

## Report of Interpreting and Translation Team Co-ordinator

### Report to Chief Officer of Customer Access

**Date: 23 January 2014**

**Subject: BSL Video Interpreting**

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

### Summary of main issues

1. This report seeks approval from the Chief Officer of Customer Access to waive CPR rules 8.1 and 8.2 and 3.1.15 to allow for the invitation of a single tender for the provision of BSL Video Interpreting.
2. A tender was advertised for the provision of BSL Video Interpreting in October 2012 with a return date of 14 November 2012. However, this was unsuccessful due to no suitable organisation being able to meet the requirements of the specification and the tender was abandoned.

## **Recommendations**

3. To authorise the waiver to invite a tender to a single external organisation to provide the provision of BSL video interpreting. To award a contract if they meet the criteria of the tender requirements for a one year period with an option to extend by two x 12 month periods.

### **1 Purpose of this report**

- 1.1 The purpose of this report is to seek approval to invite a single tender following the unsuccessful outcome of a previous competitive tendering exercise. The adoption of the previous tender documents will be applied to the single tender (following any revisions) therefore CPR 3.1.15 is also requested to be waived to use documentation other than parts 1-4 of the council's standard documents. There are still pressures from the Deaf community regarding BSL video interpreting and the Service feels it is important to have a provision in place as soon as possible to reduce inequality of accessibility for Deaf and hard of hearing customers. It is the Service's intention to issue the previous tender documents with revisions in terms of any service update or requirements thus not creating additional work by adding information onto new documentation.

### **2 Background information**

- 2.1 There is a need to improve access to services for Deaf and hard of hearing customers. The Service currently provide face to face BSL interpreters but due to increasing demand and availability of BSL interpreters, service users have to wait longer for an appointment than a hearing customer.
- 2.2 A tender exercise for the provision of BSL video interpreting was advertised on SCMS in October 2012 with a tender return date of 14 November 2012. The tender was advertised using the open procedure. Three external organisations showed an interest. One organisation was disqualified due to not completing all the relevant documentation. Interviews and demonstrations followed with the two remaining organisations. However, the interview panel that consisted of representatives from Interpreting and Translation, Consultation and Development Involvement, Deaf community, IT and procurement (non-scoring) felt neither organisation had the capacity, nor suitable portable equipment to deliver the service required therefore would not be able to meet our service specification. Due to the inequality of accessibility, it is important for a provision to be in place as soon as possible. If the Service went to an open tender EU procurement, the timescale would be at least six month and a procurement exercise under the EU threshold would be approximately four months. From previous experiences, it is also difficult to get members of the Deaf community, staff and BSL

interpreters together due to resource time and cost of involving them in a full open procurement process would cause delays.

- 2.3 Since the previous tender exercise was abandoned, the Interpreting and Translation Team Co-ordinator, Deaf employees and a Community Support Worker have taken part in a pilot for video conferencing using WebEx to see whether the Service could use this facility to provide BSL video interpreting in house. However, this was not suitable due to issues with the screen size of the package that could not be resolved. It is essential when communicating with Deaf people and BSL Interpreters on video conferencing that their face and hands can be seen on the screen but this was not possible with the software offered in the pilot.

The Service has also researched whether it would be suitable to employ an in house BSL interpreter to deliver this provision. This was not suitable as the BSL Interpreter would be booked on face to face appointments therefore, would not be in the office to receive a video call. Therefore, the Services has not been able to put any other provision in place until now. From the previous tender exercise, documentation received from SignVideo appeared to be able to meet our specification to deliver a service. However, this would be assessed through a demonstration and interview.

### **3 Main issues**

#### **3.1 Reason for Contracts Procedure Rules Waiver**

- 3.1.1 As the previous tendering exercise did not produce any suitable tenderers and the organisation that could have potentially provided the service were disqualified, approval is sought from the Chief Officer to waive Contracts Procedure Rule 8.1 and 8.2 to allow the invite of a tender solely from SignVideo. It is the Service's intention to issue the previous tender documents with revisions in terms of any service and update the content of the service requirement thus not creating additional work by adding information onto new documentation.
- 3.1.2 SignVideo was established in 2004 providing organisations with instant access to qualified interpreters through a designated call centre. They currently provide a service to the following Councils: Barnsley, Bristol, Camden, Derby, Hartlepool, Islington, Manchester, and Sutton. They also provide SignVideo BSL Live to BT, BSKYB Barclays, Bank of Scotland, Halifax and Lloyds bank and NSPCC.

