

Guidance for the Criminal, Civil and Family Courts for booking interpreters through Applied Language Solutions (ALS)

1. Introduction	1
2. Civil and Family Courts only	2
2.1. Criteria for booking and arranging hearing impaired interpreters.....	2
2.2. Criteria for booking and arranging language interpreters.....	3
3. Face-to-face Interpreting Requirements – All Courts	3
3.1. Preparing to make a booking	4
3.2. Making the booking	5
3.3. More than one interpreter required for the same hearing	5
3.4. Booking an interpreter for a same day hearing.....	5
3.5. Viewing the status of all interpreter bookings requested by the court	6
3.6. Processing the booking by ALS	6
3.7. Changes to the time an interpreter is required.....	7
3.8. Cancellations	8
3.9. Interpreters booked on behalf of the court by the police	8
3.10. On the day of the hearing	8
3.11. Overrunning trials	8
3.12. How ALS communicates interpreter changes to us on the day	9
3.13. Closing the booking.....	9
3.14. Recording the times for part heard trials.....	9
3.15. Feedback and formal complaints process	10
Annex A Quality and Skills Assessment for Interpreters and Translators	11
Annex B Formal complaints process	13

1. Introduction

The criminal courts will no longer use the National Register of Public Service Interpreters (NRPSI) to contact and book interpreters directly. The civil and family courts will no longer use the central interpreter booking team (Court Business Support) to book interpreters.

Court staff will pass all new requests for interpreters through Applied Language Solutions (ALS) who are contracted to supply this service for HMCTS through the Ministry of Justice Language Services Framework Agreement.

The contract provides access to the following services:

- Face-to-face interpretation;
- Telephone interpreting;

- Translation services – written and recorded (including translation of transcription);
- Services for the deaf and deaf/blind (including, but not limited to, British Sign Language, Sign Supported English, Note Taking, Finger Spelling and Lip Speaking); and,
- Other non-defined language support services as and when they arise.

The services are available on a 24/7 basis, 365 days a year and at any HMCTS location across England and Wales.

However, this contract does not cover the provision for supplying Welsh interpreters in courts in Wales. Existing arrangements will continue to apply.

Access to the services of ALS is via the web based ALS portal, *[redacted under s.43(2) or s.31(1)(c) FOIA]*.

[redacted under s.43(2) or s.31(1)(c) FOIA] **so all court staff who either book interpreters or confirm assignment details will use the same details.**

[redacted under s.43(2) or s.31(1)(c) FOIA].

[redacted under s.43(2) or s.31(1)(c) FOIA].

2. Civil and Family Courts only

In the majority of cases the parties should fund and source any interpreter themselves.

The following criteria has been devised to ensure that HMCTS only books interpreters where we are required to do so. Court staff must ensure they continue to apply this criteria, failure to do so will result in budget overspend.

Any interpreters who have not been booked according the criteria laid down will be paid for by the court itself.

2.1 Criteria for booking and arranging hearing impaired interpreters

Interpreters for the hard of hearing

County Court staff can arrange interpreters for the hard of hearing for civil and family hearings through the portal for all cases. For additional information on arranging interpreters for a party in small claims mediation, mediators need to refer to the Civil Courts Mediation Service Manual

2.2 Criteria for booking and arranging language interpreters

County court staff can arrange language interpreters needed for civil and family hearings through the ALS portal for the following:

- **Committal cases**
- **Domestic violence cases**
- **Family cases involving children**
- **Forced Marriage Act cases**
- **Possessions**

HMCTS should ensure that anyone attending the above has the free assistance of an interpreter if he/she cannot understand or speak the language used in court.

Other cases where an interpreter might be provided

In addition to the above HMCTS will provide an interpreter if that is the only way that a litigant can take part in a hearing. The relevant circumstances are:

- When the individual/s cannot speak or understand the language of the court well enough to take part in the hearing; and
- Cannot get public funding; and
- Cannot afford to fund an interpreter privately and;
- Has no family member, or friend, who can attend to interpret for them and/or is acceptable to the court.

Or

- Where the Judge directs that an interpreter must be booked as the case cannot proceed without HMCTS funding one.

For all cases there is **no** legal obligation to provide interpreters to interested parties. Satisfy yourself of the situation and find out if the person has legal representation.

In addition we are only under an obligation to provide interpreters for the duration of the actual court hearing and not for legal discussions before or after the planned start/end time of the hearing. Any variation of this will be a local management decision.

