

 <p>Winnipeg Regional Health Authority Office régional de la santé de Winnipeg Caring for Health À l'écoute de notre santé</p> <p style="text-align: center;">POLICY</p>	<p>REGIONAL</p> <p>Applicable to all WRHA governed sites and facilities (including hospitals and personal care homes), and all funded hospitals and personal care homes. All other funded entities are excluded unless set out within a particular Service Purchase Agreement.</p>		Level: 1
	<p>Policy Name: French Language Services – Translation of WRHA Authored and Externally Copyrighted Documents</p>	<p>Policy Number: 10.40.260</p>	Page 1 of 5
	<p>Approval Signature: <i>Original signed by Milton Sussman</i></p>	<p>Section: Governance and General Administration</p>	
	<p>Date: December 2015</p>	<p>Supersedes: August 2009</p>	

1.0 **PURPOSE:**

To ensure that quality translations of WRHA Authored Documents and Externally Copyrighted Documents are provided to the WRHA in a timely and consistent manner, in accordance with WRHA policy 10.40.230 *French Language Services – Communications in Official Languages*, and while respecting the Copyright Act Canada (where applicable).

2.0 **DEFINITIONS:**

- 2.1 **Accredited Translator:** A professional translator certified by the Canadian Translators, Terminologists and Interpreters Council, one of its member bodies, or an international association of similar stature.
- 2.2 **Copyright:** In relation to a work, means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatever, to perform the work or any substantial part thereof in public, or if a work is unpublished, to publish the work or any substantial part thereof, and includes the sole right to produce, reproduce, perform or publish any translation of the work and to authorize such acts.
- 2.3 **Education or Information Materials:** All materials (written, audio-visual, or electronic) intended for the public or for distribution to clients, patients, residents or their families, about a health care or medical condition, or procedure they have or will undergo or directives to follow. Materials include but are not limited to: pamphlets, brochures, patient education sheets, posters, videos and CD's.
- 2.4 **Externally Copyrighted Document:** Documents which the WRHA did not solely author and does not have the express right to reproduce, publish or translate. These documents may or may not be Education or Information Materials.

DISCLAIMER: Please be advised that printed versions of any policy or policies posted on external web pages may not be the most current version of the policy. Although we make every effort to ensure that all information is accurate and complete, policies are regularly under review and in the process of being amended and we cannot guarantee the accuracy of printed policies or policies on external web pages. At any given time the most current version of any WRHA policy will be deemed to apply. Users should verify that any policy is the most current policy before acting on it. For the most up to date version of any policy please call 204-926-7000 and ask for the Regional Policy Chair's office.

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- 2.5 Final Edited Version: Documents and materials that have been reviewed by all content developers, subject matter experts, editors, and those with authority to make changes. They have come to a final consensus and no further changes will be made. The document is no longer considered a draft.
- 2.6 Grant for Special Translations Program: An internal program that provides limited funding for English to French translation of key documents not required by the WRHA FLS Communications in Official Languages Policy 20.40.230. See: <http://www.wrha.mb.ca/extranet/fls/translation.php>
- 2.7 Historic Exemption: Applies to Actionmarguerite, Sara Riel, St. Boniface Hospital, MATC, St. Amant, Centre de santé and Youville Centre.
- 2.8 FLS Process Sheet for Translation of Copyrighted Documents: Instructions to follow, as per WRHA Legal Services, French Language Services, and the Copyright Act Canada, when requesting permission to translate Externally Copyrighted Documents. See: <http://www.wrha.mb.ca/extranet/fls/translation.php>
- 2.9 Machine or Computer-Aided Translations: On-line tools or computer software used to translate text from one language to another.
- 2.10 Official Languages: English and French are the Official Languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and Government of Canada. The Manitoba FLS Policy recognizes the fact that the French-speaking population of Manitoba is a constituent of one of the fundamental characteristics of Canada.
- 2.11 Rush Translation: Any translation request outside the Standard Turn-Around Times. See Appendix 1 <http://www.wrha.mb.ca/extranet/fls/translation.php>
- 2.12 Standard Turn-Around Time: The time-frame in which translations are generally to be completed, based on total word count. Times are determined by and subject to the work load of the Translation Service Provider. See Appendix 1. <http://www.wrha.mb.ca/extranet/fls/translation.php>
- 2.13 Translation: Expressing the words or text of an existing document into another language. This is not the same as creating an original document in English or French.
- 2.14 Translation Service Provider: Organization named by the Francophone Affairs Secretariat, or Accredited Translators hired by the WRHA French Language Services department, to provide English to French (or vice versa) translations to the WRHA.
- 2.15 WRHA Authored Document: A document which has been entirely and solely authored by the WRHA and for which they could legitimately claim to own full copyright.

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3.0 **POLICY:**

3.1 GENERAL

3.1.1 WRHA Authored Documents (Education or Information Materials as well as all other documents as specified in the FLS Communications in Official Languages Policy 10.40.230) requiring translation shall be forwarded to the WRHA French Language Services department. (Historic Exemptions apply.)

