

Part 1 Section A Item 2

WELSH LANGUAGE MEASURE (WALES) STANDARDS INVESTIGATIONS

Purpose of Report

To provide an indication of the Council's current compliance with the proposed Welsh Language Standards together with resource implications which will provide the basis of a response to the Welsh Standards Investigation being carried out by the Welsh Language Commissioner.

Background

The first set of standards in relation to the Welsh language were published by the Welsh Government on 6th January 2014 and as a result, this Council, together with other local authorities, National Parks and Welsh Ministers, has received an exploration notice of the Welsh Language Commissioner's intention to carry out a standards investigation commencing on 27th January 2014.

The Welsh Language Measure (Wales) 2011 provided a legislative basis to produce "standards of conduct" in relation to the use of the Welsh language and that it should be treated no less favourably than the English language. A link to the standards follows:

<http://wales.gov.uk/docs/dcells/publications/140106-consultation-on-standards-relating-to-the-welsh-language-en.pdf>

Also during January, the Council received a letter entitled - Standards Investigations and Reports, together with a questionnaire and a regulatory impact assessment, which we need to complete; as part of the standards investigation by **18th April 2014**.

The current Welsh Language Scheme

Like all other local authorities in Wales we have had a Welsh Language Scheme since 1997. Within this Scheme we are committed to ensuring parity for the Welsh Language in our dealings with the public.

We are aware that the requirements of the Scheme are not always applied in a consistent manner, for example with our website. While we continually work towards full compliance we recognise that this will take

much longer than the time left to us before the introduction of the Standards.

Non compliance with the current Scheme is not subject to investigation and is not part of this report. However any difficulties that have been identified in meeting the requirements of our Scheme will need to be considered along with the various constraints we face, both current and anticipated, when responding to the Investigation.

‘More Than Just Words...’

The objectives and action plans associated with the this Strategic Framework for Welsh Language Services in Health, Social Services and Social Care will impact on our ability to meet proposed Standards and will need to be taken into account when formulating our response.

The Standards Investigation – Key Considerations

The Welsh Language Commissioner (WLC) is required to have regard to the need to ensure that requirements for persons (in this case local authorities, national parks and Welsh Ministers) to comply with standards are not unreasonable or disproportionate. During the standards investigation, they will consult with each relevant person, the Advisory Panel and the public.

The questionnaire the Council is required to complete as part of the investigation will help the Commissioner to determine which of the Standards should be applied to Neath Port Talbot CBC from the outset or in stages. Where we consider that meeting a Standard would be either impossible or achievable only with disproportionate resources, evidence to support this will need to be included as part of our response in due course.

Once the Standards Investigation is completed, the Welsh Government will receive a Standards Investigation Report from the WLC outlining the key findings from the investigation. Those findings will contribute to the work of preparing Regulations to make Standards. The timetable below outlines the key steps:

- Welsh Ministers have presented draft standards to the Commissioner during December 2013

- Commissioner has commenced a standards investigation in relation to Local Authorities, National Parks and the Welsh Ministers - January 2014
- Commissioner to present a report to the Welsh Ministers summarising the findings of the investigation – May 2014
- Draft Regulations and associated documentation produced – September 2014
- Debate and vote on approval of Regulations in National Assembly Plenary Session – October/November 2014
- It is currently anticipated that the Regulations will come into force in November 2014.

Council's Progress To Date

Prior to completing the WLC questionnaire, the attached table has been completed which sets out each Standard, whether or not we currently comply along with the relevant section of our existing Welsh Language Scheme where appropriate.

In addition, an indication is given of the resource implications including an approximation of achieving full compliance. This exercise will also help prepare us for when the WLC's officers carry out their independent research work, which will include evaluating current commitments within Welsh language schemes.

Conclusion

While we remain committed in ensuring parity for the Welsh Language in dealing with members of the public, in the current climate we anticipate that the WLC will take seriously her responsibility in the proportionality of introducing the Standards.

There is a general acceptance of the principle of the Standards the specific application of Standards to NPTCBC must be considered with caution.

The lack of additional resources to accompany the application of the Standards, the issues around translation capacity and the current and continuing situation of recruitment, both into and within the Council, will have considerable impact on our ability to meet the Standards if all are applied to us immediately.

The following table provides an indication of implementation costs which were included in the Council's response to a consultation on the previous Standards in 2012 and is included here as a basis for discussion. It must be noted there has been no updated information available since the original report.

Examples of Issues	Additional Indicative Costs Per Annum £
1 Intensive Welsh Language Training External Course for 20 Employees	2,000
Welsh Written Translation (In house)	135,000
Welsh Interpreter Service (In house)	8,400
100 Additional Welsh Speaking Employees on Establishment	2,600,000
HR Database Changes to record Welsh Language Preference of Employees (one off cost)	*4,000
IT System Changes	Not available but likely to be significant
Total indicative costs per annum	£2,745,400
Plus a one off IT related cost identified to date	£4, 000

However as part of our response to the WLC we are able to indicate:

- Those Standards where we would be able to comply with minimal work
- Those Standards where we were able to comply in part (whether the requirement or particular services in the Council)
- Those Standards where we were not able to comply by virtue of lack of resources, translation capacity or the recruitment situation

Recommended

1. Members are asked to consider the attached table and discuss the impact and the approximate cost of complying with the proposed Welsh Language Standards
2. To agree a response to the Standards Investigation.

Appendices

Appendix – Welsh Language Standards – Compliance Checklist

Background Papers

- Welsh Language Standards & Exploration Notice – Welsh Language Commissioner - issued 06/01/2014
- Standards Investigations and Reports – Section 61 Welsh Language Measure (Wales) 2011 – letter issued 24/01/2014
- WLC Standards Investigation: Questionnaire
- Regulatory Impact Assessment of the proposed standards relating to the Welsh Language
- WLC Standards Investigation; Explanatory notes
- Strategic Framework for Welsh Language Services in Health, Social Services and Social Care - ‘More than just words...’
- NPTCBC Welsh Language Scheme

Wards Affected

All

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