3. Face-to-face Interpreting Requirements – All Courts

The level of qualifications and experience of the interpreters are now divided into three tier based needs with tier one having the highest skills:

- Tier one interpreter is able to both speak fluently in the language required and provide a written translation to a pre-determined standard.
- Tier two interpreter can provide fluent spoken interpreting services, but will not be able to provide a written translation that would suffice for justice sector needs. However, a tier two interpreter can translate written documents such as a summary of the police interview in order to read it to the defendant during the course of a trial.

- Tier three interpreters can provide a non-English interpreting service, but not to the standard of the other two tiers and would not be used for hearings with evidential requirements

Interpreters providing services through ALS will also be required to undergo regular enhanced CRB checks as a minimum.

See Annex A for more details on the qualification levels.

In most instances the courts should request **a tier two interpreter** and the ALS portal has been set to default to a tier two interpreter. However, in some cases it may still be appropriate because of the nature of the case to book a tier one interpreter.

3.1 Preparing to make a booking

When booking an interpreter court staff should have the following information:

- *[redacted under s.43(2) or s.31(1)(c) FOIA]*
- Type of Hearing
- Language/ dialect required
- Date and time the interpreter is required (Note: all interpreters will arrive at least 10 minutes prior to the instructed start time of the assignment. Bookings should be made for the actual time required but, if time needs to be added to enable counsel to speak to their client before the hearing then the start time of the assignment would need to be brought forward. For example, an interpreter is required for a hearing at 10 am and the court decides to add 15 minutes for counsel to speak to their client. The instructed arrival time to start work would be 9:45 am but the interpreter should be arriving in the court at approximately 9:35 am.)
- Anticipated length of hearing or trial time estimate
- Venue (if different from booking site) of the assignment
- Where or to whom the interpreter should report on arrival at the assignment location
- Tier of interpreter required (see note above)
- On occasion there may be a need to specify the gender of the interpreter required
- Any specialist requirements
- Additional useful note

Failure to ensure all the appropriate information is given at the time of booking may result in the attendance of an unsuitable interpreter; incur additional financial cost; and/ or create time delays.

3.2 Making the booking

To make a booking court staff should log onto the following internet site:
[redacted under s.43(2) or s.31(1)(c) FOIA]

To access the secure booking system, *[redacted under s.43(2) or s.31(1)(c) FOIA]*. A screen will appear which allows access to new bookings, existing bookings which are not yet assigned with an interpreter and bookings which have an interpreter assigned.

If there are any problems with logging on to the internet site then court staff must report this to ALS by telephoning *[redacted under s.40(2) FOIA]* and selecting **option 5** for IT technical support.

Court staff will select '**make a booking**' and enter the interpreter and hearing requirements. Then they will click '**create booking**'.

The ALS system automatically begins the process of identifying the most appropriate and available interpreters and forwarding them appropriate details so they can consider whether they wish to accept the job.

Court staff should, wherever possible, use the portal to book interpreters. Please note even if the booking is urgent i.e. the interpreter is required for the same day then this does not mean that court staff cannot use the portal. This is because the same automated process will take place whether the booking is made through the portal or by telephone. Portal bookings are quicker as there is no need to telephone through the information to an ALS call handler who will need to enter all assignment details on to the booking system in the same way as court staff using the portal.

However, staff can also contact ALS *[redacted under s.40(2) FOIA]* if there is no means of booking via the portal such as IT failure. There are additional charges for arranging bookings by telephone unless the booking has to be made because the portal is not working.

Once the booking has been submitted, if any changes arise or an error was made, then court staff should ring ALS to make the change or correction on the number given above. There is no charge for changing a booking by telephone.

3.3 More than one interpreter required for the same hearing

Court staff must be satisfied that more than one interpreter is required at the hearing. If more than one interpreter is required then court staff must set up a separate booking for each interpreter required. It is recommended that a cross reference is entered in the additional information box.

3.4 Booking an interpreter for a 'same day' hearing

Court staff should still use the portal to make the booking but they will click '**book now**' instead. If an interpreter has not accepted the assignment after 28 minutes then ALS will call the court with an update. The search for an

interpreter will widen and ALS will telephone the court every 30 minutes with an update.

3.5 Viewing the status of all interpreter bookings requested by the court

All bookings where an interpreter has been allocated are shown under the 'Assigned interpreter job' tab.

All bookings without an interpreter allocated are shown under the 'Unassigned interpreter job' tab.

3.6 Processing the booking by ALS

ALS allocates a unique reference number for each booking received. The job can be viewed under the "unallocated" tab on the portal and therefore it is not necessary to make any notes of the information inputted.

Once an interpreter has been allocated, ALS sends a confirmation email to the generic e mail account at the court house. The e mail contains a link to the unique job reference number in the portal which allows the user to view the details of the assigned interpreter i.e. their photo identification details.

