

MEETING	Language Committee
DATE	08 July 2015
TITLE	Consultation on the Compliance Notice on Welsh Language Standards
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PURPOSE OF THE REPORT	To submit a summary of the Compliance Notice and the main points that need to be discussed and to formulate a response.

1 BACKGROUND

- 1.1 On 22 June 2015, a Compliance Notice on Welsh Language Standards was received from the Welsh Language Commissioner for a consultation period up until 20 July 2015.
- 1.2 The consultation on the Compliance Notice - Welsh Language Standards requests that we consider and provide evidence for the Welsh Language Commissioner on whether we are of the opinion that one or more of the Language Standards in the Compliance Notice is 'unreasonable and/or disproportionate' and to note:
- a) the number of the standard in the draft compliance notice which is, in your opinion, unreasonable and/or disproportionate;
 - b) why the standard is unreasonable and/or disproportionate, noting every reason and the evidence to support this;
 - c) would varying the requirement to comply with the standard make it reasonable and/or proportionate? For example, submitting the requirement at a different time, under different circumstances or in different areas. These should be identified, noting every reason and the evidence to support that;
 - d) would another standard involving the same activity or issue be reasonable and/or proportionate? If so, the standard should be noted and why, noting every reason and the evidence to support that.
- 1.3 We are also requested to note whether we are of the opinion that the timescale for meeting the standards (six months for the majority) is unreasonable.
- 1.4 Therefore, consideration must be given to
- a) How many of the standards we already comply with, or go beyond them;
 - b) How many of the standards do we know we are not complying with at present;

c) How many of the standards is there uncertainty about them and why?

When discussing the standards with which there is uncertainty, consideration must be given to the evidence that we will be required to submit in our response to the Welsh Language Commissioner's consultation.

This report therefore provides a summary of the classes of Standards and notes our first impressions of the main concerns with some of the Language Standards.

2 ANALYSIS OF THE LANGUAGE STANDARDS

2.1 The Standards are divided into five classes:

1. Delivering Services
2. Forming a Policy
3. Implementation
4. Keeping Records
5. Promotion

1. Delivering Services (1-87)

These standards (from 1-87) mainly deal with the Council's interaction with the public. The Council's Language Scheme already goes beyond the majority of these standards.

However, some of the Standards raise a few questions.

For example:

Standards 2, 3, 21, 28, 32, 72: These are standards which deal with the preferred language of the member of the public and the duty placed on us to **ask** the individual in which language he/she wishes to communicate with us.

As a rule, even if the language of the individual is unknown to us, the Council will correspond with the individual bilingually when communicating in writing.

We cannot, however, be certain that we always ask the individual for the preferred language when communicating verbally, and although the front-line services (receptions etc.) all operate bilingually, there is a need to question whether the choice is given to the public every time if the first contact is made by the Council. Also whether the Council has arrangements in place to record that preferred choice of language.

If arrangements are not in place to record the preferred language of the member of the public, we will find it difficult to comply and/or report on our compliance with these Language Standards. Indeed, there is room to highlight the Council's Language Policy and that it safeguards the status of the Welsh language and the availability of services through the medium of Welsh for residents and, therefore, there could be room to amend the exact requirement under these standards.

Standard 30: We do not state on any invitation or notice inviting the public to a meeting that any individual present is welcome to use the Welsh language at the meeting. The Council provides simultaneous translation at every public meeting that is held and the Welsh language has been normalised to such a degree that the public are completely aware that it is possible for them to speak Welsh at public meetings held by the Council.

Standard 49: If we prepare a separate version of a Welsh and English document, to what extent does our English version clearly state that the document is also available in Welsh?

Standards 67-68: In accordance with the Council's Welsh Language Scheme, all staff members in receptions (Siop Gwynedd) are completely bilingual. Consequently, staff do not wear badges to show that a Welsh language service is available and there are no signs stating that people are welcome to use the Welsh language in the reception. Once again, it is arguable that the Council's policy as it stands is more than sufficient for the requirements.

2. Forming a Policy (88-97)

This is the class of Standards (88-97) with which there is most uncertainty. There is a need for us to consider to what extent consideration is given to policy and research decisions on:

- (a) opportunities for people to use the Welsh language; and
- (b) not treating the Welsh language less favourably than English.

Does the Council give consideration to the impact of every policy on the Welsh language, and to what extent is there a standard method available and operational to record the consideration given to the Welsh language when developing or reviewing a policy?

3. Implementation (98-144)

These standards mainly deal with internal administration and the staff's rights to select a language; they are requirements the Council already addresses by means of the Language Scheme.

Every member of staff already receives correspondence and information regarding employment conditions through the medium of the Welsh language or bilingually, and staff often receive information by default through the medium of Welsh. If the Standards emphasise the 'chosen' language, then this could negatively affect the status of the Welsh language rather than strengthening it by resulting in members of staff choosing to receive information in English rather than in Welsh.

4. Keeping Records (147 – 154) and Supplementary Standards (155-176)

These standards, along with the Supplementary Standards for each one of the five class of Standards, deal with the manner in which the Council monitors and keeps records to comply with the Standards.

The requirement to keep records in accordance with these Standards is likely to have an effect on resources in terms of time, staff and a budget to achieve it.

5. Promotion (173-174)

The Promotion Standards requests the Council to formulate and publish a Language Strategy and to review the Strategy every five years. The Council (under Hunaniaith) has a Language Strategy for the County which was published in 2014 for a period of three years (2014-2017). Formulating a new Strategy within a year to comply with Standards 145-174 would serve no purpose.

There is also doubt about the Council's capacity to measure the effect of achieving the ambition of any strategy every five years, as the Census is the only data source for measuring the number/% of Welsh speakers.

3 NEXT STEPS

- 3.1 The opinion of the Language Committee is invited on the Compliance Notice - Welsh Language Standards and to give due consideration to the points noted above.
- 3.2 There will also be consultation with the Management Group and the Corporate Management Team.

It is proposed to bring together the observations from all the above forums to formulate a comprehensive response to the consultation, which will be sent in the name of the Cabinet Member with responsibility for the Welsh language, by 20 July 2015.