SignVideo were disqualified from the tender as they did not submit all the relevant documents required therefore the evaluation panel were unable to interview them. The Service has received feedback from Bristol and Derby Council who are currently receiving a service from SignVideo. They confirm they are satisfied with the service provided and it meets their customers' needs by being able to communicate immediately with Council officers. From the previous tender exercise,

SignVideo were the only organisation who could provide portable video phone equipment which would be more effective for front line services. The other two organisations could only provide laptops and headsets which would not be appropriate due to space restrictions on the front line services.

- 3.1.3 By using SignVideo BSL Live, this will allow the provision of equal access to Deaf and hard of hearing customers whilst reducing the costs of providing a face to face BSL interpreters.
- 3.1.4 If approval is given, a single tender will be invited from SignVideo via Yortender. The contract will be for a pilot of the BSL Live interpreting service for an initial one year period with provision to extend for two x 12 month periods if the pilot proves to be valuable in terms of reducing inequality of accessibility Deaf and hard of hearing customers. On a monthly basis, the Service will monitor the expenditure and review the service and look to do an open tender if the costs exceed or are likely to exceed the EU threshold.
- 3.1.5 The Interpreting and Translation Team will continue to provide face to face BSL interpreting sessions for more complex enquiries however, BSL video interpreting will be able to meet immediate accessibility for Deaf and hard of hearing customers and will result in equal access, anticipated reduction in face to face BSL sessions and more customer satisfaction. BSL Video Interpreting can also be linked to the Council's website so Deaf or hard of hearing customers can contact the Corporate Contact Centre from their own home through an interpreter.

## **3.2 Consequences if the proposed action is not approved**

- 3.2.1 If the waiver is not approved, the consequences of the proposed action would be that the Service will not be able to provide equal access to Deaf and hard of hearing customers. If the Service went to a full tender exercise, there would be a possibility that SignVideo do not complete the relevant documents again, thus it would result in a lot of extra work and wasted time to be in the same position.

If not approved, ITT will continue to provide BSL interpreters for face to face appointments at a cost of £60.00 for a minimum of two hours plus travel expenses. This is not deemed best use of resources and does not represent best value. There will be continued delays in booking BSL interpreters for customer appointments.

To ensure SignVideo complete all the relevant documentation, CPU will aid them complete a compliant bid without being favorable by pointing out which documents were required for completion eg instructions, specification, terms & conditions, pricing schedule and advice can be sought through CPU.

### **3.3 Advertising**

- 3.3.1 If the waiver is approved, the single tender invitation will be sent to SignVideo through YorTender. This will allow for the adoption of the previous issued tender documents to be sent to SignVideo. Therefore approval to waive CPR 3.1.15 is necessary.

## **4. Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 As part of the original tender exercise, three representatives of the Deaf community and a Deaf Employee were part of the project team. They had input throughout the whole tender exercise including scoping the specification, scoring and interviewing the two applicants. There was also attendance to the Deaf forum to consult with a wider audience of the Deaf community.

- 4.1.2 If the waiver is approved, an interview panel will be set up to include representatives from the Deaf community again. Consultation will be sought with the stakeholders to ensure any updates, changes and requirement needs are included into the service specification.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 In order to eliminate discrimination, advance equality of opportunity and access, foster good relations between different groups in the community and this would bring the Deaf and hard of hearing community the same level of service as hearing customers.

### **4.3 Council Policies and City Priorities**

- 4.3.1 The proposed work will help with the city ambition that Leeds will be fair, open and welcoming and in particular, to be a better city for communities.

