

Our Reference North East and North Cumbria ICB\
FOI ICB 24-096

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By Email

13 June 2024

Dear Applicant

Freedom of Information Act 2000 – Request for Information – NHS North East and North Cumbria Integrated Care Board (NENC ICB)

Thank you for your request received by North of England Commissioning Support (NECS) on 30 May 2024 for information held by NHS North East and North Cumbria Integrated Care Board (the ICB) under the provisions of the Freedom of Information Act 2000.

The ICB covers the areas of County Durham, Gateshead, Newcastle, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland, and Tees Valley (which covers the five local authorities of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees).

Please find the information you requested on behalf of the ICB as follows.

Your Request

Under Freedom of Information Act 2000, please can you provide the following information regarding language services.

1. Please confirm your overall spend on interpreting, translation and transcription services for the following financial years:
 - 2021-22
 - 2022-23
2. Who is your incumbent supplier(s) for language services? If you have more than one supplier, which services does each one provide to you?
3. If you have a separate British Sign Language/non-spoken supplier, who is this?
4. If you have a separate transcription supplier, who is this?
5. Do you have any in-house interpreters/translators?
6. When is your current language services contract(s) due to expire, a) without extensions and b) with all possible extensions?
7. Could you please provide the name, phone number and email address of the contract manager responsible for language services?

8. Could you please provide the name, phone number and email address of the person responsible for your language services budget?
9. Could you please provide the following data for 2023:
 - Total number of face-to-face interpreting assignments (spoken language) and hours completed
 - Total number of face-to-face interpreting assignments (non-spoken language) and hours completed
 - Total number of telephone interpreting calls and minutes completed
 - Total number of video interpreting calls (spoken language) and minutes completed
 - Total number of video interpreting calls (non-spoken language) and minutes completed
 - Total number of document translations and words translated
 - Total number of audio transcriptions and total audio duration
10. What were your top 20 highest-volume languages for interpreting/translation requests in 2023?
11. Can you please provide the fill rate % you received for the following services in 2023:
 - Face-to-face interpreting
 - Telephone interpreting
 - Video interpreting
 - Document translation
 - Audio transcription
12. What languages has your provider been unable to source in the last 12 months?
13. Have service credits been applied on your language services contract in the last 12 months? If so, what performance failure was this linked to?
14. What social value has been delivered as part of this contract in the last 12 months?
15. If your contract was awarded through a tender process, can you please provide a copy of the winning bidder's tender?
16. What are your contracted rates for each of the following services?
 - Spoken face-to-face interpreting: hourly rate
 - Non-spoken face-to-face interpreting: hourly rate
 - Telephone interpreting: per minute rate
 - Spoken video interpreting: per minute rate
 - Non-spoken video interpreting:
 - Document translation: per word rate
 - Audio transcription: per audio minute rate
17. Has your provider of language services increased their charge rate to you in the last 12 months?
18. What is the Authority's typical route to market?
19. Does the Authority currently have any interpreter on wheel devices as part of their current contract? If yes, please advise how many and if these are provided free of charge or paid for by the Authority.
20. Could you please provide the name, phone number and email address of the person in charge of procurement for the Authority?

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB holds some of the information you have requested.

1. We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB holds some of the information you have requested for question 1. However, this is available within the NENC ICB publication scheme which can be accessed on the ICB website: [Publications scheme | North East and North Cumbria NHS \(northeastnorthcumbria.nhs.uk\)](https://www.nenc.nhs.uk/publications-scheme/) or please refer

to our previous related request, our ref: FOI ICB680 from the NENC ICB FOI Disclosure Log at: <https://northeastnorthcumbria.nhs.uk/> In accordance with s.21 of the FOIA, we are not required to provide information in response to a request if it is reasonably accessible to you by other means.

2. The supplier is Language Empire Ltd.
3. NENC ICB has no separate British Sign Language/non-spoken supplier.
4. NENC ICB has no separate transcription supplier.
5. NENC ICB has no in-house interpreters/translators.
6. Current contract ended 31st March 2024; enacted 2-year option to extend.
7. We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the requested information however, it is exempt from disclosure under s.40(2) of the FOIA2000 as it would constitute personal data as defined by Article 4(1) of the UK General Data Protection Regulation (UK GDPR).

Section 40(8) of FOIA confirms that for the purposes of considering disclosure, a public authority may consider the legitimate interest's lawful basis for processing. In considering the balance between identified legitimate interests and the rights and interests of the individuals concerned, we must consider if the proposed disclosure would be within the reasonable expectations of the individual when the data was collected.

We believe that disclosure of the personal email information relating to these individuals would be contrary to the requirements of Article 5(1)(a) of the GDPR; namely that information must be processed lawfully, fairly and in a transparent manner. These individuals would have no expectation that this information would be made publicly available, and we have not identified a lawful basis that would allow or require us to disclose this information.

