

Commissioning and Procurement Executive Committee - 11 July 2023

Subject:	New framework for Translation and Interpretation		
Corporate Director/ Directors:	Catherine Underwood – People Katy Ball & Roz Howie – Commissioning and Partnerships		
Portfolio Holder:	Cllr Cheryl Barnard – Children, Young People and Schools		
Report author and contact details:	Elisa Flintoff Elisa.Flintoff@nottinghamcity.gov.uk		
Other colleagues who have provided input:	Paul Ritchie, Procurement		
Key Decision	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Subject to call-in
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Income	<input type="checkbox"/> Savings of £750,000 or more
taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Type of expenditure:	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital		
Total value of the decision: £1,974,000			
Wards affected: All			
Date of consultation with Portfolio Holder: 26/06/2023			
Relevant Council Plan Key Outcome:			
Green, Clean and Connected Communities		<input type="checkbox"/>	
Keeping Nottingham Working		<input type="checkbox"/>	
Carbon Neutral by 2028		<input type="checkbox"/>	
Safer Nottingham		<input type="checkbox"/>	
Child-Friendly Nottingham		<input type="checkbox"/>	
Living Well in our Communities		<input checked="" type="checkbox"/>	
Keeping Nottingham Moving		<input type="checkbox"/>	
Improve the City Centre		<input type="checkbox"/>	
Better Housing		<input type="checkbox"/>	
Serving People Well		<input checked="" type="checkbox"/>	
Summary of issues (including benefits to citizens/service users):			
Nottingham City Council uses a number of suppliers to deliver Translation and Interpretation Services to enable citizens with a language barrier or a disability to access Council services.			
The current contracts are coming to an end, and Nottingham City Council wishes to establish a 4-year framework for multiple providers to deliver Translation and Interpretation Services. This will support Best Value by consolidating providers with specialisms in specific areas.			
The framework will also allow other Commissioning Authorities (Nottinghamshire County Council, Integrated Care Board and Nottingham University Hospitals) to undertake their own call offs which again will support an integrated approach to access to translation services and achieve better Value for Money across the Integrated Care System.			
Exempt information: None			
Recommendations:			
1 To approve a tender process to be undertaken for a multiple provider framework to deliver Translation and Interpretation services for 4 years and to approve the associated total budget of £1,974,000 for the whole period.			

2 To delegate authority to the

- (a) Director of Commissioning and Partnerships to approve and award the outcome of the tender process for the framework;
- (b) Head of Commissioning and Partnerships to enter into and sign an appropriate Framework Agreement and to award and sign call-off contracts for Nottingham City Council.

1. Reasons for recommendations

- 1.1 A Translation and Interpretation service is required to enable citizens access Council services where there is a Language barrier or other communication need, such as British Sign Language. This service is required to ensure that the Council are able to perform their duties appropriately and meet statutory responsibilities in terms of equality of access.
- 1.2 The existing arrangements are due to expire on 30 November 2023 and Nottingham City Council requires a new framework to ensure compliance with Nottingham City Councils Contract Procedure Rules and Best Value. For the new contract(s) award, the Procurement Team will be conducting an open tender process to establish a new framework which will be bespoke to Nottingham City Council, and which will allow other Commissioning Authorities (such as Nottinghamshire County Council and the Integrated Care Board) to have access and call off from it.
- 1.3 The establishment of the framework does not imply any commitment of spend on the part of Nottingham City Council and spend will be based on activity and usage. Establishing a multiple supplier framework will ensure there is a choice of providers for colleagues and to ensure that there is sufficient supply to meet demand.
- 1.4 The call off process will encourage competitive pricing as suppliers will be called off based on specialism required, and best price.

2. Background (including outcomes of consultation)

- 2.1 Nottingham City Council currently has 3 corporate contracts with 3 different suppliers which were called off from the ESPO framework. The current contracts were awarded on a short term basis and are due to expire on 30th November 2023. The contracts are for the supply of translation services which includes a diverse range of languages and also includes British Sign Language translations. The contracts are used across Council departments but are paid via one consolidated invoice and individual departments are later re-charged for their individual spend.
- 2.2 Nottingham City Council also commissions one service provider contract on a block basis jointly with Nottinghamshire County Council, the Integrated Care Board and Nottingham University Hospitals (other Contracting Authorities) for the delivery of translation and interpretation services for citizens who use British Sign Language only. This contract also ends on 30 November 2023.
- 2.3 The proposed new framework intends to consolidate the two separate budgets and services into one single framework contract, with multiple suppliers delivering a range of specialisms and where other Contracting Authorities are given the ability to call off from it.

