

<b>MEETING:</b>	<b>LANGUAGE COMMITTEE</b>
<b>DATE:</b>	<b>7 April 2022</b>
<b>TITLE:</b>	<b>Praise and Complaints Report</b>
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<b>PURPOSE OF THE REPORT</b>	To present the latest information to the Committee on complaints and examples of the Unit's successes when promoting the use of the Welsh language in the Council's services.

## **1. Successes to promote the Welsh language and ensure Welsh language services for residents.**

An overview is given here of the work undertaken during last year to strengthen the commitment of the Council and its services to proactively offering services through the medium of Welsh to the public, and in full compliance with the requirements of the Language Policy and the Welsh Language Standards.

### **1.1 Ensuring Compliance with the Standards**

Several steps have been taken during the year to strengthen the compliance of services with the Welsh Language Standards. These include:

- Reviewing and updating the Council's Language Policy to strengthen guidance and publish a grants awarding procedure (*further information below*)
- creating templates and reminding staff of the statements that need to be included on documents and correspondence, inviting correspondence in Welsh from the public
- adapting staff complaints procedures and policies to ensure that they reflect the requirements of the Standards
- strengthening the arrangements to include questions regarding the linguistic impact in public consultations on policy decisions.

### **1.2 Welsh Language Policy 2022**

The work of reviewing the Council's Welsh Language Policy was completed during the year, with the revised policy adopted during Autumn 2022. A programme to raise awareness has been implemented since then, with messages regularly shared with staff to draw attention to any amendments or to remind them of the expectations in specific contexts.

As part of the work revising the Policy and reviewing our compliance with the requirements of the Standards, a sub-policy on awarding grants was also drafted and published internally, to give guidance to staff regarding the linguistic requirements and matters to be considered when

processing grants and financial assistance on the Council's behalf. As part of this work, the language advisers have been working with officers from the Economy department to review standard clauses and conditions for business grants.

### **1.3 Research:**

Over the last year the Language and Scrutiny Unit has been developing the working relationship with Bangor University, with two pieces of important research now being undertaken by the University on behalf of the Council. The Council is jointly funding PhD research, to look at people's attitudes and use of language when using the Council's services. The work will look at the reasons, for example, why some people tend to use English with on-line services and look at the changes in use and attitudes of residents over a period of time. The hope is that we will be able to implement specific interventions to encourage people to use Welsh medium on-line services, and that the research will be able to contribute evidence of the success or failure of any interventions.

The second piece of research, which has received seed funding to do an initial study, is exploring the link between the language and the tourism industry.

A project has also been commissioned by the Service Board's Welsh Language Sub-group to look at ways of influencing the public's use of language in front-line services. Several Council reception areas and in public service partner organisations were selected to be part of the research. As a result, a staff training resource was developed and suggestions for staff on how to encourage the public to use more of the Welsh language.

### **1.4 Forums**

A number of forums have been established during the last few months that will help move discussions about the Welsh language forward.

The internal Mwy na Geiriau/More than Just Words Forum was established during the previous year, to discuss how the Council implements the principles and priorities of Mwy na Geiriau/More than Just Words, the Strategic Framework for the use of the Welsh language in health and social care services. There have been changes during the last few months, with the forum now being led by the Statutory Director for Social Services, and a work programme is in place to assess and monitor how the Adults, Children and Care services manage to respond to the residents' requirements in terms of services through the medium of Welsh and the proactive offer.

We have also established a new Language Forum for the county, which brings together representatives from key organisations, partners, and community groups, to discuss how we can work together to promote the use of the Welsh language in the county and to consider what needs to happen in several key areas over the next few years to safeguard and promote the Welsh language.

### **1.5 Intranet**

A new page was created on the Council's intranet to share information with staff about matters regarding the Language Policy and Standards. Resources such as a copy of the Council's new Welsh

only logo, and templates for the statements that we are required to include in documents and correspondence, have been placed on the intranet for staff to easily access when required.

Information was also added to the new members intranet.

