

SUBJECT: WELSH LANGUAGE STANDARDS

MEETING: CABINET

DATE: 2ND DECEMBER 2015

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

- 1.1 To provide Cabinet with a broad overview of the new Welsh Language Standards which underpin the Welsh Language (Wales) Measure 2011.
- 1.2 To ensure that Cabinet has an understanding of the changes required to ensure that the authority is able to comply with the standards.

2. RECOMMENDATIONS:

- 2.1 That officers are tasked with further developing options and producing a set of recommendations to ensure that the authority is able to meet the requirements of the standards in the most cost-effective way. Some potential options are identified in appendix A, members are not being asked to make a decision on these at the present time.
- 2.2 That the financial cost of implementing the standards is incorporated as a pressure in the Medium Term Financial Plan.

3. KEY ISSUES:

- 3.1 In January 2014 the Welsh Government announced proposals for the first set of Welsh language standards that would be applicable to councils, national parks and the Welsh Government itself. Following a period of consultation the final standards were issued to authorities on 30 September in the form of a compliance notice.
- 3.2 There are 176 Welsh Language Standards. These have differing timescales for compliance with the first date being 30 March 2016. Most of the standards referred to in this report have a compliance date of 30 March 2016 with the remainder being 30 September.

Following a consultation period the authority asked The Commissioner to vary the requirements on Monmouthshire's in respect of a number of areas which were felt to be disproportionate given the make-up of Monmouthshire's population. These resulted in a more proportionate approach being applied:

- We are not required to translation reports for council meetings such as Cabinet and Select
- We do not need simultaneous translation of public meetings unless there is a specific request in advance

- 3.3 The option to apply to the Commissioner to determine whether other standards are unreasonable or disproportionate in Monmouthshire's case still remains open to the authority. There are some standards where we may choose to appeal the timescale for imposition without challenging the reasonableness of the substantive issue. There may also be further actions which the authority can explore which will manage down the cost of implementation without treating the Welsh language less favourably, for example by producing more concise English language documents we will reduce the subsequent cost of translation. Translation of the written word makes up just under £37,600 of the cost pressure based on a per-word arrangement. Options to employ a translator directly or seek an alternative contact arrangement will be explored.
- 3.4 Some of the standards, such as requests for simultaneous translation where required, are demand-led and therefore difficult to predict. The proportion of Welsh speakers in Monmouthshire rose to 9.9% at the last census. However many of these will be using Welsh as a second language and it is uncertain how many will chose to interact with the authority Welsh when opportunities to use the language are increased.
- 3.5 In approaching this matter the authority recognises that the Welsh language is central to the goals introduced as part of the Well-being of Future Generations Act to ensure we are still able to maximise our contribution to a Wales of a vibrant culture and thriving Welsh language. The implementation of actions to meet the standards also provide a timely opportunity to ensure our Welsh language offer is suitable for purpose ahead of the Eisteddfod in 2016.

4. REASONS

- 4.1 To ensure that people who wish to receive a service through the medium of Welsh are treated no less favourably than those who wish to use English while minimising the financial pressures on the council's budgets.
- 4.2 To ensure that the Council is able to comply with section 44 of the Welsh Language (Wales) Measure 2011.

5. RESOURCE IMPLICATIONS

- 5.1 It is estimated that implementing the standards could cost an additional £45,000 per annum. We have sought to minimise the pressure although this figure is hard to state with absolute certainty as some of the costs will be demand-led. A mandate has been completed to ensure this informs the budget process. The authority faces an increased risk of fines for non-compliance of up to

£5,000 for each breach upheld by The Commissioner. This risk will be higher in the early stages of implementation as we seek to embed new ways of working.

6. EQUALITIES AND SUSTAINABILITY IMPLICATIONS

- 6.1 There are significant positive implications for the Welsh language. The additional costs of implementing the measure would require expenditure to be switched from other areas. At this stage of the analysis there is no specific impact anticipated on any of the protected characteristics.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

It will be important to ensure that the language preference of families involved in safeguarding processes are reflected and acted upon in accordance with the standards.

8. CONSULTATION

Senior Leadership Team
Cabinet
Equalities and Welsh Language Officer

8. BACKGROUND PAPERS:

Compliance Notice, Section 44 Welsh Language (Wales) Measure 2011

9. AUTHORS

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WELSH LANGUAGE STANDARDS: KEY ISSUES

There are 176 standards. This table has grouped them into themes for ease of reference. A full list of the standards is available at [insert link]. The numbers are no sequential e.g. there is no number 85, as some of the original standards were removed following consultation. This list is not exhaustive. We are already compliant with many of the standards while others can be implemented with minimal change to systems and costs that can be borne within existing budgets.

