



Open Report on behalf of Andrew Crookham, Deputy Chief Executive & Executive Director - Resources

Report to:	Councillor M J Hill OBE, Leader of the Council (Executive Councillor: Resources, Communications and Commissioning)
Date:	30 October – 10 November 2023
Subject:	LCC Language Service
Decision Reference:	I030371
Key decision?	Yes

Summary:

The Council's Language Interpretation and Translation Service contract is due to expire on 31 March 2024 with no further options for extension. This report sets out a proposed course of action for the procurement of a new contract and delegation of the necessary decisions.

Recommendation(s):

That the Leader of the Council:

- 1) Approves the procurement of a new contract for the provision of language interpretation and translation services through the ESPO 402_20 Language Services framework with effect from 1st April 2024.
- 2) Delegates to the Executive Director for Resources and Deputy Chief Executive authority to determine the final form and to approve the entering into of the new contract.

Alternatives Considered:

There is a risk that not having a contract in place means the council may not be appropriately equipped to fulfil the Council's statutory requirements for Adult Care, Children's Services and Safer Communities providing staff and service users with access to real time support if needed.

The ESPO framework has a direct award route however this was rejected as a competed procurement is likely to result in a cost effective solution which could not be achieved through the direct award process.

Reasons for Recommendation:

The course of action proposed is compliant with the Public Contract Regulations and offers a tried and tested and efficient route to procurement. The Council needs security of supply of this statutory service along with the ability to access support at short notice.

1. Background

Lincolnshire County Council has a responsibility to provide an environment where services are delivered without discrimination and are committed to providing equality of access to all services users. Our translation and interpretation service ensures all services users of any background or community are enabled to have access to information and participate in all aspects of service provision which affects them or their families.

The provision of translation services ensures the council is meeting its duties under the Equality Act 2010, by giving due regard to the requirement to eliminate discrimination, advance equality of opportunity and promote good relations.

The incumbent contract provides four main services: face to face interpreting, telephone interpreting, remote interpreting via video calls and document translation/transcription.

At present the service is accessed across the entire organisation, staff members request an account and can make a booking for translation on a self-service website or by using a phone number and pin to make requests for real time interpretations.

1.a. Current activity volumes

The following information has been derived from the current provider's data for language translation services for the current financial year 2023/24, to the end of September 2023.

Service costs and volumes YTD 2023/24 (*spend excludes VAT)

The following table provides a summary of the contracted services used with associated volumes and spend for 2023/24 to date.

Service Type	Volumes	Sum of spend*
Interpreting (face to face)	425	£18,747.50
Telephone Interpreting	1517	£16,085.30
Translation / Transcription	110	£26,113.24
Video Remote Interpreting	175	£9,816.62
Total	2227	£70,762.66

Breakdown of Users and Spend YTD 2023/24

The following provides information on the services across the council who use the language translation contract together with associated spend. The top 3 areas are highlighted in light green.

Divisions	Sum of Spend*
Adult Care	£4,300.86
Children's Health	£5,708.98
Childrens Services	£51,203.40
Childrens Services (Schools)	£2,954.40
CSC	£1,896.40
Public Protection/Safer Communities	£1,605.57
Homes for Ukraine	£830.88
Legal Services	£866.49
Public Health	£531.30
All other activity	£864.38
Total	£70,762.66

Breakdown of Top 10 languages based on spend YTD 2023/24

Based on usage data from the current year the following details the top 10 languages requested under the contract for translation and interpretation.

Languages	Sum of Spend*
Polish	£23,697.57
Lithuanian	£7,952.85
BSL (British Sign Language)	£5,319.00
Russian	£2,846.54
Arabic	£2,651.92
Romanian	£2,534.21
Kurdish / Kurdish Sorani	£1,411.00
Latvian (Lettish)	£1,279.82
Simplified Chinese	£874.91
Bulgarian	£821.90
Total	£49,389.72

1.b. Route to Procurement

The Commercial Team propose that the Council utilises the current ESPO Language Services framework, conducting a further competition for a new contract with an initial period of two years with the option to extend for two further periods of up to 12 months.

