

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Councillor Alex Sanderson – Cabinet Member for Children and Education

Date: 10/03/2023

Subject: Contract Award – Translation and Interpretation Services

Report author: Sophie Veitch, Commissioning and Transformation Lead

Responsible Director: Jacqui McShannon – Strategic Director of Children’s Services

SUMMARY

This report seeks approval for the award of a new contract for the provision of translation and interpretation services. This award follows a mini competition using the Crown Commercial Services’ Language Services: Lot 5g framework.

RECOMMENDATIONS

1. To approve the award of a contract for translation and interpretation services to DA Languages for the period 1st June 2023 – 31st May 2026, for the sum of £545,527.65. An optional extension for a further two years is included, bringing the total contract value to £909,212.74.

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	Increasing the employment opportunities for residents within the borough as part of the supplier’s social value commitment.
Creating a compassionate council	This contract improves accessibility of council services to those for whom spoken English is not their first language.
Doing things with local residents, not to them	This contract improves accessibility of council services to those for whom spoken English is not their first language.
Being ruthlessly financially efficient	A contract with fixed prices for translation and interpreting services delivers better value for money than spot purchase arrangements, particularly in a financial climate of

	inflation. The supplier will also work with the council to promote efficiencies when it comes to booking translation and interpretation services.
Taking pride in H&F	Promoting the fact that the council demonstrates inclusivity and welcomes the views and opinions of all.
Rising to the challenge of the climate and ecological emergency	The contract will encourage the use of telephone and video translation services where appropriate, reducing the need for travel into the borough.

Financial Impact

Although the contract price has been quoted at an annual cost of £181,842, this is a demand-led contract and it is likely that annual spend will be higher than this given the spend on translation and interpretation services in recent years.

For April to November 2022, actual expenditure totalled £184,913 with additional forecast expenditure of £64,000 up to March 2023 equating £248,913.

The services will be provided within the current approved revenue budgets of £214,100 (shared from Children's Services at £142,800 and the other Departmental budgets across the Council of £71,300).

However, it should be noted that this is a service where the expenditure can be affected by the level of demand. If any pressures should arise (as may happen in 2022/23) then these will need to be managed by compensating mitigations across all Departments of the Council.

The award of a Council wide contract will provide better value for money.

Daphne Tagoe-Borllons, Senior Accountant (Children's Services), dated 30th January 2023.

Verified by Tony Burton, Head of Finance, Children's Services and Education, 2nd March 2023

Legal Implications

The Council has power to procure these services as they are incidental to and calculated to facilitate a range of its functions. They also assist the Council in complying with the public sector equality duty under s149 of the Equality Act 2010.

The value of the contract means that it is a public services contract within the meaning of the Public Contracts Regulations 2015 (PCR). The CCS framework was procured in accordance with the PCR, and the Council is entitled to call-off contracts under it. The Framework allows both for direct awards to those on the framework and mini competitions among the providers appointed to each lot. The proposed procurement has involved a competitive tendering process among the providers on the relevant lot. The terms of the PCR have therefore been complied with.

This is a high value contract for the purposes of the Council's Contract Standing Orders. The use of a suitable third party framework is a compliant means of procurement under the CSOs. The requirements of CSO 18 have therefore been met.

The value of the contract means that it is a "key decision" for the purposes of the Council's constitution and will therefore need to be included on the key decision list on the Council's website.

John Sharland, Senior solicitor (Contracts and procurement)
Dated 27 January 2023

Background Papers Used in Preparing This Report – None

DETAILED ANALYSIS

Proposals and Analysis of Options

1. Officers have undertaken a mini-competition using the Crown Commercial Service (CCS) framework for Language Services Lot 5g: Regional Managed Service – London via the CapitalESourcing portal. CCS is an established organisation that creates frameworks to enable Local Authorities and other public sector services to access already developed markets. Quotes have been evaluated and moderated by a selected panel, including representation from across the Council – Children's Services, Adult Social Care, Housing, Community Safety and Refugee Services.
2. Following evaluation and moderation, it is recommended that DA Languages be appointed the contract for the stated duration.

