body.

Organisations are responsible for establishing and managing separate accounts with interpreting service providers and for paying any interpreting costs incurred in these circumstances.

10. Compliance with the CLCP Interpreter Policy

Failure to comply with this policy may result in the CLCP Unit ceasing to reimburse the organisation for interpreter costs and/or requiring the organisation to repay all or part of the funds used for their interpreter costs.

11. Reviews, further information and support

This policy is scheduled for review by 30 June 2025 and any review would include consultation with the sector and stakeholders. Organisations are also encouraged to contact us with feedback.

Queries or comments about this policy should be directed to the CLCP Unit at clcprogram@legalaid.nsw.gov.au.

From time to time, the CLCP Unit may facilitate training and/or develop resources related to this policy or the use of TIS National or any other interpreting service providers.

Appendix A

Organisations eligible for a CLCP TIS client code linked to the CLCP TIS National account
These organisations should use the TIS National account in the first instance and may also claim reimbursement for costs of other interpreting services, when needed.
Australian Centre for Disability Law
Central Coast Community Legal Centre
Central Tablelands and Blue Mountains Community Legal Centre
Community Restorative Centre for the Court Support Scheme only
Financial Rights Legal Centre
HIV/AIDS Legal Centre
Hume Riverina Community Legal Service
Hunter Community Legal Centre
Illawarra Legal Centre
Immigration Advice & Rights Centre
Inner City Legal Centre
Intellectual Disability Rights Service
Justice Support Centre
Kingsford Legal Centre
Macarthur Legal Centre
Marrickville Legal Centre
Mid North Coast Legal Centre
North & North West Community Legal Service
Northern Rivers Community Legal Centre
Public Interest Advocacy Centre
Redfern Legal Centre
Seniors Rights Service
Shoalcoast Community Legal Centre
Tenants' Union of NSW
Welfare Rights Centre
Western NSW Community Legal Centre
Western Sydney Community Legal Centre
Warringa Baiya Aboriginal Women's Legal Centre
Women's Legal Service NSW

Appendix B

Organisations eligible for reimbursement of interpreter service costs only
These organisations do not have a CLCP TIS client code linked to the CLCP TIS National account.
Environmental Defenders Office
Mallee Family Care Community Legal Centre
Refugee Advice & Casework Service
University of Newcastle Legal Centre

Appendix C: Sample Interpreter Register

Interpreting services register

Organisation name:	
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#	Interpreter service provider	Dates of interpreter service	Type of interpreter service	Booking type	Language requested	Duration of interpreter service	Funding body or program	Personnel	Notes
<i>E.g.</i>	<i>TIS National, Auslan, etc.</i>	<i>DD-MM-YYYY</i>	<i>Face to face, online or by telephone</i>	<i>Pre-booked or immediate</i>	<i>Specify language</i>	<i>Approximate length of session</i>	<i>Confirm if CLCP funded service</i>	<i>Name of person who used and/or booked the interpreter service</i>	<i>Optional information includes service/matter details, if ATIS service, if the service was cancelled or not completed, etc.</i>
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2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
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