

CREATING OPPORTUNITIES AND TACKLING INEQUALITIES SCRUTINY COMMITTEE	Agenda Item No. 7
21 MARCH 2011	Public Report

Report of the Solicitor to the Council

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TRANSLATION & INTERPRETATION REQUIREMENTS & EXPENDITURE

1. PURPOSE

- 1.1 The Committee considered the Translation & Interpretation Policy at its meeting on 15 November 2010. Committee members wanted to see more detail of how much was being spent in individual departments, and on what. It was agreed to bring a report back to this meeting, relating to information from 1 April 2010 to 31 December 2010. This period was chosen so that information in the current year could be considered. Members preferred not to wait until after 31 March when they would have been able to consider the full financial year, because there is no further meeting of this Scrutiny Committee in this administrative year.

2. RECOMMENDATIONS

- 2.1 The Committee is asked to consider the information provided, and agree that current processes already ensure the expenditure on translation & interpretation is not excessive.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 This report itself does not specifically link to the Sustainable Community Strategy. The provision of Translation & Interpretation services does link in a number of ways, including:
- Improving Health: by ensuring appropriate access to services.
 - Supporting vulnerable people: so that those in need can properly access the services available to them.
 - Regenerating neighbourhoods: so that the most deprived communities can access services they need to achieve their full potential.
 - Improving skills and education: assisting everyone to access appropriate learning opportunities, specifically so that they can learn language skills.

4. INFORMATION RELATING TO THE NEED FOR EXPENDITURE, AND THE LEVEL AND TYPE OF EXPENDITURE.

4.1 The need for translation & interpretation services

When considering the expenditure in this area, it is important to bear in mind the obligations that the council must meet, in relation to meeting the needs of all members of the community. Leonie McCarthy, Social Inclusion Manager, and Kasia Chiva, Community Development Worker, have produced a detailed report of why the council needs to provide these services. This is provided at Appendix A.

At Appendix B is a report from Karen Osborn, Children's Social Care Safeguarding Team Manager.

It is important that members read these reports before considering the information relating to expenditure, as they help to set the context, including providing some very useful case studies of how use of relatively low cost translation or interpretation could save the authority greater costs in, for example, subsequent court costs.

Members also need to be aware in respect of Children’s Services, that in February 2011, Ofsted undertook its annual unannounced inspection of contact, referral and assessment arrangements. A key strength identified was a strong commitment across the service to ensuring that issues of equality and diversity are well addressed when assessing the needs of children and young people. They identified a key example in the excellent access to interpreting and translation services.

Members have previously raised queries about provision in schools. Within schools maintained by the local authority, the proportion of children with English as an additional language (the Department of Education’s key measure of ethnicity) has risen from 20.4% (4,271) in January 2008 to 27.3% (5,795) in October 2010. Peterborough has had the fourth highest increase nationally (out of 150 local authorities) and has received over £2.7m over the last 3 years to support the increasing needs for children who are new arrivals in the city. This represents 120 different languages (including regional dialects) This has placed huge pressures onto schools. The Local Authority runs an ethnic minority achievement team who provide support to schools with a range of bi-lingual teaching assistants and classroom support. Schools also employ specialist language support directly. These are mainly funded through the ethnic minority achievement grant (around £900k annually). This year this is a standards funds grant paid to the council and allocated onto schools to raise attainment for targeted underachieving ethnic minority groups. The targeted groups are currently:

- Black Caribbean
- Black African
- Black Other
- Pakistani (weighted x 2)
- Bangladeshi

The funding is allocated on the following basis:

- Funding is allocated to schools with numbers of targeted underachieving ethnic minority groups which exceed 5% of their total pupil numbers.
- A unit allocation for all EAL pupils + pupils identified from the target underachieving ethnic minority groups. The table below details the unit allocations:

Sector	Unit allocations
Primary	£56.73
Secondary	£59.04
Special	£80.32

Around £100k is retained by the council to support our EMA team. For 2011/12, the grant has ended but the money has transferred into Dedicated Schools Grant – the council has decided to replicate the grant based upon the methodology above.

