



Staffordshire Police Equality Impact Assessment



The purpose of this EIA is to ensure you consider any equality issues as part of your decision making when developing / reviewing your policy / procedure.

Please complete the sections below and send to the Equality and Diversity unit to be quality assured. New / revised policies cannot be published on the policy database until the EIA has passed the quality assurance process.

Title of policy/procedure:	Procedures for obtaining Language Services from Applied Language Solutions (ALS)
Department:	Operational Services Department
Date:	7 th November 2011

1. Identify the aims and purpose of the procedure

The procedures outline the arrangements for Staffordshire Police to obtain interpreting and translation services through ALS for police investigations through to court where necessary.

In August 2011 the Ministry of Justice established a five-year language services framework agreement with Applied Language Solutions.

The framework will significantly reduce both cost and time to acquire language services, while ensuring consistency and quality.

The framework agreement provides access to the following services:

- Face-to-face interpretation;
- Telephone interpreting;
- Translation (including Braille and Easy-read);
- 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

Services will be available around the clock, 365 days per year, at any location across England and Wales.

2. Identify the individuals and organisations that are likely to have an interest in, or be affected by the policy.

Staffordshire Police; The Crown Prosecution Service; Victims; Witnesses; Suspects; Interpreters; Solicitors; Her Majesty's Court Service; Bar Council; Victim support; Social Services; Youth Offending Services and Appropriate Adults and the Probation Service.

3. Data

Summarise the findings of any monitoring data / information which you have considered regarding the impact of this policy on people from all or any of the protected groups. This could include national or local data.

3.1 Age

No data was considered.

3.2 Disability

No data was considered. There is no data available to identify how many times interpreters for people who are deaf and deafblind have been used for police investigations.

3.3 Race

No data was considered. There is no data available to identify how many times foreign language interpreters have been used for police investigations.

3.4 Religion or Belief

No data was considered

3.5 Sex

No data was considered

3.6 Sexual Orientation

No data was considered

3.7 Transgender

No data was considered

4. Research

Summarise the findings of any research you have considered regarding this policy for all or any of the protected groups. This could include information you have obtained from other sources e.g. ACPO, Home Office.

4.1 Age

Interpreting is a legal requirement in police investigations no research is deemed necessary.

4.2 Disability

Interpreting is a legal requirement in police investigations no research is deemed necessary.

4.3 Race

Interpreting is a legal requirement in police investigations no research is deemed necessary.

4.4 Religion or Belief

Interpreting is a legal requirement in police investigations no research is deemed necessary.

4.5 Sex

Interpreting is a legal requirement in police investigations no research is deemed necessary.

4.6 Sexual Orientation

Interpreting is a legal requirement in police investigations no research is deemed necessary.

4.7 Transgender

Interpreting is a legal requirement in police investigations no research is deemed necessary.

5. Consultation

Summarise the opinions of any consultation for all or any of the protected groups.

Who was consulted and how e.g. survey, discussion, forum.

If there was no consultation please justify why.

Consultation was carried out by the Ministry of Justice as part of their equality impact assessment. There was no consultation carried out locally by Staffordshire Police.

5.1 Age

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

5.2 Disability

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

5.3 Race

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

5.4 Religion or Belief

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

5.5 Sex

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

5.6 Sexual Orientation

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

5.7 Transgender

Interpreting is a legal requirement in police investigations no consultation was deemed necessary.

6. Conclusions

Taking into account the results of the monitoring, research and consultation, set out how the policy impacts or could impact on people from the following protected groups? (Include positive and/or negative impacts)

The Ministry of Justice (MOJ) completed a Equality Impact Assessment for the framework agreement. This section includes some of the potential equality impact they identified:

Potential equality impact: Many respondents to the recent consultation argued that our proposals will reduce the quality of interpreters and translators working in the justice sector, to the detriment of justice itself.

MOJ Response The need to maintain the quality of interpretation and translation (including ensuring that interpreters are appropriately qualified and vetted to work in the justice system) and to widen the available pool of interpreters are fundamental elements of this project, and have always been so. We are satisfied that they will be delivered.

The framework agreement will be clear about the quality standards that are expected, require detailed and meaningful management information and comprehensive key performance indicators, and will be properly managed. This will help to address respondents' quality concerns.