We have followed the Information Commissioner's guidance in assessing whether it is fair to disclose the information under FOIA. This involves considering the nature of the information, the expectations of, and potential harm (of disclosure) to, the data subjects, and how any legitimate public interest in this information is balanced against the rights and freedoms of the data subjects.

In considering a disclosure under FOIA, we must consider that any information released under the Act will be placed in the public domain, through our own disclosure log or by other means. In accordance with our duty to provide advice and assistance under s.16 FOIA 2000, you can direct all queries to specific staff using the ICB's email necsu.nenc-icb.contactus@nhs.net

8. Please refer to the response to question 7.
9. Data requested:
 - F2f interpreting assignments and hours completed (spoken): 34,559 assignments, 1,024,622 minutes.
 - F2f interpreting assignments and hours completed (non-spoken): 2,435 assignments, 97,674 minutes
 - Telephone interpreting calls and minutes completed: 14,040 calls, 279,218 minutes.
 - Video calls and minutes completed (spoken): 171 calls, 6585 minutes.
 - Video calls and minutes completed (non-spoken): 155 calls, 6633 minutes.
 - Document translation and words translated: 609 documents, 770,960 words.
 - Audio transcripts: none
10. Top 20 highest-volume languages were Arabic, Kurdish, Romanian, Farsi, Bengali, BSL, Czech, Polish, Chinese (Cantonese) Chinese (mandarin), Urdu, Slovak, Bengali (Dhaka), Russian, Pashto, Tigrinya, Ukrainian, Spanish, Albanian, Portuguese (Portugal European)
11. Fill rates percentages are:

- Face-to-face interpreting: non-spoken 93.20%, spoken 93.45%
 - Telephone interpreting: 99.73%
 - Video interpreting: non-spoken 98.82%, spoken 100%
 - Document translation: 97.70%
 - Audio transcription: none
12. Languages unable to source were Sotho, Nepali, Yoruba, Korean, Japanese, Romani, Temne, Gujarati, Farose, Galician, Macedonian, Arabic – Kuwait, Arabic – Palestine, Hindi, Edo, Tigre, Mongolian, Taiwanese
13. Service credits been not applied on language services contract in the last 12 months.
14. The ICB has been working with an educational body (WEA) to provide courses for potential interpreters and also to upskill registered interpreters in the North East recently.
15. On this occasion it is not possible to provide the requested information. In line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm the ICB does not hold any of the information requested. The contract was procured by NHS England so we have determined that the information is held by them.

In accordance with our duty under s.16 of the FOIA to provide reasonable advice and assistance to an individual requesting information, the FOI email address for NHS E is england.contactus@nhs.net Please write "Freedom of Information" in the subject line.

16. Rates are:
- Spoken face-to-face interpreting: Band 3 £27.83 + VAT hourly rate
 - Non-spoken face-to-face interpreting: hourly rate in line with NUBSLI fees
 - Telephone interpreting: per minute rate: £0.53 + VAT
 - Spoken video interpreting: per minute rate: £1.05 + VAT
 - Non-spoken video interpreting: £105 per hour + VAT
 - Document translation: per word rate: £0.10 + VAT
 - Audio transcription: per audio minute rate: not provided
17. No, the provider of language services increased their charge rate in the last 12 months.
18. For healthcare services, a decision as to the most appropriate procurement route having regard to the Health Care Services (Provider Selection Regime) Regulations 2023 to determine if a most suitable providers route or competitive process is undertaken. Market landscaping under the Most Suitable Provider (MSP) can set a profile of services to understand market capabilities and will support the decision-making process to award contracts and identify what can be achieved in the short, medium and long-term plan for improved quality and best value service delivery.
19. No, NENC ICB does not currently have any interpreter on wheel devices as part of the current contract.
20. Please refer to the response to question 7.

In accordance with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the NHS ICB website <https://northeastnorthcumbria.nhs.uk/>.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the service you have received in relation to your request and wish to request a review of our decision, you should write to the Senior Governance Manager using the contact details at the top of this letter quoting the appropriate reference number.

If you are not content with the outcome your review, you do have the right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act 2000. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the North of England Commissioning Support Unit.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.org.uk

Any information we provide following your request under the Freedom of Information Act will not confer an automatic right for you to re-use that information, for example to publish it. If you wish to re-use the information that we provide and you do not specify this in your initial application for information then you must make a further request for its re-use as per the Re-Use of Public Sector Information Regulations 2015 www.legislation.gov.uk . This will not affect your initial information request.

Yours sincerely

S Davies

S Davies
Information Governance Officer