

30/11/2004

Delivery version (11 pages)

Jacqueline Elton, Toronto, Ontario, Canada (j.elton@sympatico.ca)

### **Provision of Translation Services, Government Policy and Political Will**

- Overview of French-language services in the province of Ontario, Canada
  - Provincial government's political goal as per the *French Language Services Act, 1986*
  - Translators' role in delivery of these services (English/French)
  - Tools developed by Ontario government to assist with delivery of translation services
  - Existing framework: political will / on-going funding?
- 

### **Quick overview of French-language services in Ontario**

- I want to set the delivery of translation services in the context of Ontario, Canada's most populous province with almost 12 million (11.75) inhabitants (Canada's population as of January 2004 was almost 32 million). Of these, just over half a million are Franco-Ontarians. (There are 9,000 francophones in the Greater Toronto Area, with a total population of over 5.1 million.)
- French, like Spanish here in Cuba, is an historic language in Ontario, dating back to the 17<sup>th</sup> century, and today Ontario has the largest French-speaking Canadian community outside Quebec (Quebec's population is just over 7.5 million).
- Canada is an officially bilingual country (English and French recognized by the Constitution as official languages). This means that all federal services are available

in both languages in all provinces and territories which themselves have their own service responsibilities. The province of New Brunswick is the only one to legislate both languages on an equal footing for the provision of provincial services.

- The province of Ontario has been firm in rejecting full bilingualism on a provincial scale for political and financial reasons. However, to serve its French-speaking population, in November 1986 it enacted the *French Language Services Act*. The Act became fully implemented in 1989.
- I will focus on the provision of translation services within the context of this Act, with some mention of multilingual services.

**Political goal as set out in the *French Language Services Act, 1986*:**

The *French Language Services Act* recognizes French as an official language in the courts and in education; it acknowledges the Legislative Assembly's wish to preserve French for future generations, guarantees the use of French in institutions of the Legislature and the Government of Ontario and (this is important) holds the Government of Ontario responsible for ensuring services are provided in French in accordance with this Act.

This means:

- Individuals have the right to communicate in French and to receive provincial government services in French in 23 designated areas of the province as well as from all ministry head offices. While not foreseen in the Act, it is now government policy to post material for the general public in both languages on the Internet.
- Individuals have the right to communicate in French with, and to receive available services in French from, a central government office located in or serving one of the designated areas.
- What is a provincial service? It is something the public needs which is provided by a ministry or agency of the Ontario government [*FLSA*, s.1], such as a driver's license, birth or marriage certificate, water testing forms, trade certification tests, etc.

- In the education field: French-language education is guaranteed, and francophones are given governance of a French-language school system under the *Education Act*. This means there are hundreds of primary and secondary schools for students whose first language is French; 12 French-language school boards; 3 French-language post-secondary institutions; and 4 universities and university colleges offering programs or courses taught entirely or partially in French.
- In the judicial field: under the *French Language Services Act*, the Revised Statutes of Ontario were to be translated into French; citizens were given the right to be heard before the courts in French, to receive official notices in French, etc. This year the government has decided to have all regulations translated as well.
- And in other fields: we have the existence of a French-language Health Services Network [hospitals, clinics, dissemination of public health information, etc.] and a multitude of provincial services delivered by other ministries (e.g. Community and Social Services, Municipal Affairs, Transportation, Finance, Tourism, Culture, etc.)

**A look at the active role played by translators in the provision of these services and the different delivery models adopted by the Government of Ontario**

While translators with a range of languages have been active within government for well over 40 years, since the enactment of the *French Language Services Act* in 1986 the focus has been on the French/English combination. Implementation of the written communications aspect of this act has depended and continues to depend primarily on translators and terminologists. Translators have been employed in different capacities: as permanent full-time staff, as short-term contract employees, and as external suppliers (freelancers and/or agencies) holding contracts of varying degrees of formality.

I can speak from personal knowledge of the range of delivery models adopted since the early 70s, but will focus more on the last 6 years.

- In early 1960s, the Government Translation Service (GTS) was set up within the Ministry of Citizenship and Culture. French as well as multilingual translation

services were offered from this central service, and some ministries had their own translators.

- Multilingual services were focused at this time on helping newcomers settle in – the government offered free translation of school documents and employment records. In the late 70s, multilingual services were moved out of GTS and became part of provincially funded settlement services.
- GTS now handled much of the government's French /English translations and expanded. The 1980s and early 90s were the heyday of provincial French translation services, with the existence of this centralized translation unit (all-time high of 54 staff), and a number of ministry translation units that included both translators and revisers.