In addition, the local authority has recently invested in the EMAS translation software (<http://www.emasuk.com/>). EMAS UK translation tool is recognised to be best practice and recently won the coveted 2011 BETT Awards for “ Tools for Teaching and Learning” along with the 2010 ERA Award for “ Most Innovative product”. It is a digital tool that facilitates personalised learning and communication with students without having a translator in the classroom at all times. This product is starting to be used more widely in Children’s Services and has created significant savings in schools budgets – allowing effective communication with both children in the classroom and parents.

4.2 Spend by Supplier / Type of Expenditure, and Directorate

During the period under scrutiny, the total amount spent was £87903.68. Appendix C shows a table which gives a breakdown of this total into the 3 elements of expenditure, as follows:

Face to face translation	£58362.85
Translation (of documents)	£21267.37
Language Line (where an interpreter assists by telephone)	£ 8273.46.

The same table shows each of these elements broken down by directorate, with Children's Services being the highest user of both interpretation and translation services. Further detail about the need for these services in Children's Services is given in the report at Appendix B.

The highest user of Language Line is Operations, spending £5621.10 of the total of £8273.46 (68%). Overall spend with Language Line is about 10% of the Council's overall spend on interpretation, and no detailed management information is retained to break down individual use of the service. However, the Operations department uses this service for occasions related to, for example, its enforcement activities in areas such as planning and licensing. It is important that enforcement officers are able to communicate with those who do not speak English to ensure they are able to carry out their enforcement activities with all sectors of the community.

4.3 Spend by Language

Appendix D separates the total expenditure (for both translation and interpretation) into different languages. There are 31 different languages, including Braille and British Sign Language, some of which are needed only occasionally. Given the number of different languages, it would be impractical to recruit officers who could offer all of the languages needed, as was suggested at the previous Scrutiny meeting in November. However, attempts are being made to recruit officers skilled in the most common languages, particularly in the customer services centre, and other front facing services. The 3 languages required most often are Polish, Portuguese, and Punjabi, which together make up over 49% of the total spend for the period in question.

4.4 Examples of types of expenditure

To enable Committee members to see more detailed information about the type of expenditure across departments, all the invoices from Cintra for face to face interpretation and translation have been obtained for one representative month (November 2010). This is intended to give a snapshot of the type and level of expenditure in each case. Some of the invoices have been redacted to preserve the confidentiality of the people in respect of whom the service was provided. The redacted invoices are provided in their entirety at Appendix E for committee members who wish to read them, and a summary of the type of expenditure is appended to the front of them as a simple list of the type of expenditure, with the team incurring the expense, and the cost, (VAT exclusive) alongside.

4.5 Detail of total interpreting expenditure

Appendix F gives details of the total expenditure on interpreting for the period April to December 2010. It is broken down further than expenditure by department, and shows the amounts spent by each team, on each language. Appendix F provides similar information to Appendix E, but because it is for a much longer period, it would have been impractical to provide the invoices in support.

4.6 Detail of total translation expenditure

Appendix G gives details of the total expenditure on translation for the period April to December 2010. Like Appendix F, it is broken down into amounts spent by each team, on each language. It provides similar information to Appendix E, but again, without supporting invoices.

4.7 Detail of expenditure on Braille and British Sign Language

As members showed a particular interest in knowing the level of expenditure on Braille and British Sign Language, this has been extracted for the period in question and is shown in more detail in Appendix H.

4.8 Procurement of a new interpretation and translation services framework contract

The Council currently has a contract with Language Line for telephone interpretation, and CINTRA for face to face interpretation and translation of documents. The contracts were established in 2007 after the Council ran a joint procurement exercise with NHS Peterborough.

The contracts are in the process of being renewed, and to enable greater efficiencies through a joint procurement, the Council has joined with the following organisations for the procurement of these services:

- NHS Peterborough
- Peterborough & Stamford Foundation Health Trust
- Cambridge & Peterborough Mental Health FT

Anglia Support Partnership, which is a support service to the NHS, is leading a collaborative procurement on behalf of all partners. The aim is to implement the new contract before the end of the 10/11 financial year, after which the partners will be able to call off the framework as necessary, subject to their own organisation's procurement rules.

The aim of the procurement is to:

1. ensure compliance with EU procurement legislation,
2. deliver a reduction in costs,
3. deliver efficiencies through economies of scale.

