

POLICY AND RESOURCES CABINET BOARD

27TH JULY 2012

CHIEF EXECUTIVE'S OFFICE

**REPORT OF HEAD OF CORPORATE STRATEGY
P.S.GRAHAM**

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1 NATIONAL ASSEMBLY FOR WALES: WALES OFFICE GREEN PAPER ON FUTURE ELECTORAL ARRANGEMENTS

1. Purpose of the Report:

- 1.1 To report on a Home Office Green Paper on the future of the electoral arrangements for the National Assembly for Wales and decide on what, if any, observations to submit to the Wales Office.

2. Background:

- 2.1 The Secretary of State for Wales published the above Green Paper in May this year. The Secretary of State is seeking comments on the proposals contained in the paper, to be submitted by 13th August 2012. The full text of the Green Paper can be found at:
<http://www.walesoffice.gov.uk/files/2012/05/A-Green-Paper-on-future-electoral-arrangements-for-the-National-Assembly-for-Wales4.pdf>

3. The Green Paper Proposals:

- 3.1 The Green Paper considers the following issues:
- Assembly Constituencies and Electoral Regions;
 - Length of Term for the National Assembly for Wales;
 - Standing as a Constituency Candidate and a Regional Candidate;
 - Multiple Mandates.
- 3.2 Currently, the 40 Assembly constituencies have the same boundaries as the Parliamentary constituencies. The Parliamentary Voting System and Constituencies Act 2011 will reduce the number of Parliamentary constituencies in Wales for 40 to 30 of more or less equal size. The Boundary Commission for Wales published its initial proposals for the boundaries for the new Parliamentary Constituencies in January 2012. The paper seeks views on the Government's proposals that, when the Parliamentary constituencies change, the Assembly should continue to have 40 constituencies with those constituencies made more equal in size, or the link between Assembly and Parliamentary constituencies should be re-established by changing to an Assembly of 30 constituencies, and 30 regional members. The Government favours the second option.

Under this second option the Government proposes that the number of regional Assembly seats would, in future, be increased or decreased to take account of any change in the number of Assembly constituencies (as a result of any changes to the Parliamentary constituencies following the new five-year review of these constituencies).

There are currently 5 Assembly electoral regions, each returning 4 Assembly members. Under either of the option in paragraph 3.2 the regional boundaries would be redrawn. Under the first option, the regions will continue to comprise groups of between 7 and 9 Assembly constituencies as now. The boundaries of these regions would change periodically, reflecting the periodic changes to the boundaries of the 40 constituencies that make up the regions.

Under the second option (30 constituencies and 30 regional members) the Government proposes 5 regions returning 6 members each. If, in future, the number of constituencies changes, the Boundary Commission would draw up 5 regions each of which would not necessarily contain an equal number of constituencies or return an equal number of Assembly members (but would return the appropriate number of regional members to keep the overall membership of the Assembly at 60).

- 3.3 The Fixed-term Parliaments Act 2011 introduced five-year terms for the Westminster Parliament. The next General Election is scheduled to be held on 7th May 2015. The Government favours five-year terms because it brings stability to the electoral cycle and helps encourage longer-term planning and decision-making. The Assembly operates on a fixed term basis with elections being held every four years. This would have meant that the next Assembly election would clash with the General Election on 7th May 2015. So, the 2011 Act deferred the next Assembly election to 5th May 2016. If no change is made to the legislation, this clash of dates will occur again in 2020. The Government does not have a fixed view on whether devolved legislatures should have four or five year terms but seeks consultants' views on the matter.
- 3.4 Currently, the Government of Wales Act 2006 prohibits dual candidacy, i.e. candidates are not permitted to stand simultaneously for election in a constituency and on a regional party list. The Government believes that candidates should not be prevented from doing so and intends to change the law to remove this prohibition. There are no plans to remove the prohibition on candidates standing in more than one constituency or more than one region.

3.5 Currently, a Member of the National Assembly for Wales can also sit as a Member of the House of Commons or the House of Lords (there is currently one Assembly Member who is a Member of the House of Lords). The Government is seeking views on bringing an end to this practice, i.e. banning multiple mandates. This could be achieved by agreement between the political parties but the Government will consider legislating to ensure that a prohibition is enduring. The Government would also make arrangements for an element of flexibility, for example allowing an Assembly member who became an MP to retain his or her Assembly seat if an Assembly election is due to be held in the following twelve months, thereby avoiding the need for a by-election shortly before an Assembly election is due to take place.

4. Consultation Questions:

4.1 The Government would welcome responses to the following questions:

1. Do you prefer Option 1: 40 Assembly constituencies, each containing a broadly equal number of electors and constituency boundaries periodically reviewed; or Option 2: reinstate the link between Assembly and Parliamentary constituencies by changing to an Assembly of 30 constituencies, with an equal number of constituency and regional members (30:30)?
2. Under the 30 constituency option, do you agree with the Government's proposal that the number of Assembly regional seats could be increased or decreased to take account of any change in the number of assembly constituencies?
3. How should Assembly electoral regions be structured under either option?
4. Do you think that elections to the National Assembly for Wales should be held every four years or every five years? Why do you favour four or five year terms?
5. Do you agree that candidates should be able to stand in a constituency and a region in the same Assembly election?
6. Do you think that a member of the National assembly for Wales should not also be able to sit in the Westminster Parliament?

5. Recommendation:

- 5.1 The Cabinet Board is asked to consider if it wishes to respond to this consultation paper and, if so, decide upon its responses to the questions set out in section 4 of the report.

Reasons for Proposed Decision:

To meet the deadline for responses to the consultation paper

List of Background Papers:

None

Wards Affected:

All

Officer Contact:

Philip Graham
Head of Corporate Strategy
01639 763171
p.graham@npt.gov.uk

COMPLIANCE STATEMENT

1 NATIONAL ASSEMBLY FOR WALES: WALES OFFICE GREEN PAPER ON FUTURE ELECTORAL ARRANGEMENTS

(a) Implementation of Decision:

The decision is proposed for implementation after the three day call-in period.

(b) Sustainability Appraisal:

Community Plan Impacts

Economic Prosperity	-	no impact
Education & Lifelong Learning	-	no impact
Better Health & Well Being	-	no impact
Environment & Transport	-	no impact
Crime & Disorder	-	no impact

Other Impacts

Welsh Language	-	no impact
Sustainable Development	-	no impact
Equalities	-	no impact
Social Inclusion	-	no impact

(c) Consultation

There has been no requirement under the constitution for external consultation on this item.

2 WELSH GOVERNMENT WHITE PAPER: PROMOTING LOCAL DEMOCRACY

2.1. Purpose of the Report:

2.1.1 To report on a Welsh Government White Paper: Promoting Local Democracy and consider the Council's response to the proposals contained therein.

2.2. Background:

2.2.1 The Welsh Government published the above White Paper on 17th May 2012. The Minister for Local Government and Communities is seeking comments on the proposals contained in the paper, to be submitted by 3rd August 2012. The full text of the White Paper can be found at: <http://wales.gov.uk/docs/dsjlg/consultation/120517promlocdemocracyen.pdf>

2.3. The White Paper Proposals:

2.3.1 The Minister for Local Government and Communities states that “the White Paper represents a further step in the Welsh Government's drive to ensure that our local democracy operates as efficiently as possible to meet the challenges posed by the current period. We need to ensure that our local authorities are democratically representative of their communities, are organised in the most effective way, communicate well with the public and have the necessary skills and knowledge to cope with changes in the way that services are being delivered to the public.”

2.3.2 The White Paper sets out proposals that require legislation, to be brought forward in the Local Democracy (Wales) Bill later this year, including new arrangements for the Local Government Boundary Commission for Wales; amendments to the Local Government (Wales) Measure 2011; and, access to information issues relating to Town and Community Councils. The Paper also covers other issues not requiring legislation relating to electoral issues; the local government ethical framework; local government scrutiny and councillor training and development. The following paragraphs consider each of these issues in turn.

Local Government Boundary Commission for Wales

2.3.3 The White Paper sets out a number of proposals relating to the constitution, functions and processes of the Local Government Boundary Commission for Wales. These result in the main from the problems encountered during the recent review of the electoral arrangements of county and county borough councils and the findings of the subsequent Mathias Review. The Paper proposes:

- Renaming the Commission the Local Democracy and Boundary Commission for Wales;
- The Commission's quorum being increased to three with the appointment of a Chair, Deputy Chair and two other members;
- The Commission be given the power to appoint persons to provide expert advice;
- Requiring the Commission to consider consequential changes to electoral arrangements when recommending changes to local government areas when undertaking boundary reviews;
- Requiring the Commission to inform the Home Secretary of any recommendations which affect the boundaries of a police area;
- Allowing the Commission to require a principal council, once notified of a forthcoming electoral review, to ensure its communities have been recently reviewed to the Commission's satisfaction; if not, empowering the Commission to carry out the review at the principal council's cost;
- Grant the Commission order-making powers (rather than Welsh Ministers) in relation to community reviews carried out by principal councils;
- Requiring the Commission to operate a ten-year cycle of electoral reviews, commencing in 2014;
- In undertaking reviews should the Commission give equal weight to community ties and the councillor:elector ratio; be able to propose electoral divisions which straddle community boundaries; be able to propose changes to community boundaries as part of an electoral review; and, identify and publish the number of councillors it considers appropriate for each principal council prior to a review.

