

MEETING:	LANGUAGE COMMITTEE
DATE:	07 November 2019
TITLE:	The Welsh Language Commissioner's Assurance Report 2018-19 Rights in Use
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PURPOSE OF THE REPORT	This report is submitted as a summary of the Commissioner's findings and recommendations in order for members to discuss its contents and consider any matters that could be relevant and that could lead to actions for Gwynedd Council

1. Background:

- 1.1 Every year, the Welsh Language Commissioner publishes a report that is the result of research, observation work and focus groups by its officers and presents their findings on the success of organisations to implement and comply with the Standards.
- 1.2 The Commissioner will come to a conclusion about successes or failures to comply with the Standards on the basis of many things:
- i) The findings of the Commissioner following complaints and specific cases of failure to comply.
 - ii) Opinion polls in focus groups with service users
 - iii) Interviews on specific subjects with organisations
 - iv) Observations, Information requests and evidence sent occasionally to organisations
- 1.3 The report does not specifically refer to individual organisations - apart from when it refers to good practices - but rather, it offers an overall illustration of how organisations are getting along with implementing the standards and what needs to be improved.
- 1.4 The Commissioner's latest assurance report, Rights in Use, was published during the summer of 2019, and it looked at the relationship between the ability of organisations to

guarantee that the right of the individual is met and the use made by the public of the Welsh language services provided.

1.5 The report asks organisations to consider taking steps in three areas:

- Robust internal arrangements to ensure compliance
- Increase workforce capacity to improve provision
- Prompt people to use Welsh language services

1.6 Even though it isn't a report specifically for Gwynedd Council then, a number of relevant and interesting points are raised, and a number of practical and useful ideas are highlighted – based on good practice in other organisations – that encourage us to look at our own arrangements and to consider if there is space to improve or adapt. For example, this report refers to a risk register and project management groups specifically for the language standards, and guidelines for staff on how to operate in a way that ensures language choice in meetings.

2 A summary of the relevant findings in the Assurance Report

2.1 General situation

One of the main findings of the report is that performance is improving in general, but that there is also a need to be vigilant. The Commissioner had seen evidence of a slowing in the momentum in some services.

This is a very important message, and reminds us that we need to work constantly at making sure that everyone, across the whole of the Council, and especially managers and heads of departments, are aware of their duties in respect of the standards. Some enquiries received suggest that there is a need to look at how we share regular messages about the requirements of the standards, in order to raise awareness, and to use the development in our understanding of them to offer guidance and clear information on certain matters, like the expectations in working with other public bodies.

2.2 Understanding the organisation's performance – checks and monitoring

The report notes in the Executive Summary (*page 13*) that they want to see organisations who:

“...understand the experiences of people using (or trying to use) their Welsh language services, so that arrangements can be improved.”

This is a matter that has been discussed in the past, and it was noted following the assurance report in 2018 that we needed to consider doing more to check and monitor services.

It could be argued that we do not differentiate between general service users and users of “Welsh language services” as all of our services are delivered bilingually, but we also need to be vigilant and mindful to the changes in people's use and habits so that we can consider if

there are new or different tactics that we could use to highlight and improve the active offer of the services in Welsh.

All complaints and enquiries are used as a chance to gain new perspective on the way we work, and we will consider any recommendations for change and improvement that come as a result of complaints.

The assurance report also draws attention to the use of a self-evaluation form (*Successful Practice example from Swansea University p:48*) as a way of collecting regular information from departments regarding their compliance with the standards. Collecting yearly information in this way would be a good follow up to the work of the Language Audit conducted before the standards were set, and also a way of ensuring that awareness of the standards stays at the front of the mind amongst managers.

On page 49 (*point 3.1.8*) of the report the Commissioner talks about incorporating the Welsh language into performance management arrangements, and the different ways organisations go about monitoring and improving performance in relation to the standards. It notes:

“These arrangements should internalise the Welsh language, in order to take advantage of structured systems for gathering information, ensuring accountability, and dealing with failure. Where this is not possible, or where the Welsh language needs more detailed attention, separate arrangements can be established.”

