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**REPORT FOR: CABINET**

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<b>Date of Meeting:</b>	13 October 2016
<b>Subject:</b>	Procurement of Translation and Interpreting Services
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Chris Spencer, Corporate Director of People
<b>Portfolio Holder:</b>	Councillor Christine Robson, Portfolio Holder for Children, Schools and Young Families
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Appendix 1 - EqIA Appendix 2 - Translation and Interpreting Services Project Plan and High Level Selection Criteria

## **Section 1 – Summary and Recommendations**

The purpose of the report is to seek authority to commence a collaborative procurement of a supplier to deliver translation and interpreting services to the Council.

The provision of an Interpretation and Translation service is a demonstrable component of the Council's commitment to equality of opportunity, enabling access to information and services for those who:

- do not speak English;
- are Blind or have a visual impairment; and
- are Deaf or have a hearing impairment

**Recommendations:**

Cabinet is requested to:

1. Give approval to re procure the contract for face to face, telephone and document translation and interpreting services with a view to awarding a 4 year contract commencing the 01<sup>st</sup> March 2017.
2. Delegate authority to the Divisional Director of Commercial, Contracts and Procurement, following consultation with the Portfolio Holder for Children, Schools and Young People and the Portfolio Holder for Finance and Commercialisation, to approve the final evaluation criteria to be used in this procurement, (Appendix 2), prior to publication of the final tender documents.
3. Delegate authority to the Corporate Director of People, following consultation with the Portfolio Holder for Children, Schools and Young People and the Portfolio Holder for Finance and Commercialisation, to approve the award of contract for Translation and Interpreting Service to ensure that the tendering process is undertaken without delay and that new services are commissioned with a view to commencing the service in March 2017.

**Reason: (For recommendation)**

The existing translation and interpreting services contract with The Big Word will cease on 28<sup>th</sup> February 2017. The procurement focuses upon the securing new contractual arrangements for Face to Face and Telephone Interpreting.

On account of the specialist nature, localism implications, and relative low value, a British Sign Language and Braille service will be sourced separately.

## **2.1 Introductory paragraph**

Harrow is one of the most ethnically and religiously diverse boroughs in London, with people of many different backgrounds and life experiences living side by side. In serving a diverse population, the Council aims to ensure there is equality of opportunity and access to services for its residents, service users, employees, elected members, stakeholders and partner organisations<sup>1</sup>.

The Council also recognises its statutory equality duty under legislation in terms of service provision and employment, and is committed to meeting them by having due regard to:

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<sup>1</sup> Making a Difference (Harrow Council's Equality of Opportunity Policy)

- Eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advancing equality of opportunity between people from different groups; and
- Fostering good relations between people from different groups.

The provision of an Interpretation and Translation service is a demonstrable component of the Council's commitment to equality of opportunity, enabling access to information and services for those who:

- Do not speak English;
- are Blind or have a visual impairment; and
- are Deaf or have a hearing impairment.

The main benefit of the interpretation and translation service resides in the fact that it is a clear enabler of, and provides demonstrable commitment to, equality of opportunity and access to Council information and services. Moreover, as detailed within Section Harrow has a statutory equality duty under legislation in terms of service provision (and employment).

In addition, there are likely to be savings via the use of a CCS (Crown Commercial Service, an executive agency, sponsored by the Cabinet Office, which specialises in delivery of collaborative procurement projects) framework on account of the volumes and economies of scale available to the suppliers.

Currently, the Commercial, Contracts and Procurement team fulfils a central role on behalf of directorates to manage and administer the contract. This includes the payment of invoices and internal recharges. As part of the new arrangements, this function will now move to People Services. It is also proposed to review this process, in conjunction with Finance and People services to establish a more efficient means of effecting and reconciling payments.

## **2.2 Cost of Service**

This is a demand led service and the requirement for these services invariably fluctuates year on year impacting on costs. One of the aims of this procurement is to maximise value for money to reduce the risk of the budgets that exist for this service overspending.