- Require Welsh Ministers to consult with the Commission before Ministerial directions are issued;
- Allowing the Commission (and principal councils in respect of community reviews) to require the council to provide them with information relevant to a review;
- Allowing the Commission to provide draft proposals/orders in electronic format only;
- Requiring the Commission (or principal council) to describe the public consultation process; the results and how they responded to representations received;
- Requiring the Commission (or principal council) to notify the Ordnance Survey and any other prescribed persons or organisations of any boundary changes resulting from a review;
- Removing the power of Welsh Ministers (which has never been used) to prescribe the procedure for reviews;
- Giving Welsh Ministers the power to make other public bodies whose membership includes elected councillors (e.g. fire and rescue authorities, local health boards) subject to review by the Commission.

It is considered that the above proposals can be supported with the exception of those which take power away from the Welsh Government or its Ministers. Therefore order-making powers in relation to community reviews and the power of Welsh Ministers to prescribe the procedure for reviews should be retained. Additionally, the Commission should be required to provide printed copies of its draft proposals or orders on request.

Amendments to the Local Government (Wales) Measure 2011

- 2.3.4 The Welsh Government wishes to take the opportunity offered by this proposed Bill to consider certain amendments to the Local Government (Wales) Measure 2011. These are enhancements rather than changes in policy. They include matters relating to the Independent Remuneration Panel for Wales (IRPW); local authority area committees; and, audit and democratic services committees.

Independent Remuneration Panel for Wales

2.3.5 With regard to the IRPW it is proposed:

- That rather than prescribe a proportion of posts or duties that may receive a particular type of payment, the Panel be able to prescribe a numeric limit without specifying it as a proportion of the authority;
- That Welsh Ministers be enabled to add other public bodies to the Panel's remit;
- To give the Panel the discretion to choose any date for their determinations to come into force with the option of backdating any determination for a period of up to three months prior to the publication of a report (not currently permitted);
- To alter the publication date for the Panel's annual report to 28th February rather than 31st December (on the basis that implementation locally happens in May);
- That for supplementary reports the consultation period is reduced from eight to four weeks;
- Empower the Panel to require local authorities to publish information relating to all remuneration received by individual councillors in connection with the performance of public duties.

Previously, the Council's view has been that the Panel should not set any limit on the number of posts that may receive a particular type of payment. However, given that this view was not supported at the time, the issue is whether this should be expressed numerically rather than as a proportion. This proposition should be supported as it is the approach the Panel adopted (wrongly) in its recent report. With regard to the publication date of the annual report, this should remain at 31st December for budget setting reasons and the fact that, locally, changes to the scheme are introduced on 1st April each year. Finally, the Panel should be able to require only the publication of remuneration information which falls within their remit.

Area Committees

- 2.3.6 The White Paper proposes that where area committees are established, whether in relation to executive or non-executive functions, membership should include all the councillors elected for the area who wish to be members (this is currently the case for executive functions). As the Council does not have any area committees, it is proposed that no views are offered on this question.

Audit and Democratic Services Committees

- 2.3.7 The White Paper proposes that audit committees should be subject to political balance requirements and that both audit and democratic services committees be subject to the normal access to information rules. These proposals should be supported given current practice in the Council.

Town and Community Councils

- 2.3.8 Finally, in respect of the legislative proposals, the White Paper proposes requiring town and community councils to ensure that their contact and membership details, together with records of their proceedings are accessible via the internet. This can be done either via their own website or through cooperation with neighbouring councils, their principal council or membership organisations such as One Voice Wales. It is suggested that no comment be made on this as the proposal is a matter for town and community councils to consider and comment upon.

Non Legislative Proposals

Electoral Issues

- 2.3.9 Turning to the non-legislative proposals in the White Paper, the first of these covers electoral issues. The Welsh Government considers that it should not be possible for a local government officer to receive payment under the terms of a Returning Officers' fees and charges order whilst also receiving remuneration for the same period of time from their local authority. It is proposed that the funding arrangements for the next Assembly elections address this matter. Local government officers will continue to receive remuneration under the terms of a Returning Officers' fees and charges order for work they undertake outside of their normal working hours

The Welsh Government is concerned that the introduction of individual electoral registration will lead to a reduction in the number of persons included in the electoral register and seeks views on the potential use of funding mechanisms to reward efforts to improve registration levels.

The National Assembly does not have legislative competence to introduce primary legislation dealing with the conduct of elections or electoral administration hence these matters cannot be dealt with in the Bill. The White Paper asks if such legislative competence in respect of local and Assembly elections should be conferred on the Assembly.

The issue of local government employees receiving election fees and at the same time being paid for their normal employment is an issue that is raised from time to time. It is the case that these are separate employments for the staff concerned; on elections Council employees are employed by the Returning Officer, not the Council. It is also the case that many of those working on elections are appointed to an office (as opposed to an employment), e.g. presiding officers, which carries statutory responsibilities.

In Neath Port Talbot, the Council has traditionally given paid leave of absence for employees appointed to undertake election duties. The reason for this is to ensure that the Returning Officer has sufficient experienced and skilled staff to conduct elections in an efficient and proper manner. Our experience is that presiding officer and poll clerk fees are insufficiently attractive to employees to give up a day's pay (or a day's leave) to undertake such a responsible role for a continuous period of 17 hours and, in some cases, 20 hours. This is important given the potential consequences of mistakes, resulting in expensive election petitions; there is no second chance to get things right when conducting an election.

The Returning Officer's strongly held view is that these are separate employments and the Welsh Government should not interfere with a local authority's discretion to determine the terms and conditions of its employees. The Welsh Government has no legislative competence in these matters and could only affect the payments in respect of Assembly elections through the fees and charges orders for those elections. If they do so this will lead to different arrangements for different elections; a situation that will cause confusion amongst election staff and have a serious deleterious impact on a Returning Officer's ability to conduct the election in a proper and efficient manner.

A Returning Officer's ability to effectively undertake his statutory responsibilities should not be fettered in this way. At the end of the day, if the Welsh Government is unhappy with the way in which Returning Officers are undertaking their statutory duties, with the support of their local authorities, it should seek alternative arrangements for the delivery of Assembly elections.

The Welsh Government should be invited to prescribe at what level local Returning Officers provide value-for-money. Their appointment to this office and their responsibilities, are statutory, onerous, and place significant personal accountability and risk on Returning Officers, particularly if things go wrong. The fees they receive, prescribed by Government for all but local elections, reflect these responsibilities. As mentioned above it is open to Government, Westminster or Cardiff, to change legislation to take this responsibility away from Returning Officers (appointed locally by local authorities as a statutory requirement) and seek alternative arrangements to conduct elections. The terms and conditions of Returning Officers in their substantive local authority role is a matter for the local authority and central government should not interfere with this.

With regard to using funding mechanisms to improve individual elector registration, without any detailed proposals it is difficult to comment. However, any additional funding for local authorities to assist with communicating and marketing the new arrangements would be welcomed.

In respect of legislative competence, it is considered that any sharing of powers between Westminster and the Welsh Government in respect of electoral registration and the conduct of elections would be confusing potentially leading to significantly different rules for different elections, thereby increasing the risk to effective, value-for-money electoral registration and efficiently delivered elections.

Local Government Ethical Framework

- 2.3.10 The local government ethical framework in Wales has remained largely unchanged since its introduction under the provisions of the Local Government Act 2000. The Welsh Government has noted radical changes to the framework in England and wonders if some of these changes would be appropriate for Wales.

Currently any complaints received regarding elected members (whether county borough, town or community councillors) breaching the statutory code of conduct are referred to the Ombudsman who after initial investigation may refer relatively minor alleged breaches of the code complaint to the local authority's Standards Committee for thorough investigation and adjudication. The Welsh Government considers local protocols and processes should deliver speedy redress and resolution of low level complaints and seeks views on its proposals to remove from the code the express requirement to report potential breaches of the code to the Ombudsman. It is considered that the current arrangements work effectively and should remain in place.