The success of the Welsh Language Policy in Gwynedd, and the principle it sets to place a responsibility “upon **all** Council officials and Members to promote the Welsh language in all parts of their work” and that the Council aims to ensure “the goal of mainstreaming the Welsh language throughout all its work and procedures” ensures that the examples of failure to comply with the standards are very few and far between.

Despite that, we may want to consider this statement by the Commissioner and how we use internal performance management arrangements to ensure that the Welsh language is given full and timely consideration in developing large projects and plans across the council. This includes making the most of the role of the Cabinet Members, and not only the Cabinet Member with responsibility for the Welsh language, to ensure that departmental plans consider how they go beyond just providing bilingual services and correspond with the principals and aims of the language standards and the Welsh Language Promotion Plan for Gwynedd to increasing opportunities for people to use the Welsh language and ensure that the Welsh language is not treated less favourably than the English language.

2.3 Operational experts

The report notes the importance of ensuring:

“adequate staff resources and time are allocated for the role to be done effectively”

...and...

“the officers are in a suitable position within the organisation, and have sufficient status, to have good relationships with departments and staff across the organisation, and have a strong influence on their work where necessary.”

Certainly the recent move of the language unit to the Democratic services give the opportunity for the role of the language officer within the Council to be in a stronger position and provides an overview of activities and main subjects of discussion across the council in a way that was not possible as a service on it's own.

The position of two development officers within the Learning and Development team also ensures a good link to services and staff across the Council.

We also have a number of staff members who take on a responsibility themselves of ensuring compliance and to influence others. The communications and website teams are good examples of this, with both teams ensuring that materials are published bilingually, and according to the Standards, and also advise other officers on good practice, only contacting the language officers occasionally if they need to double check or confirm their actions.

Where there is a chance to improve, and which links back to the point made above about the role of Cabinet Members and Managers, is in taking that extra step and making sure that specialist and operational experts are included early enough in the development and implementation of new projects in order to ensure that we are making the most of all opportunities to promote the use of the language.

2.4 Prompting people to use Welsh language services

Collecting meaningful data about the language use of individuals in accessing services, and thinking of different ways of influencing that choice, is very hard, and this report recognizes that “Consumer behaviour is complex – it is based on a lifetime of previous assumptions and experiences, and follows psychological patterns that are difficult to change.”

This is not a new problem. The report states that the majority of people they talked to still prefer to use English in using public services, with only 33% (at an all Wales level) noting that they would prefer to deal with public bodies in Welsh.

From Gwynedd's perspective, we can see from the limited data and evidence that we have that the use of the Welsh language remains high face to face or over the phone, where

there is direct contact with a member of staff, but that people's habits in filling forms and using self-service are very different.

We are always considering ways of simplifying forms and pamphlets in order to make them more "user friendly" and as easy as possible to understand. The Welsh Learning and Learning Officer has also been looking at establishing a new house style and implementing the principles of Cymraeg Clir, but we should also consider what other techniques there are that we could use – and especially in applying behavioural theory – to increase the use of Welsh medium remote services.

3 Recommendations

General

- Consider holding information and reminder sessions in order to ensure managers and heads of services are aware of **all** the requirements of the Standards and to ensure that regular messages are shared about certain matters.

Understanding performance

- Identify and consider different ways of understanding performance in relation to the Welsh language.
- Consider collecting regular information from departments regarding compliance through the use of self-monitoring questionnaires.

Operational experts

- Raise awareness of the consultative/advisor role of the language officers.

Prompting more use

- Consider what data we could collect that would help us understand the use of Welsh medium services.
- Consider how we use behavioural theory to influence the use of Welsh medium remote services.

4 What is sought by the Committee?

The Committee members are asked to consider this summary report and the recommendations offered by the officer, offer any relevant observations or recommendations on areas of priority.