GTS was structured as follows:

- 2 translation units made up of translators and revisers (a large E-F unit and a small F-E unit for which I was responsible)
- terminology unit (first terminologist hired in 1986; work started on Ontario's terminology database in early 90s)
- support staff unit
- a pool of external translators holding informal contracts directly with GTS
- Alongside this central service, a number of ministries made their own translation arrangements (usually using a mix of internal translators and revisers, and contract translators with ministry-specific contracts).
- Change came about in 1998 prompted by the Conservative's outsourcing ideology, i.e. Alternative Services Delivery. This resulted in massive lay-offs and the almost exclusive use of external translators.
- Cabinet Office gave GTS an official operating policy and responsibility for managing the delivery of translation services across the government (this is the current model).
- Interested suppliers submit bids, and the successful ones are offered formal government-wide contracts administered by GTS. Ministries now have to use only those translators on the official suppliers' list.

- At GTS, staff dropped from 54 to 13. The 5 revisers who were kept on became translation coordinators (current title: Corporate Advisers, Translation Services) in charge of larger translation projects and special projects, and quality assurance. They had responsibility for overseeing the multitude of new contracts and running the new procurement process. The terminology unit was enlarged. It continued its work on the databases and started to operate a Hotline for the broader pool of external translators.
- The dismissed translators were allowed to bid on the 2-year contract once the Request for Proposals was issued. These former government employees became instrumental in ensuring a smooth transition to the new system by virtue of their knowledge of government programs and terminology. They in fact made the new system work and reassured ministry clients that it was 'Business as usual'.
- A few ministries were allowed by Cabinet Office to keep their internal translators who performed a mix of translation, revision, translation and coordination.

### **Tools developed by the Ontario government to ensure delivery of quality translation services using the outsourcing model**

Accompanying this major change in 1998, the Government Translation Service received directives and funding to either develop or enhance methodologies and tools that would support the new government-wide outsourcing model for translation procurement-- a trend, in fact, among many Canadian corporations (i.e. Bell Canada and Canadian Tire). This led GTS to:

- Develop and implement a *Request for Proposal* document for translation services (this call-for-tender document integrated tools and methodologies newly developed within GTS).
- Enhance the capabilities of the *Translation Tracking System (TTS)*, an automated workflow system.

- Enhance ONTERM, a bilingual knowledge-based Web site where you can find Ontario government terminology databases and a considerable number of related resources.
- Create a *supplier evaluation system* to monitor and evaluate external suppliers.

**More information about these tools and procedures, components of the outsourcing model:**

TTS and ONTERM were recent creations in 1998 yet they enabled GTS to move forward confidently with the new procurement tool, the 'Request for Proposal' (RFP). The supplier evaluation process was developed shortly after and introduced in late 1999.

- **Translation Tracking System (TTS):** this is a web-based workflow system developed and administered by GTS to manage the contracts awarded to successful bidders. It is used throughout the province by Ontario government ministries and agencies for purposes of procuring and tracking translation services. It is also used in the billing procedure, and in the transmitting and receiving of assignments. It collects data for statistical purposes and contains data on each official supplier.
- **Ontario Terminology Web site /ONTERM:** ONTERM consists of 2 components, a web site and the terminology databases. The web site was officially launched in 1997 and has since gone through several upgrades. It was developed and is maintained by GTS terminologists. The French and English databases contain 18,000 entries and offer standardized terms and official names of government bodies and titles. ONTERM provides approved designations of any Ontario government entity (such as names of ministries and their organizational units, government plans, titles of agreements, etc.) and contains bilingual reference lists, specialized lexicons, a French style guide, and resources such as Geonames Ontario. The use of ONTERM is critical to ensuring standardized designations throughout the government since consistency of terminology is essential for providing quality communications, especially with a

large pool of translators. This tool, available free on the Internet, can be used not just by in-house translators and communicators but also by external translators, communicators and the general public. ([www.onterm.gov.on.ca](http://www.onterm.gov.on.ca))

Currently, GTS terminologists are working on a program term component that will be delivered on the ONTERM platform. It will contain technical or specialized terms relating to an area of activity of an Ontario government ministry and which are preferred by that ministry. This addition of program terms will require a revamping of the ONTERM system. It remains to be seen when and if GTS will receive the funding it needs to fully implement this important step.

- **Supplier Evaluation System:** – Once formal outsourcing had begun, this system was developed within GTS to measure and evaluate the quality of translations provided by external suppliers. It is based on a fairly rigid procedure developed many years ago by the federal Translation Bureau (SICAL) and has been substantially modified by GTS to meet its needs. The suppliers receive a descriptive rating and a percentage rating reflecting the outcomes of random assessments carried out by GTS language professionals.
- **Request for Proposal (RFP):** This is the format ordered by Cabinet Office for procurement across the government and, as we have seen it was made mandatory for translation services in 1998.

