



Department
for Work &
Pensions

DWP Central Freedom of
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[DWP Website](https://www.dwp.gov.uk)

Our Ref: FOI2024/43514

3 June 2024

Dear Ariel Mikulski,

Thank you for your Freedom of Information (FoI) request received on 24 May. You wrote:

"I am writing to address several issues our clients have experienced concerning the use of independent interpreters when contacting the Department for Work and Pensions (DWP). We have encountered inconsistent information from DWP advisers, which has led to significant confusion and concern.

We understand that under the Equality Act 2010, the Human Rights Act 1998, the Public Sector Equality Duty (PSED) under the Equality Act 2010, and the DWP Interpreting and Translation Options Guidelines, clients have the right to use their own interpreters when interacting with the DWP. Many of our clients lack trust in interpreters provided by the DWP and prefer to use our services for translation.

Our organisation charges for translation services, and we ensure that our interpreters are highly competent, fluent in both Polish and English, and adhere strictly to translating information and questions accurately without any prejudice or independent input.

However, our clients have been advised of the following points by DWP advisers, which appear to be inconsistent with the aforementioned guidelines:

1. **DWP Requirement to Use Own Interpreters:** Clients have been told that they cannot use their own interpreters and must rely on DWP-provided interpreters. This contradicts the guidance outlined in the DWP Interpreting and Translation Options Guidelines.
2. **Restrictions on Interpreter Translation of Answers:** Advisers have stated that interpreters are not permitted to translate clients' answers. This restriction breaches clients' rights as it prevents those with limited English proficiency from fully engaging in the communication process, which is the primary reason for employing an interpreter.
3. **Interpreter Presence in the Same Room:** Clients have been informed that interpreters must be physically present in the same room. This requirement is clearly incorrect and contravenes clients' rights, especially considering modern communication methods.
4. **Prohibition of Charging for Interpreter Services:** Clients have been advised that interpreters cannot charge for their services. Our clients choose to pay for our services to ensure they receive trustworthy and accurate translation.

Given these conflicting pieces of information, we respectfully request comprehensive and formal guidance on the use of independent interpreters by DWP clients. It is crucial that this guidance addresses each of the points outlined above and is communicated clearly and in plain English to ensure accessibility for all our customers.”

DWP Response

We confirm that we do hold the information you have requested. However, we are unable to respond specifically and directly regarding the points you have raised. This is because the FOI Act only applies to any recorded information that we hold and therefore we have provided an excerpt from the relevant guidance.

DWP publish advice, instructions and guidance which is available to all our members of staff, and this is the only process that should be followed.

An excerpt from the guidance states:

Under the Equality Act 2010, DWP must make suitable provision to communicate with claimants where English is not their first language or who are deaf, hard of hearing or speech impaired.

It is DWP policy to use an interpreter when we need to communicate with a claimant who:

- *cannot communicate adequately in English*
- *has complex needs and, or may need additional support; and*
- *cannot provide their own interpreter.*

Any customer accessing a DWP benefit or service can use their own interpreter if this is applicable.

If there is any doubt of the individual’s capability to interpret accurately and confidently, then the contracted provision should be used.

Please note, friends and relatives cannot be paid for interpreting.

If you have any queries about this letter, please contact us quoting the reference number above.

Yours sincerely,

DWP Central Freedom of Information Team
Department for Work and Pensions

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwp.gov.uk or by writing to: DWP Central FoI Team, Caxton House, 6-12 Tothill Street, London, SW1H 9NA.

Any request for an internal review must be received by us within 40 working days of the date

of this letter. Please note we are not obliged to provide a review if it is requested after more than 40 working days.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner's Office for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Website: [ICO FOI and EIR complaints](#) or telephone 0303 123 1113