Potential equality impact: Concerns have been expressed about conflicts of interest. Specifically that the contractor controls work allocation, the assessment of the quality of interpreters, the regulation of the service provided, the complaints procedures about the service providers and the disciplinary procedures. It has been suggested that, as a result the supplier can and will make all its decisions based on financial expediency leading to lower quality (eg overly generous passes at the assessment centre, allocating work to the least qualified and therefore cheapest interpreters in each tier etc).

MoJ response: We do not believe that there will be conflicts of interest. MoJ will manage the framework agreement to ensure that the supplier meets all its commitments. Quality standards have been set by the MoJ in consultation with other justice organisations. All qualifications specified are awarded by independent bodies, assessment of foreign language interpreters will be undertaken at arms length from the supplier and vetting will be carried out by the police. It will be open to all users to provide feedback/make complaints about the service. The supplier will keep us informed of progress with investigations into complaints and the outcome of any disciplinary procedure arising from a complaint. Interpreters will be notified of assignments and will respond to requests in line with their availability and location immediately prior to the assignment. Interpreters who respond positively will be allocated the work.

6.1 Age

No perceived impact.

6.2 Disability

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); will be provided.

People who are blind can be provided with translations in Braille when required.

People with a learning disability can be provided with translations in an easy read format when required.

Potential equality impact: Inclusion of BSL and other language services for the D/deaf and deafblind in a single contract provided through a commercial supplier with limited experience and understanding of the needs of the deaf community ignores the deaf community's protected status under the Equality Act 2010. In particular the deaf community may need additional support in light of linguistic functioning and educational deprivation which may affect the individual's level of understanding.

MoJ response: The supplier already has some experience of dealing with the language requirements of the D/deaf and deafblind and has indicated that in practice most language service professionals for the D/deaf and deafblind will be subcontracted to specialist agencies which have experience and understanding of the needs of the deaf community including issues associated with linguistic functioning and education deprivation.

Potential equality impact: There have been concerns that the complaints procedure will not be accessible to deaf people.

MoJ response: It is important that the complaints procedure is accessible to all and we have discussed this in detail with the supplier. We are satisfied that the procedures to be put in place will ensure accessibility. For example a deaf person will be able to make a complaint/provide feedback through the submission of a video or via video conferencing or an alternative language service professional can be made available for a person to make a complaint.

6.3 Race

Language interpreters are available for all persons whose first language is not English.

Potential equality impact: Language Service Professionals for the D/deaf and deafblind who are predominantly white British will be treated more favourably than foreign language interpreters, as they will not be subject to reassessment.

MoJ response: Whilst there are differences in the detail and operation of the model for foreign language interpretation and language services for the D/deaf and deafblind on the question of assessment, we do not accept the suggestion this constitutes unlawful discrimination under the Equality Act.

There have been complaints in recent years of poor quality interpretation and inappropriate behaviour by registered foreign language interpreters and there have been concerns that these issues are not being addressed. There is no evidence of dissatisfaction with the services currently provided by language service professionals for the D/deaf and deafblind. In response to concerns about the quality of foreign

language interpreters the new contract will require them to be subject to an assessment process to ensure they are able to deliver services to the standard required by MoJ. The results of the new assessments will then enable interpreters to be allocated to the appropriate level of work and will also ensure that appropriately qualified foreign language interpreters are allocated to justice sector work.

To mitigate the impact on foreign language interpreters, however, the assessment is intended to be one-off, with most foreign language interpreters being assessed at the start of the contract process. Any foreign language interpreter signing up with the supplier at a later date will also be subject to a one-off assessment. Ultimately, the framework agreement offers the opportunity to any linguist, irrespective of race or other protected characteristic, to perform services for the justice sector, if appropriately qualified.

We understand that foreign language interpreters will be required to make a payment of £100 + VAT towards the cost of the assessment. As there is no assessment for language service professionals for the deaf and deafblind, no such payment will be necessary. However, we believe that this is balanced by the fact that, under the Framework Agreement, language service professionals will be required to maintain membership of the NRCPD (annual fees are currently £165). Although membership of some specified organisations can be used by foreign language interpreters to contribute to qualification criteria under the Framework Agreement, there is no requirement to maintain membership of any of these groups.

Potential equality impact: Lower rates of pay and additional payments for foreign language interpreters would affect more members of black and ethnic minority groups because foreign language interpreters are more likely to be members of black and minority ethnic groups when compared to the general population of England and Wales. Rates of pay and additional payments will be lower than for language service professionals for the D/deaf and deafblind (who are predominantly white British).