Standards Relating to:	Summary of new expectations created by the standard	Risks / Challenges for MCC	Actions Required / Options to consider to ensure we meet the standards	Estimated Cost
Written correspondence (Standards 1-7)	<p>All correspondence should state that people can respond to us in Welsh and that corresponding in Welsh will not lead to a delay.</p> <p>We must keep a record of peoples language preference and use that language in all future correspondence (30 Sept)</p>	<p>Providing a timely response where the initial correspondence and reply both need to be translated externally.</p> <p>Maintaining an accurate record of language preferences across multiple ICT systems that hold client records.</p>	<p>Identifying options to enable fast-tracking of certain translation requests.</p> <p>Explore the most cost effective arrangement to procure increased volume of translation including direct employment of a translator</p> <p>Develop an approach to capture language preferences and ensure a (manual) interface with existing records</p>	£0 (covered against other standards)
Telephony, hubs and reception (Standards 8 – 22 and 64-68)	We are expected to offer: a Welsh language telephone service in our contact centre by 30 March; Welsh language reception in Usk by 30	<p>A low number of staff who are Welsh speakers (c.25)</p> <p>Staff turnover in these functions is low so it will take a while to get Welsh</p>	<p>Initial Options:</p> <p>a) Buy-into a virtual call centre to provide a first line response in Welsh (£tbc)</p>	<p>£21,700</p> <p><i>(if costliest option is selected)</i></p>

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	<p>March and other receptions by 30 September.</p> <p>We must keep a record of language preference for phone calls (30 Sept)</p>	<p>speakers in post. We risk incurring fines for non-compliance in the medium-term if we are unable to find a satisfactory solution.</p>	<p>b) Recruit an additional staff member who is fluent in Welsh (£21.7K)</p> <p>c) Ensure next 2 – 3 vacancies in contact centre and hubs are advertised as Welsh language essential (£0)</p> <p>d) Create a telephone ‘loop’ with calls being redirected to the first available Welsh speaker regardless of physical location or team</p> <p><i>Members are not being asked to make a decision on these options at this stage</i></p>	
<p>Welsh in meetings (Standards 24 – 34)</p>	<p>We must advertise that people are able to use Welsh at meetings. If 10% of attendees choose to use Welsh then we must provide simultaneous translation.</p> <p>If a meeting involves only one member of the public/business/partner</p>	<p>People will need to give advance notice, however simultaneous translation is likely to be in short-supply after the standards come into effect.</p>	<p>Identify the most cost-effective arrangement for simultaneous translation and put a call-off contract in place if required</p> <p>Ensure that all officers are aware of this requirement and incorporate it into their letters and public notices</p>	<p>£1,500</p> <p>(5 instances per annum at £300)</p>

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	<p>and they wish to use Welsh then we must provide translation.</p> <p>Invitations to any public meetings must be bilingual and specify that people can use Welsh</p>			
Public events (Standards 35-38, 87)	<p>Public events such as festivals should use bilingual publicity material, signage and PA announcements, this applies if we provide over 50% of the funding. Welsh should be used first (after 30 Sept). Any publicity or advertising material should also be available in Welsh e.g. promotional films</p>	<p>The relatively low numbers of Welsh speakers in the area may make it difficult to attract bilingual announcers – especially where volunteers are used</p>	<p>Ensure that events teams are fully aware of the requirements of the Act.</p>	<p>£300 (estimate)</p>
Papers for council business (Standard 41)	<p>Agendas and minutes of any council meetings available to the public should be bilingual</p>	<p>The original standard suggests reports presented to meetings should also be bi-lingual. However MCC has requested and received an</p>	<p>Ensure that minutes are an accurate and concise record of the meeting to minimise translation costs</p>	<p>£25,000</p>

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		<p>exemption to this.</p> <p>Potential delays in despatch of agendas.</p>		
Licensing (Standard 42)	Any licenses or certificates must be bilingual		Ensure that all licenses are bilingual when new ones are issued	£1,000
Documents (Standards 43 – 50B)	<p>Any brochures or leaflets providing public information should be published in Welsh including rules; all forms should be bilingual; press releases should be issued in Welsh at the same time as the English.</p> <p>Policies, Strategies and annual reports will need to be available in Welsh by 30 September</p>	<p>We are likely to experience delays translating forms received in Welsh where staff are not Welsh speakers.</p> <p>Our current translation service is not instantaneous resulting in potential delays to the issue of Welsh versions after the English</p> <p>There is low demand for some strategy documents amongst the public</p>	<p>Where we produce separate versions of a document the English version should state that it is also available in Welsh.</p> <p>Our suite of strategies including the Improvement Plan and enabling strategies such as the People Strategy and Asset Management Plan will need to be translated</p>	<p>£6,300 (press releases)</p> <p>£1,000 (strategic documents)</p>
Websites and Social Media (Standards 52 – 59)	All webpages must be available in Welsh (by 30 March). All corporate tweets and Facebook posts from MCC accounts	<p>Delays in translating posts may reduce the timeliness of our response.</p> <p>Any delays in posts while</p>	<p>Identifying options to enable fast-tracking of certain translation requests.</p> <p>Ensure that all staff managing</p>	£400

