

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

POLICY AND RESOURCES CABINET BOARD

20 SEPTEMBER 2017

**REPORT OF THE HEAD OF CORPORATE STRATEGY AND
DEMOCRATIC SERVICES – K.JONES**

SECTION A - MATTER FOR DECISION

WARDS AFFECTED - ALL

**PROPOSALS FOR A WELSH LANGUAGE BILL - WHITE PAPER
CONSULTATION**

Purpose of Report

1. To obtain Members' views on the proposals for a Welsh Language Bill to inform a response to the Welsh Government's consultation.

Background

2. The Minister for Lifelong Learning and Welsh Language issued a written statement on 31 January 2017 regarding a call for evidence on 'Preparing for a Welsh Language Bill'.

The aim was to gather evidence about organisations' experiences of preparing for and implementing the Welsh language standards established by the Welsh Language (Wales) Measure 2011, the experiences of the Welsh language Commissioner's role, and arrangements to promote and encourage the use of the Welsh language.

3. A number of officers along with Cllr Arwyn Woolcock, then Cabinet Member with responsibility for the Welsh Language, attended a workshop with representatives from the Welsh Government to discuss the above.

A formal response was submitted which comprised of information previously reported to Members as part of responses to the Welsh

Language Commissioner as well as comments on the Standards process received from our legal section.

4. On 9 August 2017 a White Paper Consultation Document, 'Striking the right balance: proposals for a Welsh Language Bill, was issued with a deadline of 31 October 2017 for receipt of responses.

Welsh Language Bill – White paper

5. The proposed Bill includes for consideration a number of options under four distinct, yet interrelated, parts; promoting the Welsh language, governance and accountability, the Welsh Language Standards and the scope of bodies covered by the Welsh language legislation.
6. Underpinning these proposals are the objectives to:
 - strike the right balance between promoting the language and regulating Welsh language duties;
 - reduce bureaucracy and ensure value for money
7. The following is a summary of the Welsh Government's proposals/preferred options:
 - A single body should be established to be the main body with responsibility for promoting the Welsh language and monitoring and enforcing compliance with Standards.
 - That single body should be a Welsh Language Commission and therefore the Welsh Language Commissioner should be abolished.
 - The Welsh Government should be responsible for national Welsh language strategy, national policy, for managing and funding some bodies of national significance, and for some specified areas of work. The Welsh Government should transfer the budget and resources for other specified promotion work it currently undertakes to the Welsh Language Commission.
 - The concept of Welsh Language Standards should be retained.
 - Standards should only apply to services. Other corporate duties currently in the Standards system which do not create enforceable rights for individuals, should be termed 'language planning duties' and should be statutory duties on bodies on the face of the legislation.

- The Standards bodies are required to comply with should be reviewed from time to time and, where appropriate, additional Standards placed on bodies or current exceptions granted to the bodies removed.
 - The Welsh Government should be responsible for making and imposing Standards on bodies, and for issuing guidance and codes of practice. The Commission should be responsible for monitoring and enforcing compliance with the Standards.
 - Bodies should be required to deal with complaints about the Standards in the first instance. The Commission should only investigate complaints in serious cases.
 - The Welsh Language Tribunal should be retained. Bodies should be able to appeal against the imposition of a Standard on them by the Welsh Government to the Tribunal.
 - The Standards should be capable of being applied to any body, so long as the requirements are reasonable and proportionate and within the powers of the National Assembly for Wales ('the Assembly') (which includes the European Convention on Human Rights).
8. The implications for the Council of these along with the other options within the White Paper are considered in the attached document at Appendix 1.

Financial Impact

10. There are no financial impacts with this report

Equality Impact Assessment

11. There is no requirement for an Equality Impact Assessment with this report

Workforce Impacts

12. There are no workforce impacts with this report

Legal Impacts

13. There are no legal impacts with this report

Risk Management

14. There are no risk management issues with this report

Consultation

15. There is no requirement under the Constitution for external consultation on this item.

Recommendations

16. That Members determine a response to the consultation and authorise the Chief Executive to submit the response, subject to any changes agreed at committee.

17. That the Chief Executive is given delegated authority to make any necessary changes (in light of any additional information obtained from officers) in addition to any changes suggested at Scrutiny Committee and agreed by the Cabinet Board prior to submission of the response to the Welsh Government.

Reason for Proposed Decision

18. To ensure the Council's views on the proposals for a Welsh Language Bill are conveyed to the Welsh Government.

Implementation of Decision

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

Appendices

20. Appendix 1 – Implications of the proposed White Paper

Background papers

25. Response to the Welsh Government's call for evidence dated 18th April 2017
26. Welsh Government's White Paper Consultation Documents – Striking the right balance: proposals for a Welsh Language Bill -
<https://consultations.gov.wales/consultations/welsh-language-bill-white-paper>

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