Reasons for Decision

3. Whilst there is no legal obligation for the local authority to provide translation or interpreting services, the Council has a responsibility to tackle discrimination and advance equality of opportunity under the Public Sector Equality Duty (2011) included within the Equality Act 2010. Part of this is ensuring that the provision of information and services is accessible and that residents are communicated with effectively. Hammersmith and Fulham Council makes use of interpreters in a wide variety of settings to deliver statutory services and ensure that residents are able to receive appropriate support.
4. In Hammersmith and Fulham, there is significant demand for translation and interpretation services and this has increased in recent years due to unforeseen circumstances such as needing to provide support for Afghan and Ukrainian refugees, alongside Unaccompanied Asylum-Seeking Children (UASC).
5. As this is a demand-led contract, payment is dependent on usage, and therefore having a commissioned service in place ensures that there are fixed

rates for translation and interpreting services which will not fluctuate in line with market inflation. This contract will be available to services across the council, negating the need for spot-purchase arrangements and consequently delivering financial efficiencies for the local authority in its use of translation and interpretation services.

6. Officers will continue to work closely with the new provider and other Council services to generate awareness of the new contract, limit off-contract spot-purchase arrangements and ensure that translation and interpreting services are being used effectively, as well as ensuring that the new contract is responsive to the evolving needs of a wide range of council services.
7. All bids were evaluated against a framework criterion of 70% quality and 30% price. An assessment of Social Value was also considered, forming 16.7% of the quality score. The social value commitments for this contract total £85,107.32 (15.6%) in proxy value.
8. Following a competitive procedure to identify the most economically advantageous supplier, it is recommended that the translation and interpretation services contract be awarded to DA Languages.

Equality Implications

9. There are no anticipated negative implications for groups with protected characteristics under the Equalities Act 2010, by the approval of the recommendation.
10. As part of the contract management, engagement with groups with protected characteristics will be monitored with a focus on improving accessibility of services.

Risk Management Implications

11. The report recommends awarding a contract following a competitive procurement process. This is in line with the objective of being ruthlessly financially efficient. The contract will provide vital translation and interpretation services for local residents engaging with council services. This supports the objective of creating a compassionate council.

David Hughes, Director of Audit, Fraud, Risk and Insurance, 28 January 2023

Climate and Ecological Emergency Implications

12. This contract will encourage the use of telephone and video translation services wherever appropriate. This will enable residents to Council access these services without the need for them or their assigned interpreter to travel into the borough, in turn supporting the Council in its commitment to tackling the Climate and Ecological Emergency commitment.

Hinesh Mehta, Head of Climate Change, 26 January 2023

Procurement implications

13. The results of the evaluation process have been verified against the e-tendering system on 1st March 2023 by Sarah Reardon, Procurement Lead.

Local Economy and Social Value

14. It is a requirement that all contracts awarded by the council with a value above £100,000 provide social value commitments that are additional to the core services required under the contract. These commitments must amount to at least 10% in value of the price of the contract proposed. In addition, the evaluation of social value should account for a weighting of a minimum of 10% of the overall score.
15. The Social Value offers from each supplier were evaluated by the commissioning team and Social Value Officer. These evaluations accounted for 10% of the score.
16. The recommended supplier, DA Languages, proposed social value measures amounting to a proxy value of 15.6% of the contract price. These included creating an apprenticeship for an H&F resident, a financial donation to a local community project of the council's choosing, and car miles saved on delivering the contract. The bulk of the value, £65,950,50, was a proposal to deliver employment support to unemployed people. There are some concerns around the capacity of the supplier to deliver this, however this risk will be mitigated by contract managers through regular monitoring and robust contract management.

