

From: Richard Smith, Corporate Director Adult Social Care and Health

To: Clair Bell, Cabinet Member for Adult Social Care and Public Health

Subject **Framework for Interpreting and Communication Services for People who are D/deaf and Deafblind – Contract Award**

Non-Key decision: 23/00011

Classification: Unrestricted - Restricted Appendix (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information)

Past Pathway of report: Adult Social Care Cabinet Committee – 15 March 2023

Future Pathway of report: Cabinet Member Decision

Electoral Division: All

Summary: Kent County Council's (KCC) statutory responsibilities under the Care Act 2014, Equality Act 2010 and the Accessible Information Standard 2016 are partly delivered through an Interpreting and Communication Framework for People who are D/deaf or Deafblind. The Framework provides a list of pre-vetted and approved communication professionals from whom interpreting and translation services can be purchased as and when required. The current framework commenced in June 2019 and will expire in June 2023. New contractual arrangements for purchasing these services need to be in place by 17 June 2023 and it is proposed to award Framework Agreements to suitably qualified providers, as assessed via a formal procurement process.

Recommendation(s): The Cabinet Member for Adult Social Care and Public Health is asked to:

a) **APPROVE** the award of contracts for Interpreting and Communication Services for People who are D/deaf and Deafblind; and

b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

1. Introduction

- 1.1 KCC has a statutory responsibility under The Care Act 2014 to meet the needs of people assessed as having eligible needs, including people with sensory impairments.
- 1.2 A person's method of communication should not cause for them a barrier which obstructs them from accessing any services that they may need. D/deaf and deafblind people in Kent need to be able to live safely and independently in their local communities. Public sector agencies must also ensure equality of access to services within their communities and prevent discrimination as detailed in the Equality Act 2010.
- 1.3 One of the key ways that KCC achieves its responsibilities in these areas is through the provision of a British Sign Language interpreting service. This service supports D/deaf people to access services and support, and to be able to express, communicate and advocate for themselves. It can be accessed by any department in KCC and by a number of public sector partners who have signed up to access the service.
- 1.4 This report details the procurement process taken in order to recommend the award of contracts for Interpreting and Communication Services for People who are D/deaf or Deafblind.

2. Commissioning intentions

- 2.1 In 2022 an options appraisal reviewed the most effective way to provide the D/deaf and Deafblind interpreting services that the council requires, and this resulted in the recommendation to procure a new framework of external providers that can be used to book communication professionals as and when required. The benefits of this type of contractual arrangement include:
 - Business continuity is maintained;
 - Benefits of the high quality of the current service are maintained;
 - Maintains the current deaf awareness culture of the service;
 - Retains consistency for Contract Partners accessing services through Kent Deaf Interpreting Service (KDIS);
 - It is manageable within the budget;
 - It offers a commercial advantage by giving access to a wide selection of service options and providers in one contract, that providers can join at any time to maintain levels of competition in a limited market;
 - An opportunity to create more social value with greater community wealth and using interpreters local to the Kent community; and
 - Creating a continuous improvement opportunity with long term relationships between providers, people in receipt of the service and other stakeholders.
- 2.2 The proposed Framework will introduce well-managed contracts and have systems and measures in place to manage day-to-day operational requirements

for Interpreting and Communication Services for People who are D/deaf and Deafblind.

- 2.3 A procurement process was designed which was proportionate to the requirement, clear and accessible. This requirement is subject to the Light Touch Regime (LTR); however a traditional procurement route was conducted given that there was no need to alter the 'Open Procedure' in this case.
- 2.4 Table 1 shows the procurement timetable:

Table 1: Procurement timetable

Procurement Timetable	
Publication of advert and ITT Documentation on the Kent Business Portal	2 November 2022
Deadline for Tender Responses	11 December 2022
Tender Evaluation	12 December 2022 – 18 January 2023
Contract Award	27 March 2023
Contracts Issued	7 April 2023
Contract Commencement Date	17 June 2023

- 2.5 The evaluation of tenders was completed by a team consisting of members of Strategic Commissioning and the Adult Social Care Sensory Services Team.
- 2.6 Following the evaluation process, it is recommended that the new Framework of external providers is put in place for a period of four years, commencing in June 2023 and expiring in June 2027.
- 2.7 Once in operation, the Framework will open periodically throughout its period to allow potential new providers to tender and join the list of approved providers.
- 2.8 The successful providers for entry onto the Framework on this occasion are included in Exempt Appendix A (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information).

3. Financial Implications

- 3.1 As this is a framework approach, there is no fixed contract value or commitment to spend for any provider or service provided under the Framework, however the estimated annual cost of this service to Kent County Council Adult Social Care is £20,000 per annum, or £80,000 over the proposed four-year contract period.
- 3.2 The Adult Social Care and Health (ASCH) budget was £29,400 for 2022/23, this is inclusive of spend for Children's Services. Based on the number of bookings

remaining stable, the estimated annual income to ASCH from booking fees from users of KDIS is £4,500.00.

- 3.3 In addition to ASCH, all other council directorates and the Council's public sector Contract Partners can also use the Framework to purchase communication services. Based on this the total estimated value of the Framework is £50,000 per annum (£200,000 over the four-year period).
- 3.4 Contractual payments will be managed using the Council's budgetary approval hierarchy within the iProcurement system.

4. Legal implications

- 4.1 The procurement of this Framework has been undertaken in line with the Public Contract Regulations (2015).

5. Equalities implications

- 5.1 An Equality Impact Assessment has been carried out (attached as Appendix 1). The assessment concluded that there should be no negative impact on those with protected characteristics.

6. Data Protection Implications

- 6.1 A Data Protection Impact Assessment is likely to be required and will be carried out during the Framework mobilisation process.

7. Other corporate implications

- 7.1 This service enables KCC to meet their requirements under the Public Sector Duty within The Equality Act (2010).

8. Conclusions

- 8.1 The current Framework for Interpreting and Communication services is working well to provide a high service quality for people with specialist communication needs, within budget.
- 8.2 It is therefore proposed to award contracts, to the providers identified in Exempt Appendix A (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information) on a new Interpreting and Communications Framework, ready for the expiry of the current arrangements in June 2023.
- 8.3 Commissioning these services via a Framework of service provision supports the principles of Making a Difference Every Day, by delivering a person-centred approach to accessing communication support for people who need it.

9. Recommendations

9.1 Recommendation(s): The Cabinet Member for Adult Social Care and Public Health is asked to:

- a) **APPROVE** the award of contracts for Interpreting and Communication Services for People who are D/deaf and Deafblind; and
- b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

10. Background Documents

None

11. Report Author

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