- 2.3.11 The consultation document notes the Welsh Government's concerns about the scale of indemnities offered by authorities to members when defending themselves against alleged breaches of the code of conduct. It notes that the misconduct proceedings have become increasingly contentious and costly in recent years. The Welsh Government suggests introduce a voluntary cap of £20,000 on indemnities provided for this purpose but also seeks views on whether a statutory limit on these indemnities be introduced through legislation. It is considered that this is a matter for the Welsh Government to determine, which can be dealt with through legislation if necessary.
- 2.3.12 The Welsh Government believes that there would be benefit from authorities collaborating to establish combined standards committees based upon its "collaboration footprint for public services". Collaborative working entails significant effort to reach agreement on any particular collaborative venture. Local authorities have finite and sometimes limited capacity to undertake this work. It is therefore incumbent on them to ensure that this capacity is directed towards those collaborative projects that will deliver more effective services for the public and/or efficiency savings. This is not the case in this instance and local authorities should not be required to work together to establish joint standards committees.

2.4. Recommendation:

- 2.4.1 The Cabinet Board is asked to consider the suggested responses set out in the report and agree its formal response to the consultation paper.

Reasons for Proposed Decision:

To meet the deadline for responses to the consultation paper

List of Background Papers:

None

Wards Affected:

All

Officer Contact:

Philip Graham
Head of Corporate Strategy
01639 763171
p.graham@npt.gov.uk

COMPLIANCE STATEMENT

2 WELSH GOVERNMENT WHITE PAPER: PROMOTING LOCAL DEMOCRACY

(a) Implementation of Decision:

The decision is proposed for implementation after the three day call-in period.

(b) Sustainability Appraisal:

Community Plan Impacts

Economic Prosperity	-	no impact
Education & Lifelong Learning	-	no impact
Better Health & Well Being	-	no impact
Environment & Transport	-	no impact
Crime & Disorder	-	no impact

Other Impacts

Welsh Language	-	no impact
Sustainable Development	-	no impact
Equalities	-	no impact
Social Inclusion	-	no impact

(c) Consultation

There has been no requirement under the constitution for external consultation on this item.

3 STANDARDS AND THE WELSH LANGUAGE

3.1 Purpose of Report

- 3.1.1 To consider a response to the consultation document produced by the Welsh Language Commissioner entitled “Standards and the Welsh Language: What are your views?”

3.2 Background

- 3.2.1 The provision of a Welsh language service is not a completely new requirement because following the Welsh Language Act 1993 and subsequent guidance issued by the Welsh Language Board, public bodies have been required to produce Welsh language schemes, which required the approval of the Board. This Council published its first Scheme in 1997, a revised Scheme during 2007, with a further revised Scheme due during 2012. An annual monitoring report on the Scheme is produced prior to being sent to the Board, who identify improvement actions for the Council. Since a Scheme has been in place much progress has been made in Welsh language provision and in many instances, compliance has become standard practice, with greater consistency across the Council.
- 3.2.2 The Council’s Scheme has given a commitment to treating English and Welsh languages on the basis of equality within the constraints of the Council’s financial and human resources. The commitment is given to offer the public the right to choose which language they use in their dealings with the Council and this includes being able to speak to Welsh speaking staff and access information in Welsh.
- 3.2.3 Looking to the future, following the establishment of the Welsh Language Commissioner in April 2012, Welsh Language Standards are to replace Welsh Language Schemes. In the interim however, public bodies are to continue implementing and revising existing Schemes.

3.3 Welsh Language Measure (Wales) 2011

- 3.3.1 Since the Welsh Language Measure (Wales) 2011 was approved, the Welsh Government has introduced a series of Commencement Orders. Permission was given to appoint a Welsh Language Commissioner and subsequently authorisation was given to appoint members to the Advisory Panel.

At the end of March, the Welsh Language Board was abolished by way of a Transfer of Functions Order and the responsibility for implementing duties and powers in relation to the Welsh Language Act 1993 now lies with the Welsh Language Commissioner.

- 3.3.2 The principal aim of the Welsh Language Commissioner is to promote and facilitate use of the Welsh language. This will entail raising awareness of the official status of the Welsh language in Wales and imposing Standards on organisations. This, in turn, will lead to the establishment of rights for Welsh speakers.

Two principles will underpin the Commissioner's work:

- In Wales, the Welsh language should be treated no less favourably than the English language;
- Persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

3.4 Standards and the Welsh Language Consultation issued by the Welsh Language Commissioner

- 3.4.1 On 16th May the Welsh Language Commissioner opened a public discussion on Standards. Over a period of 12 weeks anyone who wishes to do so will have the opportunity to express a view on the initial proposals in relation to Standards. The consultation period ends on 11th August 2012. The consultation aims to seek general public opinion in addition to that of relevant stakeholders listed under the Measure. Having conducted such a consultation exercise it is hoped that a judgement may be formed as to the general course to follow. During the consultation process public meetings will be held, together with meetings targeted at relevant stakeholders. Following the consultation, a report will be drawn up for the attention of Leighton Andrews, the Welsh Government Minister responsible for the Welsh Language.
- 3.4.2 The Government will introduce Standards by way of Regulations. After that the Welsh Language Commissioner will then issue a Compliance Notice to impose the Standards. The Commissioner acknowledges that some of the proposals will be challenging. The Commission goes on to state that "it is not intended that any person should be asked to undertake unnecessary commitments; nevertheless there must be a willingness to improve on past performance if we are to reach our goal. We must lead the way by setting clear and consistent Standards that will remove uncertainty in people's minds in relation to the opportunities which exist to use the Welsh language."

The Commissioner is specifying how organisations are expected to treat and use the Welsh language. Standards are intended to provide more clarity as to the Welsh language services people should expect to receive, as well as consistent service provision. Standards will be one of the methods used to give legal effect to the official status of the Welsh language.

3.5 Proposed Model

- 3.5.1 Sections 4 to 8 of the consultation document (attached at Appendix 1) present proposals relating to the introduction of Standards. Other than section 8, the model falls into 3 elements which include an element relating to the Standards themselves, a sub section on activities (or areas) which relate to Standards and lastly compliance arrangements.
- 3.5.2 In each section, the Standards suggested in the proposed model are high-level Standards and deal with principles. Organisations will have to ensure that all activities listed, and practised by them as part of their normal functions, comply with all Standards. In the first instance, the organisation will decide on this (in accordance with guidelines to be provided by the Commissioner). After receiving a strategy, and if the Commissioner disagrees with the interpretation, the matter may be investigated under Section 61 or 71 of the Measure.
- 3.5.3 So once the model is finalised by the Commissioner, the Council will be required to produce a Strategy and or Plan and Procedures to show compliance with each of the sections which follow. Councils meet one of the main criteria for having to comply with all the Standards i.e. those who provide services (directly, under an arrangement or in accordance with other arrangements) or who receive public money amounting to £400,000 or more in a financial year.

3.6 Overview of Model

- 3.6.1 The content and commitments of the proposed model are in many instances similar to what is already included in the Council's existing Welsh Language Scheme. It is not for instance, going to result in the Council having to insist suddenly, that all new and existing staff either employed directly or through third party contracts have to speak Welsh. It will continue to require the Council to decide upon what is a reasonable and proportionate approach and communicate this to the Commissioner.

It is the case however, that some of the new commitments and monitoring information required is more far reaching and this report will aim to highlight these because there are likely to be implications in terms of financial resources and officer time.

3.6.2 To help increase awareness of the changes, Members of this Committee were provided with a copy of the Standards and given the opportunity to attend an informal briefing, at which a number of useful points were raised, which can be summarised as follows:

- There was support for the document's overall aim of wanting to promote the Welsh language, which is seen as positive, particularly section 7 on Promotion and despite the problems with the Standards in their current form; they should not be solely viewed as a burden. Therefore a balanced response should be made to the consultation.
- The Commissioner should build upon the existing Welsh language schemes and Strategic Equality Plans and not dismiss this work.
- Unfortunately some of the Standards were found to be very badly written and not grammatically correct in both the Welsh and English versions. Comments included they were complicated and obtuse; were in danger of increasing bureaucracy; and, would be difficult to implement with any consistency.
- The Welsh Language Commissioner to be advised to take the time to get the Standards right, so there are fewer of them, which are simple to understand and administer but still encapsulate the spirit to promote Welsh. Unfortunately, this seems to have been lost sight of with the production of complex even "torturous" Standards.
- It was clarified that once Standards are introduced they will be part of the regulatory framework and must be complied with in a reasonable and proportionate manner to be determined initially by this Council. Also legislation specifically for the Welsh language provides it with a level of protection within Wales which is not extended to other languages to such a degree.
- Concerns were expressed if as a result of introducing the Standards all staff including those employed by third parties and including for instance foster carers, would have to speak Welsh. It was clarified that a sudden shift in approach would not be required or realistic.

Rather it is a case of managers continuing to assess as they do now, the need for Welsh speakers when for instance posts become vacant or as part of the tendering process. So it will continue to be an important consideration.

Each of the sections of the Standards will now be considered.