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	must be issued in Welsh (by 30 Sept)	awaiting translation could reduce their usefulness e.g. snow closures, traffic announcements	social media accounts are fully aware of the need to run these bilingually	
Signage (Standard 61 – 63)	There is an expectation that when new signs, including road signs, are replaced, the Welsh should precede the English	Risk that a phased approach could cause confusion for motorists as there will be an inconsistency of language placement in the medium term		£0
Official Notices (Standards 69-70)	All official notices should be bilingual with Welsh treated no less favourably than the English	Bilingual press notices will increase the number of column inches of advertising we buy	Identify alternative options for publishing public notices to minimise cost increases	£0
Grants and tenders (Standards 71 – 80, 94)	Grant documents must be bilingual, we must provide simultaneous translation where requested, if a grant applicant wishes needs to be interviewed. We should advertise that any tenders can also be submitted in Welsh.			£300 (assumes one instance per year)
Education Courses	Courses open to the	MCC has an exemption to	Ensure that the public are made	£0

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(Standard 84-86)	public must also be made available in Welsh.	this standard providing we can evidence there is no need for a particular course to be offered in Welsh	aware that they can express a preference for a course to be delivered in Welsh. We must collate evidence of the need for the course to be provided in Welsh. It would only be provided if there were sufficient demand	
Policy-Making (Standards 88 – 97)	Policy-making must take into account the effect on the Welsh language to maximise positive effects and minimise adverse effects.	There is potential for legal challenge of decision if we are unable to demonstrate the application of the standards to policy making	Ensure that the Future Generations Assessment (Sustainability and Equality Impact) effectively identifies any implications on the Welsh language	£0
HR Issues (Standards 98 – 119)	We must produce a policy on internal use of Welsh; offer communication relating to employment in Welsh including forms and e-forms.	HR systems are produced by a national supplier and are not available in Welsh should the demand materialise	Translate key documents	£900
Welsh in the workplace (Standard 120 – 135, 140-144)	We must provide opportunities for basic Welsh training for employees during office hours and meet the cost	Although offering clear long-terms advantages this has the potential to reduce the operational capacity in the short-term if take-up is	Develop a page on The Hub to promote the Welsh language and assist staff to use it. Ensure fire-alarm announcements are bilingual	£1,300 (estimate based on ten attendees)

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	<p>of courses for those who already have basic Welsh to develop their skills. Any workplace signs must be bilingual or a Welsh version must also be displayed e.g. banner-stands, event posters.</p> <p>Home page of our Intranet (The Hub) must be available in Welsh. (by 30 Sept)</p> <p>Provide Welsh language versions of software where available such as Welsh language spell checkers in word-processing packages (by 30 Sept)</p>	high.	with Welsh first	
Recruitment and Selection (Standards 136-140)	Recruitment and all job descriptions must be made available in Welsh; if forms are submitted in Welsh they should not be treated less favourably; people may request	Simultaneous translation is likely to be in short-supply after the standards come into effect.	Ensure that all forms and processes are updated in accordance with the standards	<p>£3,000 (translation)</p> <p>£300 (assumes one instance of simultaneous translation in interview)</p>

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	simultaneous translation if they wish to be interviewed through the medium of Welsh			
Overseeing the Language Scheme: Record-keeping, reporting and complaints (Standards 145 – 176)	<p>There is a requirement to keep a range of records to demonstrate compliance with the standards and to publish (in Welsh) an annual report demonstrating compliance.</p> <p>Publish a five year strategy to show how we plan to promote the Welsh Language</p>	There will be no direct costs, however these standards will create an administrative pressure	<p>Ensure that systems are set up to keep records in accordance with the standards.</p> <p>Option:</p> <p>a) Recruit a part-time Welsh Language scheme administrator (0.4 FTE) to maintain records and ensuring compliance.</p> <p>b) absorb additional responsibilities into existing posts within the Policy and Performance Team</p> <p><i>Members are not being asked to make a decision on these options at this stage</i></p>	£0 (assumes lowest cost option)
Cost of meeting measure (costs covering multiple years have been apportioned evenly)				£63,000
Current Translation budget				£13,000
Anticipated reductions from successful appeal to the Commissioner and other actions to manage down costs				£5,000
Net additional cost				£45,000