



6 November 2024

A Smith

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DOIA-REQ-0003017

Tēnā koe A Smith

Thank you for your email of 15 September 2024 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following:

*I would like to request all available information in the form of emails and other communications, finalised or draft documents and projects related to any kind of complaints process for language service providers (LSPs), translators and/or interpreters which has been developed, started to be developed, has been planned and/or discussed, particularly since the creation of the Language Assistance Services (LAS) project. I would like information about any accountability process discussed to follow up on LSPs engaging NAATI interpreters first, meeting the conditions in their agreements and following the LAS policy (whether the process has been implemented or not, whether it is being planned, developed or disregarded).*

On 10 October 2024, we advised you that MBIE had decided to extend the period of time to make a decision on your request under section 15A(1)(a) of the Act, as the request necessitates a search through a large quantity of information and meeting the original time limit would unreasonably interfere with the operations of MBIE.

### **Our Response**

The Language Assistance Services programme was initiated in 2017 following two reviews that recommended changes to address barriers and gaps and improve access to publicly-funded interpreting and translation services.

In 2020, Connecting Now was contracted by MBIE, as the Lead Agency, to provide telephone and video interpreting (following Ezispeak's liquidation). In 2021, 10 Language Service Providers (LSPs) were contracted by MBIE to deliver face-to-face interpreting services to participating agencies via a syndicated agreement.

LSPs and participating agencies' obligations are set out under the Lead Agency Agreements and Participating Agency Agreements. We have determined specific components of the face-to-face and telephone and video interpreting services agreements related to disputes resolution processes and roles to be in scope of your request for information related to complaints processes for LSPs. We have provided excerpts of these sections of the agreements as appendices to this letter.



It is a contractual requirement that LSPs use National Accreditation Authority for Translators and Interpreters (NAATI) accredited interpreters. But because the majority of interpreters are still working towards their NAATI accreditation, the LSPs have been instructed to follow the priority order as stated in clause 2.3 of the Operational Policy. The requirement for LSPs to follow the priority order started from 1 July 2024.

The Operational Policy requirements, which apply to public sector agencies that use interpreting services, require agencies to ensure staff and users of the services have complaints processes available and are informed of the complaint processes. As the policy is publicly available, I am refusing this under section 18(d) of the Act. The policy is publicly available here:

<https://www.mbie.govt.nz/dmsdocument/28909-language-assistance-services-operational-policy-for-new-zealand-public-sector-agencies-and-those-they-fund-2024-pdf>

I am also refusing a further document outlining service and escalation contacts for the telephone and video interpreting service under section 18(d) of the Act, as this is publicly available here:

<https://www.mbie.govt.nz/dmsdocument/12929-connecting-now-escalation-contact-list>

I have attached the information relating to complaints processes and discussions about accountability in response to your request. Information out of scope has been removed and pages withheld in full have been removed. Some information has been withheld under sections of the Act:

- 9(2)(a), to protect the privacy of natural persons,
- 9(2)(g)(i), to protect the free and frank expression of opinions,
- 9(2)(h), to maintain professional legal privilege,
- 9(2)(j), where required to allow MBIE to carry on negotiations.

I have considered whether withholding that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available, in accordance with section 9(1) of the Act, however it is my opinion that such grounds do not exist.

You have the right to seek an investigation and review by the Ombudsman of the Ministry's response to your request, in accordance with section 28(3) of the Act. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss any aspect of your request or this response, please contact [inzoias@mbie.govt.nz](mailto:inzoias@mbie.govt.nz).

Nāku noa, nā



Fiona Whiteridge  
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