

## Freedom of Information Request

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**Reference Number:** EPUT.FOI.20.1638  
**Date Received:** 1<sup>st</sup> September 2020

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### Information Requested:

Under the Freedom of Information Act legislation could you please provide me with financial information relating to the following services. I would appreciate it if you could provide us with this information for the last 2 financial years (the current year and budget for next year)?

1. Costs of face to face interpreting services  
The interpreting cost is not broken down in this detail within the Trusts Finance system. Therefore this information is not available
2. Costs of telephone interpreting services  
The interpreting cost is not broken down in this detail within the Trusts Finance system. Therefore this information is not available
3. Costs of written translation services  
The interpreting cost is not broken down in this detail within the Trusts Finance system. Therefore this information is not available

I would also appreciate if you could please provide me with the following information:

4. The annual cost for each of the services  
The annual budget for all interpreter services for the current and next year is £118.7k (same for both years)
5. Whether interpreting hourly fee is inclusive of travel or plus costs?  
The interpreting cost is not broken down in this detail within the Trusts Finance system. Therefore this information is not available
6. How much is the cost per hour?  
The interpreting cost is not broken down in this detail within the Trusts Finance system. Therefore this information is not available
7. Breakdown of the top 30 most popular languages used over these periods
  - BSL - British Sign Language
  - Polish
  - Romanian
  - Farsi
  - Russian
  - Turkish
  - Bengali (Dhaka)
  - Urdu
  - Chinese (Mandarin)
  - Portuguese

- Punjabi (Pakistani)
  - Albanian
  - Kurdish (Sorani)
  - Benagli (Sylheti)
  - Arabic - All or Any
  - Punjabi (Indian)
  - Tamil
  - Vietnamese
  - Hindi
  - Lithuanian
  - Chinese (Cantonese)
  - Thai
  - Italian
  - Spanish
  - Czech
  - Hungarian
  - French
  - Nepali
  - Filipino
  - Tamil
8. Details of your current provider(s) (company name, date contract was awarded)  
Language Empire, Contract start date 1<sup>st</sup> August 2019
9. Spend per language service provider (LSP)  
Spend by Language Empire YTD £4,857
10. When are your current language service contracts with your LSPs due to end?  
31<sup>st</sup> July 2021 but we do have the option to extend for two further years.
11. Where do you advertise your face to face interpreting and translation contracts?  
Tenders are advertised via OJEU if they are not run via a Framework
12. Name, addresses and contact point(s) for your Procurement Department responsible for awarding Interpreting and Translation contracts.  
The Trust is unable to provide all of this information. This is because the Trust considers the staff names to be personal information which is exempt under Section 40 (Personal Information) of the Act.

In addition Trust policy states that personal information will only be given for those staff with public facing roles:

- Public Interest Roles - those staff occupying positions of seniority with public profiles and responsibilities for major (policy) decisions and expenditure of public funds. (Freedom of Information Policy & Procedure: Section 3.3)

However the Trust can confirm that the Contracts Department based at Trust Head Office, The Lodge, Lodge Approach, Wickford, Essex, SS11 7XX is responsible for the procurement process for Interpreting and Translation services.

**Applied Exemption:**

**Section 40 (Personal information):**

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.
- (2) Any information to which a request for information relates is also exempt information if—
  - (a) it constitutes personal data which do not fall within subsection (1), and
  - (b) either the first or the second condition below is satisfied.
- (3) The first condition is—
  - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—
    - (i) any of the data protection principles, or
    - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and
  - (b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 2018 (which relate to manual data held by public authorities) were disregarded.
- (4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).
- (5) The duty to confirm or deny—
  - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
  - (b) does not arise in relation to other information if or to the extent that either—
    - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 2018 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
    - (ii) by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(a) of that Act (data subject’s right to be informed whether personal data being processed).

- (6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 2018 shall be disregarded.
- (7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 2018, as read subject to Part II of that Schedule and section 27(1) of that Act;
- “data subject” has the same meaning as in section 1(1) of that Act;
  - “personal data” has the same meaning as in section 1(1) of that Act.

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**Publication Scheme:**

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT’s Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>