3.6.3 Section 4 – Service Delivery Standard

There are 17 parts to this Standard and 28 Relevant Activities, which apply to the Welsh language and the public with regard to correspondence, contact, meetings, publications, notices, grants and awareness-raising of Welsh language services. Although some of these Standards are challenging, they are already what we aim to provide wherever possible and practical to do so. However some aspects of the Standard and Compliance Strategy would be difficult to achieve especially if the Commissioner set a short timescale, for instance:

Standards 4 and 5:

The service user's chosen language must be identified and recorded as soon as possible, where it is practical and reasonable to do so. All relevant data legislation must be complied with when obtaining language choice data. Having established and recorded that the service user chooses to use the Welsh language, it must be ensure, from the date of the record onwards, that the delivery of all services provided by the organisation are supplied through the medium of Welsh to that service user from the beginning onwards.

Also the following compliance requirements relating to the above:

- 3i. The number and percentage of users who receive the service in Welsh and English, and
- 3ii. The Quality of the Welsh-medium services

At the present time not all of the Council's front line services have recording/monitoring systems in place, which record language preference or the quality of the Welsh language service subsequently provided.

3.6.4 Section 5 – Policy Making Standards

There are 14 parts to this Standard and 28 Specified Policy Areas, which concern policy decisions, requiring the identification of positive/adverse effects on the Welsh language across all the Council's functions. Although some of these Standards are challenging, the majority are already what we aim to provide wherever possible and practical to do so. However, the following Standard could have new implications:

Standard 10:

All materials published (on paper or on any other material or electronically) which deal with a policy decision must be available in Welsh and English.

It is already the case that the Council's key strategies and plans which are public documents are available in English and Welsh. However, this new standard could be more far reaching, especially if it requires, for example, all Cabinet Board/Scrutiny Committee policy reports to be available in English and Welsh. At present our Scheme states that committee reports will be produced in English, although depending upon the particular circumstances Welsh requirements would be considered.

The compliance requirement for this Standard may be difficult to measure:

- 3i. The number and percentage of persons who have benefited linguistically from a Welsh language point of view due to the policy decisions

Once again the recording and monitoring systems required for this are not fully in place.

3.6.5 Section 6 – Operational Standards

There are 12 parts to this Standard and 15 Relevant Activities which deal with promoting and using Welsh in relation to an organisation's internal activities. The Commission states that in Wales the majority of organisations will be expected to increase opportunities to use the Welsh Language in their internal arrangements.

To date this Council's Scheme has focused upon the public being able to use Welsh in their dealings with the Council but this Standard requires this approach to be extended to cover employees of the Council being able to use Welsh in the workplace. Employees have always been encouraged to speak Welsh at work but this Standard requires public sector employers to formalise and put a structure in place, which is new. For instance:

Standard 3:

A's chosen language must be identified and recorded as soon as possible. In identifying the chosen language all necessary steps must be taken to obtain any consent/notification required to record data.

Standard 6:

Where A carries out his relevant activities through the medium of Welsh, an infrastructure must be in place to support A to do so including Welsh-language information technology facilities, central services and human resources.

The compliance requirement for this Standard may be difficult to measure:

- 3i. The number and percentage of persons who carry out their relevant activities in Welsh and in English;
- 3ii. The number and percentage increase/decrease in the number of people ... since the last report;
- 3iii. Any complaints by person (A) referring to difficulties in carrying out their relevant activities through the medium of Welsh over the last reporting period;

Once again the recording and monitoring systems required for this are not fully in place and there are implications for the Council's support services such as Human Resources and ICT because systems/software would require amendment or new systems purchased. These support functions would also need who speak/read and write Welsh and there are not sufficient numbers to do so in the short term.

3.6.6 Section 7 – Promotion Standards

There are 4 parts to this Standard and 5 Relevant Activities. Unlike the previous Standards, which will apply to the public sector in general, only Welsh Ministers, Welsh county/borough councils and national park authorities are required to comply with this Standard. So there is equitable treatment of the public sector, it could be said that this promotion Standard should be applied equally across the public sector and in reality much promotion work is undertaken in partnership between different public sector organisations. The Council's Scheme does already encourage the promotion of Welsh, including partnerships, so this is not new but it could be said that a greater emphasis is being given, for instance:

Standard 2:

Use of the Welsh language must be promoted and facilitated in general when dealing with others, with particular consideration given to the way the aims and objectives of the Welsh Government's Welsh Language Strategy can be promoted or delivered by your organisation.

3.6.7 Section 8 – Record Keeping Standards

There are 5 parts to this Standard. The need to keep records as evidence of compliance is again not new in terms of what is already done for the Council's existing Scheme but what is being proposed will extend this requirement because the Standards are more far reaching than is currently the case.

3.6.8 Freedom to use the Welsh Language in Wales

In addition to the Standards, the Commissioner has also published a booklet on complaints, which explains that individuals now have the freedom to use the Welsh language with other people in Wales and the Commissioner can investigate alleged interference depending upon the circumstances. The focus of this may primarily be upon communicating in Welsh in the workplace and would result in the difficulties mentioned in paragraph 3.6.5 above.

3.6.9 Feed back from a Commissioner's Event for Welsh Language Officers

- The Commissioner is independent but accountable;
- Has the powers of a regulator and can penalise after following a statutory legal process;
- Will conduct 1 or 2 significant inquiries a year into areas of interest such as: post 16 education and skills, health and care, children and older people;
- Has statutory powers to investigate the failure of organisations to implement their Schemes/Standards;
- The Freedom to use the Welsh language in Wales in the workplace will be dependent upon future case law to establish when a freedom becomes a right;
- A Welsh Language Tribunal will receive appeals from organisations believing the Commissions requests are unreasonable or disproportionate;
- Legal advice is being sought as to what constitutes public money to ascertain if it includes European funding or any central government funding which the Welsh Government utilises in Wales;
- Organisations in receipt of such public money could also be required to comply with the Standards;
- Approximately, it will take a year until the Standards are in place.

3.7 Basis of Response for the Welsh Language Commissioner

3.7.1 The detailed comments already made above about the Standards will be incorporated into the Council's response to the Commissioner. Also an indication of implementation costs will be included with regard to additional Welsh speaking staff (salaries and recruitment), Welsh language training, developing databases to record language preference, translation of documents, cost of interpreters, etc.

The Council's overall position with regard to the Standards is that although it supports the principle of promoting the Welsh language, the Standards in their current form are unnecessarily complex and obtuse, which is a real concern when staff numbers are reducing; budgets are reducing and will continue to do so for the foreseeable future; and, demand for services is increasing.

Standards need to be clear, concise and not result in additional bureaucracy. With so many different parts to the suggested Standards, the opportunity could be taken to streamline them further and also align relevant ones with the objectives already contained in the Strategic Equality Plans which have also had to be published by the public sector in April 2012.

There are many overlaps between improvement work for the Welsh language and the equality objectives established for people with protected characteristics, particularly in terms of recording and monitoring systems and ensuring accessible information is available to the public. This work needs to be included in programmes which dovetail with one another. The public sector also needs the support and flexibility to prioritise work and make best use of the resources available to it.

The Standards and codes of practice, the latter of which have yet to be produced, should clearly state that the principle of what is “reasonable and proportionate” with regard to promoting and facilitating the Welsh language applies, as required by the provisions of the Welsh Language (Wales) Measure 2011.

This Council would still wish to prioritise the provision of services in Welsh for members of the public who want their service delivered in Welsh. In addition, encouragement to speak Welsh in the workplace will continue and where possible the use of Welsh ICT packages or applications for workstations, etc. will be considered, resources permitting.

The Promotion Standards if included in the final version of the Standards should be applied equally across the public sector.

Councils should not be presented with different sets of policy guidance and Standards issued by the Commission and sections of the Welsh Government with regard to the Welsh language for education, health and social care, etc.

3.8 Recommendation

It is recommended that this report provides the basis of a response to the Welsh Language Commission’s consultation document “Standards and the Welsh Language: What are your views?” after being amended to take account of Member’s comments.

Reasons for Proposed Decision

That a response is submitted to ensure the Welsh Language Commission is informed of the Council's views on Welsh Language Standards prior to the final Standards being published which will require the Council's compliance.

Appendices

Appendix 1 – “Standards and the Welsh Language: What are your views?”, published by the Welsh Language Commissioner

List of Background Papers

The Welsh Language (Wales) Measure 2011

Wards Affected

All

Officer Contact

Philip Graham
Head of Corporate Strategy
01639 763171
p.graham@npt.gov.uk

Karen Jackson
Corporate Strategy Co-ordinator
01639 763247
k.jackson@npt.gov.uk

COMPLIANCE STATEMENT

3 STANDARDS AND THE WELSH LANGUAGE

(a) Implementation of Decision:

The decision is proposed for implementation after the three day call-in period.

