

	<p align="center">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 7th March 2017</p>
<p align="center">Title</p>	<p>Award of a Contract for Translation and Interpreting Services</p>
<p align="center">Report of</p>	<p>Assistant Director of Social Care, Family Services</p>
<p align="center">Wards</p>	<p>All</p>
<p align="center">Status</p>	<p>Public</p>
<p align="center">Enclosures</p>	<p>N/A</p>
<p align="center">Officer Contact Details</p>	<p>Dawn Ochieng, Senior Commissioner – 020 8359 5005 Maria Kaphouris, Procurement Manager – 0208 359 5562</p>

Summary

The London Boroughs of Barnet, Brent and Harrow are seeking to jointly procure the provision of Language Services including:

- written translation, transcription and ancillary services
- telephone interpreting and video language services
- non-spoken face to face and video language services
- face to face interpreting services.

In order to put a new contract in place, a tender exercise has been carried out with Brent as the lead authority, on behalf of Brent, Barnet and Harrow.

The 3 Authorities' requirements have been combined for this procurement, which has appointed a single supplier following a further competition exercise under Lot 1 of the Crown Commercial Service Language Services Framework that currently has 6 providers.

The aim of this was to appoint **one** supplier to deliver a managed service for all three Council's translation and interpreting requirements, whilst achieving cost reductions as a result of the

aggregated service volumes and the attractive opportunity that this represents to the market.

Each of the 3 Authorities will enter into a separate contract with the selected supplier. The contracts will be managed separately, although the 3 Authorities may seek an overview of performance under all 3 contracts from time to time.

The Council's current translation and interpreting service is predominantly used by the Children and Young People's Services department. It is also used by Housing Needs, Adult Social Care and Customer Services. The Children and Young People's Services Department, as the major user, was represented throughout the process and on the evaluation panel.

It is anticipated that the Harrow contract will commence on 1st March 2017, the Brent contract will commence on 1st April 2017 and the Barnet contract will commence on 1st May 2017.

The cost of the contract will be approximately **£142,191.00 pa**. This cost has been based on Barnet's current usage.

The total cost of the contract for 3 years + 1 will be approximately **£568,768.00**. This is providing the service volume does not increase.

The contract spend can be reduced by encouraging use of the telephone interpreting service which costs less.

Decisions

To approve the award of a contract for Translation and Interpreting Services to DA Languages Limited for a period of three years from 1st April 2017 to 31st March 2020, with an option to extend for a further year to 31st March 2021.

1. WHY THIS REPORT IS NEEDED

The London Borough of Barnet (LBB) currently delivers a translation and interpretation service, however, requirements have been identified for additional capacity to provide additional languages.

The highest volumes of need for interpretation and translation services in Barnet relate to face to face (spoken and non-spoken) and telephone interpretation. Although Barnet has had a relatively low volume of cases requiring written translation, this demand is expected to increase, particularly for Court documents. Barnet has a particular requirement for the translation of Court documents to be undertaken in a timely manner, in line with specification details.

The most frequently requested languages in 2015-16 included Asian Arabic and Oriental languages, followed by Eastern European and Western European and African languages.

Barnet has seen an increase in the need for Congolese, Arabic and Slovakian interpreters in particular.

This report is therefore needed to:

- Effectively address these gaps and meet the needs of the children and young people in Barnet
- Support formal commissioning arrangements to provide clearer mechanisms for monitoring and quality assurance
- Ensure compliance with the Council's Contract Procedure Rules
- Enable joint commissioning to attract value for money through economically advantageous procurement arrangements

The award of a Managed Service Provision for the 3 Authorities

The identified supplier that offered the most economically advantageous tender (DA Languages Ltd) shall be able to provide all the following Services:

- Written Translation, Transcription and Ancillary Services
- Telephone Interpreting and Video Language Services
- Non Spoken Face to Face and Video Language Services
- Face to Face Interpreting Services

2. REASONS FOR DECISIONS

Whilst demand can be managed in some areas, for example by encouraging customers to be accompanied by family members who are able to interpret, there are many situations where this can't be done, particularly in CYPS where an independent professional interpreter is needed. In this area, the demand for interpreters includes:

- Social work safeguarding assessments
- Family Court proceedings
- No Recourse to Public Funds assessments
- Assessments of Unaccompanied Asylum seekers

Demand is also managed by CYPS through the allocation of case workers with relevant language skills where possible, and the use of available bilingual staff for ad hoc interpreting needs.

Equality Implications

Barnet Council aims to ensure that all its current and future residents, staff and stakeholders are treated fairly and receive appropriate services and equal opportunities.

The Council also recognises its Public Sector Equality Duty under the Equality Act 2010 to make equality a greater part of its day-to-day business, and in carrying out its activities, to consider how it can:

- eliminate unlawful discrimination, harassment and victimisation

- advance equality of opportunity between different groups
- encourage good relations between people from different groups.

The provision of a translation and interpreting service is an essential part of ensuring that the Council can fulfil this duty. It facilitates equality of access to information and services for Barnet's highly diverse community, and in particular for those who do not speak English, or have a hearing impairment.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

This service has not been out to tender for the 8 years it has been running. There is no further option to extend this contract as accumulatively the cost exceeds the EU threshold.

4. POST DECISION IMPLEMENTATION

Following this decision to award the contract, a legal contract will be issued by Brent Local Authority under the Crown Commercial Services Contract RM1092 – Language Services – Lot 1 Managed Service of Provision of Language Services.

