

11 June 2018

Agenda Item: 11

**REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING,
SAFEGUARDING AND ACCESS****RETENDER FOR INTERPRETATION SERVICES FOR THE DEAF
COMMUNITY****Purpose of the Report**

1. To seek approval to continue to participate in a partnership with commissioning partners to jointly re-commission the British Sign Language interpretation service and for the Video Relay Service to be integrated into the revised specification.

Information

2. There are currently two independently commissioned contracts in place to support the deaf community to communicate with Nottinghamshire County Council. The first contract is the Sign Language Interpretation Service and the second contract is the Video Relay Service (further detail in **paragraphs 6 - 9**), both delivered by Nottinghamshire Deaf Society. Both contracts have been extended until 31st November 2018 to enable the amalgamation of the two separate contracts into a single revised specification and to ensure sufficient time for the service to be re-tendered.

Contract 1: The Sign Language and Interpretation Service (SLIS)

3. In 2013 Nottinghamshire County Council entered into a partnership with eight commissioning partner organisations (listed in **Appendix 1**) to jointly commission the 'Sign Language and Interpretation Service', with Nottingham City Council taking the role of lead commissioner.
4. The service provides face to face British Sign Language (BSL) interpreters for deaf people accessing Council services and Health services and is jointly funded via a block contract by the following:

Nottinghamshire County Council	£40,000
Nottingham City Council	£53,803
Nottingham City Clinical Commissioning Group (CCG)	£40,000
Nottinghamshire County CCGs (x5)	£36,197
Total	£170,000 per annum

5. The current service consists of three elements:

- a drop in service providing BSL interpretation support to respond to correspondence queries, making phone calls or booking interpreters to provide support in future meetings. There are four sessions per week, each two hours long. Three of the drop-in sessions are based in the City and one takes place in Mansfield. In total, 925 drop-in sessions were provided in 2016/17
- appointment based BSL interpreting service for Council and Health services providing physical interpreters to accompany deaf people to health and social care appointments and participation in engagement events. There was a capacity of 1,270 appointments in 2016/17, of which 1,173 were utilised across the partnership, with 85% of appointments being utilised by CCGs and 15.4% being utilised by the County and City Councils
- emergency access to interpreters out of hours - (6pm-11pm week days / 10am-4pm weekends and bank holidays).

Contract 2: The Video Relay Service (VRS)

6. In 2016 the Council initiated a two year pilot with the Nottinghamshire Deaf Society (NDS) to trial a 'Video Relay Service' at a cost of £5,000 per annum.
7. The VRS remotely connects a deaf person with an interpreter via a real-time video link. This enables deaf people to use their preferred language to the interpreter and the interpreter will ring the Customer Service Centre (CSC) and 'voice' the call on behalf of the deaf person. The Video Relay Skype Service is online for two sessions per week, Tuesday morning 9.30am – 11.30am and Thursday afternoon 2.30pm – 4.30pm.
8. Between January and March 2018, 18 VRS calls were made by NDS, an average of 6 per month. This shows that despite the restricted availability of the services and the small population size, the service is meeting a previously unmet need for the deaf community in Nottinghamshire.
9. The VRS contract has been extended by eight months until November 2018 to ensure continuity of service provision while approval is sought to formally undertake and complete a full re-tender of the BSL interpretation offer for the deaf community to access Council and Health services across Nottinghamshire and Nottingham City.

Local Context

10. A high percentage of people living in Nottinghamshire have some degree of hearing loss, which can have a significant impact on their experience of accessing all services. The Council is committed to working with the local deaf community to ensure equality and inclusivity when planning and commissioning services and improving access to existing services. According to the Office of National Statistics (ONS), in 2016 there were 150,000 Nottinghamshire adults estimated to have some form of hearing loss and 15,650 adults estimated to have severe hearing loss.

BSL Charter

11. The Council has signed the BSL Charter and has committed to improving access for deaf people to the services it commissions. The British Deaf Association (BDA) developed the BSL Charter to promote better access to public services for BSL users and to help public agencies meet their duties under the Equality Act 2010.

Legal Obligations

12. The Council has a legal duty to offer services that are accessible and appropriate to all sectors of the community. Current legislation under the Equality Act 2010 and Human Rights Act 1998 mean that public bodies should provide services that are non-discriminatory, actively promote equality and respect the needs of seldom heard or underserved people. Under the Equality Act 2010 deaf people are included in the protected characteristic of Disability. Communication support, such as sign language interpreters for people with hearing loss, is likely to be considered a 'reasonable adjustment' as required under the Equality Act 2010.
13. The Care Act (2014) places a duty on local authorities to provide accessible information to citizens about the range of services available to them to meet their needs. Local authorities have to make sure that people who live in their areas:
 - receive services that prevent their care needs from becoming more serious, or delay the impact of their needs
 - can get the information and advice they need to make good decisions about care and support and have a range of providers offering a choice of high quality, appropriate services.

Proposed enhancements to BSL interpretation service specification

14. The Steering Group for the BSL service has reviewed the current contract and is recommending the following revisions to the established specification prior to re-tendering the service on a three year contract with the option to extend for a further two years.
 - a. a block contract approach would be retained but commissioning partner proportions would be adjusted to reflect previous activity under the life of the current contract. This will result in a **reduction in percentage of contribution** required from the County Council.
 - b. a **reduction in the hourly rate** of service. The current contract costs £59 per hour, however a review of national provision indicates an average cost of £49.50 per hour. Securing the lower hourly rate has the potential to ensure better value for money whilst keeping the benefits of retaining a local service.
 - c. the integration of the Video Relay Service into the core specification. It is anticipated that **costs will be driven down and productivity of the service improved** through increased use of technology. The provider will work with the Nottinghamshire deaf community to review and implement appropriate use of technologies for remote interpreting provision.

