

# SOUTH WEST WALES CORPORATE JOINT COMMITTEE

## Report of the Chief Executive

**Report Title: Interim Policy Position – Welsh language Standards**

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| <b>Purpose of Report</b> | To recommend an interim policy in regards the application of Welsh language standards to the activities of the CJC in advance of the formal imposition of standards / issuing of a compliance notice by the Welsh Language Commissioner.  |
| <b>Recommendation</b>    | It is recommended that<br>(a) Members note that CJCs are encouraged to proactively embrace the Welsh Government's policy objectives regarding the Welsh language.<br>(b) Members agree to adopt the Welsh language standards that have been applied by the Welsh Language Commissioner to Carmarthenshire County Council's standards as an interim policy position. |
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### Background:

1. [Statutory guidance has produced by the Welsh Government in respect of CJCs.](#)

In respect of the Welsh language, this guidance confirms that CJCs will be subject to the same Welsh Language Standards duties as local authorities - The Welsh Language Standards (No. 1) Regulations 2015 ("the No. 1 Regulations"). The No. 1 Regulations also authorise the Welsh

Language Commissioner to issue Compliance Notices, which set out the duties that each individual body must comply with.

2. Members will note that paragraph 47.7 of the Guidance states that *“There are likely to be differences in the internal use of Welsh language within the constituent councils of CJsCs and in terms of the services they provide in Welsh. It is recognised that these differences respond to the different needs of the communities each constituent council and NPA serves. It is for the Welsh Language Commissioner to decide the relevant standards for a CJC and issue any relevant compliance notices. The Welsh Language Commissioner may also impose operational standards on CJsCs which will determine the level of Welsh language services they must provide to staff.”*
3. Furthermore, paragraph 47.8 of the Guidance outlines that *“With the establishment of the CJsCs as new corporate bodies we would expect the CJsCs, from the outset, to embed the use of the Welsh language within the CJsCs themselves and in relation to the Welsh language services they provide. This is particularly important in advance of the Welsh Language Commissioner setting the standards for each CJC.”*
4. Initial contact has been made with the Welsh language Commissioner’s Office, however, the process for determining standards to be applied to individual bodies is lengthy. Accordingly, it is proposed that the CJC adopts an interim policy position pending the issue of a Compliance Notice in due course.

**Proposed interim policy position:**

5. While the Welsh language standards applied to individual councils varies, there is a high degree of commonality. It is therefore recommended that the CJC adopts the standards applied to the Carmarthenshire County Council as an interim policy position. This will demonstrate that the CJC is taking appropriate steps in its formative stages to embrace duties in regards the Welsh language.
6. The adoption of the Carmarthenshire standards recognises that the county of Carmarthenshire comprises the highest proportion of Welsh speakers in the region but also recognises that the scope of CJC functions is much narrower than the scope of local authority functions. The interim policy position is therefore considered proportionate and achievable.

7. Should this proposal be acceptable to the CJC, briefings of relevant officers will need to be undertaken to ensure the standards to be applied to CJC related activities are understood and distinguishable from what might be the requirement in individual authorities.

### **Financial Impacts:**

8. It is considered that the cost of implementing this proposal can be met within the existing budget set for the CJC where provision for translation costs is already made.

### **Integrated Impact Assessment:**

9. The CJC is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
10. The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'. Members will note that in respect of the Wellbeing of Future Generations (Wales) Act 2015 one of the seven Well-being Goals is "*A Wales of vibrant culture and thriving Welsh language*".

### **Workforce Impacts:**

11. There are minimal workforce impacts for the CJC to be concerned with in relation to this report.

### **Legal Impacts:**

12. This proposal paves the way to the CJC being able to comply with duties that may be imposed under Regulations by the Welsh Language Commissioner in due course.

### **Risk Management Impacts:**

13. Failure to adopt an interim policy could result in reputational damage for the CJC and/or an inconsistent approach being taken across the region given that there are some variations in the standards applied to individual authorities.

### **Consultation:**

14. There is no requirement for external consultation on this report.

### **Reasons for Proposed Decision:**

15. To ensure the CJC complies with the statutory guidance issued by the Welsh Government in respect of CJC's and the need to ensure that a proactive approach is undertaken in the absence of any formal imposition of standards. Furthermore, to ensure that the consideration of the Welsh language is embedded into the corporate governance of the CJC from the outset both as a reflection of the Well-being of Future Generations (Wales) Act 2015 and also the prominence of the language within the social fabric of the South West Wales region.

### **Implementation of Decision:**

16. Following the three day call in period.

## **Appendices:**

17. Appendix 1 - Carmarthenshire County Council – compliance notice, issue date 30/9/2015.

## **List of Background Papers:**

18. [Welsh Government Statutory Guidance on CJs](#)

[Carmarthenshire County Council – Welsh language standards website landing page](#)

[CJC meeting - 15<sup>th</sup> March 2022 – Report of the Chief Executive: Governance and Administrative Matters](#)

[Link to CJC meeting 15 March 2022](#)