Oliur Rahman, Head of Employment and Skills, 08 March 2023

Digital Services and Information Management

17. IT Implications: There are no IT implications arising from the proposal in this report.
18. IM implications: a Data Privacy Impact Assessment (DPIA) will need to be carried out to ensure that all potential data protection risks are properly assessed with mitigating actions agreed and implemented.
19. The contract with DA Languages will need to include H&F's data protection and processing schedule. This is compliant with UK Data Protection law.
20. The supplier will be expected to have a Data Protection policy in place and all staff will be expected to have received Data Protection training.
21. A (Cloud) Supplier Security Questionnaire(s) should also be completed.

Implications completed by: Karen Barry, Strategic Relationship Manager, Digital Services, tel 0208 753 3481, Jan 26, 2023

LIST OF APPENDICES

Appendix 1 - Languages Face To Face Language Groups

Group A Western European	Group B Eastern European		Group C Asian, Arabic & Oriental		Group D African	Group E Specialist (Rare)
Basque	Albanian	Serbo-Croatian	Arabic	Kyrgyz	Afrikaans	Alcholi
Catalan	Belarussian	Slovak	Armenian	Malay	Algerian	Akan (Asante/Fante)
Danish	Bosnian	Slovenian	Assyrian	Malayalam	Amharic	Bantu
Dutch	Bulgarian	Turkish	Azerbaijani	Mandarin	Bravanese	Bete (Nigeria)
English	Croatian	Ukrainian	Bengali	Marathi	Fulani (Nigeria)	Creole
Flemish	Czech		Burmese	Mongolian	Ga (Ghanaian)	Dinka
French	Estonian		Cantonese	Nepali	Hausa	Konkani (Kannada Script)
Gaelic	Finnish		Dari	Pashto	Igbo (Ibo)	Kikongo
German	Georgian		Farsi, Eastern (Afghan)	Punjabi	Kinyarwanda	Kikuyu
Italian	Greek		Farsi, Western (Persian)	Punjabi (Mirpuri)	Lingala	Kirundi
Norwegian	Hungarian		Gujerati	Sinhalese	Luganda	Kisii (Kenya)
Portuguese	Icelandic		Gurmukhi(Punjabi Script)	Sylheti (Bengali)	Ndebele(Zimbabwe)	Krio (SL)
Spanish	Latvian		Hakka (China)	Tamil	Shona (Zimbabwe)	Laotian
Swedish	Lithuanian		Hebrew	Tagalog/Filipino	Oromo (Ethiopia)	Luo (Uganda)
Welsh	Macedonian		Hindi	Telugu	Somali	Lutora
	Maltese		Indonesian	Thai	Swahili	Mandingo/Mandinka
	Moldovan		Japanese	Tibetan	Tigrinya	Mauritian-Creole
	Polish		Khmer (Cambodian)	Urdu	Twi	Papiamentu
	Romanian		Korean	Uzbek	Yoruba	Seychelles-Creole
	Russian		Kurdish (Sorani)	Vietnamese	Zulu	Wolof
	Serbian		Kurdish (Kurmanji/Bahdini)			

Non-Spoken Languages

- a. British Sign Language
 - i. Variations of sign language, such as American and Irish Sign Language are desirable
- b. Finger Spelling
- c. Sign Supported English
- d. Lip speaking
- e. Lip Reading
- f. Deafblind Communication
- g. Deaf / text relay
- h. Notetaking, electronic and manual

Exempt Appendix 2

22. This recommission followed the procurement approach of a mini-competition using the Crown Commercial Services' Language Services: Lot 5g framework with minimum requirements where providers were excluded if they were unable to evidence that these could be met. 7 suppliers viewed the opportunity during mini-competition period, and 3 responses were received from DA Languages, Language Empire and Premium Linguistic Services.
23. The below table demonstrates the moderation process resulting in this recommendation to award.

Ranking	Supplier	Technical Score	Commercial Score	Total Score	Total Price
1	DA Languages	56.12%	25.14%	81.26%	£909,212.74
2	Language Empire	47.37%	28.84%	76.21%	£792,568.38
3	Premium Linguistic Services	38.52%	30.00%	68.52%	£761,794.02