(b) Sustainability Appraisal:

Community Plan Impacts

Economic Prosperity	-	positive impact
Education & Lifelong Learning	-	positive impact
Better Health & Well Being	-	positive impact
Environment & Transport	-	positive impact
Crime & Disorder	-	positive impact

Other Impacts

Welsh Language	-	positive impact
Sustainable Development	-	positive impact
Equalities	-	positive impact
Social Inclusion	-	positive impact

(c) Consultation

There has been no requirement under the constitution for external consultation on this item.

4. WELSH LANGUAGE SCHEME: ANNUAL MONITORING REPORT 2011/2012 AND CORPORATE ACTION PLAN

Purpose of Report

To provide members with the Welsh Language Scheme Annual Monitoring Report for 2011/2012 and the updated Corporate Action Plan.

Background

The revised Welsh Language Scheme was approved by the Welsh Language Board on 27th July 2007, which amends and replaces the original scheme which has been in place since March 1997.

Since the Scheme's inception much progress has been made in implementing the Scheme and, in many instances, compliance has become standard practice, with greater consistency across the Council.

Overview of Progress

The Council's Welsh Language Scheme is currently being revised and the opportunity will be taken to assess whether the local performance indicators are still relevant and provide useful information. This report concentrates on the Welsh Language Board indicators and other relevant information. The monitoring report for 2011/2012 will be submitted to the Welsh Language Commissioner in due course and feedback will be received.

The updated Corporate Action Plan will help take forward the Scheme's implementation and co-ordinate common actions across individual service action plans.

List of Background Papers

Welsh Language Scheme approved on 27th July 2007.

Appendices

Appendix 1 – Welsh Language Scheme Annual Monitoring Report 2011/2012

Appendix 2 - Corporate Action Plan 2011/12

Wards Affected

All

Officer Contacts

Karen Jackson, Corporate Strategy Co-ordinator

Telephone No. 01639 763247

E-mail address: k.jackson@npt.gov.uk

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL NEDD PORT TALBOT**

WELSH LANGUAGE SCHEME

ANNUAL MONITORING REPORT

2011/2012

Corporate Strategy Team

ANNUAL MONITORING REPORT

2011/12

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Scheme Management and Administration

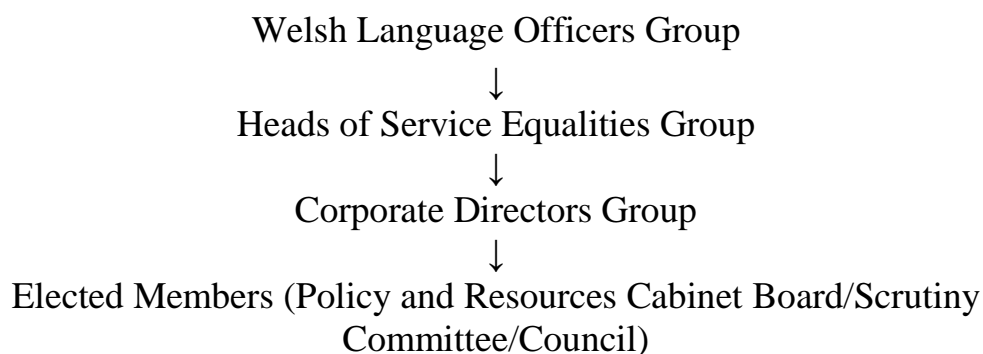
Introduction

This report has been prepared by Karen Devereux, Corporate Strategy Co-ordinator in the Chief Executive's Office, the Officer responsible for the implementation and monitoring of the Council's Welsh Language Scheme.

Neath Port Talbot County Borough Council provides a wide range of services, to the public. The Council consists of five main directorates, as follows:-

Chief Executive's
Social Services, Health and Housing
Education, Leisure and Lifelong Learning
Environment
Finance and Corporate Services

The formal reporting mechanism that exists for issues relating to the Welsh Language Scheme can be illustrated as follows:-



The Senior Implementing Officer responsible for ensuring the Scheme is implemented throughout the Council is: Karen Devereux, Corporate Strategy Co-ordinator.

Service Planning and Provision

General

The Council's Welsh Language Scheme is currently being revised and this has been delayed due to the requirement to respond to duties set out in the Equality Act 2012. The revisions of the scheme will pay particular attention to the content in the Strategic Equality Plan. This report will concentrate on the Welsh Language Board indicators and other relevant information.

Mainstreaming

This year like all previous years due consideration has been given to the Welsh language in key strategies and plans, such as the Community Plan, which is the key partnership plan that sets out a shared vision for a ten year period. There has been even greater emphasis during the past year with the introduction of the Equality Act and the requirement to produce a Strategic Equality Plan. This plan will help ensure that everything the Council does takes account of any Welsh language issues.

Welsh language will continue to be streamlined within the Children and Young People's Plan for 2011-2013. Work will continue with the Youth Service to ensure that any specific actions are implemented.

Further work that was undertaken in relation to the Local Development Plan (LDP) with workshops that were held in May 2011 had an option of Welsh language provision, this was particularly important to the Council given that the consultation events were held in Pontardawe/Amman Valley and the Swansea Valley. The leaflet that accompanied the LDP was distributed to every household and was bilingual.

Scrutiny

As part of the review of Scrutiny following the introduction of the Local Government Measure consideration will be given to the reporting and monitoring of Welsh language issues. However, the annual monitoring report will continue to be presented to the Policy and Resources Scrutiny Committee and Cabinet Board.

The Policy and Resources Scrutiny Committee were involved in a task and finish review entitled "Understanding the Council's position in relation to the duties of the Equality Act". During this review they considered objectives which will have a positive impact upon equalities and the provision of the Welsh Language Scheme.

Equality Act 2010

In conjunction to the review mentioned above officers also completed the Strategic Equality Plan. The plan has been considered and agreed by the Policy and Resources Scrutiny Committee, Cabinet Board and full Council. There is also an action plan to assist the Council in meeting its obligations under the Act, this will be monitored on an annual basis by the Policy and Resources Scrutiny Committee.

Equality Impact Assessments

Equality impact assessments (EIA) will continue to be a significant feature of the Council's work especially with the requirement under the Equality Act 2010 Specific Duties for Wales. While not required under the Act the inclusion of the Welsh Language in these assessments will continue. The assessment will provide vital evidence which will be used to formulate objectives and actions for both the Strategic Equality Plan, where appropriate, as well as the Welsh Language Scheme.

An EIA will also be undertaken as part of the process of revising the Council's Welsh Language Scheme.

Welsh Local Government Association

The Welsh Local Government Association has completed the Elected Member Equalities Champion Regional Pilot Action Learning Set and the Council has requested that two sessions be included in the induction programme for new and returning Members following the elections in May 2012. This has been agreed and it is anticipated that those Members who were part of the pilot and return following the election may be asked to assist in the induction sessions.

Dealing with Other Organisations and Procurement

The Procurement Team ensure that the relevant guidance is provided to organisations tendering for contracts. When a third party is delivering a service to members of the public they are made aware of the requirements of the Welsh Language Scheme and where appropriate specific clauses are included in the contract regarding Welsh language provision. An example of this is the tender evaluation process documentation for the provision of residential short break services for children and young people with disabilities. An equal opportunities questionnaire asked those submitting tenders to indicate their compliance with the Council's policies and schemes including the Welsh Language Scheme. Also the service specification included the statement that the Council is keen to identify suppliers who can provide an appropriate level of service in Welsh which includes providing Welsh speaking employees and information in Welsh.

WLB/WLI 1 Number and percentage of the sample of third parties monitored that conform to the requirements of the Welsh Language Scheme:

(i) Care Services

In order to examine, assess and monitor services provided on behalf of the Council, and in particular Social Services, Health and Housing, by contractors, consultants, agents and third parties a survey was undertaken of a sample of providers of social care.

Using the “Contracting Out Public Service Contracts and the Welsh Language” document, a questionnaire was circulated to 12 providers (see Appendix 1).

Survey Results

There were some significant variances between providers, with some answering positively to offering all services and information bilingually to others that have no current provision; 75% of the providers produce information, e.g. booklets and leaflets bilingually, whilst 50% produce bilingual forms. Other publicity is more encouraging with 100% replying positively. Other areas such as correspondence and telephone require further work.

It should be noted; all providers recognised the use and importance of the Welsh language in service delivery. Providers that do not currently have bilingual translations available, or do not currently have Welsh language speakers within the service, stated that upon request bilingual services would be made available.

Next Steps

Officers within Social Services, Health and Housing will work closely with providers and target areas for improvement based on the survey results.

It is recognised that generally, further work is required to educate, support and advise providers in relation to the responsibilities and expectations placed on them with regard the Welsh language. Officers will need to be sensitive to market needs and provide guidance on how best to approach this and sharing best practice.

During 2012/2013 the Directorate will undertake a further survey sample of providers and once again use it to improve Welsh language compliance across the sector. However, the Welsh Governments “More than just words” – Strategic framework for Health, Social Services and Social Care, once finalised and published, will have an impact upon this area of work.

