

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

POLICY AND RESOURCES CABINET BOARD

18TH APRIL 2018

REPORT OF THE ASSISTANT CHIEF EXECUTIVE & CHIEF DIGITAL OFFICER – K.JONES

SECTION A- MATTER FOR DECISION

WARDS AFFECTED-ALL

WELSH LANGUAGE STANDARDS

Purpose of Report

1. To update Members on the Welsh Language Commissioner's proposed determination in relation to the nine standards subject of the Council's continuing Challenge and to seek Members' authorisation to submit the attached, proposed response.

Background

2. Meetings between officers and the Commissioner's representatives to try and agree a resolution to the standards which continued to be subject of Challenge took place on 15th November and 19th December 2016, with Cllr Arwyn Woolcock also attending the latter meeting.
3. Following these discussions, the Council submitted a further response on 15th February 2017. The Commissioner responded on 4th April 2017.
4. The Council submitted a further response on 20th July 2017, resulting in agreement on a most of the standards that had been subject to Challenge; but also supplied further information and requested further dialogue to resolve issues for nine of the standards where the Council continued to have concerns about its ability to achieve compliance.

5. On 25 September 2017, the Commissioner sought a further response on those standards where full agreement was not possible
6. A meeting scheduled for December 2017 was postponed at the Commissioner's request and subsequently, a meeting was held with the Commissioner's representatives on 13th February 2018. Officers from the Road Safety and Human Resources teams also attended to provide specific information in relation to standards 84 and 86 and 99 and 100 respectively.

Welsh Language Standards Update

7. At the meeting in February, the Council's position in relation to the nine outstanding standards was explored with additional information/explanation being provided by officers on the specific standards identified above.
8. Agreement was reached "in principle" on a number of the standards as a consequence of proposed variations or additional clarification.
9. It was agreed that the Commissioner's representatives would further consider the position on road safety standards following discussion and the provision of additional evidence. The outcome of that further consideration has now been received and is set out in the attached letter from the Commissioner.
10. The proposed determination for the nine standards which were still subject of Challenge has now been received (attached at Appendix 1) and it is proposed that the Council now accepts the determination and submits the draft response set out at Appendix 2.

Financial Impact

11. While no additional financial resources have been made available by the Welsh Government to implement the Welsh Language Standards, the Welsh Language Commissioner has been provided with discretion to identify which standards should be applied in the Council's local circumstance. Variations have been applied to a number of those standards initially proposed and which were subject of Challenge by the Council. As a result of the Challenge

process, the financial impact of the standards that will apply have been mitigated but not removed.

Equality Impact Assessment

12. The introduction of the Welsh Language Standards is intended to ensure that Welsh is dealt with on an equal basis as the English language.

Workforce Impacts

13. The Council's ability to impact on its current linguistic profile is limited in the short term as there is a moratorium on external recruitment, unless essential, in order to protect existing staff members from compulsory redundancy. Where external recruitment is possible then increasing the Welsh language skills of the workforce will be systematically considered. Alongside the recruitment process, the Council is identifying other opportunities to increase the amount of Welsh spoken on a daily basis and is working with Menter Iaith to develop a promotional strategy and to put in place practical support to improve the Council's ability to meet the workforce requirements associated with the Standards.

Legal Impacts

15. The Welsh Language Standards have been introduced by the Welsh Government by virtue of the Welsh Language (Wales) Measure 2011.

Risk Management

16. There remains a risk of non-compliance with standards which could attract complaints from members of the public with a consequential adverse impact on the Council's reputation and the potential for fines of £5,000 per standard not complied with.

Consultation

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

Recommendations

18. That Members note the update provided in respect of the Council's Challenge to the Welsh Language Commissioner and authorise the Assistant Chief Executive to submit the proposed response, subject to any changes agreed at the Cabinet Board.

Reason for Proposed Decision

19. To authorise a response to be provided to the Welsh Language Commissioner, in relation to the proposed determination for standards which remain subject to Challenge.

Implementation of Decision

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

Appendices

21. Appendix 1 – Welsh Language Commissioner's letter 14 March 2018
22. Appendix 2 – suggested response to the Welsh Language Commissioner

List of Background Papers

23. Letter to the Welsh Language Commissioner providing further evidence in supporting of the Council's Challenge to the Compliance Notice, 18 July 2016
24. Policy and Resources Cabinet Board, December 2016, Welsh Language Standards
25. Policy and Resources Cabinet Board, February 2017, Welsh Language Standards
26. Policy and Resources Cabinet Board, June 2017, Welsh Language Standards
27. Letters to the Welsh Language Commissioner, July 2017

28. Letter from the Welsh Language Commissioner, 25 September 2017.

Officer Contact:

29. Mrs Karen Jones, Assistant Chief Executive & Chief Digital Officer
Tel: 01639 763284 e-mail: k.jones3@npt.gov.uk