

**DMPC Decision – PCD 899**

**Title: Initiate Procurement for the Provision of Telephone Interpreting Services**

**Executive Summary:**

This paper seeks approval to initiate procurement for the provision of telephone interpreting services. The current contract expires 30 April 2021. The estimated 4 year value of the service is £2.4m. The procurement is planned to be by way of a competitive process from the Eastern Shires Purchasing Organisation (ESPO) framework.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

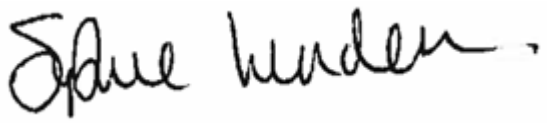
1. Approve the initiation of procurement activity for Telephone Interpreting Services via ESPO Framework 402 – 20 Language Services Specification LOT 4a Telephone Interpreting. The contract value will be a maximum of £2.4m over a 4 year period (3+1)
2. Where the results of the procurement process fall within the confirmed budget (£2.4m) delegate approval for the award of contract to the Director of Commercial Services.

**Deputy Mayor for Policing and Crime**

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

**Signature**



**Date**

**7/12/2020**

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC**

### **1. Introduction and background**

- 1.1. The Metropolitan Police Service (MPS) is legally obliged to provide linguistic support for detainees and victims under various legislation. The MPS Language and Cultural Services (LCS) provide linguistic and cultural support to the MPS 24/7 365. This includes Interpreters and Translators, via Face to Face interviews – Remote interpreting, Video and MS Teams, MPS officer and staff volunteers and Telephone Interpreting for evidential and non-evidential purposes.
- 1.2. Telephone Interpreting supports the MPS policy of minimising officer extraction time from their duties in the community by supporting immediate communications with witnesses, victims and triaging potential detainees.
- 1.3. The current contract for Telephone Interpreting Services for the MPS will expire on 30th April 2021 with no options to extend.

### **2. Issues for consideration**

- 2.1. The MPS report that amongst the city's resident population over 300 languages are spoken and this level of diversity of language is only enhanced further through London's tourist numbers. The service has seen increased volume since the pandemic and start of lockdown in March without the normal levels of commuters and tourism, which is expected to change over the next four years when these groups return to London.
- 2.2. The ability of MPS officers and staff to communicate with victims, offenders and the public in general is of key importance to the Mayor's Police & Crime Plan and to the MPS in its strategic direction. It is only through building relationships that the MPS can ascertain information, provide community confidence and reassure victims of crime.
- 2.3. The MPS report that over the last 18 months LCS has worked with the incumbent Language Line Solutions (LLS) to make available a Telephone Interpreting application, next-generation, mobile video-and-audio solution. The LLS app extends telephone interpreting capabilities empowering officers with real-time access to an interpreters – wherever and whenever they are needed. This will be included in the requirement and may cause a portion of the 14 bidders on the framework not to bid.
- 2.4. The MPS note that feedback on the service from members of the public, that is, witnesses, victims and detainees can be made directly to the Investigating officer or through the Independent Office for Police Conduct (IOPC). In the incumbent contract, police officers are able to give feedback to the supplier from the in app service (monitored by LCS) and to Language and Cultural Services Customer Services team.

### **3. Financial Comments**

- 3.1. The estimated value of the proposed new contract is £2.4m over a 4 year period. The MPS has the budget for this sum.

#### **4. Legal Comments**

- 4.1. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contracts Regulations 2015 (the Regulations). When awarding public contracts for goods and services valued at £189,330 or above, all contracting authorities must do so in accordance with the Regulations. This report confirms the value of the requirement is £2.4m
- 4.2. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent requires that approval is obtained by the Deputy Mayor for Policing and Crime (DMPC) for all requests to go out to tender for contracts of £500,000 or above.
- 4.3. Paragraph 7.23 of the Scheme provides the Director of Strategic Procurement has consent to approve the award of all contracts except for those subject to call in. Paragraph 4.14 provides the DMPC reserves the right to call in any MPS proposal to award a contract valued at £500,000 or above.

