



Home Office

## **Detention Services Order 02/2022**

### Interpretation Services and use of Translation Devices

June 2022



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# Document Details

**Process:** To provide instruction and guidance for staff and suppliers on the use of interpretation services and electronic translation devices.

**Implementation Date:** June 2022

**Review Date:** June 2024

**Version:** 1.0

**Contains Mandatory Instructions**

**For Action:** All Home Office staff and suppliers operating in immigration removal centres (IRC), residential short-term holding facilities (RSTHF) pre departure accommodation (PDA) and Short-Term Holding Facilities (STHF) at ports managed by suppliers (not including those directly managed by Border Force (BF)).

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**Processes Affected:** Processes relating to the induction, general care, provision of welfare and release/return of a detained individual. Processes relating to the use of interpretation services, including interpretation devices.

**Assumptions:** All staff will have the necessary knowledge to follow these procedures.

**Notes:**

# Instruction

## Introduction

1. This order provides guidance for all Home Office staff and suppliers operating in immigration removal centres (IRCs), residential short-term holding facilities (RSTHF), pre departure accommodation (PDA) and short-term holding facilities (STHF) managed by supplier staff. This excludes immigration detained individuals accommodated in prison. For the purpose of this guidance, 'centre' refers to IRCs, RSTHFs, STHFs and PDA.
2. Two different Home Office teams operate in IRCs:
  - Detention and Escorting Services Compliance team (Compliance Team)
  - Immigration Enforcement Detention Engagement team (DET)

The compliance team are responsible for all on-site commercial and contract monitoring work. The DETs interact with detained individuals face-to-face on behalf of responsible officers within the removal centres. They focus on communicating and engaging with people detained at IRCs, helping them to understand their cases and detention.

There are no DETs at RSTHFs or the Gatwick PDA. Functions which are the responsibility of the DET in IRCs are carried out by the Escorting Contract Monitoring Team (ECMT) and/or DEPMU Operations in RSTHFs. In the Gatwick PDA the role of engagement with detained individuals is covered by the local Compliance Team.

## Purpose

3. The purpose of this order is to set out the provisions, including interpretation services and translation devices, available for individuals held in immigration detention (in the places of detention set out above) and the circumstances in which these should be used.
4. Entering detention, changing detention locations and/or being in a detained environment can be a stressful time for individuals. It is the responsibility of Home Office and supplier staff operating in these facilities to take all reasonable steps to ensure that all processes and communications between staff and the detained individual are fully understood.
5. A range of interpretation services are available in a detained environment, including in-person and telephone interpreters and electronic translation devices. However, it should be noted that electronic translation devices should be viewed as an

additional support tool. They should not replace in-person or telephone interpretation services, which must continue to be used for all essential interactions where accuracy is of significant importance. This includes DET inductions, service of immigration paperwork and medical appointments. This list is not exhaustive, and consideration should always be given to individual circumstances.

6. Generally, other detained individuals should not be used for translation. However, there are certain situations when this is acceptable, such as general questions and as long as the interactions are not deemed essential (as set out above) and both parties agree. Further detail on use of other detained individuals and peer support workers is provided in paragraph 22.
7. Any concerns by the detained individual regarding the quality of interpreter service must be escalated via the formal complaints process set out in DSO 03/2015 Handling of Complaints.

## Procedures

### Provision of In-Person Interpretation Services

8. Where in-person interpretation services are required these should be booked through the Interpreter and Language Services Unit (ILSU). Centres must ensure their staff are aware of the process for booking in-person interpreters.
9. There are circumstances, such as substantive asylum interviews, when the use of in-person interpretation services should be used. There may be other circumstances to ensure better viability and auditability and /or for individual welfare where it would also be appropriate to consider using in-person instead of telephone interpretation services. This might include when a person has been identified as vulnerable or for modern slavery needs interviews (as set out in paragraph 32).
10. Interpreters should, where there is an identified need for language support, be physically present on all charter flights to ensure effective communication and minimise instances where poor communication may lead to non-compliance or the use of force. In the event an interpreter is not available on a flight, telephone interpretation services (on the ground) should be used prior to the flight.

### Provision of Telephone Interpretation Services

11. Centres must have a telephone interpretation service in place, with appropriate guidance disseminated to staff to advise them how to access and navigate through this service. The service should be available 24 hours a day and provide rapid access to interpreters in a range of languages. Centre supplier should regularly, at least biannually, review the languages on offer against the requirements of the detained population.