(ii) Youth and Leisure Services

Information on third parties is included in the Youth Services and Children and Young People's Partnership Section.

(iii) Pre-school Provision

The Children and Young People's Partnership does not commission pre-school provision. Therefore, it is not possible to provide information on this aspect.

Grants and Funding

The Welsh Language Scheme includes a commitment for the principles of the Scheme to be applied to applications for funding received by the Council, which is taken into consideration by the different sections responsible for administering grants and funding.

An example of grant funding that could have a positive impact on the Welsh language is the Welsh Government's Community Cohesion Fund, which is administered by the Local Authority. Projects that receive funding need to help to meet the core aims and objectives of the Community Cohesion Strategy. The Strategy focuses on the policy and service delivery areas which have been identified as having a positive impact on local cohesion. One area is Communication, which includes targeting support for the Welsh language. Also the Councils Community Cohesion grant offer letters state project leads must be able to provide an appropriate level of service through the medium of Welsh to recipients of their projects which include publicity material. They are also referred to the Welsh Government's Welsh Language Scheme.

Welsh Language Frontline Services and Linguistic Skills

Staff Awareness

Employees are regularly reminded of the requirements of the Welsh Language Scheme and Employee Guidance on the Welsh Language Scheme is available on the intranet. The guidance will be updated once the Welsh Language Scheme has been revised.

In addition, Welsh speaking staff and Members who have indicated their interest in receiving information about Welsh language events etc have received details of the Welsh Governments Aman Tawe Welsh Language Scheme and associated activities. Key officers from across the Council have been informed too with one officer becoming a member of the steering committee.

Frontline Services

The Board's Welsh language indicators numbered 2, 4 (a) and (b), and 5, focus upon linguistic skills.

Guidance for the designation of posts is available on the intranet , to assist in the process of designating posts as 'Welsh essential' or 'Welsh desirable' in accordance with the Scheme. Due to financial challenges being faced by local authorities there are a limited number of posts advertised and the majority are only being advertised internally. The following information was gathered in relation to the amount of frontline services posts that have been denoted as 'Welsh essential' and have been filled by bilingual staff.

WLI 2: Number and Percentage of main reception, call centres or one stop shop posts that have been denoted as 'Welsh essential' and have been filled by staff who are bilingual

Department	No. of Staff	No. of Welsh Speaking Staff	%	No. of Posts Designated Welsh - No Requirement/ Desirable/Essential
Customer Services				
Call Centre	11 FTE	2	18	1 Essential 10.3 Desirable
One Stop Shop				
Customer Service Officers	11 FTE	3	27	1 Essential 10.3 Desirable

The number of Welsh speakers at both sites is the same as the previous year. However, there has been an overall increase in staff since March 2012.

Across Customer Services there are 3 staff members for which Welsh is their first language and 2 other staff who can converse competently in Welsh. Any other training needs and requirements around Welsh language would be fully supported by the line managers for this service.

There is a dedicated Welsh language line for the Council's Customer Call Centre and it is published along side the English line on general Council correspondence and on the Council's website.

Public Events

Due to financial pressures there have been a limited amount of public events, however there are still some cases of good practice. Whilst not holding any specific Welsh engagement events the Welsh language was used during other events:

- The Gnoll Countryside Park hosted an event as part of Wales Biodiversity Week and included Welsh Speaking officers handing out bilingual leaflets. Treasure Hunts were also organised in both Welsh and English.
- The annual road safety quiz was again undertaken bilingually.
- All promotional activities for the Neath Food and Drink Festival and Christmas Activities were bilingual.
- Climate Change held an event during Real Nappy week and TWF handed out CD's of Welsh songs and advised parents of the benefits of raising children bilingually.

Welsh Language Training

The Council runs four levels of Welsh language courses for its employees, which provides them with open college network accreditation. The table that follows includes Welsh language courses that commenced in September 2011 and the number of employees that are committed to attend.

WLI 4 (a): The number and percentage of staff who have received training in Welsh to a specific qualification level.

Service	No. Employees					Total
	Year 1	Year 2	Year 3	Year 4	Year 5/6	
CEX	0	0	1	1	3	5
EDLL	0	0	5	0	0	5
SSH&H	1	0	4	0	1	6
F&CS	0	0	0	0	0	0
ENV	0	0	1	1	2	4
Total	1	0	11	2	6	20

It is anticipated that there will be 5 fewer participants attending the final Welsh language class commencing in September 2012. As previously mentioned we will continue with the Dosbarth Nos training until all of the current participants have concluded their 5th/6th year.

All future participants who have identified a need for Welsh language training will be assessed on the needs of the service, and the type of training which would be most suited to the service requirements e.g. if a more intense training is required, then the preferred option may be to consider undertaking an intensive Wlpan course.

Two officers that are undertaking the course have also taken an additional opportunity to hone their skills by agreeing to be a steward in the forthcoming Eisteddfod in August 2012.

Language Awareness Training

The Council runs a Customer Care and Telephone Skills Course, which is a one day training course that is open to all employees. The course defines customer care, looks at the consequences of good and poor service and helps participants to develop communication skills. Part of the course also raises awareness about the requirements of the Scheme. Set out below are the number of employees who participated in the Customer Care and Telephone Skills, for the financial year 2011/12

WLI 4 (b): The number of staff who have received language awareness training (Customer Care and Telephone Skills)

Service	2011/2012 No. Employees
Chief Executive's	4
Environment	0
Education, Leisure & Lifelong Learning	8
Social Services, Health & Housing	2
Finance & Corporate Services	0
Future Job Fund Students	12
Total	26

In addition specific training on the provisions of the Equality Act 2010, delivered by the Welsh Local Government Association, has been provided to the Council's senior managers and service managers, providing an opportunity to remind services of the need to meet the needs and aspirations of all Neath Port Talbot residents.

Advice and support is also given to individuals and teams as and when needed. The Council will continue to provide language awareness opportunities as and when required.

Linguistic Skills

New employees are asked to complete a Linguistic Skills questionnaire as part of their induction process and the information is updated via self-assessment questionnaires that are completed by employees periodically. Linguistic skills are recorded on Vision, the Council's personnel and payroll system.

The following information has been collated for all services using the Vision System. The tables below summaries the percentage and number of staff who are Welsh speakers and learners spilt via service division and post grade.

WLI 5: The number and percentage of staff within the Council's services who are able to speak Welsh (excluding school teachers and school based staff)

% of staff within the Council's Service who are Welsh speakers according to service division and grades of post

Division	SCP 4-11		SCP 12-22		SCP 23-33		SCP 34-44		SCP 45+	
	%	No.	%	No.	%	No.	%	No.	%	No.
Business Strategy & Public Protection	14	2	0	0	5	2	10	3	0	0
Change Management and Innovation	0	0	0	0	17	1	25	2	0	0
Children and Young People's Services	9	1	0	0	15	15	9	7	0	0
Community Care & Housing Services	11	9	11	39	11	9	10	9	0	0
Corporate Strategy	33	1	17	1	4	1	0	3	50	1
Economic Development & Valleys Programme	0	0	0	0	10	4	21	3	0	0
Engineering and Transport	10	6	5	1	10	2	6	1	20	1
Financial Services	0	0	29	2	4	2	0	0	0	0
Human Resources	0	0	0	0	6	1	8	1	0	0
ICT	0	0	0	0	14	2	10	2	0	0
Legal & Democratic Services & Monitoring Officer	13	2	0	0	0	0	12	4	13	1
Partnership and Community Development	17	7	12	11	9	5	0	0	17	1
Planning	0	2	0	0	30	3	19	3	0	0
Property and Regeneration	6	5	0	0	0	0	7	1	20	1
Schools Inclusion & Lifelong Learning Dev. Service	0	0	20	6	7	3	0	0	0	0
South Wales Trunk Road Agency	0	0	8	1	8	3	8	1	0	0
Streetcare Services	7	7	12	7	13	9	8	1	20	1
Support Services & Commissioning Development	8	47	7	9	14	14	12	3	0	0
Total	9	87	10	77	11	82	24	41	9	6

% of staff within the Council's Service who are Welsh learners according to service division and grades of posts

Division	SCP 4-11		SCP 12-22		SCP 23-33		SCP 34-44		SCP 45+	
	%	No.	%	No.	%	No.	%	No.	%	No.
Business Strategy & Public Protection	0	0	29	2	9	4	10	3	0	0
Change Management and Innovation	100	1	0	0	17	1	0	0	50	1
Children and Young People's Services	0	0	20	2	14	14	8	6	33	2
Community Care & Housing Services	5	4	7	27	11	9	18	16	50	3
Corporate Strategy	33	1	33	2	22	5	18	3	0	0
Economic Development & Valleys Programme	0	0	0	0	24	10	0	0	100	2
Engineering and Transport	2	1	15	3	12	2	0	0	20	1
Financial Services	0	0	0	0	6	3	7	1	25	1
Human Resources	0	0	0	0	12	2	8	1	50	1
ICT	0	0	0	0	7	1	15	3	0	0
Legal & Democratic Services & Monitoring Officer	20	3	25	1	14	2	9	3	0	0
Partnership and Community Development	5	2	9	8	26	15	9	1	17	1
Planning	0	0	17	1	10	1	6	1	0	0
Property and Regeneration	1	1	6	1	5	1	27	4	20	1
Schools Inclusion & Lifelong Learning Dev. Service	0	0	23	7	20	8	40	4	0	0
South Wales Trunk Road Agency	0	0	0	0	18	7	0	0	33	1
Streetcare Services	3	3	7	4	14	10	8	1	40	2
Support Services & Commissioning Development	7	37	3	4	2	2	12	3	50	1
Total	5	53	8	62	13	97	29	50	24	17

NB: Figures do not include Heads of Service or Corporate Directors.