### **4.4 Resources and Value for Money**

- 4.4.1 Until the provision is implemented, the Service is unsure what the financial implications would be as this is dependent on the take up of the service. The BSL video interpreting is charged at £1.60 - £3.00 per minute dependant on how many minutes the Service use per month and we pay for only what is used. By inviting a tender and awarding a contract direct to SignVideo it is considered that better value for money will be achieved rather than continuing with the sole current arrangement of face to face BSL appointments.

The current arrangements of face to face BSL interpreters are booked for a minimum of two hours at a cost of £60.00 plus travel expenses. The table below shows a breakdown of charges previously provided by

SignVideo. The more minutes the Service use, the more effective it becomes. SignVideo have various pricing structures that will be assessed for best value for money.

By using BSL Video interpreter, this will help us provide equality of accessibility to services.

Item	Description	Unit	Price excluding V.A.T	Volume (actual or estimated quantities)	Total Price (Price x Volume)
	<b>Core service costs</b>	<b>Per month</b>		<b>12 months</b>	
1	Cost per minute 08:30 – 18:00, Mon to Fri	0-500	£3.00	0-500	£1,500 max
2	Cost per minute 08:30 – 18:00, Mon to Fri	501-1000	£2.50	501-1000	£2,500 max
3	Cost per minute 08:30 – 18:00, Mon to Fri	1001– 5000	£2.00	1001– 5000	£10,000 max
4	Cost per minute 08:30 – 18:00, Mon to Fri	5001-10000	£1.80	5001-10000	£18,000 max
5	Cost per minute 08:30 – 18:00, Mon to Fri	10000+	£1.60	10000+	£16,000 min
6	Cost per minute on the times/days below  18:00 – 21:00, Mon to Fri 08:30 – 21:00 Weekends and bank holidays		£60.00 for the first 30 minutes of the call then £2.50 per min thereafter		

## 4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The proposed action is not subject to call in and the report does not contain any exempt or confidential information.
- 4.5.2 Awarding a contract directly to Sign Video without further competition could leave the Council open to a potential claim from other providers, to whom this contract could be of interest, that it has not been wholly transparent. It is not possible to accurately estimate the cost of this contract over the proposed period of 3 years, but as the report requests the waiver of CPR 8.1 and 8.2 it must be anticipated that the cost could be up to £100K. As such, it should be noted that European case law suggests that contracts of this value should be subject to a degree of advertising. Generally matters should be advertised if they would be of interest to contractors operating in another Member State and it is up to the Council to decide what degree of advertising is appropriate.
- 4.5.3 Although there is no overriding legal obstacle preventing the waiver of CPR 8.1 & 8.2, the above comments should be noted. In making their final decision, the Chief Officer of Customer Access should be satisfied that the course of action chosen represents Best Value for the Council.
- 4.5.4 The Service has had several conversations with Corporate Procurement Unit who have advised this would be an appropriate course of action and to invite a single tender through Yortender.

## **4.6 Risk Management**

- 4.6.1 This service plays a pivotal support service for the Deaf and hard of hearing community. Without the provision of BSL video conferencing, the Service will need to continue providing face to face BSL interpreting sessions only. This will not enable the Service to provide an equality of access to Deaf and hard of hearing customers. Without this provision, it will impact negatively on the service user's ability to access essential service.

## **5 Conclusions**

- 5.1 To offer face to face BSL interpreting sessions for more complex enquiries. However, BSL video interpreting will be able to meet immediate accessibility for Deaf and hard of hearing customers and will result in equal access, anticipated reduction in face to face BSL sessions and more customer satisfaction.

## **6. Recommendations**

- 6.1 The Chief Officer of Customer Access is recommended to approve the waiver of the following Contracts Procedure Rule(s):
- *Contracts Procedure Rule No 3.1.15 – Requirement to use the Council's standard tender documents*
  - *Contracts Procedure Rules No 8.1 and 8.2 – Intermediate value procurements*
  - Award a contract to SignVideo subject to satisfactory demonstration in terms of quality and price through a single invited tender
  - The contract will be for a pilot for an initial one year with provision to extend for two x12 month periods when the pilot proves to be successful and uptake is good. However should the contract value exceed or likely to exceed the EU threshold the provisional extension(s) will not be taken up and an open tender exercise will be carried out.<sup>7</sup>

### **Background documents**

None