- The document shall be translated by the Translation Service Provider or an Accredited Translator as appropriate.
- All completed translations shall be reviewed by the French Language Services department to ensure quality and maintain consistency in terminology.

3.1.2 Bilingual employees shall not be asked nor shall they volunteer to translate from English into French, or vice versa, any WRHA Authored Document or Externally Copyrighted Document.

- Bilingual employees may volunteer to informally translate from French into English simple correspondence received from patients and clients, for general comprehension purposes only.
- In the event medical information which is to become part of a patient record is available in French only, and an official translation is required, it shall be arranged through the WRHA French Language Services department.

3.1.3 Employees shall not use Machine or Computer-Aided Translations in lieu of the translation services provided by the WRHA French Language Services department.

3.2 EXTERNALLY COPYRIGHTED DOCUMENTS

3.2.1 Employees shall follow WRHA FLS Process Sheets for Translations of Copyrighted Documents for all Externally Copyrighted Documents. Translation of copyrighted documents is extremely complex and varies by type of copyright. For complete information see: <http://www.wrha.mb.ca/extranet/fls/translation.php> No Historic Exemptions apply.

- If the document to be translated does not fall under one of the WRHA FLS Process Sheets for Translation of Copyrighted Documents provided, the employee who has approved the translation shall seek advice from WRHA Legal Services prior to making a translation request.

3.2.2 The employee who has approved a translation request of an Externally Copyrighted Document shall be responsible for obtaining and retaining permissions to translate, compliance to copyright reporting requirements, and other necessary documentation as proof of their due diligence as outlined in the WRHA FLS Process Sheets for Translation of Copyrighted Documents.

3.2.3 On behalf of the WRHA the French Language Services department shall be responsible for securing ownership of Externally Copyrighted Documents when a WRHA contracted Accredited Translator has undertaken the translation.

3.2.4 The WRHA French Language Services department shall not be responsible for the accuracy of translations for which the WRHA does not own copyright

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3.3 GRANT FOR SPECIAL TRANSLATIONS PROGRAM

English to French translations of key WRHA Authored Documents not required by the FLS Communications in Official Languages Policy 10.40.230, may be provided at no cost to a maximum word count to be determined on a yearly basis, if the document is eligible under the WRHA Grant for Special Translations Program. For more information see: <http://www.wrha.mb.ca/extranet/fls/translation.php>

3.4 COSTS : (Historic Exceptions apply)

3.4.1 Costs assumed by the WRHA French Language Services department:

- Translations of WRHA Authored Documents intended for the public or clients, patients, residents and their families which respect Standard Turn-Around Times.
- Translations of WRHA job postings, advertisements and Communications and Corporate Office documents.

3.4.2 Costs assumed by the requestor. For more information see Appendix 1.

<http://www.wrha.mb.ca/extranet/fls/translation.php>

- Rush Translations that cannot be accommodated by the Translation Service Provider.
- Any document requiring less than 24 hours turnaround, with the exception of job announcements, urgent/unpredictable advertising requests, time-sensitive Communications and Corporate Office documents, and any material related to a current public health crisis.
- Converting client's document to correct format required for translation, if client cannot provide it.
- Reviewing documents for unmarked revisions, if client has not used track changes or highlighting.
- Changes to translations in progress
- Changes to any translation which has been completed in the previous 12 month period.
- Any costs exceeding the yearly maximum word count of the WRHA Grant for Special Translations program.
- Translation of documents from French to English which do not fall under the Translation Service Provider's guidelines. (The Translation Service Provider is mandated only to provide English to French translation, but will exceptionally accept a French to English translation. The WRHA FLS Translation Policy is uniquely for the translation of materials from English and French as identified in the WRHA Communications in Official Language Policy 10.40.230.). All other relevant costs as detailed in 3.4.2 are supplementary.
- Translations of Externally Copyrighted Documents.
- English to French translations of documents that do not fall under the requirements as specified in the WRHA FLS Communications in Official Languages Policy 10.40.230 or do not meet the criteria for the WRHA Grant for Special Translations Program.
- All costs related to formatting (design and layout) and the production and printing of documents.

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3.4.3 Costs assumed by Corporate Office:

- Translation of documents in relation to its contract and obligations to the Centre de santé.

4.0 **PROCEDURE:**

All WRHA documents shall be forwarded to French Language Services for translation. For more information see Appendix 1. <http://www.wrha.mb.ca/extranet/fls/translation.php>
Historic Exemptions apply.

5.0 **REFERENCES:**

- 5.1 The French Language Services Policy of the Government of Manitoba
(http://www.gov.mb.ca/fls-slf/pdf/fls_policy.pdf)
- 5.2 WRHA Policy 10.40.230 French Languages Services – Communications in Official Languages
- 5.3 Copyright Act Canada (<http://laws-lois.justice.gc.ca/eng/acts/c-42/>)
- 5.4 Canadian Heritage – Section 16-22: Official Languages of Canada
(<http://www.pch.gc.ca/eng/1355758063896/1355758238451>)

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WRHA/ORSW
French Language Services/Services en langue française