It is proposed that the Managed Service Lot will be utilised which will result in the award of a contract to a Service Provider who will be required to deliver the following services;

- Face-to-Face interpretation services – spoken
- Face-to-Face interpretation services – non-spoken
- Remote interpretation services
 - telephone interpretation
 - video interpretation – spoken

- video interpretation – non-spoken
- Translation, transcription, and additional services

The ESPO Language Services framework has 10 providers under the Lot 1c Managed Service for Local Government and wider Public Sector provision. This includes our incumbent DA Languages, along with AA Global Language Services, Global Translation Services and Language Line.

1.c. Financial Analysis

As a comparison the following provides a summary of contract usage and costs for 2022/23 as compared to 2023/24, excluding VAT.

	2022/23	2023/24 (projected)	% change in usage
Total bookings for translation services	4957	4524	-8.7%
Total cost for translation services	£153k	£145k	-5.3%

Based on current and projected usage, the anticipated value for a new contract period of 4 years would be in the region of £750k + VAT (£900k). Whilst the 2023/24 actual spend of £145k is projected to be less than the proposed contract value this allows for potential increases in volume or base cost over the contract period. There will be no guaranteed volume defined in the contract.

It should be noted:

- Costs for language translation services are currently absorbed within directorate budgets based on where the service request originates.
- As part of the contract award, all steps will be taken to minimise the council incurring costs from translation through the steps outlined elsewhere in this report.

1.d. Future improvements

As part of the procurement of a new contract, Business Support as the contract owner, will work with the new provider and with internal service areas to ensure interpretation and translation is only used where required. Reductions in usage have already been achieved this year through starting to implement some of the changes as detailed below which will be built upon in the new contract.

- Updating the councils [Interpretation and Translation Service \(sharepoint.com\)](#) page in line with the new contract detailing the services available.

- Implementing a step-by-step process on the intranet to direct people to, clearly stating what is and is not in scope, and if there are alternatives available for interpretation or translation.
- Consider developing an internal network of staff who are fluent in the most common languages identified above to provide interpretation or translation services for the council. This has been implemented in Leicester City Council in addition to their language interpretation service.
- We have recently implemented language translation on the council website to make information more accessible, and the provision of our online digital assistant will also be able to speak to customers in their preferred language.
- Promoting the use of online translation services e.g., Google Translate, where possible for written transcription (subject to translation accuracy rates).

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision-making process.

Translation services are a tool for breaking down language barriers and ensuring that individuals from diverse backgrounds have equal access to services provided by the organisation, especially those that can be most vulnerable in our communities. They help us to encourage and implement equal and inclusive societies. These services encourage people to engage with their community and ultimately aid individuals to integrate with society. Having an approved contract in place for these services will allow us to ensure that we provide a higher quality standard of support to those people with protected characteristics.

EIA – Lincolnshire County Council has a responsibility to provide an environment where services are delivered without discrimination and are committed to providing equality of access to all services users.

Our Translation and Interpretation Service will enable Lincolnshire County Council to ensure that all services users of any background or community are enabled to have access to information and participate in all aspects of services provided.

By providing language translation services we will ensure that there is no detrimental impact due to age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation due to English not being the service users first or main language.

Joint Strategic Needs Assessment (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

Translation services will have a large positive impact on the health and wellbeing of the community by reducing language barriers and aiding communication between people in

the community. Members of the public will be able to access services easier and quicker meaning they get the help and support they require as soon as they need it.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Translation services help people to feel a part of the community, increased accessibility enables crime and disorder to be reduced due to enhanced communication. The services can be a tool to encourage a diverse community by reducing language barriers. We will be able to engage with residents of Lincolnshire and build trust in our services in leading to improved community relations. People will be able to integrate into society, creating a sense of cohesion.