This Contract has been reviewed by Brent's Legal Services and confirmed that it is legally permissible to call off from this framework.

The service will be mobilised ready for delivery on 1 May 2017.

5. IMPLICATIONS OF DECISION

Corporate Priorities and Performance

The Council's Corporate Plan 2015-20 states that the council, working with local, regional and national partners, will strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life
- where people are helped to help themselves, recognising that prevention is better than cure
- where responsibility is shared, fairly
- where services are delivered efficiently to get value for money for the taxpayer

The award of the contracts set out in this report contributes to the Corporate Plan priority 'To create better life chances for children and young people across the borough'.

The CELS Commissioning Plan 2015-2020 sets out proposals to address challenges, reshape services, and to deliver savings for services within the Committee area over the next five years. These include:

- Alternative ways to deliver services, in partnership with other organisations and residents
- Narrowing the gap and targeting support to those that need it
- Greater personalisation, choice and control over services

- Focus of efficiency, effectiveness and impact

The multi-agency Children and Young People Plan 2016-2020 outlines Barnet's vision to become the most 'Family Friendly' borough by 2020. This means that children, young people and their families are safe, healthy, resilient, knowledgeable, responsible, informed and listened to.

Provision of the translation and interpretation service by DA Languages Ltd would therefore meet the requirements from the Corporate Plan, the CELS Commissioning Plan and the Children & Young People's Plan.

Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

Procurement

The tender was carried out as a further competition exercise among the suppliers appointed to the Crown Commercial Services Framework, Language Services, Lot 1 Managed Service Provision. There are six suppliers on Lot 1 of the framework. The process was led by Brent (and from 1st September 2016 onwards by the new Procurement Shared Service).

Tenders were invited on 3rd November 2016, using the CCS eSourcing system. Of the six suppliers on Lot 1 of the framework, four submitted tenders by the deadline of 25th November 2016.

The Invitation to Tender stated that a single supplier would be selected for award of all three contracts. There would be one contract with each borough and the selection of the Supplier would be made on the basis of the most economically advantageous tender. In evaluating tenders, the Council would have regard to the following, in addition to the evaluation of Social Value proposals:

- | | |
|---|-----|
| • Implementation Plan | 5% |
| • Implementation Approach | 20% |
| • Booking Systems and Processes | 5% |
| • Interpreter Recruitment and Selection | 5% |
| • Dealing with Fluctuating Demand | 5% |
| • Language Matching | 10% |
| • Savings and Service Options | 5% |
| • Meeting Language Demand | 5% |
| • Meeting Urgent Demand | 5% |
| • Monitoring and Reporting | 10% |
| • Invoicing | 5% |
| • Complaints and Feedback | 10% |
| • Using Feedback to Improve Service | 5% |
| • Incorporating Innovation | 5% |

These quality criteria were then weighted against tender price and Social Value in the ratio 45:45:10, in line with the framework requirements.

Evaluation Process

The tender evaluation was carried out by a panel of officers from Barnet, Brent and Harrow. As Children's Services are the biggest user in each of the boroughs, these service areas were represented on the panel.

All tenders had to be submitted electronically no later than noon on 25.11.16. Tenders were opened on 25.11.16 and four valid tenders were received. Each member of the evaluation panel read the tenders, using evaluation sheets to note down their comments on how well each of the award criteria was addressed.

The four suppliers were invited to attend presentation and clarification meetings on 1.12.16 where they presented their proposals and the panel asked, and received answers to, some clarification questions.

The panel then discussed the submissions and each submission was marked by the whole panel against the award criteria.

The names of the tenderers are contained in Appendix 2. The scores received by the tenderers are included in Appendix 1. It will be noted that Tenderer B was the highest scoring tenderer. Officers therefore recommend the award of the contract to DA Languages Limited.

It is anticipated that the Brent contract will commence on 1st April 2017. As the proposed contract represents a call off under a framework agreement, a mandatory standstill period is not required.

The Harrow and Barnet contracts will commence on 1st March 2017 and 1st May 2017 respectively.

TUPE **does not apply** to these contracts and there are no staffing implications for the Council. Check this

There are no IT and property implications for the Council. The IT and property implications for the provider organisations are covered in the specifications, ITT document and tender submissions.

Legal and Constitutional References

The procurement process has been conducted in accordance with the Public Contracts regulations 2015 and the Council's Contract Procedure Rules.

Authorisation for this procurement was granted in the Procurement Forward Plan

2016-17.

Risk Management

The tender pack sets out that each potential provider will be required to keep service user records, and adopt an appropriate information sharing approach, ensuring confidentiality, data protection, data collection and analysis are in place. Policies and protocols should be in place to ensure that the system is robust and to encourage adherence to it. The tender process assessed providers' existing safeguarding and health and safety policies, supervision arrangements, financial viability and processes. These were found to be satisfactory and appropriate in the case of all providers contained within this report. These aspects will be explored further in the mobilisation and service delivery plans.

If the Council does not proceed with awarding the contracts, it will have a negative impact on service delivery to children and young people. This framework is the most viable long term option and would risk provision of a fragmented service model. To mitigate these risks, it is recommended that the contract is awarded to the organisation identified in this report.

To ensure monies are being spent effectively these contracts will be performance managed throughout the term of the contract using a robust monitoring system. This system is in place for current contracts.

Consultation and Engagement

Meetings are being undertaken with people in the deaf community in March. There is 1 meeting in the day time and one meeting in the hope of enabling a wider audience.

6. BACKGROUND PAPERS

None

7. DECISION TAKER'S STATEMENT

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following action