12. Centre staff must ensure appropriate equipment is available to support the provision of a telephone interpretation service, this includes dual telephone handsets.
13. When necessary staff must access the telephone interpretation service to facilitate communication between the detained individual and themselves or others present. They will remain for the duration of the call and assist the detained individual in any way possible, except for legal and health related visits which must be treated as private and confidential. When a telephone interpretation service is used it must be recorded on local supplier detention records (supplier staff) or CID/Atlas (Home Office staff), together with the identification number of the interpreter assisting.
14. All interpreters are required to follow detailed Codes of Conduct and Ethics guidelines, to ensure the highest quality professional service is delivered by skilled and impartial interpreters. Any concerns regarding the code of conduct or adherence to ethical guidelines by the interpreter should be reported to the translation service provider in the first instance. If there are ongoing concerns from those in detention or visitors, either relating to access to or quality of the service provided, these should be escalated to the local compliance team or ECMT at RSTHFs. Records of issues raised should be kept enabling trends to be monitored.

## Provision of Electronic Translation devices

15. Only devices approved by the Home Office Compliance Team, or Contract Monitoring team in RSTHF or for Escorting, can be used. In line with guidance in [DSO Mobile phones and cameras in immigration removal centres](#), translation applications on internet access mobile phones used by Home Office staff must only be used in official interview rooms with the permission of the centre manager.
16. Suppliers and Home Office staff (where applicable) should ensure sufficient number of electronic translation devices are available in all facilities for staff and detained individuals to converse with each other. As set out in paragraph 5 these devices should be used to supplement in-person and telephone interpretation services and not replace them. They must only be used for informal and general communications such as welfare checks, general interactions and informal queries.
17. A member of supplier or Home Office staff must always be present when translation devices are being used and at no point should a translation device be left in the sole operation of a detained individual
18. Staff using electronic translation devices should familiarise themselves with the devices use and functionality and, the user manual for the chosen device must be readily accessible for all staff working in the facility. Where available, devices should be connected to Government WIFI or secure WIFI. If Government or secure WIFI access is not available in a particular location, the devices sim card and mobile data function should be used for connectivity. Where this is required, staff should follow their local protocols for device top-ups.

19. Suppliers and Home Office staff (where applicable) must undertake monthly checks on 10% of devices to ensure they are working correctly, and that robust and effective security measures are in place to prevent damage, misuse and General Data Protection Regulation (GDPR) breaches. Suppliers must provide Compliance Teams and Contract Monitoring teams with records detailing the usage of the translation devices on a quarterly basis. This will ensure the device meets the GDPR requirements and the usage terms agreed and will allow Home Office staff to identify any faults/damage/misuse of the translation device.
20. In addition to regular checks by the supplier, Contract Monitors and Compliance teams should conduct quarterly checks on 10% of devices. This should include ensuring conversation history is deleted, the general usage of the device and assurance that personal information is not being stored. Contract Monitors should similarly check records for the respective detained individuals to make sure use of the device or other interpretations services have been recorded appropriately and accurately.
21. Centre staff should advise detained individuals not to disclose personally identifiable information (PII) when using these devices; this includes information relating to their health or legal case. An individual who begins to disclose PII should be advised by staff that the devices can only be used for informal purposes and they should immediately revert to using a telephone interpreter service if the individual persists in disclosing personal information.

## **Certified standard for electronic translation accuracy**

22. There is currently no industry certified standard for electronic translation accuracy and, unless proven, device manufacturers' claims regarding accuracy should not be solely relied on. Only devices approved for translating services by the Home Office Compliance Team can be used. Where possible, devices should be tested prior to their use within the centre, and the Compliance Team should be invited to take part in the testing of devices.

## **Use of other detained individuals and Peer Support Workers**

23. In most circumstances, for confidentiality and quality reasons other persons in detention and/or centre staff must not be used for translation purposes. However, there are occasions when this may be acceptable including general enquiries and questions and helping with day to day activities, such as signing up for classes. Translation by another person in detention (this might include peer support in detention workers or a centre staff member with appropriate language skills) must be with the individual's agreement.



## Considerations before booking interpretation services

### Proficiency in spoken English

24. As set out in DSO 06/2013 the centre supplier must conduct a basic assessment of the individual's proficiency in spoken English during the reception process. This assessment should take place through a short conversation with the individual, using "open" questions. Escorting staff should not be relied upon to confirm an individual's proficiency in English. The following questions can be used to undertake the assessment, although this list is not exhaustive and other questions can be used if deemed more appropriate.
25. Fluency assessments may be conducted at any time during a detained individual's period of detention either by Home Office or supplier staff.

