

	<h2>CHIEF OFFICER IN CONSULTATION WITH COMMITTEE CHAIRMAN DELEGATED POWERS REPORT</h2>
Title	Interpretation & Translation Services
Report of	Executive Director Children's & Family Services and Executive Director of Adults Services
Wards	All
Status	Public
Enclosures	None
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Summary
<p>This report seeks approval to award a contract for the London Borough of Barnet's corporate Contract in relation to Interpretation and Translation Services. This service forms a key part the Council's corporate plan (The Barnet Plan) to ensure that services are easy to access across Barnet's diverse population. The Translation and Interpretation Services requirement was competed as a Further Competition under Lot 1c: Managed Services for Language Services (Local Government and Wider Public Sector) of the ESPO Framework 402_20 Language Services.</p> <p>Following evaluation and moderation of bids, The Authority is seeking to award a 5-year contract to TheBigWord, for a maximum value of £863,000 (subject to demand). The initial contract term will run for a 3-year period from 15th September 2021 to 14th September 2024 with two further 12-month optional extension periods of 12-months, between 15th September 2024 to 14th September 2025 and 15th September 2025 and 14th September 2026 respectively. The 5th year extension option will be subject to service area justification for continuity of service delivery for the 5th year. If this is not required, the extension option will not be exercised.</p>

Decisions

To award a contract to TheBigWord for a total maximum contract value of £863,000.

The estimated annual value of the contract is £172,600 per annum over the five-year contract term (3+1+1). The initial contract term is 3-years and there are two further 12-month extension options subject to performance and service area business continuity review. The 5th year extension option will be subject to service area justification for continuity of service delivery for the 5th year. If this is not required, the extension option will not be exercised.

There is no guaranteed volume delivery and payment is based on usage.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report seeks authority to award a contract for The London Borough of Barnet's corporate contract regarding Interpretation and Translation Services on a non-guaranteed volume basis.
- 1.2 Authority to retender this service was confirmed through the Council's Annual Procurement Forward Plan 2021-22.
- 1.3 Under the Council's Contract Procedure Rules, a Full DPR is required to award this contract.

2. REASONS FOR RECOMMENDATIONS

- 2.1 One of Barnet's key priorities in its 2021-2025 corporate plan (The Barnet Plan) is to ensure that services are easy to access and well run. Interpretation and Translation services will form a key part of this priority by ensuring that services are accessible to Barnet's diverse population.
- 2.2 Barnet's population is diverse and is projected to become increasingly diverse. The overall Black, Asian and minority Ethnic (BAME) population currently makes up 40.3% of the total Barnet population. This diversity is amplified for children and young people, there are more children from BAME groups in the 0-9 age group, than there are white children.
- 2.3 In Barnet, the highest volumes of need for interpretation and translation services 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 2020 included Asian, Arabic and Oriental languages, followed by Eastern European and

Western European and African languages. Barnet has also seen an increase in the need for Congolese, Arabic and Slovakian interpreters.

- 2.4 The requirement was competed as a Further Competition under Lot 1c: Managed Services for Language Services (Local Government and Wider Public Sector) of the ESPO Framework 402_20 Language Services (Framework OJEU Ref: 2020/S 148-364175)
- 2.5 The Further Competition was issued to all suppliers under Lot 1c of the Framework on 7th April 2021.
- 2.6 A compliant procurement process was followed in line both the Council's Contract Procedure Rules and the ESPO Framework parameters. Organisations were invited to submit a bid identifying their organisational experience and how they would meet the requirements of the specification. The closing date for the Further Competition was 30th April 2021 and the Council received six bids.
- 2.7 A Panel comprising of representatives from the Family Services and Adults undertook the evaluation for the tender.
- 2.8 The procurement approach used for this Further Competition was based on a Most Economically Advantageous Tender (MEAT) approach in accordance with the Framework requirements to ensure value for money.
- 2.9 The tender was assessed in terms of quality and price as follows:
 - 2.9.1 **Quality** (70% of the total): was evaluated based on the bidders' submitted method statements (65%). Each response was scored out of 5, with 0 being the lowest and 5 being the highest score. Through moderation, a consensus score was then awarded with reference to the Method Statement responses and interview responses.
 - 2.9.2 **Price** (30% of the total): The score for the total contract price was created by dividing each tender price by the lowest priced tender. This ratio was multiplied by the price weighting of 30%, to give a price score for each Tenderer.
- 2.10 The Procurement team guided and supervised the evaluation stage but did not score the bids, they also managed the moderation stage. Technical questions were evaluated individually by officer panel members. The panel members met on 19th May 2021 to undertake a moderation meeting to agree consensus scores.
- 2.11 The quality award and price criteria for both lots are set out in the tables below.