If ALS has difficulties providing a suitable interpreter for that hearing then the portal will be updated and the request will be escalated by ALS for further action.

In the unlikely event that the booking cannot be fulfilled, as an interim measure the member of court staff who made the booking should diarise the date by which ALS should confirm that an interpreter has been assigned.

If an interpreter has not been supplied by the due date then the member of court staff will be able to view the 'activity stream' through the portal system and this shows the action taken by ALS. The 'activity stream' is accessed by calling up the specific booking under the job reference number allocated. If the 'activity stream' is not available on line then details can be supplied to the court by e mail by contacting ALS.

The timescales are as follows:

- Any non trial hearings will be contacted 48 hours before the listed hearing date
- Any hearings where custody time limits need to be extended will be contacted 72 hours before the listed hearing. Court staff must mark it as needing this length of time.
- Trials with a fixed date with a time estimate of 3 days or less will be contacted 5 working days before the listed hearing date
- Trials with a fixed date with a time estimate of 4 – 10 days will be contacted 10 working days before the listed hearing date
- Trials with a fixed date with a time estimate of 2 – 4 weeks will be contacted 15 working days before the listed hearing date

- Trials with a fixed date with a time estimate of 4 weeks or more will be contacted 20 working days before the listed hearing date

For short notice booking requests which cannot be fulfilled, ALS will contact the member of court staff by telephone as follows:

- Any non trial hearings listed for the next day will be contacted by 2:30 pm on the day the booking request is made
- Crown Court only: Warned list trials which are listed for trial the next day will be contacted by 2:30 pm on the day the booking request is made

On receipt of the 'activity stream' log, court staff will immediately inform a senior officer at the court and the judiciary. The senior officer at the court in conjunction with the judiciary will make a decision as to next steps and will also inform the Cluster Manager.

The next steps to be considered are either: can the court source an interpreter directly or list the case for an application to adjourn. The Cluster Manager will alert the Deputy Director in the Crime Directorate, HMCTS HQ if they think it is appropriate to do so.

If ALS is able to provide an interpreter at a lower tier than requested for the hearing then the senior officer at the court, in consultation with the judiciary, should decide if this is acceptable. If this is not acceptable, then the steps as outlined above need to be considered.

If ALS is able to provide an interpreter of the appropriate tier on the day but not at the time requested then court staff should consider if the hearing can be moved to that later or earlier time. However, consultation with the judiciary should also be considered especially if the hearing/trial is reserved.

3.7 Changes to the time an interpreter is required

If the interpreter is required to attend court for a later or possibly an earlier time than requested at the time of the booking, court staff should ring ALS as soon as this is known so they can notify the interpreter. The interpreter will be notified by ALS by text and an e mail of the change. There is no charge for changes to the booking.

3.8 Cancellations

Court staff should telephone ALS to notify of any cancellations and quote the unique job reference number. The court will not be charged for any cancellations provided the interpreter has not already arrived at the courthouse. If the interpreter has arrived then the court will be charged a cancellation charge of one hour.

3.9 Interpreters booked on behalf of the court by the police

The police will still book interpreters on behalf of the court where the defendant was remanded in custody to appear at the court within 48 hours. ALS will assign the interpreter in the normal way and send an e mail confirmation to the court to the generic e mail address.

3.10 On the day of the hearing

ALS will instruct all interpreters to arrive at least 10 minutes before the start time of the assignment. On arrival at court the interpreter will present their ALS identity card to court staff and if necessary this can be checked against the identity information held on the ALS portal. If there are still doubts then court staff should ring ALS to confirm.

If the interpreter arrives at court early for the assignment, court staff should record the agreed assignment start time as the time of arrival.

If the interpreter has not arrived at court by the agreed start time then court staff should ring ALS who will make urgent enquiries as to the whereabouts of the interpreter. ALS will keep the court updated by telephone every 30 minutes.

If the interpreter arrives late, court staff should record the actual time, to the minute, that the interpreter reports to court staff in the courtroom.

If a hearing is moved to a later time on the day i.e. the parties are not ready so the case is adjourned from 11 am to 2 pm then the interpreter must inform ALS of the time change. The interpreter will stay on site until the assignment is concluded and is responsible for keeping ALS updated.

If an interpreter is required to attend for future hearings on the same case then the new booking for the next hearing must be organised with ALS. It must not be made directly with the interpreter as they will not be paid for assignments which are not managed through the portal. Court staff must specify the attendance of the named interpreter when making the booking request through the portal.