#### Fluency Test Questions:

- Do you understand me?
  - How are you feeling?
  - Do you know where you are/where you have been brought to?
  - How well can you speak English?
26. All suppliers should use the following 5 level English fluency scale to categorise the individual's language proficiency

#### Fluency scale:

- None
  - Few Words
  - Basic Understanding
  - Good Understanding
  - Fluent
27. The fluency score must be recorded on the local suppliers' databases as a minimum but may also be recorded in CID/Atlas. This assessment can be used later to flag to supplier or Home Office staff if an individual requires language interpretation assistance.

### Determining which type of interpretation service is required

28. The expectation is that for those whose level of fluency is assessed as 'none' or 'few words' will always require the support of interpretation services, whereas 'basic' to 'good' will require less support.
29. However, when considering what type of interpretation service is required it is important that due regard is always given to individual needs and/or circumstances. For example, for individuals identified as vulnerable the service of immigration

paperwork and attendance at healthcare appointments are likely to require professional interpretation services. The [Adults at risk in immigration detention Policy](#) and [DSO 04/2020 Mental Vulnerability and Immigration detention: non-clinical guidance](#) sets out how to identify individuals who may be vulnerable.

## Requests for interpreters of a particular gender.

30. Where operationally possible every effort should be made to meet a request for a male or female interpreter. Where no specific request has been made, but the demeanour or circumstances of the individual would be better suited to an interpreter of a specific gender, where possible, arrangements should be made to support this.

## Where interpretation services are not readily available

31. For some languages or dialects, it may be more difficult than others to obtain interpretation services due to low availability. Where these languages are required sufficient time should be given to book them. In these instances, it may be possible for the DET area manager to authorise booking of interpreters through the Interpreter Language Service Unit (ILSU), however these should be approved on a case by case basis. Any agreement to proceed in the absence of an interpreter must be recorded on local supplier records and/or CID/Atlas. If the individual is struggling to understand English, the communication must not go ahead, and the interaction should be re-booked when an interpreter is available. If the communicate is urgent and an interpreter is not available, as a short-term measure, consideration should be given to whether a second language or dialect can be used. If obtaining a specific language continues to be difficult, Returns Logistics may be able to liaise with the relevant embassy.

## Potential victims of modern slavery in immigration detention

32. Particular protections and support are afforded to individuals who have received a positive Reasonable Grounds decision under the National Referral Mechanism in accordance with the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT), to assist in their physical, psychological and social recovery from their experience of modern slavery. Where a specific need for translation or interpretation services is identified during the Modern Slavery Needs Assessment, IRC staff must ensure that the individual has access to the service required.

## IRC, RSTHF and PDA reception and inductions

### Reception

33. As set out in DSO 06/2013 if the detained individual is not deemed fluent, or does not have a good understanding of English, it is important that all suppliers use professional interpreting services, such as a telephone interpreter to complete the centre's admission process. Where telephone interpreting services are required to conduct the reception process this should be recorded on the local supplier's database.
34. In circumstances where a large number of admissions are taking place at the same time, and where obtaining professional services may cause undue delays, or where in-person or telephone interpretation services are not possible, electronic translation devices may be used. However, these should only be used as a last resort and suppliers should ensure they have sufficient devices to cope with the throughput. Where personal data is required it is important that this is undertaken to ensure individual confidentiality can be maintained.

### Inductions

35. Induction processes should be used as an additional opportunity for the centre supplier to conduct a secondary assessment of the individual's proficiency and understanding of English in line with the guidance set out in paragraphs 22-25.

### Supplier Induction

36. All suppliers must utilise professional interpreting services where an individual has insufficient knowledge of English to receive the centre induction. As set out in paragraphs 38 and 39 written information should be provided either in pictorial form or in a language understood by the individual so far as reasonably practicable. An alternative medium such as a pre-recorded audio version of the induction in the required language can be provided. The type of interpretation service used must be recorded on the individual's detention record.
37. In most circumstances other detained individuals must not be used for translation purposes due to confidentiality and quality issues, however as set out in paragraph 22 peer support detained workers may be used to translate for general purposes. This can include support during group inductions. In all cases it is the responsibility of the supplier to ensure they have taken appropriate steps to make sure each individual fully understands all processes.

### DET Induction

38. DET inductions cover a range of significant information such as the role of the DET, how to access legal advice, health and welfare and case progression. All DET inductions must therefore be undertaken using professional telephone interpretation

services. The only exception is if the individual is fluent in English and has confirmed they are comfortable for the induction to be completed in English. If however there are any concerns about their level of understanding professional interpretation services must be used. DET staff should raise any concerns about the fluency assessment carried out by supplier staff with the local Compliance Team.