2.12 Quality & Price

Section	Question	Weighting
Method Statement Questions (65%)	MSQ 1	15%
	MSQ 2	12%
	MSQ 3	6%
	MSQ 4	12%
	MSQ 5	12%
	MSQ 6	8%
	MSQ 7	5%
Quality Total:		70%
Price:		30%
Overall Total:		100%

2.13 Scoring

2.13.1 The following scoring scale was applied to Method Statement responses:

Score	Definition
0	Very poor, No response
1	Poor response
2	Limited response
3	Satisfactory response
4	Good response
5	Outstanding response

2.13.2 The quality/price percentage split for the tender was 70/30. 30% of the overall score was awarded to price. Both price and quality scores were combined to calculate a total score.

2.14 Outcome

2.14.1 Based on the overall evaluation criteria above the scores were as follows:

Bidder	Quality	Price	Total	Overall Rank
Thebigword	66.40%	23.50%	89.90%	1
BIDDER B	62.60%	25.77%	88.37%	2
BIDDER C	54.80%	28.07%	82.87%	3
BIDDER D	49.40%	27.90%	77.30%	4
BIDDER E	40.20%	30.00%	70.20%	5
BIDDER F	48.40%	19.09%	67.49%	6

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

An alternative option to 'do nothing' and not procure and award, was not desirable as this would mean that Barnet would not have a coordinated Translation and Interpretation service provision to support delivery across the Authority.

- 3.1 Commissioning this service on a spot purchase basis would not comply with Contract procedure rules over time, with spend with any one supplier likely to exceed £10,000.

4. POST DECISION IMPLEMENTATION

- 4.1 Following the decision to award this contract, legal contracts will be issued by HB Public Law and the service will be ready to commence on 15th September 2021.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet is a suburban North London borough and is a great place to live for most families, children and young people, with some of the best schools in the country, some of the best parks and open spaces in London, and low levels of unemployment. One of Barnet's key priorities in its 2021-2025 corporate plan (The Barnet Plan) is to ensure that services are easy to access and well run. Interpretation and Translation services will form a key part of this priority by ensuring that services are accessible to Barnet's diverse population.
- 5.1.2 Barnet is the largest borough in London by population and is continuing to grow. The population of 98,900 children and young people (0-19) remains the second largest in London and this group makes up a quarter of the borough's overall population. The borough's overall population is projected to increase by approximately 6% between 2018 and 2030 taking the number of residents to approximately 419,200.
- 5.1.3 Barnet's population is diverse and is projected to become increasingly diverse. The overall Black, Asian and minority Ethnic (BAME) population currently makes up 40.3% of the total Barnet population. This diversity is amplified for children and young people, there are more children from BAME groups in the 0-9 age group, than there are white children.
- 5.1.4 In Barnet, the highest volumes of need for interpretation and translation services 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 2020 included Asian, Arabic and Oriental languages, followed by Eastern European and Western European and African languages. In particular Barnet has seen an increase in

the need for Congolese, Arabic and Slovakian interpreters.

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

The total value of for this arrangement is £863,000 which is above the Find a Tender Service (FTS – formally OJEU) financial threshold of £189,330 for a Service contract under the Public Contracts Regulations 2015. An open, fair and transparent Further Competition procurement process was conducted under Lot 1c: Managed Services for Language Services (Local Government and Wider Public Sector) of the ESPO's Framework 402_20 Language Services (Framework OJEU Ref: 2020/S 148-364175) in accordance with the Council's Contract Procedure Rules. Authorisation for this procurement is approved on the Forward Plan 2021/22.

The award amount for the Interpretation and Translations service will be contained within the overall Children Social Care budgets (£37.299m). The costs for Adults Interpretation & Translation will be met from within the overall Adults Placements budget – currently £116.5m (gross) in 2021/22.

5.3 **Social Value**

- 5.3.1 5% of the evaluation score was based on the social value. The successful bid met the minimum scoring criteria for Social Value. Social value will be delivered in accordance with the individual proposals provided by each bidder.