3.11 Overrunning trials

If the trial will last longer then the original time estimate given then the interpreter will be responsible for notifying ALS.

3.12 How ALS communicates interpreter changes to us on the day

If the interpreter assigned to the hearing notifies ALS that they can not attend then ALS will telephone the court staff who made the original booking immediately. ALS will provide the court with updates every 30 minutes on the progress of supplying a replacement interpreter.

3.13 Closing the booking

At the conclusion of the assignment, court staff must update the portal with the start and finish times to the nearest minute onto the portal.

Courts will need to make a decision as to who is responsible for doing this and as an example, in Crown Courts this function may be undertaken by the court clerk.

To enter the times court staff will either:

- *[redacted under s.43(2) or s.31(1)(c) FOIA]* manually identify the assignment; OR
- Open the confirmation email from ALS and click the hyperlink in the body of the message to automatically access the correct record.

As an example, the interpreter is instructed to arrive for a 10 am hearing which does not start until 10:35 am and the hearing concludes at 11:25 am. The portal will be updated with a start time of 10 am and an end time of 11:25 am.

Where a hearing continues into the afternoon, the interpreter assigned will be required to take a 30 minute lunch break which they will not be paid for.

The timings for the assignment should be recorded within two working days of the assignment being completed.

The interpreter will also carry a time sheet with them which they will ask court staff to sign to confirm the start and finish times of the assignment. Please ensure that interpreters booked through ALS are not given a HMCTS claim form to complete.

If the assignment is not closed on the portal by court staff within two working days, the interpreter will enter start and finish times themselves. Therefore, it is important that court staff update the portal with the assignment times rather than the interpreter. ALS will obtain from the interpreter a copy of the timesheet authorised by court staff in case there are any payment disputes.

3.14 Recording the times for part heard trials

It is important for part heard trials that court staff enter the timings for the interpreter on the portal on a daily basis. Otherwise, court staff will have to enter this information at the end and will only have two working days in which to do this. Please note that once the daily timings have been entered then the system will automatically save the information. Therefore, court staff should only use the **finish job button** once the trial is concluded.

3.15 Feedback and formal complaints process

ALS welcomes feedback on the individual interpreters after each assignment. After court staff have entered the assignment times they will be given the

option to provide feedback and this is done through following the on screen prompts. Please note that it is optional.

ALS also has a formal complaints process for reporting complaints which is outlined in Annex B.

It is important that in the first instance any complaints are logged with ALS using the formal complaints process. If the response to the complaint is not dealt with satisfactorily or to the required timescale then it should be escalated to the next level within ALS.

Annex A

Quality and Skills Assessment for Interpreters and Translators

Face to Face foreign language interpreters:

Unless otherwise stated the qualification requirements set out for each tier below must be in the language in which the interpreter will be working. Interpreters who wish to interpret in additional languages must meet the qualification criteria in each of those additional languages

Tier One

The interpreter must have one or more of the following:

- Chartered Institute of Linguists Diploma in Public Service Interpreting, DPSI, (English Law Option);
- Chartered Institute of Linguists Certificate in Community Interpreting, CCI (the forerunner to the DPSI);
- Metropolitan Police Test (post 1997) together with either a DPSI (Health or Local Government Option) or an Honours Degree or higher in Interpreting

Or

- Registration with the National Register of Public Service Interpreters (full or interim status);
- Membership of Association of Police and Court Interpreters;
- Membership of the Institute of Translation and Interpreting (Police Court Interpreter level).

Together with (in all cases):

- At least 100 hours public sector interpreting experience;
- References; and
- A pass at the assessment centre to the tier one standard.

Tier Two

The interpreter must have one or more of the following:

- 'Partial DPSI' (English Law option) i.e. the interpreter must have passed all modules with the exception of component 3b (written translation from English);
- A degree in linguistics, English philology, Modern Languages or MA in Teaching of English, or other language related diplomas where English figures as part of the course completed.

Together with (in all cases):

- Previous or current employment in criminal justice services in their countries of origin, legal training in the UK or abroad, or other exposure to criminal justice work through other channels is also acceptable (volunteer and/or paid work in the community for police services or work for Victim Support, for example);

- University level education (any degree);
- At least 100 hours public sector interpreting experience;
- References; and
- A pass at the assessment centre to the tier two standard.

Tier Three

The interpreter must have one or more of the following:

- Demonstrable experience in the public sector with appropriate linguistic background;
- Formalised basic interpreter training including one of the following: the WEA programmes, Bi-Lingual Skills Certificates, Community Level Interpreting Degrees under the NVQ certification system.