GTS runs the project as a 2-step process: a Request for Qualification, then a Request for Proposal. Only those individuals or firms who pre-qualify are invited to submit a proposal. The entire process takes about 8 months. GTS receives input from Legal Services and Procurement Services to ensure due process is followed. The term of the first contracts was 2 years; the expected term of the next contract will likely be 3 years. The process is to begin again in the fall of 2005.

In the past, the first-stage qualification document (RFQ) has been available for a fee through MERX, Canada's electronic tendering service for government contracts. Information is provided to interested parties to help them determine if they wish to participate further.

To pre-qualify, proponents must be certified members of a Canadian accredited translation association OR be a current supplier with a satisfactory performance assessment OR pass a qualifying test set by GTS (here is where we avail ourselves of the certified status the Ontario Legislature granted the certified members of the Association of Translators and Interpreters of Ontario in 1989 which itself is a member association of the Canadian Translators, Terminologists and Interpreters Council - CTIC).

Both the RFQ and the RFP stages use the above-mentioned supplier evaluation ratings for all proponents for scoring purposes. First, the average percentage rating of the current suppliers is used to determine the passing percentage for those proponents who sit the qualifying exam; then, for scoring purposes in the RFP, it is given to all who pass this exam and to new proponents who qualify to submit a proposal by virtue of being translation association members. Current suppliers who qualify to re-bid are given their actual rating.

Pre-qualified proponents receive the Request for Proposal document once it is issued. They complete a form of offer and set down their service levels and rates. Each proponent must agree to comply with the Quality Standard defined by GTS in the contract and use terminology found in ONTERM and the Revised Statutes of Ontario. They also agree to use appropriate terminological support such as the federal government's TERMIUM and Le Grande dictionnaire terminologique, and more recently, to hold professional liability insurance.

In the last round in 2002, GTS selected a total of 90 English-French suppliers and 28 French-English suppliers. I should point out that there is no guarantee of work

volume and that translation suppliers are used on an as-needed basis. Conversely, suppliers are not obliged to accept any offer of work. This situation accounts for what may appear to be an inordinately large number of official suppliers for the volume of work available (in 2003-2004, 12.5 million words and 14,700 hours, for a total billing of \$3,740,000).

### **What about political will?**

Language policy is based in part on the translation procurement framework, with its methodology and tools, which exist thanks to political will. All this is costly to maintain. While monies have been made available in the past to set it up and make it operational from the point of view of both human and technological resources, current in-house staffing levels and ministry translation budgets are being increasingly targetted by government-wide efforts to balance the budget. Each ministry has its own translation budget and the freedom to decide how to use these resources.

- Given the government's recognition of the role of translators in delivering on government policies and the absence of any serious problems with external suppliers, the procurement framework is in all likelihood here to stay. Even the change to a Liberal government last year did not affect the outsourcing procedure introduced by the Conservatives.
- Some interesting hearsay: Within government there is a perceived awareness of greater interest in delivering quality French-language services. We hear, for example, that the Premier is taking a personal interest in checking the quality of French services on government websites.
- We see the presence of more francophone members of provincial parliament and hear that French (i.e. bilingual) documents are being used internally for high level communications

I wish to quickly mention two problematic aspects of the procurement model:

- The loss of revision as an important step in quality assurance: Revision was previously an in-house service; under the new model, it became an additional service to be purchased, one that is costly to clients in both time and money. Very few are interested in availing themselves of this final check to ensure quality services because such a commitment would undoubtedly double the cost of translation and affect deadlines.
- Competition for translation resources: Ontario, in particular in the Greater Toronto Area, has a growing number of citizens whose home language is other than English and French. According to Statistics Canada Census, 2001, the numbers for some of the individual language groups are catching up to that of the over half a million francophones living in Ontario.

The Government has recently expressed its interest in putting information out into the different linguistic communities. To achieve a degree of control over the multi-language translation process, it wants to use a system such as has been developed for French/English communications. This new demand on resources will undoubtedly put more pressure on the government's political will to adequately fund its legislated commitment to its French-language citizens.

Will the tools developed for French/English translation services be now applied to multilingual services? While GTS has in the past sometimes played a peripheral role in finding qualified translators for other languages, it plans to be more closely involved in this new service delivery component.

### **Conclusion**

Delivery of translation services will be moving into a new era, subject not just to provincial legislation and policies on French-language services, but to political expediency as well. We shall undoubtedly see French vying with multi-languages for the necessary funding. And we shall see as well a continued political will to provide translation services in Ontario. Time will tell to what degree, but the roles played by translators and terminologists will, I believe, remain a constant.