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## LANGUAGE COMMITTEE, 29.01.15

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**Present:** Councillor Eirwyn Williams (Vice-chairman in the chair).

**Councillors:** Craig ab Iago, Elwyn Edwards, Tom Ellis, Alan Jones Evans, Alwyn Gruffydd, Siân Gwenllian, Eric Merfyn Jones, Elfed Williams, Gruffydd Williams and Hefin Williams.

**Also in attendance:** Councillor Ioan Thomas (Cabinet Member for the Welsh Language).

**Officers:** Arwel E. Jones (Senior Manager – Corporate Commissioning Service), Colin Morris (Business Support Manager) and Eirian Roberts (Member Support and Scrutiny Officer).

**Also in attendance:** Meirion Davies (Development Director – Menter Iaith Conwy) and Dwynwen Hywel and Matthew Thomas (Welsh Language Commissioner’s Office).

**Apologies:** Councillors Gweno Glyn, Charles W. Jones and Liz Saville Roberts.

Sadness was expressed at the death of Councillor Huw Edwards following a long illness, and sympathy was extended to the family in their loss.

The committee stood as a mark of respect.

### 1. ELECTION OF A VICE-CHAIRMAN

**RESOLVED to elect Councillor Eirwyn Williams as vice-chairman of this committee for the remainder of 2014/15.**

### 2. DECLARATION OF PERSONAL INTEREST

Councillor Ioan Thomas declared a personal interest in item 8(b) on the agenda – Support for Business from the Welsh Language Commissioner – as his son worked for the Commissioner.

The member was not of the opinion that it was a prejudicial interest and he fully participated in the discussion on the item.

### 3. MINUTES

The Chairman signed the minutes of the previous committee meeting held on 23 October 2014 as a true record.

Matter arising from the minutes

Item 2 – Matter arising from the minutes of 26 June 2014

Item 6 – Social Housing Allocations

It was noted that a response had been received from the Minister for Communities and Tackling Poverty to the Housing Service’s letter noting members’ observations and concerns, but that the letter received was incomplete.

**RESOLVED to circulate the Minister’s full response to members once it is available.**

#### 4. REPORT OF THE CABINET MEMBER – THE WELSH LANGUAGE

Presented – the Cabinet member’s verbal report – the Welsh Language, detailing two recent developments within the field, namely the discussions to impart the successes of Gwynedd’s Language Charter to other Councils in Wales, and the collaboration between the Council and Menter Iaith Bangor in preparing a bid for a grant from the capital fund for Language Initiatives.

**RESOLVED to convey a message to the Business Group stating that this committee was eager for the next full Council to receive a presentation from the Cabinet Member for the Welsh Language on Gwynedd’s Language Strategy.**

#### 5. CREATION OF A WELSH LABOUR MARKET

Meirion Davies (Development Director – Menter Iaith Conwy), gave a presentation on the creation of a Welsh Labour Market in order to strengthen the economy and strengthen the position of the Welsh language across Wales. He analysed the position of the Welsh language, noting that the scheme’s main aim was to create an economic foothold for the Welsh language by reducing out-migration, identifying the demand for Welsh language services, expanding Welsh medium services, linking demand with work opportunities and identifying economic opportunities. A sum of £20,000 had been received from the Welsh Government to prepare a joint bid with Aberystwyth University for European funding for the scheme’s skills for individuals and social enterprise elements, and it was also intended to bid for match funding from the Government in due course.

«A discussion was held on the following questions / observations from members:-

- The scheme’s cost.
- The importance of strengthening the economy and working conditions in order to attract young people to the county and to retain them.
- Mitigate the impact of in-migration by retaining or attracting people back.
- The tendency to import nurses from other countries due to the Government cap on the numbers trained in this field annually.
- The lack of opportunities for young people in rural areas.
- The impact of the closure of small rural schools on the language, and how maintaining the population by creating work locally leads to keeping schools open.
- The need for young people to see themselves as part of the battle for the language, in order to further pressurise the Government.
- The need to do more to encourage young local people to be enterprising and to start their own businesses, rather than focussing attention on trying to attract large businesses from outside the area.
- A lack of Welsh medium NVQ Childcare training.
- The need to impart this Council’s values to other bodies within the public sector, using the Local Services Board to promote this.
- The need to be proactive and award work to local companies employing Welsh speakers, and the importance of the Keeping the Benefit Local project.

#### **RESOLVED**

- (a) **To express the Committee’s support for the current work of the language initiatives to establish a scheme to create a Welsh Labour Market, and to provide any practical support requested.**
- (b) **To use the Local Services Board as a medium to persuade other public sector employers to adopt similar policies to Gwynedd Council regarding the Welsh**

**language, and to report back on what is happening with collaboration with other public sector bodies.**

Meirion Davies was thanked for the presentation.

## **6. SUPPORT FOR BUSINESSES**

- (A) The Business Support Manager presented the Language and Equality Officer's report detailing what the Council does and what it could do to promote local businesses to make the best use of the Welsh language.