Youth Services and Children and Young People's Partnership

The Welsh Language Board asked priority area questions for 2010/11 to be included in that report and this information has been asked for again in 2011/2012. There are strong links between the Youth Services and the Children and Young People's Partnership and the services provided by both cannot be seen in isolation. Therefore, there is some repetition in the answers to the questions.

Youth Service

1. Provision

The Youth Service has significantly increased its reach with young people who speak Welsh. During 2011/12 a lunchtime club has been established on the site of Ysgol Gyfun Ystalyfera using the Rolling Zone mobile unit. This has been delivered in partnership with the Urdd Officer and the Head teacher and has engaged more than 350 young people in youth service activities including attendance at Llangrannog and the Urdd Eisteddfod. It has also provided opportunities to achieve accreditation through the medium of Welsh e.g. OCN in Welsh culture and First Aid. The service has also delivered Healthy Relationships workshops through the medium of Welsh to year 11 pupils at Ystalyfera. This complements the work we provide through our clubs around Welsh culture and history which is one of our curriculum areas.

During 2012/2013 we will have taken young people to Llangrannog in April and will be taking young people to Cardiff Welsh Culture Residential in August and the Welsh Festival in Disneyland Paris in March 2013.

The service continues to part fund a Menter Iaith Youth Officer who uses a good range of activities and methods to promote the Welsh language and to enable young people to access fun and learning opportunities through the medium of Welsh. These include sport and leisure activities, work experience, drama, Duke of Edinburgh Awards, Clwb Croeso, music groups and competitions.

Building on the positive action taken within club settings and on the Rolling Zone to provide bilingual signage and the 'I speak Welsh' badge etc., all clubs have now been provided with additional signage to encourage the use of the Welsh language when undertaking activities such as 'chwarae teg' signs on the pool table. All other materials for young people are now printed bilingually or there is a Welsh version if the document is too large.

The importance of continuing to increase bilingual provision in youth support service settings and of embedding Welsh culture into the informal curriculum has been highlighted in the Children and Young People's Plan 2011/2014.

2. Joint Working with Partners

Joint working with partners is essential in delivering bilingual service provision. As highlighted above the Youth Service continues to work in partnership with Menter Iaith and the Urdd. The Menter Iaith Youth Officer is part funded by the Youth Service through a service level agreement.

Several youth activities were available for young people during 2011/2012 that were delivered through joint working. For example, a number of young people and staff attended the Eisteddfod in June and a residential in Cardiff funded by the Urdd. At the Eisteddfod young people participating in the Youth Leadership award in the previous year presented a DVD that they had developed to promote the Urdd. At the residential in Cardiff, 9 young people achieved NOCN Level 1 in Welsh Culture and undertook First Aid training through the medium of Welsh.

A series of activities that celebrate Welsh language and culture have been developed and distributed to all partners so that both the youth services and other youth support service providers are better able to provide opportunities in this area. Activities included Welsh quizzes, art and craft projects, history sessions and patterns of language use.

3. Staff Skills

The Youth Service continues to identify and utilise staff that are Welsh speakers and learners. Opportunities are provided to increase confidence and skills levels to assist with the delivery of services through the medium of Welsh. A member of staff who is a Welsh Learner has been responsible for the setting up of the Welsh Language lunch club at Ysgol Gyfun Ystalyfera. The Head teacher has been very supportive of this approach which is testimony to the enthusiasm and motivation of this member of staff to learn, use and promote the Welsh Language and culture. Language awareness amongst staff has also been increased within the service, through the use of bilingual signage and the Welsh language and culture activities available within youth service provision.

4. Finance

Welsh language continues to be mainstreamed into service delivery, which makes it difficult to identify in a separate financial plan. For example, such things as the cost of employee time are difficult to quantify.

Some funding is allocated specifically to providing Welsh language services. The Youth Service has an annual service level agreement with Mentr Iaith for £5000.

5. Consultation

Consultation with young people is undertaken bilingually within the Youth Service. 'Have your Say' questionnaires are used regularly to consult with young people on the activities they would like to see in a club. These are bilingual and young people are encouraged to complete them through their language of choice. Specific work undertaken to identify the services young people would like delivered through the medium of Welsh has led to changes in documentation e.g. letters to parents are now bilingual; Welsh speaking staff wear the 'I speak Welsh' badges to encourage more use of the language within youth service settings.

Young people are always included in planning youth service activities and events so that their views can be taken into account. Young people have been involved in planning a Twon Town Youth Conference that will take place during the Summer of 2012. Young people from 4 countries will spend a week in Neath Port Talbot. The young people involved in planning the event are keen to ensure that the visitors know more about Wales, its language and culture. They have planned visits to the Senedd, St Fagans and the Millennium Stadium as well as activities that focus on Welsh crafts, food and history.

Another group of young people have been responsible for developing a bilingual booklet explaining the role of a youth councillor. Bilingual posters have also been developed to promote and encourage young people to get involved in the youth council.

Children and Young People's Partnership

1. How do local authorities ensure that the members of your Children and Young People Partnerships conform to the requirements of your Welsh Language Scheme?

Since reporting last year, the Children and Young People's Partnership (CYPP) has reflected on how members might be better supported to ensure a good understanding of and compliance with the requirements of the Welsh Language Scheme. The CYPP Management Group has expanded its membership over the past year to strengthen the contribution of youth support services – and the group now has senior representation from the Youth Service, Careers Wales West, 14-19 Network and NPT College. The Partnership is committed to raising awareness of the Welsh Language Scheme and to stimulating discussion about how members might further improve and increase bilingual services for young people.

The Participation, Advocacy and Engagement Group support delivery of the Children and Young People's Plan 2011-14. The CYPP Co-ordinator, the Principal Youth and Community Officer, the Participation Officer, the Play Development Officer, the Family Information Service Officer and the Corporate Strategy Assistant all regularly contribute to this group and ensure that Welsh language issues are raised as necessary.

The Council's Welsh Language Scheme stipulates that where the Council is the lead body for a formal partnership any public services provided by the partnership are delivered in accordance with the Scheme. All agreements with partner providers receiving grant funding from the Partnership (CYPP) – including the Families First Programme - include a clause which emphasises the need for compliance with the statutory duties placed upon them through the Welsh Language Act and other relevant legislation.

Major projects, such as Flying Start (for children aged birth to three years) and Genesis (for single parents) - where much of the intervention is with young parents - ensure that all resources are available in English and Welsh either through bilingual publications and communications or by ensuring that Welsh language alternatives are available. The Family Information Service - managed by the CYPP - has developed a new web-based bi-lingual information service for young people and families.

The Childcare Sufficiency Assessment for Neath Port Talbot includes a recommendation that the Early Years and Childcare Unit within the CYPP looks to increase the demand for Welsh medium childcare provision, which in turn we hope will lead to an increase in the amount of childcare provision being provided through the medium of Welsh. Meanwhile, the CYPP provides grant funding to Mudiad Meithrin to increase the provision of Welsh medium childcare throughout the county borough.

The Council makes every effort to raise awareness of the requirements of the Scheme. Also any complaints and incidences of non compliance are used to help improve services.

2. How do you assess to what extent the Welsh-medium services that are offered through the Partnership satisfy the needs of the County's young people?

Comprehensive needs assessment work was undertaken by the Partnership to support the development of the Children and Young People's Plan 2011-14. This included mapping, consultation and self evaluation.

There are strong links between the Needs Assessment work carried out specifically concerning children and young people for and by the Partnership and similar work carried out by the Health Social Care and Wellbeing Partnership (the latter being concerned with the whole population).

This work considered ethnicity and language, including the percentage of Welsh Speakers and levels of Welsh literacy. The higher than average percentage of Welsh speakers in Neath Port Talbot in the 10-15 year age group is highlighted in the Children and Young People's Plan 2011-14. This assessment information is used by partners to inform service delivery priorities, to agree the actions required to achieve these priorities and in designing services.