Cost reductions will be achieved as the opportunity has been competitively tendered, including the aggregation of service volumes from PCC and the other partners in order to encourage suppliers to deliver economies of scale. Interest was received from forty suppliers. Key to obtaining cost reductions is the specification for the contract which outlines:

B1.3 For face to face assignments (linguistic) the majority of interpreters must be met from local provision i.e. to be based for Peterborough within a five mile radius of the City and for Cambridgeshire within localities;

B.3.3 The Partnership is interested in innovative service delivery to demonstrate value for money whilst providing high quality services.

B.6 Telephone-The Partnership recommendation to staff is for Telephonic service to be used for assignments which are for duration of 60 minutes or less and for all minor consultations. Face to face interpretation should be used for longer consultations such as detailed assessments and exceptional cases only.

Costs

- *To contract for a 3 years period with no price increase.*

- *A break at the end of 12 months by the Partnership if the contract specifications have not been met, with no financial penalty incurred to the Partnership.*
- *The contract can be extended for a further year so that a total solution spanning 4 years can be achieved if the contract is deemed to be successful by both parties. An extension would only be granted if a further benchmark review at the three year point demonstrated that the supplier still provided best value for money.*
- *The charges will be fixed for the three years from the commencement date. Any price changes thereafter will not exceed the change in the rate of the index of retail prices*

The contract will also deliver efficiencies in the running of the contract as the partners will jointly manage the burden of supplier relationship management and contract monitoring. Likewise, there will be significant sharing of resources and expertise between partners. Examples will include implementation plans and communications materials, training and translated written resources.

5. KEY ISSUES FOR THE COMMITTEE TO CONSIDER.

5.1 The key issues that the Committee needs to consider are:

- (i) Does it have any concerns that the Council is not meeting its legal obligations to service users in the provision of translation & interpretation services?
- (ii) If so, what changes does the Committee recommend?
- (iii) Is there any area of expenditure where the Committee believes the expenditure is excessive?
- (iv) Is there any area of expenditure where the Committee believes the expenditure is insufficient?
- (v) Does the Committee have any changes it wishes to recommend in respect of either expenditure, or provision of translation & interpretation services?
- (vi) Does the Committee require any further information?
- (vii) Does the Committee consider it necessary to set up a task & finish group to carry out further investigations into provision of and/or expenditure on translation & interpretation services? If so it will need to determine the following issues:
 - The membership of the group
 - Its terms of reference
 - The date by which it should report back to the Committee.

6. IMPLICATIONS

6.1 This report itself has no specific implications; it provides information for the Committee to consider. If the Committee recommends changes to the provision of translation & interpretation services, further advice on the legal implications of any proposals will need to be given before the implementation of any such changes. Similarly, further advice will be required on the financial implications, as any changes recommended may have adverse effects on other budgets.

Any substantial changes will require an Equality Impact Assessment to be carried out. Therefore any recommendations of this Committee should be conditional upon the findings of an Equality Impact Assessment, and legal and financial advice on the proposals.

This report has no specific impact on any particular ward, the issue is city-wide.

7. CONSULTATION

7.1 Relevant departments have been consulted about their use of translation & interpretation services, and have contributed relevant information to this report. It is not appropriate to carry out further consultation, as the purpose of this report is to enable

the Committee to determine whether it is satisfied that expenditure is not excessive, or whether it requires further work to be done. Depending on the outcome of this scrutiny meeting, certain proposals may require consultations with groups affected by proposals (for example as part of a detailed equality impact assessment being required). Any such consultation will be carried out at the appropriate time.

8. NEXT STEPS

8.1 If the Committee is satisfied with the information provided to it, no further action is necessary. Departments will continue to monitor expenditure, making efficiency savings wherever possible.

If the Committee is not satisfied, it may wish to set up a task & finish group to carry out further investigations into the expenditure.

No other action is necessary.

9. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

9.1 Report to Creating Opportunities & Tackling Inequalities Scrutiny Committee dated 15th November 2010 "Translation & Interpretation Policy"

10. APPENDICES

10.1 Appendix A : Analysis of the statutory need for a translation & interpretation service
Appendix B : Analysis of the need in Children's Social Care & Safeguarding
Appendix C : Spend by Directorate & Category
Appendix D : Spend by Language
Appendix E : Summary of invoices for November 2010
Appendix F : Total spend on interpreting April to December 2010
Appendix G : Total spend on translation April to December 2010
Appendix H : Total spend on Braille & British Sign Language April to December 2010