## Translation of documents

39. In line with Rule 4 of the Detention Centre Rules 2001, as soon as possible after reception to an IRC detained individuals must be provided with the IRC's "Compact", together with information in writing about those provisions of the Detention Centre Rules 2001, and about the centre generally, which it is considered necessary that they should know. This must be provided in a language they are able to understand so far as is reasonably practical. This includes how to make complaints and requests. Where an individual cannot read or has difficulties understanding the information in written format, they must have it explained to them so they can understand their rights and responsibilities, using an appropriate translation service. In line with Rule 4(5) the Detention Centre Rules 2001 must also be translated into a variety of languages.
40. Rule 7 of the Short-term Holding Facility Rules 2018 requires that the following information must be made available to detained persons in short term holding facilities to consult if they wish: a copy of the Short-term Holding Facility Rules 2018, information about procedures for applying for bail, information about the right to seek legal advice and details about the procedures in the STHF in which they are detained. Where this information is already in translated format it must be provided to any individual who requires it, but there is no requirement to get the information proactively translated where this is not already available. For those under the age of 18 or who have difficulties understanding written information the information must be explained to them in a language they understand.
41. The list of documents currently translated by Detention and Escorting Services for people in immigration detention and/or escort are set out at Annex A. Documents currently translated by suppliers for those in short-term holding facilities and on escort are set out at Annex B.

## Healthcare reception screening and Healthcare conversations

42. A detained individual will undergo a number of interactions with healthcare staff, including a mandatory initial health screening, voluntary healthcare examinations on admission to detention carried out under Rule 34 of the Detention Centre Rules 2001 (IRCs only), ACDT and other medical appointments. Clinical discussions are important for identifying health care issues and other health-related vulnerabilities. They are extremely difficult if the individual has little or no use of English. Therefore, all healthcare related conversations must be undertaken using professional

interpreting services, such as in-person or telephone interpreters, where a language barrier has been identified. This should be recorded on the individuals medical file and System1/Vision records.

## Care and management during general stay

43. Where the subject of the interaction is of significant importance and or/sensitive, such as the service of immigration paperwork, DETs (or in an RSTHF ECMT and/or DEPMU Operations, BF Officer in a STHF) must use professional telephone interpretation services. This includes the service of:

- Removal directions
- Casework decisions

44. Professional telephone interpretation services must also be used for, amongst other things:

- Asylum screening interviews
- Modern Slavery Needs Interviews
- NRM referrals
- Age assessments
- Food and fluid interviews.

45. Electronic translation devices can be used by supplier and DET staff for general interactions and situations where they can be employed more dynamically than interpretation services. This includes:

- General interactions/communications with detained individuals
- Welfare Checks
- Assistance for informal queries.

46. The initial use of an electronic translation device may progress to the use of telephone or in-person interpretation services if an individual is not deemed fluent or the electronic translation device is deemed to be unsuccessful in translating effectively.

47. Peer support in detention workers, or other detained persons (on request) may be used to translate for general purposes as set out at paragraph 22.

**(N.B. The above lists are not exhaustive)**

## Release/Return

48. All processes and paperwork pertaining to the release from detention or removal of the individual from the UK should be undertaken/served with the use of a professional telephone interpretation service. This includes:

- DET, ECMT and/or DEPMU, BF Officers

- Deportation orders
- Removal directions
- Accommodation and how to access additional support for those identified with vulnerabilities.
- Bail paperwork/release conditions
- Supplier staff
- Use of travel warrants

**(N.B. These lists are not exhaustive)**

## **Audit**

49. An annual self-audit of this DSO is required by centre suppliers to ensure that the processes are being followed. This audit should be made available to the Home Office on request.

50. Both the DET and Compliance Teams must also conduct annual audits against their respective responsibilities stated within this DSO for the same purpose.

## Annex A

Documents currently translated by Detention and Escorting Services for people in immigration detention and/or escort.