MoJ response: We expect the hourly rate paid and additional payments made to most interpreters will be reduced under the new arrangements. We have considered whether the lower rates of remuneration are related to reasons related to the protected characteristic of race as more foreign language interpreters come from ethnic minority backgrounds than language service professionals for the D/deaf and deafblind but do not believe there is any evidence that this is the case. The difference in rates is a consequence of market forces. Some individuals may be more appreciably affected by the changes than others. Equally for some there may be positive impacts on their overall remuneration over the course of a relevant period of time. Throughout the procurement process bidders have been tested to ensure rates of pay will be sufficient to attract and retain linguists with the appropriate standards. The successful supplier will be offering reasonable remuneration at market value.

The rates of pay and additional payments made to foreign language interpreters and language service professionals for the deaf and deafblind will differ, as they do at the moment, and in all likelihood the former group will be more appreciably affected by the changes we are making. The service provider must respond to supply and demand to meet its contractual commitments. Language service professionals for the deaf and deafblind are in very short supply across the UK and the length of training required means that this can not be quickly resolved. Thus the rates of pay and

levels of additional payments reflect the fact that there is no possibility in the near future that there will be sufficient local supply of language service professionals.

Potential equality impact: The focus on local provision of services gives rise to concerns that, for example, a victim and the interpreter may be from the same community and cultural issues will not be properly addressed. We have been told that there have been instances where interpreters have disclosed confidential information to the victim's family in cases involving forced marriage and honour based abuse.

MoJ response: Such behaviour breaches current codes of conduct, as it would breach the new code. During the dialogue process with bidders we have discussed the importance of allocating an appropriate interpreter to each assignment taking account, where there are genuine concerns about the proper administration of justice or because of the nature of the case, of issues such as gender and culture. Arrangements for booking appropriate interpreters would allow these issues to be addressed.

6.4 Religion or Belief

Where religious or other beliefs require specific sex interpreters then this is catered for in the procedures.

6.5 Sex

Potential equality impact: Lower rates of pay and additional payments for foreign language interpreters and language service professionals for the deaf and deafblind will affect more women than men because foreign language interpreters and language service professionals for the deaf and deafblind are more likely to be female when compared the general population of England and Wales.

MoJ response: As we have stated above, the rates of remuneration paid to most interpreters will be lower than under current arrangements. Although we acknowledge there are more women in the sector, men and women are affected in the same way and we have found no evidence to suggest that the provider was able to offer lower rates simply because the majority of the workforce are women. The rates are a consequence of market forces and would affect interpreters with protected characteristics as much as those without. Some individuals may be more appreciably affected by the changes than others. Equally for some there may be positive impacts on their overall remuneration over the course of a relevant period of time. Throughout the procurement process bidders have been tested to ensure rates of pay will be sufficient to attract and retain linguists with the appropriate standards. The successful supplier will be offering reasonable remuneration at market value.

6.6 Sexual Orientation

No perceived impact.

6.7 Transgender

No perceived impact.

7. Decisions

If the policy will have a negative impact on members of one or more of the protected groups, explain how the policy will change or why it is to continue in the same way.

If no changes are proposed, the policy needs to be objectively justified.

The procedures are to enable interpreters from a variety of disciplines, who have been security vetted and assessed as to their abilities are available to enable police investigations and court processes to comply with legislative requirements.

8. Monitoring arrangements

If the policy is new what consideration has been given to piloting the policy?
If monitoring is not already in place what arrangements have been made to monitor the effects of the policy on equality and diversity?

The procedures are linked to a 5 year framework agreement between the contractor (ALS) and the Ministry of Justice. This agreement is to be monitored by the MoJ over that period using key performance indicators which are set out below. The force will also monitor these indicators.

Key Performance Indicators

Availability of all languages within a 25 mile radius	95%
Fulfilment of all assignments (excluding cancellation by collaborative partner)	98%
Acknowledgement of Complaints	Within 1 hour
Feedback on complaint	Within 24 hours
Resolution of Complaint	Within 3 working days
On time delivery of all assignments	98%
Call answering time	20 seconds
Equal access to language services for all irrespective of protected characteristics as defined by the Equality Act 2010.	

The procedures also outline complaints procedures whereby interpreters who appear to fall below the required standards the issues can be addressed quickly and effectively

This equality impact assessment will be published on the force website.

EIA Form Dated
07/11/11