This needs assessment; self evaluation and consultation work are all used to inform service development to ensure that young people have a wide range of opportunities to develop and use their Welsh language skills and to learn about Welsh culture.

The Partnership funds a Participation Officer employed within the Council for Voluntary Service, whose primary role is to enable children, young people and their families in Neath Port Talbot to actively participate in the planning, design, commissioning, delivery and evaluation of services that impact on their lives.

The participation and consultation work undertaken by this officer - and through the multi-agency Participation, Advocacy and Engagement Group to which the officer reports – fully considers the language needs of the county’s young people in relation to all its work.

The Out of School Childcare Grant (previously the CFS grant) is administered by the CYPP. This year’s grant application includes specific targets for the development of Welsh medium childcare, which will support parents into training or employment opportunities, who have chosen to educate their child/ren through the medium of Welsh.

The Children and Young People’s Plan 2011-14 includes a key supporting action ‘to improve access to youth support services, particularly through the medium of Welsh.’ Significant work has been undertaken over the past year which is detailed in the response from the youth service.

Standard of Welsh Language Services

Comments, Compliments and Complaints

WLI 6 Number of complaints received in relation to the operation of the Language Scheme and the percentage dealt with in accordance with the Council’s corporate standards

During 2011/12, three complaints were received in connection with the Welsh Language Scheme. Two of the complaints were raised simultaneously with the Council and the Welsh Language Board. The third complaint was only sent directly to the Council. The details of the complaints are outlined below.

Complaints Received:

- Two of the complaints were from complainants who had received a Penalty Charge Notice in English only from the Council. One of the complaints became a two part complaint when a follow on Notice to Owner could not be produced fully in Welsh. An apology and explanation was sent to the complainants and the Welsh Language Board, to the effect that the current software does not produce a Welsh version of the Penalty Charge Notice and is unable to produce all the information in the Notice to Owner fully in Welsh. The Council has commenced discussions with the software supplier to see if it is feasible to produce the information bilingually together with the cost for the work needed to upgrade all of Parking Services street hand held machines together with the back office notices processing system. Requirements with regard to notices will be reviewed as part of the Welsh Language Scheme review.

- The third complaint was from a complainant who had noticed errors in the Welsh text on signs in a park and car park. The complainant was assured that Parks and Parking would be made aware of the errors and the need to take corrective action.

All complaints were dealt with in accordance with the Corporate Comments, Compliments and Complaints Policy which includes being dealt with within the agreed timescales and where this is not possible, informing complainants of the reasons why and indicating when a full response will be provided by.

Analysing Performance and Publishing Information

Implementation of Action Plans and Timetable

Corporate and service action plans will contain the actions and benchmarks against which the Council's progress will be measured. The Annual Monitoring Report and Corporate Action Plan will continue to be scrutinised. The attached Corporate Action Plan (Appendix 1) summarises progress on last year's action plan and highlights priorities for action.

The Council's Welsh Language Scheme is currently being revised in consultation with the Welsh Language Commission and the revised Welsh Language Scheme will be published on the Council's website under the equalities section. Annual Monitoring Reports are also published under this section on the website.

As requested by the Welsh Language Board (WLB) below is a summary of successes and areas of improvement identified during 2010/11.

Summary of successes

- Continued effective mainstreaming of the Welsh language into key strategies, plans and policies.
- Good practice bilingual public events took place during 2011/12.
- Youth Service and CYPP provided opportunities for bilingual engagement with children, young people and their families.
- Two Welsh in the workplace taster sessions were held as part of the Essential skills road shows in December 2011.
- All complaints received during 2011/12 were dealt with in accordance with the Corporate Comments, Compliments and Complaints Policy, which includes being dealt with within the agreed timescales.

Summary of areas for improvement

- Continue to develop further opportunities for language awareness.
- Improve monitoring and compliance of the Council's website, which is still a priority action in the 2012/2013 action plan.
- Clarifying the requirements for notices will be addressed in the revision of the Council's Welsh Language Scheme.
- Complete the revision of the Council's Welsh Language Scheme during 2012/13.

Neath Port Talbot Social Services, Health & Housing
Welsh Language Scheme
Monitoring Questionnaire – Scheme Compliance

Provider: _____

Service Area: *e.g. Children's* _____

Description of service / work: *e.g. care home, domiciliary care* _____

Relevant services to the service user / carer / member of the public:

Correspondence – receiving and replying:

Comments:

Tick if relevant

Tick if currently bilingual

Telephone – receiving and answering calls:

Tick if relevant

Tick if currently bilingual

Public Meetings:

Tick if relevant

Tick if currently bilingual

Group meetings - consultation:

Tick if relevant

Tick if currently bilingual

Individual meetings – face to face:

Tick if relevant

Tick if currently bilingual

Placing signs on – outside buildings:

Tick if relevant

Tick if currently bilingual

Comments:

Placing signs on – inside buildings:

Tick if relevant

Tick if currently bilingual

Placing signs on – vehicles:

Tick if relevant

Tick if currently bilingual

Producing information – writing paper/letterheads:

Tick if relevant

Tick if currently bilingual

Producing information – orders and invoices:

Tick if relevant

Tick if currently bilingual

Producing information – business cards:

Tick if relevant

Tick if currently bilingual

Producing information – booklets/leaflets:

Tick if relevant

Tick if currently bilingual

Producing information – forms:

Tick if relevant

Tick if currently bilingual

Publicity– press releases / advertisements: — Comments: —

Tick if relevant

Tick if currently bilingual

Other publicity:

Tick if relevant

Tick if currently bilingual

General Comments:

Thank you for taking the time to complete this questionnaire.

Please forward the complete questionnaire in the envelope provided.

If you wish to discuss any matter further please contact:

The Policy & Special Projects Team,
Port Talbot Civic Centre,
Port Talbot,
SA13 1PJ,
tel: 01639 763394,
email: l.jones@npt.gov.uk

Welsh Language Scheme Corporate Action Plan

Action No.	Action	Target Date	Action Completed			Comment
			Yes	No	In Part	
MAINSTREAMING						
1	Revision of the EIA which will continue to include Welsh language.	2011/12	✓			The EIA has been revised in line with the Equality Act 2010 and will also include Welsh language.
DEALING WITH OTHER ORGANISATIONS AND PROCUREMENT						
2	Social Services, Health and Housing to undertake exercises to meet best practice guidance as detailed in “Contracting out Public Service Contracts and the Welsh Language”.	2011/12	✓			The Social Care Health and Housing Department has undertaken a survey with a sample of external providers on their Welsh language provision. This survey will continue each year on a sample of different providers until all have been surveyed.
FRONTLINE SERVICES AND LINGUISTIC SKILLS						
3	Agree how to measure WLB E-government WLB 3, once WLB issued further guidance.			✓		To be undertaken by the Corporate Strategy Team and the Website Editorial Group. No further guidance has been issued.
4	Develop language awareness opportunities.	2011/12	✓			Two taster sessions were held as part of the essential skills roadshows.

Action No.	Action	Target Date	Action Completed			Comment
			Yes	No	In Part	
5	Welsh language to be considered at a future Children and Young People's Partnership Management Group meeting	2012/2013		✓		<p>This will now be addressed during the forthcoming year. The relevant officer will attend a Management Group Meeting to provide an overview of issues around the Welsh language scheme.</p> <p>A second meeting to present a revised Welsh language scheme will complete this action.</p>
STADARDS OF WELSH LANGUAGE SERVICES						
6	Monitor and improve website compliance with the Scheme.	2012/2013			✓	<p>To be undertaken by the Corporate Strategy Team, Welsh Language Officers Group and Website Editorial Group and relevant service areas.</p> <p>Work has begun but has been on hold due to temporary re-organisation of staff and responsibilities. It is envisaged this will continue in earnest from September onwards.</p>
PUTTING THE SCHEME INTO PRACTICE AND MONITORING PROGRESS						
7	Continue to promote and develop the network of employees who are Welsh speakers and learners.	2012/2013	✓			<p>To be undertaken by the Corporate Strategy Team and Welsh Language Officers Group.</p> <p>The Network receives regular updates on Welsh language events and initiatives.</p>

Action No.	Action	Target Date	Action Completed			Comment
			Yes	No	In Part	
IMPLEMENTATION ACTION PLANS AND TIMETABLE						
8	Revise the Council's Welsh Language Scheme taking into consideration guidance received from the Welsh Language Board.	2012/2013			✓	Additional priorities and staff moves have meant that the final revisions to the Welsh Language scheme have not been completed.
9	Decision on the value of including local PIs in the revised Welsh Language Scheme.	20/12/2013		✓		Discussions continue around including local PI's within a revised Welsh Language Scheme. Consideration will also be given to the Council's review of Performance Management Arrangements. Awareness of the potential changes when Welsh Language Scheme is replaced by Welsh Language Standards.