Together with

- References; and
- A pass at the assessment centre to the tier three standard

It is also desirable for tier three interpreters to have at least 100 hours public sector interpreting experience.

Rare languages

In the case of rare languages where the DPSI or equivalent qualification is not available, the interpreter must have the Cambridge Proficiency in English Certificate, or NRPSI registration (rare language category) 100 hours of public sector interpreting experience, evidence of continuous professional development, references and a pass at the assessment centre.

Annex B

MoJ Framework Agreement

How to raise a complaint with ALS

By telephone:

Any complaints regarding operational issues can be made over the phone to ALS by ringing [redacted under s.40(2) FOIA] and selecting **Option 5**. You will be asked for the Job Number by the call handler.

Your complaint will be logged on the system and acknowledgement of the complaint will be communicated via email to the collaborative partner, **within 1 hour**. This automated response generates a dedicated incident reference number, which is instantly visible to the service delivery team at Applied Language Solutions.

The email received will look similar to this:

Dear (name)

Your incident report reference number is JCP1000047 (example).

The Job Ref is CPO1000268 (example).

Your contact number is 87686786876 (example).

Your email is test@appliedlanguage.com (example).

The details of the complaint are shown below.

Title: tbc

Category: Violation of Professional Code Of Conduct (example)

Description: (test example)

We have received your incident report and will start investigating your concerns straight away. You may be contacted during this process to aid the investigation. Once the investigation is complete you will receive a full explanation of our findings.

Kind regards

Applied Language Solutions

Your complaint will then be escalated to the appropriate level and individual as detailed in the escalation table (see under Escalation of Complaints) depending on the severity level of your complaint.

Via the customer portal:

Staff members can use the *[redacted under s.43(2) or s.31(1)(c) FOIA]* customer portal to raise a complaint.

Once logged into the system, a staff member can raise a complaint at any time by clicking on the relevant job in either the unassigned jobs, assigned jobs, started jobs or completed jobs tabs on the left hand side of the screen. Simply click on the relevant job number and scroll to the bottom of the details where you will find the “raise a complaint” button.

Click on “**raise a complaint**” and you will be prompted to fill in a form online (see example below) which collects some information regarding the complaint and the staff member’s direct contact details.



The screenshot shows a web form titled "Raise a complaint" in red text. The form is enclosed in a light gray border with a close button (X) in the top right corner. On the left side, there are labels for the form fields: "Your Name", "Your email", "Your Phone", "Category", "Complaint Title", and "Complaint Description". On the right side, the corresponding input fields are shown: a text box containing "Police Test User", a text box containing "test@example.com", an empty text box for the phone number, a dropdown menu with the text "Please select a category" and a downward arrow, an empty text box for the complaint title, and a larger empty text area for the complaint description. At the bottom of the form, there are two buttons: "Submit Complaint" and "Cancel".

Acknowledgement of the complaint will be communicated via email to the collaborative partner, **within 1 hour** of receipt of complaint. This automated

response generates a dedicated incident reference number, which is instantly visible to the service delivery team at Applied Language Solutions.

The email received will look similar to this:

Dear (name)

Your incident report reference number is JCP1000047 (example).

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Category: Violation of Professional Code Of Conduct (example)

Description: (test example)

We have received your incident report and will start investigating your concerns straight away. You may be contacted during this process to aid the investigation. Once the investigation is complete you will receive a full explanation of our findings.

Kind regards

Applied Language Solutions

Escalation of complaints

ALS has an escalation procedure in place to respond quickly and to complaints that are raised by any MoJ collaborative partner.

In all cases the feedback or complaint will be directed to the Relationship Manager responsible for communication with the collaborative partner. Depending on the nature and severity of the matter, it may be handled by any of the people identified in the table below.

Initial Point of Contact	Your Service Delivery Manager
Reported to	Relationship Manager
Escalation Level 1	Service Centre Manager <i>[redacted under s.40(2) FOIA]</i>
Escalation Level 2	Head of Service Delivery <i>[redacted under s.40(2) FOIA]</i>
	Head of Linguist Relations <i>[redacted under s.40(2)]</i>

	<i>FOIA]</i>
Escalation Level 3	Public Services Director <i>[redacted under s.40(2) FOIA]</i>
Escalation Level 4	ALS CEO <i>[redacted under s.40(2) FOIA]</i>

Resolution times

The collaborative partner's dedicated Relationship Manager will be made aware of the incident as soon as it is raised and will ensure the following steps are carried out.

- Automated response confirming details of complaint within 1 hour
- Investigation and resolution within 3 days
- Communication of final resolution to MoJ collaborative partner within 5 workings
- **5 working days in total for end-to-end process wherever possible**