3. Conclusion

The above data demonstrates there is a need to continue having a contract for language services for interpretation and transcription. A Further competition is a compliant route to market which will guarantee the organisation can provide good quality services to the community whilst considering the cost implications and ensuring value for money. Building strong relationships with a dedicated supplier will also aid in doing this. Our colleagues will feel supported with the tools and processes at their disposal. The wider community will be positively impacted as integration is supported and individuals feel like they can confidently and easily access the councils services. Modern ways of communicating, such as via video, allows language translation services to continue to be efficient and effective at no detriment to the quality of support provided to individuals.

4. Legal Comments:

The Council has the power to enter into the proposed contract which supports compliance by the Council with its duties under the Equality Act 2010. The decision is consistent with the Policy Framework and within the remit of the Leader of the Council.

5. Resource Comments:

An assessment of financial impact will be conducted at the relevant stage of the re-procurement of the Council's language translation service and will inform the delegated decision process if the report recommendations are approved. At the outset of the process, there is not expected to be a material change in the cost of the service.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The decision will be considered by the Overview and Scrutiny Management Board on 26 October 2023. Comments of the Board will be reported to the Leader of the Council.

d) Risks and Impact Analysis

An Equality Impact Analysis has been completed and attached as an appendix. There are no significant risks in the commissioning of this contract.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Equality Impact Assessment

8. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Andrew Hancy, who can be contacted on 01522 554031 or andrew.hancy@lincolnshire.gov.uk.

Equality Impact Analysis

This document demonstrates how the council is meeting its duties under the Equality Act 2010, by giving due regard to the requirement to: eliminate discrimination; advance equality of opportunity; and promote good relations.

Background information

Details	Response
Title of the policy, project or service being considered	Procurement of Language Translation and Interpretation Services contract
Service area	Resources, Business Support
Person or people completing the analysis	Fraya Grove, Team Leader
Lead officer	Andrew Hancy, Head of Business Support
Who is the decision maker?	Cllr M Hill, Leader of the Council (Executive Councillor: Resources, Communications and Commissioning)
How was the Equality Impact Analysis undertaken?	Consultation on the provision of future services has been discussed with service colleagues who use the contract
Date of meeting when decision will be made	Overview and Scrutiny Management Board on 26th October 2023 followed by the Leaders decision between 30th October 2023 and 9th November 2023.
Is this a proposed change to an existing policy, service, project or is it new?	A requirement to procure a new contract to replace the existing one which ends 31 st March 2024.
Version control	1.0
Is it LCC directly delivered, commissioned, recommissioned, or decommissioned?	This service is commissioned
Describe the proposed change	The purpose is to commission a new contract to deliver Translation and Interpretation for service users who need it. A new supplier must be in place by April 2024 to enable staff and customers to access the service.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics. If there is no positive impact, please state '*no positive impact*'.