Annual costs by partner for proposed re-tender

15. Based on the savings described in **paragraph 14**, Table 1 below summarises the breakdown of projected annual costs by partner. This would reduce the overall cost of the contract by £26,500 (16% of current contract value) and as the revised costs are based on activity levels of the previous contract life, it would decrease the cost to the County Council to £19,716.

Table 1

	County	Annual Cost	City	Annual Cost	CCGs	Annual Cost	Total Cost
Drop-ins	1 x 2 hour session per week, 1 interpreter	£4,800	3 x 2 hour sessions per week, 1 interpreter	£14,400	n/a	£0	£19,200
Appointment based and emergency Interpretations	298 hrs per annum	£14,916	373 hrs	£18,645	1,815 hrs	£90,739	£124,300
Total		£19,716		£33,045		£90,739	£143,500

Other Options Considered

16. The Council has a framework contract with the London Borough of Newham Council to access their Language Shop translation service for the provision of face to face, telephone based or written translation services for a wide range of languages, including BSL. The telephone interpreting service is a pre-bookable appointment based service available 24 hours a day. Translation services are spot-purchased by the Council as required and are charged at a minimum of three hours at an hourly rate of £50 plus travel expenses. This service is already available for BSL interpretation services and could be marketed to staff as the preferred option for booking planned interpreters. However, it would be more expensive than the recommended proposal and would not allow for the drop-in options to be available. This option would also result in a more complicated access pathway for members of the deaf community requiring BSL interpretation support as there would be different systems for accessing interpreters for support with accessing Council services, compared to accessing Health services.
17. An Eastern Shires Purchasing Organisation (ESPO) framework exists for 'Interpretation, Translation and Transcription Services' that includes the provision of BSL, which the Council could choose to spot purchase from. The minimum appointment would be for two hours at £50 per hour and £60 for an out of hours service, plus travel expenses. The Council could call off this framework for the provision of planned BSL interpretation services. However, it would be more expensive than the recommended proposal and would not allow for the drop-in options to be available. This option would also result in a more complicated access pathway for members of the deaf community requiring BSL interpretation support as there would be different systems for accessing interpreters for support with accessing Council services, compared to accessing Health services.

18. The Council could independently procure its own service and not be part of the commissioning partnership or the joint contract. This option would need the Council to initiate a procurement exercise to appoint a BSL interpreting service. This would enable greater control of the commissioning process but would result in the loss of the current economies of scale achieved from being part of the partnership and would likely result in increased costs. It would also lead to a more complicated pathway for deaf people accessing interpreters to utilise County Council services compared to City Council or County and City health services.

Reason/s for Recommendation/s

19. It is recommended that the Committee approves the Council's on-going participation in the current partnership and supports the re-procurement of BSL interpretation services, incorporating the functionality of the Video Relay Service for a term of three years with the option to extend for a further two years. The benefits of recommissioning the service would include:
- improves safety and communication by reducing the language barrier
 - demonstrates further the Council's genuine commitment to take positive action as part of BSL Charter
 - reduces inequalities in service access
 - ensures a joined up cohesive service provision across all parts of the County, a single access pathway and continuity of interpreting individuals
 - economies of scale achieved through joint commissioning, supporting the integration agenda
 - recurrent savings of £25,000 per annum.

Statutory and Policy Implications

20. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

21. If the the recommended option to jointly retender the BSL interpretation service is approved, the City Council would be the lead commissioning partner. It would therefore be their responsibility to ensure General Data Protection Regulations (GDPR) compliance is adhered to within the new contract. However, Procurement colleagues have confirmed that they would work closely with the City Council procurement team to ensure compliance is secured.

Financial Implications

22. There is a permanent budget of £40,000 within the ADVIS budget for the BSL interpretation service and the £5,000 for the Video Relay Service was met from ADVIS budget

underspends. Therefore, the re-procurement of the BSL service will result in a net saving to the Council of £20,000 per annum by incorporating the Video Relay Service and greater use of technology into the core specification and by basing the Council's proportion of the cost on actual use.

Public Sector Equality Duty Implications

23. By retendering this service as part of the wider commissioning partnership, the Council will enable the deaf community to have improved access to Council services and support. The partnership re-tender model is also the only one that provides the option for face to face drop-in support with an interpreter.

Implications for Service Users

24. Retendering the contract for the BSL interpretation service will ensure service users from the deaf community within Nottinghamshire have the required BSL interpretation support to enable them to self-manage issues that arise in their lives and to communicate with Council services as required, in a straight forward way that is comparable with other Nottinghamshire residents.

RECOMMENDATION

- 1) That the Committee gives approval to continue to participate in a partnership with commissioning partners to jointly re-commission the British Sign Language interpretation service and for the Video Relay Service to be integrated into the revised specification.

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Constitutional Comments (SLB 17/05/18)

25. Adult Social Care and Public Health Committee is the appropriate body to consider the content of this report.

Financial Comments (DG 21/05/18)

26. The financial implications are contained within paragraph 22 of this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All.

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