- 2.4 A Commissioning Review of the current provision of sign language services has identified several challenges within the current arrangements which can be addressed through the establishment of a framework as is recommended in this report.
- 2.5 A lack of diversity amongst both interpreters and citizens accessing the service has been identified through the review. There is a need to ensure that languages other than British Sign Language (BSL) are available to Nottingham City's diverse population. In order to meet the needs of citizens who are currently accessing the services as well as younger people who will be the users of the future, there is a need to move towards a more varied approach to the delivery of sign language and interpretation which utilises a variety of approaches and technological enabled support.
- 2.6 The proposed framework intends to address key issues that are not currently available by using bespoke service specification – for example Nottingham City Council will be able to establish the requirements for booking forms and requirements that the successful suppliers will deliver training and appropriate information on how to book interpreters

3. **Other options considered in making recommendations**

- 3.1 Not to procure a translation and interpretation service. This is not possible as the services are required to ensure citizens are able to access Council services.
- 3.2 To extend the contract(s) to continue the service with the current provider(s). This is not an option, as all extension options in the current contracts have been utilised. The current arrangements were intended to be a short-term measure only whilst a more fit – for purpose arrangement was secured. Currently there is duplication in the services that are commissioned and this is therefore not in line with Best Value.
- 3.3 To call off from existing established frameworks. This option was not considered to be suitable. This is because Nottingham City Council would like to have multiple providers to deliver these services. Creating a 'framework within a framework' is not compliant.

4. **Consideration of Risk**

- 4.1 Risk 1 – Pricing/spend may increase as suppliers will be able to submit their own pricing.

Mitigation:

- Pricing will be fixed for the duration of the framework (4 years);
- Call off process will ensure cheapest provider is approached first;
- Staff will be supported with training to understand how to commission the most appropriate support at the best cost;
- Open tender process will encourage competition and encourage suppliers to be competitive in their pricing submission. The option for other Commissioning Authorities to call off from the framework may drive further efficiencies.

Risk 2 – Translation and Interpretation demand exceeds supply and appointments cannot be fulfilled.

Mitigation:

- Establishing a multiple supplier framework will ensure demand is met

5. **Best Value Considerations**

- 5.1 Best Value is being considered by delivered through the establishment of a multi-provider framework. Other Commissioning Bodies will be able to call off from this framework to ensure consistency of approach across the Integrated Care System footprint.
- 5.2 The tender process will support competitive pricing which will ensure that the best price for the services being delivered is achieved.
- 5.3 The consolidation of the different contracts will reduce duplication and further support Best Value by providing an efficient use of colleague time and resource.
- 5.4 Ongoing contract management will ensure that the services are meeting requirement and so are effective in their delivery.
- 5.5 By including a requirement for a localised response to interpretations services we will ensure that local needs are being met.
- 5.6 Will enable Citizens to have a more joined up approach with other commissioning authorities using the Framework.

6. **Finance colleague comments (including implications and value for money/VAT)**

- 6.1 The translation and interpretation service is fully recharged to the areas which use the services of translators. At present, the budget is split between Translation and Interpretation which sits within Commissioning and is £411,264 per annum, with the British Sign Language interpretation expenditure sitting within Adult Social Care.
- 6.2 Nottingham Revenue & Benefits and Nottingham City Homes also engage Translation and Interpretation services separately, but both of these will be covered by the framework.
- 6.3 Engaging new translation and interpretation services will mean that best value will be achieved via efficiency so that all colleagues are aware of whom they can engage, and it is hoped that the framework will take advantage of economies of scale.

Clare Rickett, Senior Commercial Business Partner, Children's and Commissioning - 21/06/23

7. **Legal colleague comments**

- 7.1 These proposals are deemed to be permissible in accordance with the Council's Contract Procedure Rules and the procurement will be required to be undertaken in compliance with the Public Contracts Regulations 2015.
- 7.2 Legal services will provide support as required alongside Procurement colleagues for the provision of these services.

Deljinder Sander, Locum Solicitor (Legal Services) - 16.06.2023

8. **Other relevant comments**

8.1 **Procurement colleague comments**

The procurement team will assist with the tendering process to ensure a fully compliant value for money framework is set up for the provision of the services.

Paul Ritchie, Procurement Manager - 12/06/2023

9. **Crime and Disorder Implications (If Applicable)**

9.1 Not applicable

10. **Social value considerations (If Applicable)**

10.1 Providers will be encouraged to use the services of local interpreters as follows:

Firstly, the service specification will require providers to make a concerted effort to engage with local Translators/interpreters at the point of booking. Local Translators/interpreters will be described as those who reside within the Nottingham City and Nottinghamshire Council boundary in the first instance. Only where no suitable local interpreter has been identified will the suppliers be able to widen the search to other areas.

Secondly, providers will be required to report as part of the KPI on the number of local translators/interpreters engaged with.

10.2 Social Value considerations (including reduction of travel, environmental considerations) will be a regular agenda item for discussion in Contract Performance management meetings.

11. **Regard to the NHS Constitution (If Applicable)**

11.1 Not applicable

12. **Equality Impact Assessment (EIA)**

12.1 An EIA is not required.

13. **Data Protection Impact Assessment (DPIA)**

13.1 A DPIA is in progress and will be finalised once the outcome of the tender process is known.

14. **Carbon Impact Assessment (CIA)**

14.1 A CIA is not required.

15. **List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

15.1 None.

16. **Published documents referred to in this report**

16.1 None.