#### **5. Commercial Issues**

- 5.1. The proposed procurement will be to acquire a Telephone Interpreting Service to operate 24/7 365. The estimated maximum value of the procurement is £2.4m over the planned 4 year period.
- 5.2. The procurement will be undertaken via a further competition process via the Easter Shires Purchasing Organisation (ESPO) framework.

#### **6. GDPR and Data Privacy**

- 6.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 6.2. The MPS have stated that this project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

#### **7. Equality Comments**

- 7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.2. The MPS has confirmed that an EIA is being completed to mitigate any risk of languages not being included. The provision is a positive intervention for Officers to communicate with citizens in the community and in custody, who do not have English as a first language.

**8. Background/supporting papers**

- Appendix 1 MPS Report INITIATE PROCUREMENT FOR THE PROVISION OF TELEPHONE INTERPRETING SERVICES FOR MPS

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date: N/A

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – No

<b>ORIGINATING OFFICER DECLARATION</b>	<i>Tick to confirm statement (✓)</i>
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Legal Advice:</b> The MPS legal team has been consulted on the proposal.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.	✓
<b>Commercial Issues</b> Commercial issues are covered in the body of the report.	✓
<b>GDPR/Data Privacy</b> GDPR compliance issues are covered in the body of the report.	✓
<b>Director/Head of Service:</b> The interim Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC’s plans and priorities.	✓

**Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature



Date 2/12/2020



# MOPAC

MAYOR OF LONDON  
OFFICE FOR POLICING AND CRIME

## INITIATE PROCUREMENT FOR THE PROVISION OF TELEPHONE INTERPRETING SERVICES FOR MPS

### MOPAC PORTFOLIO AND INVESTMENT BOARD & INVESTMENT ADVISORY MEETING NOVEMBER 2020

#### Report by Chris Bray on behalf of the Chief of Corporate Services

**Part 1 – This section of the report will be published by MOPAC. It is Classified as OFFICIAL – PUBLIC**

#### *EXECUTIVE SUMMARY*

Approval is sought to initiate the procurement activity for Telephone Interpreting Services. The Metropolitan Police Service (MPS) wishes to tender for the purpose of creating a new contract with a capable supplier for an initial term of 36 months with the option to extend for further periods of up to 12 months. The contract duration will not exceed 48 months.

Service commencement is required by 1<sup>st</sup> May 2021. The MPS must be able to continue to access telephone interpreting services to meet operational and duty of care requirements.

This service will assist MPS officers and staff to communicate with victims, offenders and the public in general is of key importance to the Mayor's Police & Crime Plan and to the MPS in its strategic direction

#### **Recommendations**

The Deputy Mayor for Policing and Crime, via the Portfolio and Investment Board, is asked to approve the following recommendations:

1. Approve the initiation of procurement activity for Telephone Interpreting Services via ESPO Framework 402 – 20 Language Services Specification LOT 4a Telephone Interpreting. The contract value will be a maximum of £2.4m over a 4 year period (3+1)
2. Where the results of the procurement process fall within the confirmed budget (£2.4m) delegate approval for the award of contract to the Director of Commercial Services.

## **Time sensitivity**

A decision is required from the Deputy Mayor by 19<sup>th</sup> December 2020. This is to ensure sufficient time to conduct and award a contract prior to the expiry of the existing contract which is due to expire on 31<sup>st</sup> April 2021.

## **Non-confidential facts and advice to the Deputy Mayor for Policing and Crime**

### **Introduction and background**

1. The MPS is legally obliged to provide linguistic support for Detainees via European Directive 64/10 - European Convention on Human Rights (ECHR) 1953 - Enshrined by Human Rights Act 1988 - Equality Act 2010 which include disability - (BSL). The MPS is also directed to provide linguistic support by the Police and Criminal Evidence Act (Pace 1984), Code C and codes F, G, H – The detention, treatment and questioning by Police Officers of persons in police detention under S41/8 Terrorism Act 2000 - Domestic Violence, Crime and Victims Act 2004 section 33-36 legislated by MOJ, Code of Practice for Victims of Crime (2015) - MOJ Witness Charter (2013).
2. Language & Cultural Services (LCS) provide linguistic and cultural support to the MPS 24/7 365 This includes Interpreters and Translators, via Face to Face interviews – Remote interpreting, Video and MS Teams, SD volunteers,(MPS own officers and staff with language skills and cultural knowledge) and Telephone Interpreting for evidential and non-evidential purposes. Telephone Interpreting supports the MPS policy of minimising officer extraction time from their duties in the community by supporting immediate coms with witnesses, victims and triaging potential detainees.