A discussion was held on the following questions / observations from members:-

- The tendency to award work to external suppliers, that could be undertaken by local craftspeople.
- Are the Council's existing arrangements sufficiently streamlined and robust, and do they sufficiently push the boundaries regarding legal requirements?
- The steps within the Keeping the Benefit Local scheme to increase the confidence of local businesses in the tendering process.
- The shortage of local companies to undertake work, and the uncertainty of local contractors of how to access Council work.

- (B) A brief presentation was made by Dwynwen Hywel from the Welsh Language Commissioner's Office on the services available from the Commissioner.

A discussion was held on the following questions / observations from members:-

- The schemes to promote, trial and launch the new Commissioner's website for businesses.
- The importance of ensuring that large companies buy into this.
- The role of members to promote the service within their wards.

In response to an enquiry from a member, Dwynwen Hywel confirmed that she could make a presentation to a group that encourages local businesses in Dyffryn Nantlle to use the Welsh Language.

**RESOLVED to encourage councillors to disseminate the information about the services that are available to businesses within their areas, and to publicise this through *Rhaeadr* and the Gwynedd Business Network when the Commissioner's new website is launched.**

Dwynwen Hywel was thanked for her presentation.

## **7. GWYNEDD AND ANGLESEY JOINT LOCAL DEVELOPMENT PLAN 2011-26**

Submitted – a letter from the Welsh Language Society to the Committee's Chair noting the following questions in relation to the role and function of the Language Committee in the process of producing the Local Development Plan:-

- (1) How the Language Committee has been scrutinising the process of creating the Local Development Plan to date?
- (2) How the Language Committee has responded to the obvious shortcomings in the model used to date to assess the impact of the Local Development Plan on the Welsh language?

- (3) How does the Language Committee scrutinise the Deposit Plan?  
 (4) Is the model used to assess the linguistic impact of the Deposit Plan suitable?

In response to these questions, the Senior Manager – Corporate Commissioning Service noted that the development of the plan and the language impact assessment had received attention from the Language Committee, and he further explained:-

- That the specific functions delegated to the Language Committee were noted in the Council's Constitution.
- The committee had received a report at its meeting in March 2012 on the process of developing the Local Development Plan, and a discussion had been held on developing a methodology to undertake a sustainability assessment etc. Following a further report to the committee in October 2013 on the language impact assessment, the Planning and the Welsh Language Working Group was established. The Group met during 2014 and contributed to the further development of the methodology.
- The Language Committee was not a scrutiny committee, but individual members could submit their observations during the consultation period between mid February and the end of March.

During the discussion, it was noted:-

- That it was difficult to respond to questions (3) and (4) as the Deposit Plan had not yet been published.
- That the committee should re-state its objection to the proposed housing growth level in the draft Deposit Plan and its impact on local communities.

**RESOLVED to leave the matter on the table for the time being and convene a special meeting of the committee to discuss the matter further after the publication of the deposit plan.**

## 8. LANGUAGE COMPLAINTS

- (A) Submitted – the report of the Equality and Language Officer detailing the latest language complaints to hand.

During the discussion, it was noted:-

- That heads of service should be made aware that the failures to conform with the Council's Language Policy were not acceptable.
- That the Wales Penalty Processing Partnership, which is part of Denbighshire County Council and which processes parking fines on behalf of Gwynedd Council, undertook its administration solely through the medium of English. In response, the Senior Manager – Corporate Commissioning Service noted that no specific complaint had been made this time, but that the matter could be discussed with the department with a request for a report back.

- (B) Considered – a complaint received by a member of the committee regarding the decision made by Cartrefi Cymundeol Gwynedd (CCG) to relax the Welsh language requirements for the posts of Resources Director and Assets and Infrastructure Director.

Submitted, Ffrancon Williams, CCG's Chief Executive's response to the complaint, noting:-

- CCG's Board had decided to relax the Welsh language requirements for both posts as exceptions to their Welsh Language Scheme in response to a set of circumstances. These included future business needs, an assessment of the necessary skills and experience to ensure the continuous viability of the business, an assessment of the availability of those skills and experiences in the employment market and the company's experience of the difficulties in trying to appoint candidates to senior and management posts that satisfied all the criteria of the posts, including the Welsh language requirement, especially those posts which required technical skills and experience in specific fields.
- The post of Assets and Infrastructure Director had been filled on an interim basis by a non-Welsh speaker for a period of 5 years, and during that period, it had not been possible to find a Welsh speaking candidate.
- The post of Resources Director had also been filled on an interim basis for a period of 2 years by a non-Welsh speaking individual, and since the departure of the last incumbent, temporary measures had been put in place to try to address the needs until a long term solution was found.
- CCG's Welsh Language Scheme aims had been positively maintained during these periods, and the annual monitoring report submitted to the Welsh Language Commissioner proved this, as 95% of the company's staff were Welsh speakers.
- Research had shown that there only a small cohort of individuals existed with the necessary skills and experience in the sector to undertake both the Director posts, even if this cohort were to be extended to include non-Welsh speakers. Restricting the posts to bilingual individuals would be a further barrier to the work of securing successful appointments.
- It had been decided not to include a contractual clause in relation to learning Welsh for these two roles, as it could be a substantial barrier in trying to attract candidates who would possibly be taking a substantial risk in their careers, relocating their families and giving up secure and permanent employment in another location. This could mean that the specific candidates that CCG would wish to attract would turn their backs on the opportunity.
- CCG's Board had committed to collaborating with relevant bodies on a long-term basis to overcome the difficulties faced by the company and other organisations in trying to appoint Welsh speakers to senior management posts in Wales.