Protected characteristic	Response
Age	<p>The Translation and Interpretation Service is available to all ages. 23% of Lincolnshire's population are aged over 65 which is greater than the average for the East Midlands and England (Census 2021). It is not known how many of those over age 65 do not have English as a first language however overall 8.71% of the population use a main language which is not English. This would be equivalent to just under 67,000 residents (assumed 15,400 over 65).</p> <p>The professional working with the service users will ensure their voices are heard and that they understand what is being communicated to them through the use of the appropriate Translators and Interpreters.</p>
Disability	<p>19.1% have a disability (26.8% of households). We will endeavour to provide a professional translation and interpreting service to ensure those with an identified need will receive the standard of support regardless of their disability including communication difficulties.</p> <p>As part of this we ensure that all staff are provided with training so there are no assumptions made on the basis of the disability.</p> <p>The provider will offer a range of translator and interpreters to meet the needs of services users with disabilities which ensures professionals will be able to communicate with them and ensure they are supported.</p>
Gender reassignment	<p>An interpreter with specific skills or knowledge can be requested for any reason to ensure the service users feels comfortable communicating in their presence. The professional will assess this need prior to requesting an interpreter and booking an appropriate interpreter</p>
Marriage and civil partnership	<p>The professional will assess this need prior to requesting an interpreter and book an appropriate interpreter.</p>
Pregnancy and maternity	<p>In 2021 there were 6,559 births recorded. Pregnant women may feel more comfortable with a female interpreter. A specific sex of interpreter can be provided on request for any reason to ensure the service users feels comfortable communicating in their presence.</p> <p>An interpreter with specific skills or knowledge can be requested for any reason to ensure the service users feels comfortable communicating in their presence.</p> <p>The professional will assess this need prior to requesting an interpreter and book an appropriate interpreter.</p>
Race	<p>89.2% are White: English, Welsh, Scottish, Northern Irish or British. 6.1% are other white.</p> <p>The remaining 4.7% are from other ethnic groups including: Indian, Other Asian, Any other group, Irish, White and Asian, African, White and Black Caribbean, Other Mixed or Multiple groups, Chinese, White and Black African, Pakistani, Gypsy or Irish Traveller, Caribbean, Arab, Bangladeshi, Roma and Other Black.</p> <p>The top 10 languages for translation in 2023/24 are:</p> <ul style="list-style-type: none"> • Polish • Lithuanian • BSL (British Sign Language)

Protected characteristic	Response
	<ul style="list-style-type: none"> • Russian • Arabic • Romanian • Kurdish / Kurdish Sorani • Latvian (Lettish) • Simplified Chinese • Bulgarian <p>The service will enable professionals to communicate with service users to ensure they fully understand their contact with us and any advice given and decisions made, and therefore eliminate discrimination; advance equality of opportunity; and promote good relations.</p> <p>The need for an interpreter will be part of any initial contact with the customer and will be part of the professional considerations made as a how we can ensure they are fully supported in a particular service area. As part of the work with service users professionals may signpost people for help to develop their English skills, as part of our wider support where English is not their first language</p>
Religion or belief	<p>14,921 (1.9%) follow a religion other than Christianity.</p> <p>An interpreter with specific skills or knowledge can be requested for any reason to ensure the service users feels comfortable communicating in their presence.</p> <p>The professional will assess this need prior to requesting an interpreter and book an appropriate interpreter.</p>
Sex	<p>49% of the population are male and 51% female.</p> <p>A specific sex of interpreter can be provided on request for any reason to ensure the service users feels comfortable communicating in their presence.</p> <p>The professional will assess this need prior to requesting an interpreter and book an appropriate interpreter.</p>
Sexual orientation	<p>2.7% identify as lesbian, gay, bisexual, pansexual or queer</p> <p>An interpreter with specific skills or knowledge can be requested for any reason to ensure the service users feels comfortable communicating in their presence.</p> <p>The professional will assess this need prior to requesting an interpreter and book an appropriate interpreter</p>

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Positive impacts
None

Adverse or negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes

disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is:

- justified
- eliminated
- minimised or
- counter-balanced by other measures

If there are no adverse impacts that you can identify, please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact, please state 'No mitigating action identified'.

Protected characteristic	Response
Age	No perceived adverse impact
Disability	No perceived adverse impact
Gender reassignment	No perceived adverse impact
Marriage and civil partnership	No perceived adverse impact
Pregnancy and maternity	No perceived adverse impact
Race	No perceived adverse impact
Religion or belief	No perceived adverse impact
Sex	No perceived adverse impact

Protected characteristic	Response
Sexual orientation	No perceived adverse impact

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Negative impacts
N/A

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders).

You must evidence here who you involved in gathering your evidence about:

- benefits
- adverse impacts
- practical steps to mitigate or avoid any adverse consequences.