### **Issues for consideration**

3. London continues to be rapidly changing and growing city of over 8.9m residents, with more tourists and commuters visiting the city on a daily basis. The service has seen increased volume since the pandemic and start of lockdown in March without the normal levels of commuters and tourism, which will change over the next four years when these groups return to London. Amongst the city's resident population over 300 languages are spoken and this level of diversity of language is only enhanced further through the growth in London's tourist numbers.
4. The ability of MPS officers and staff to communicate with victims, offenders and the public in general is of key importance to the Mayor's Police & Crime Plan and to the MPS in its strategic direction. It is only through building relationships that

the MPS can ascertain information, provide community confidence and reassure victims of crime

5. While we are constantly striving to increase the diversity of our staff, we recognize that with the number of interactions taking place between us and the public it will always be difficult to ensure that we have available staff to meet demand. The MPS language services fill this gap.
6. The current contract (SS31021) for Telephone Interpreting Services for the MPS will expire on 30th April 2021 with no options to extend. The start date of the new contract (once awarded) will commence 1st May 2021 for a permitted duration of up to 4 years. Current spend is around £600k per annum.

### **Contributes to the MOPAC Police & Crime Plan 2017-2021<sup>1</sup>**

7. By ensuring the service can assist MPS officers and staff to communicate with victims, offenders and the public in general is of key importance to the Mayor's Police & Crime Plan and to the MPS in its strategic direction.

### **Financial, Commercial and Procurement Comments**

8. The paper seeks approval to tender for a new contract to provide Telephone Interpreting Services for the MPS, at a maximum value of £2.4m over the 4 year period. The existing revenue budget is £600k per year, which equates to £2.4m over 4 years. The procurement will be undertaken via a further competition process via the ESPO framework.
9. The current provision in the MPS budget for the service sits with MO11 CCDS LCS A1B1420 EL130. As part of this contract LCS will have sole responsibility for telephone interpreting services.
10. The service is demand driven so spend may increase, or decrease as a result of external factors such as the migration of people to London as one of the most culturally diverse cities in the world. If spend does exceed the budget, corresponding savings will need to be identified elsewhere in existing devolved budgets.
11. This report confirms the procurement process will be undertaken by Commercial Services in accordance with the Regulations.

### **Legal Comments**

12. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contracts Regulations 2015 (the Regulations). When awarding public contracts for goods and services valued at £189,330 or above, all contracting authorities must do so in accordance with the Regulations. This report confirms the value of the requirement is £2.4m

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<sup>1</sup> [Police and crime plan: a safer city for all Londoners | London City Hall](#)



13. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent requires that approval is obtained by the Deputy Mayor for Policing and Crime (DMPC) for all requests to go out to tender for contracts of £500,000 or above.

14. Paragraph 7.23 of the Scheme provides the Director of Strategic Procurement has consent to approve the award of all contracts except for those subject to call in. Paragraph 4.14 provides the DMPC reserves the right to call in any MPS proposal to award a contract valued at £500,000 or above.

### **Equality Comments**

15. An EIA is being completed to mitigate any risk of languages not being included. This provision is a positive intervention for Officers to communicate with citizens in the community and in custody, who do not have English as a first language.

Feedback from members of the public i.e. witnesses - victims- detainees can be made through the Independent Office for Police Conduct (IOPC) or directly to the Investigating officer. In the incumbent contract, Officers are able to give feedback to the supplier from the in app service (monitored by LCS) and to Language and Cultural Services Customer Services team.

### **Privacy Comments**

16. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals. Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the programme/project meets its compliance requirements. The programme/project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

### **Real Estate Implications**

17. There are no changes to the estate associated with this report.

### **Environmental Implications**

18. N/A

### **Background/supporting papers**

19. There are no background papers.