5.4 **Legal and Constitutional References**

- 5.4.1 The Council's Constitution, Part 18, Contract Procedure Rules, Paragraph 4.1 states that;

4.1 Any Procurement, including extensions and variations to Contracts set out in the Annual Procurement Forward Plan and approved by the Policy and Resources Committee, is deemed as Authorised irrespective of the Contract value.

4.2 Any Procurement which has not been Authorised as set out in 4.1 must be Authorised in accordance with Article 10 of the Constitution, Table B.

- 5.4.2 Paragraph 9.1 of the Council's Constitution, Contract Procedure Rules (CPR) state that every Contract must be in a form approved by Legal services, if its value exceeds £25,000. Legal Services will therefore draft and approve the final form of contract.

- 5.4.3 Under paragraph 9.2 of the CPR contracts awarded following a procurement process with a contract value above the EU threshold must be sealed.

- 5.4.4 Pursuant to the CPR, the Authorisation & Acceptance Thresholds Table, the relevant authorisation documentation for a procurement which is £500,000 and above in value and within budget is a *Full (Chief Officer) Delegated Powers Report in consultation with Theme Committee Chairman*. The procurement is within budget given that the initial

authorisation was approved by the Annual Procurement Forward Plan at the Policy and Resources Committee. Furthermore, in accordance with the said Table, the relevant Theme Committee Chairman has been consulted.

5.5 Risk Management

5.5.1 Safeguarding is at the centre of this contract and the tender included evaluation questions in relation to risk assessments for young people; the provider's response to a risk based and safeguarding scenario, staff training and supervision; and case management systems. The successful bidders scored highly on quality and safeguarding requirements for this contract.

5.5.2 The provider was asked to outline their vetting process for interpreters as part of their tender submission.

5.5.3 The specification and contract terms set out the requirements for the provider to ensure appropriate information sharing, confidentiality, data protection, data collection and analysis are in place. Policies and protocols will be in place to ensure that systems are robust and to ensure adherence to them. All aspects of information management and safeguarding, including policies and processes will be examined and checked as part of the provider's assurance and due diligence checks.

5.5.4 The Further Competition process used for evaluating bids represents good value for money for the Council compared to the market rate for interpretation and translation services. Not awarding to via this framework route would also pose a financial risk to the Council as an interim arrangement or utilising spot provision would likely be at a higher cost. Without an effective and accessible Translation and Interpretation Service many services across the Council would be severely impacted in terms of effective delivery and any temporary arrangements would likely incur increased costs for the Council.

5.5.5 To ensure monies are being spent effectively the contract will be performance managed throughout the term of the contract using a robust monitoring system. This system is in place for current corporate contract and has recently been updated in line with current requirements for the new contract.

5.6 Equalities and Diversity

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

5.6.2 The broad purpose of this duty is to integrate considerations of equality into day to day

business and keep them under review in decision making, the design of policies and the delivery of services.

5.7 Consultation and Engagement

5.6.1 The procurement exercise of this contract has been planned to enable sufficient time for robust stakeholder engagement when planning commissioning activity and re-procuring the contract. Stakeholder engagement has been included in the commissioning project plans for this contract and was captured as part of this planning activity within the Annual procurement forward plan 2021-22 with the anticipation that this contract required re-procurement.

5.6.2 All relevant delivery units were consulted as part of this re-procurement activity and Management information was reviewed and amended to reflect local arrangements going forward. Relevant benchmarking activities were undertaken in terms of service requirements, as well as, value for information and also taking into consideration the current pandemic and utilisation of the contract to support any requirements due to the implications of Covid-19.

5.8 Insight

5.8.1 The Authority has utilised language usage data to inform bidders of the Council's language requirements along with the service levels required. This insight informed the decision to tender the contract based on needs and value for money.

6. BACKGROUND PAPERS

6.1 Barnet Procurement Forward Plan 2021-22 line 230 - <https://barnet.moderngov.co.uk/documents/s62439/Appendix%201%20Annual%20Procurement%20Forward%20Plan%20202122.pdf>

6.2 [Annual Procurement Forward Plan 2021-22 Policy and Resources Committee Report](#)

Chairman:
Has been consulted

Signed

David Longstaff

Cllr David Longstaff

Date: 10th June 2021

Chief Officer:
Decision makers having taken into account the views of the Chairman

Signed

Signed

Director Children Services
Social care

Executive Director Adults
and Health

Brigitte Jordaan (Family Services)

Dawn Wakeling (Adults)

Date: 16/06/2021

Date: 16/06/2021