Type of Document	What it is used for	Published?	Which languages/number of languages document is translated into
<b>DCF9 Complaint Form</b>	Raising a complaint from within the immigration removal estate	English version only <a href="#">Handling complaints in immigration removal centres - GOV.UK (www.gov.uk)</a>	<b>Currently:</b> Albanian Arabic Bengali Chinese (Mandarin) Dari Farsi French Hindi Kurdish Pashto Polish Portuguese Punjabi Gurmukhi Punjabi Shahmuki Somali Spanish Tamil Urdu Vietnamese
<b>Bereaved Families Leaflet</b>	Information leaflet to be shared with bereaved families/friends following a death in immigration detention	No	<b>Translation underway</b> – Albanian Arabic Bengali Chinese Mandarin Farsi French Hindi Kurdish Sorani Lithuanian Pashto Persian

			Polish Portuguese Punjabi (Western) Romanian Russian Spanish Tigrinya Urdu Vietnamese
<b>Complaint poster</b>	An easy walk through of 'how to make a complaint' poster displayed in immigration removal centres and short-term holding facilities	No	Albanian Hindi Urdu Mandarin Portuguese Romanian Bengali Vietnamese Farsi Arabic French Spanish
<b>Detention Services Order "compact" on video calls and use of the internet</b>	Leaflet explaining the use of internet/ video call in immigration removal centres and forming an agreement with detained individuals about internet usage	No	Albanian Arabic Bengali Cantonese Farsi Hindi Kurdish Mandarin Polish Romanian Urdu Vietnamese



			Chinese
			Dari
			English
			French
			Farsi
			Hindi
			Kurdish
			Lithuanian
			Pashto
			Polish
			Portuguese
			Punjabi
			Romanian
			Somali
			Spanish
			Tamil
			Urdu
			Vietnamese

## Annex B

Documents currently translated by suppliers for those in short-term holding facilities and on escort.

Type of Document	What it is used for	Published?	Which languages/number of languages document is translated into
<b>Complaints forms (for children)</b>	Raising a complaint from within the immigration removal estate	No	Albanian, Arabic, Bengali, Chinese, Dari, French, Hindi, Farsi, Kurdish, Pashtu, Polish, Portuguese, Punjabi, Romanian, Somalian, Spanish, Tamil, Urdu, Vietnamese.
<b>Mitie Care &amp; Custody (C&amp;C) Adult Feedback forms</b>	Resident feedback, internal measurement tool	Yes	20 languages including English  <ol style="list-style-type: none"> <li>1. UK</li> <li>2. Albanian</li> <li>3. Arabic</li> <li>4. Bengali</li> <li>5. Chinese</li> <li>6. Dari</li> <li>7. French</li> <li>8. Hindi</li> <li>9. Kurdish</li> <li>10. Pashto</li> <li>11. Persian- Iran Farsi</li> <li>12. Portuguese</li> <li>13. Punjabi Gurmukhi</li> <li>14. Punjabi Shamuki</li> <li>15. Romanian</li> <li>16. Somali</li> <li>17. Spanish</li> <li>18. Tamil</li> <li>19. Urdu</li> <li>20. Vietnamese</li> </ol>
<b>Mitie C&amp;C Child Feedback forms</b>	Resident feedback, internal measurement tool	Yes	20 languages including English
<b>Charter Returns booklet</b>	Informs resident of the Charter flight process,	Yes	20 languages including English

	on the day of their removal on a Chartered flight		
<b>Resident COVID-19 isolation leaflet</b>	Informs resident of the reasons for isolation and the regime whilst isolated in a residential short-term holding facility	Yes	20 languages including English
<b>Equality, Diversity and Inclusion (EDI) Policy Statement Poster</b>	Outlines Mitie C&C Diversity and inclusion policy	Yes	10 languages including English
<b>“How to Access the NHS” leaflet</b>	For residents released from our care (in a short -term holding facility) advising how to access NHS services in the community	Yes	20 languages including English
<b>Arrival Information booklet</b>	Generic leaflet for new residents to a short-term holding facility, issued on reception/arrival explaining what to expect in detention/the processes	Yes	20 languages including English
<b>Release from Custody GB</b>	Document issued on discharge to UK-contacts to embassy, charities, health etc	Yes	20 languages including English
<b>Release from Custody NI</b>	Document issued on discharge to UK-contacts to embassy, charities, health etc	Yes	20 languages including English
<b>Adult Safeguarding Booklet</b>	Resident/ Employee information encompassing safeguarding topics	Yes	20 languages including English

<b>Child Safeguarding Booklet</b>	Resident/ Employee information encompassing safeguarding topics	Yes	20 languages including English
<b>Emergency contact poster</b>	Encouraging individuals to provide emergency contact details	No	Albanian, Arabic, Bengali, Chinese, Hindi, Kurdish Sorani, Polish, Punjabi, Romanian, Urdu and Vietnamese.
<b>Medical Forms</b>	Medical questionnaire (to be completed before the detained individual sees the nurse)	No	Arabic, Chinese, Dari, Farsi, French, Hindi, Kurdish Sorani, Pashtu, Portuguese, Somalian, Spanish, Tamil, Urdu, Yoruba.