## **2.3 Options considered**

The option of not appointing a contractor was considered but dismissed. This is because the Council has a duty to provide this service as part on the Equality Act 2010.

Consideration was also given to setting up an in-house service. However the set up costs appear prohibitive and the service would also require sizeable running costs and academic investment with no guarantee that in the short term the service would become self-funding.

On account of the leverage, reach and economies of scale available to CCS it appears that the most beneficial route to procurement is to conduct a competitive process in collaboration with the London Borough of Brent and the London Borough of Barnet through a CCS framework agreement specifically tailored for translation and interpreting services (RM1092).

## **2.4 Legal Implications**

Duty of Best Value - Under Section 3 of the Local Government Act 1999, Local Authorities are under a general Duty to secure Best Value services. The duty is to “make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness.” The recommendations in this report will assist with the achievement of Best Value.

Procurement - The Services to be procured are subject to the New Public Contract Regulations that came into effect in February 2015. The value of the proposed services is higher than the current EU threshold however due to the accessibility of a framework agreement the Council will run a competitive process without application of the Public Contracts Regulations 2015. The procurement, however, will follow the principles of an OJEU tender.

The award of any eventual contract is also subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations. As a result, we have requested as part of this report, delegated authority to award to The Corporate Director of People Services in consultation with Portfolio Holder for Children, Schools and Young People, together with the Portfolio Holder for Finance and Major Contracts

## **2.5 Financial Implications**

The total Council wide budget available for 2016-17 is £131k. The majority of the budget (91%) sits within Children's Services. The expenditure in 2015-16 was £226k with £219k being spent in Children's Services. The pressure on the budget has to be managed within the overall Children's Services outturn. There has been an increase in demand from services from Children and Families where English is not their first language. This reflects the changing demographics in Harrow

Children and Families services undertake very sensitive and confidential work where professional and good standard interpreting and translation services are essential. These include

- Social work safeguarding assessments
  - Family Court proceedings
  - No Recourse to Public Funds assessments
  - Assessments of Unaccompanied Asylum seekers
- Every effort will be made to control and mitigate this pressure where possible.

## **2.6 Performance Issues**

The contract deals with the appointment of translators to support the equality of opportunity and access to services for its residents, service users, employees, elected members, stakeholders and partner organisations

## **2.7 Environmental Impact**

There are no direct environmental impacts anticipated from the recommendations contained within this report.

## **2.8 Risk Management Implications**

Risk included on Directorate risk register? No  
Separate risk register in place? Yes

The procurement project identified a number of opportunities that could flow from the procurement strategy - these included;

- Supporting the local economy
- Providing competition between suppliers to maintain quality and minimise price
- Encouraging innovation in service delivery

The risks from the procurement exercise flow from the potential that appointing a new supplier can result in;

- Service disruption during a transition period
- New contractors bid at prices that are not sustainable

For each of these risks the project has identified mitigating actions, including, phasing of contract commencements, break clauses and training for staff.

## **2.9 Equalities implications**

A predictive Equalities Impact Assessment has been undertaken for the proposed procurement and is attached at Appendix 1 to this report.

## **2.10 Corporate Priorities**

Carrying out a procurement process will ensure the Council's corporate priorities are being met and that we are complying with our statutory obligations.

### Section 3 - Statutory Officer Clearance

Name: Jo Frost	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 2 September 2016		
Name: Greta O'Shea	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 31 August 2016		

<b>Ward Councillors notified:</b>	<b>NO</b>
<b>EqIA carried out:</b>	<b>YES</b>
<b>EqIA cleared by:</b>	J Morgan Education Professional Lead Chair DETG

### Section 4 - Contact Details and Background Papers

**Contact:**

Peter Tolley (Head of Service – 02087366943),  
Tel: 02087366943 / email: peter.tolley@harrow.gov.uk

**Background Papers:** None.

<b>Call-In Waived by the Chairman of Overview and Scrutiny Committee</b>	<b>NOT APPLICABLE</b>  <i>[Call-in applies]</i>
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