

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Policy and Resources Cabinet Board

29th June 2016

Report of the Head of Corporate Strategy and Democratic Services K.Jones

Matter for Monitoring

Wards Affected: All Wards

Neath Port Talbot County Borough Council Welsh Language Standards 2016-2017 – Annual Report

Purpose of Report

1. To present the Neath Port Talbot County Borough Council Welsh Language Standards 'Annual Report' 2016, produced in accordance with the Welsh Language Standards (No.1) Regulations 2015.

Executive Summary

2. Under the Welsh language standards that have been applied to the Council there is a requirement to produce an annual report in relation to each financial year, which must include:
 - the way in which it has complied with the service delivery and operational standards
 - The number of complaints received which relate to compliance with the service delivery and operational standards
3. For this first Annual Report the 'financial year' is defined in the Welsh Language Standards (No.1) Regulations 2015 as " the period beginning with the day from which a body is under a duty to comply with a standard and ending with the following 31 March", i.e. 30 March 2016 to 31 March 2016. Consequently the report is short.
4. The report provides information on the way in which the Council has complied with the service delivery and operational standards.

5. The report also highlights areas where full compliance is not immediately possible due to the limitations in staff language skills, English only software applications and internal databases, and the very real financial constraints which limit the Council's ability to achieve fuller compliance.
6. The Council received two complaints which related to alleged non-compliance with standard relating to advertising and marketing and social media. One complaint was not substantiated as the advertising banner, the subject of the complaint, was erected by another organisation. In relation to the second complaint, the Council was in the process of establishing Welsh language Twitter and Facebook accounts, which went live within a week of the complaint of being received.

Background

7. The Compliance notice issued on 30 September 2015 imposed 171 Standards. 129 Standards had an imposition date of 30 March 2016 with an imposition of 30 September 2016 for the remainder.
8. 116 Standards were considered achievable as they mirrored or were very similar to the commitments made in the existing Welsh Language Scheme.
9. On 15 January 2016 a challenge was submitted to the Welsh Language Commissioner in relation to 55 standards (54 of which the Commissioner considered valid).
10. The Welsh Language Commissioner has recently provided 'initial considerations' for consultation prior to making a final determination. A response to this consultation will be presented to a special meeting of the Policy and Resources Scrutiny Committee and Cabinet Board on 14 July 2016.
11. The imposition of the 54 Standards challenged by the Council are postponed until such time as the appeal period is exhausted.

The Annual Report

12. This first annual report, attached at Appendix 1, provides information on the way in which the Council complied with the service delivery and operational standards that were imposed on 30 March 2016 until the end of the 'financial year', 31 March 2016.

Financial Impact

13. The standards imposed from 30 March 2016 are considered to be the same as, or similar to, commitments in the previous Welsh Language Scheme. However, because of the impact of austerity on the Council's human and financial resources full compliance with these standards is proving to be a challenge. The implementation of the standards is being monitored closely and the position will be reported to Members later this year.

In so far as the Standards that are subject to the challenge is concerned the cost of full compliance is estimated to be very considerable and there is presently no additional funding made available to the Council to meet such costs.

Equality Impact Assessment

14. The Welsh language is not subject to the Equality Act 2010. However, it is likely that people with protected characteristics will wish to access services through the medium of Welsh and consequently compliance with the Welsh language standards will have an overall positive impact.
15. As the focus of the annual report is to report progress made there is no requirement to undertake an equality impact assessment.

Workforce Impacts

16. Staff with Welsh language skills will be encouraged to use Welsh in their work.
17. In order to help increase the future language capability of staff the Council will encourage the uptake of available Welsh courses. The

Council also recognises the limits to increasing language capability currently due to restrictions on external recruitment.

Legal Powers

18. This report deals with the Council's duty to comply with the Compliance Notice issued on 30 September 2015.

Risk Management

19. Failure to comply with the standards could lead to a £5,000 fine per standard. There is also a risk of damage to the Council's reputation.

Consultation

20. There is no requirement under the constitution for external consultation on this item.

Recommendation

21. It is recommended that:

Members monitor the contents the Neath Port Talbot County Borough Council Welsh Language Standards Annual Report 2016 attached at Appendix 1 and authorise the Head of Corporate Strategy and Democratic Services to publish the report as drafted on the Council's website.

Reasons for Proposed Decision

22. To discharge the Council's duty in relation to Welsh Language (Wales) Measure 2011 and the Welsh Language Standards (No.1) Regulations 2015.

Implementation of Decision

23. The decision is for immediate implementation.

Appendices

24. Appendix 1 - Neath Port Talbot County Borough Council Welsh Language Standards Annual Report 2016

List of Background Papers

25. Welsh Language (Wales) Measure 2011
Welsh Language Standards (No.1) Regulations 2015

Officer Contact

26. Mrs Karen Jones, Head of Corporate Strategy and Democratic Services. Tel: 01639 763284 or e-mail:k.jones3@npt.gov.uk
27. Ms Caryn Furlow, Corporate Policy, Performance and Partnership Manager. Tel: 01639 763242 or e-mail: c.furlow@npt.gov.uk
28. Mrs Rhian Headon, Equality and Engagement Officer. Tel: 01639 763010 or e-mail r.headon@npt.gov.uk