You must be confident that any engagement was meaningful. The community engagement team can help you to do this. You can contact them at engagement@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place. Include:

- who you involved when compiling this EIA under the protected characteristics
- any organisations you invited and organisations who attended
- the date(s) any organisation was involved and method of involvement such as:
 - EIA workshop
 - email
 - telephone conversation
 - meeting
 - consultation

State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics, please state the reasons why they were not consulted or engaged with.

Objective(s) of the EIA consultation or engagement activity
<p>Lincolnshire County Council has a responsibility to provide an environment where services are delivered without discrimination and are committed to providing equality of access to all services users.</p> <p>Our Translation and Interpretation Service will enable Lincolnshire County Council to ensure that all services users of any background or community are enabled to have access to information and participate in all aspects of services provided.</p> <p>Specific high usage service teams have been asked for their feedback on accessing the current Translation and Interpretation service. They value having a centrally co-ordinated services and have found the current provider responsive and efficient. They like being able to see their requests on the online portal.</p> <p>Staff have been positive about the performance of the Translators and Interpreters they have used.</p> <p>Feedback is gathered by the provider following each Translation and Interpretation appointment.</p>

Who was involved in the EIA consultation or engagement activity?

Detail any findings identified by the protected characteristic.

Protected characteristic	Response
Age	N/A
Disability	N/A
Gender reassignment	N/A
Marriage and civil partnership	N/A
Pregnancy and maternity	N/A
Race	N/A
Religion or belief	N/A
Sex	N/A
Sexual orientation	N/A
Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?	This EIA has been drafted for the purpose of the procurement of a contract to provide Interpretation and Translation services to those customers who do not have English as a preferred or first language.

Protected characteristic	Response
The purpose is to make sure you have got the perspective of all the protected characteristics.	
<p>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</p>	<p>Through the tendering process to ensure the new contract meets the requirements of the council in respect of the range and services offered and the languages available to be interpreted:</p> <p>Services available</p> <ul style="list-style-type: none"> • Lot 1 managed service for language services <ul style="list-style-type: none"> ○ 1a Police ○ 1b Health ○ 1c Local Government and wider Public Sector • Lot 2 Face-to-Face interpretation services – spoken • Lot 3 Face-to-Face interpretation services – non-spoken • Lot 4 Remote interpretation services <ul style="list-style-type: none"> ○ 4a telephone interpretation ○ 4b video interpretation – spoken ○ 4c video interpretation – non-spoken • Lot 5 Translation, transcription and additional services <p>Top 10 languages used/required:</p> <p>Polish Lithuanian BSL (British Sign Language) Russian Arabic Romanian Kurdish / Kurdish Sorani Latvian (Lettish) Simplified Chinese Bulgarian</p>

Further details

Personal data	Response
Are you handling personal data?	No
If yes, please give details	<p>No data is handled as part of the commissioning of the new contract however data will be collected by the contracted provider as follows after contract award:</p> <ul style="list-style-type: none"> • All services users will not have English as their first language. The Languages spoken by the individuals requiring Translators and Interpreters is monitored and available on request. • The predominant user of this service is currently Children’s Services and the associated legal services. The Translation and Interpretation Service is available to all ages. The age of people using the service is not recorded to minimise the data we collect on individuals as it is not required to access the service. • Information on the disability of people using the service is not recorded to minimise the data we collect on individuals as it is not required to access the service. • The sex of people using the service is not recorded to minimise the data we collect on individuals as it is not required to access the service. • We do not collect data against certain protected characteristics of service users , for example their sexual orientation, gender reassignment status, religion, marriage or civil partnership or pregnancy and maternity. <p>Interpreters will only attend appointments with the responsible LCC professionals.</p>

Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	Ensure the approved provider on collects appropriate data to be able to provide the service	Cathryn Coates	February 2024

Version	Description	Created or amended by	Date created or amended	Approved by	Date approved
V1	EIA for the procurement of a new contract for Translation and Interpretation services.	Fraya Grove	04/10/2023	Andrew Hancy	

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