During the discussion, it was noted:-

- (1) That CCG's decision not to include the Welsh language as an essential skill for two of its senior posts:-
  - Was contrary to the Language Scheme of the body which aims to promote the Welsh Language as CCG's internal language of administration, by providing training opportunities to staff to develop and improve their skills and confidence in the Welsh language.
  - Would lead to a decrease in the use of Welsh by the workforce and the body, as opposed to its promotion.
  - Would open the door for other bodies to follow the same route.
  - Would pose a significant and totally unacceptable risk to the Welsh language.
  - Would pose a significant risk to the Council's vision regarding the Welsh language.
  - Would pose a significant risk to the vision of Gwynedd's Language Strategy which has been approved by the Cabinet and Gwynedd Council and key partners within the county.
  - Was contrary to the Welsh Language Commissioner's advice that the process should be deferred.

- (2) Gwynedd Council had been responsible for establishing the body, to deliver one of the county's most important services on behalf of the Council, namely to provide housing, and that CCG had a duty to respect Gwynedd's Language Policy.
- (3) The English language was an essential qualification, which was taken for granted, for every public post in Wales. Only a comparatively small number of posts requested the Welsh language as an essential qualification, and it was important not to concede at all with those posts.
- (4) Gwynedd's Language Strategy referred in a number of places to the importance of using Welsh in the workplace, and in providing services to the public. It was also important to emphasise the need for more bodies to follow Gwynedd Council's example in normalising the Welsh language as the internal language of administration and communication.

#### **RESOLVED**

- (a) **To call upon Cartrefi Cymunedol Gwynedd to adhere to its Welsh Language Policy in this specific case and in future.**
- (b) **To request the support of Hunaniaith, following its commitment to increasing the use of Welsh among its partners in all sectors of life in Gwynedd, to bring pressure upon bodies such as CCG to strengthen and maintain their policies and Language Schemes.**
- (c) **To request a comprehensive report by the next meeting, to consider the 'lessons to be learned' from this specific case, and to ask for collaboration from the Welsh Language Commissioner and other bodies, such as Hunaniaith, in preparing the report.**
- (ch) **To request clear recommendations on what additional steps need to be introduced to ensure that voluntary bodies and others adhere to the detail of other language policies when responsibilities are externalised / transferred from Gwynedd Council.**
- (d) **To call for a full explanation of the responsibilities of Gwynedd councillors who are Gwynedd Council's nominees on external bodies, in relation to the safeguarding of the Council's language policy, noting that they are expected to undertake their duties by observing Gwynedd Council's perspective, and that this is communicated to all Gwynedd councillors.**
- (dd) **To call upon the Welsh Language Commissioner to clarify the current statutory situation regarding the Language Schemes of various bodies. Bearing in mind the changes that are afoot following the publication of the Language Standards, that will be relevant to local authorities and public sector bodies, clarification from the Welsh Language Commissioner's is sought on the status of arm's length bodies and charities in relation to the Standards.**
- (e) **Ask CCG to hold specific discussions with the Council on the issue, following the receipt of legal advice on the Council's specific rights.**
- (f) **Emphasise the Council's appreciation of the good work delivered by CCG, but noting that this issue is a cause of concern.**

## **9. LANGUAGE INVESTIGATIONS**

The Senior Manager – Corporate Commissioning Service noted that the brief for the Language Investigation – the Use of the Welsh Language, had been agreed with the investigation members, and that the group's first meeting would be held on 23 February.

A paper was distributed by Councillor Craig ab Iago, the Language Champion, suggesting a number of work streams that the committee could investigate.

The importance of investigating the matters over which the Council has the most influence and where a difference could be made, such as licensing and grants, was emphasised.

The member was thanked for preparing the paper.

**RESOLVED to consider the suggestions, in conjunction with the Language Champion, and submit proposals to the committee on the areas that would be practical subjects for an investigation.**

At the end of the meeting, it was agreed to send the committee's greetings to Ruth Richards, the former Language and Equality Officer, following her appointment as Chief Executive of *Dyfodol i'r Iaith*, and to wish her well in the future.

The meeting commenced at 10.30am and concluded at 1.20pm.