## **1.6 Language Awareness**

The Language Advisors and the Welsh Language Learning and Development Officer continue to hold language awareness sessions, visiting teams or specific services as required. The language awareness e-module is part of the Council's mandatory modules, and currently 1138 staff members have completed it. This number is slightly disappointing, but there is work being done on a corporate level to improve the take up of the mandatory modules.

## **2. COMPLAINTS AND ENQUIRIES FROM THE WELSH LANGUAGE COMMISSIONER - RELATING TO COMPLIANCE WITH THE LANGUAGE STANDARDS**

### **2.1 CS1038 "Aber Dwyrhyd", Maentwrog Sign (September 2022):**

The Commissioner received a complaint about the use of the incorrect name on a sign near the bus stop in Maentwrog. It was confirmed that the Council was not responsible for installing the image and the name "Aber y Ddwyrhyd" on the sign. The Council had provided new images to Traws Cymru to install on the digital sign. The response was accepted, and the Commissioner did not proceed to investigate this matter.

### **2.2 CS1026 Correspondence from the Libraries service (June 2022):**

The Commissioner received a complaint that a member of the public had received correspondence in English only from the libraries service. The service confirmed that this had occurred, and it was an error in the automatic response system that was responsible for this. The response was accepted, and the Commissioner did not proceed to investigate this matter.

### **2.3 CS1002 Correspondence from the Finance service (April 2022) - final decision not yet received**

The Commissioner received a complaint that a member of the public had received correspondence from the Pensions service in English only, and also correspondence in Welsh where the Welsh language was treated less favourably than English. There was a full investigation into this case. The Council has accepted responsibility for this situation from the start and has explained that this arose as a result of a single error, and because the specific circumstances in question (correspondence sent to a family as a result of the death of an individual in receipt of a teacher's pension) meant the officer had to act in a different way to the usual procedure.

A draft decision was received in March 2023, noting the Commissioner's view that the Council had failed to comply with Standards 5, 6 and 7. This was on the basis

- that the original letter was sent in English, and the Council did not know if the person wished to have correspondence in Welsh,
- the second correspondence sent in Welsh had errors, that meant that the Welsh language was treated less favourably than English, and
- the letters sent did not include the standard statements inviting the receiver to respond in Welsh and noting that the Council would reply in Welsh.

Several actions have been recommended in the draft decision to ensure that the Council complies fully. We will consider how to respond to the decision and the actions over the next few weeks.

## **2.4 CS102 Ysgol Abersoch Consultation (December 2021) – final decision not yet received**

The Commissioner received a complaint that the Council had not followed the appropriate consultation processes and had not sufficiently consulted with residents and had not sufficiently considered the impact of the decision to close Ysgol Abersoch on the Welsh language and the community. There was a full and thorough investigation into this complaint. We have received the draft decision of the investigation, this notes the Commissioner's opinion that the Council had failed to comply with Standards 91, 92 and 93, namely the standards that place a duty on the Council to ask a specific question regarding the impact of the decision on the Welsh language when consulting. However, the draft decision states that the Council did not fail to comply with Standards 88, 89 and 90, namely the Standards that place a duty on the Council to assess and consider the impact of decisions on the Welsh language. The Council provided a significant sum of evidence that included minutes of meetings and reports because of the consultation period and these indicated that the Council had carefully considered the possible impact, and the Commissioner's report acknowledges that the Council gave 'conscientious consideration' to the impacts.

The decision for failing to comply with Standards 91, 92 and 93 was because the correct questions were not asked during the consultation. The Education Department had followed the directions in the Schools Organisation Code for the consultation process, and those guidelines did not give guidance on how to follow the requirements of the Code and the Standards at the same time.

The Council was of the view that not asking the specific questions about the linguistic impact had not affected the ability of individuals to express a view about the impact of the decision on the Welsh language, and a great number of observations had been submitted by local residents as part of the consultation process and had been considered when assessing the impact of the decision, however we accept that there was a failure in terms of compliance with the exact requirements of these Standards.

The actions proposed to strengthen our arrangements when undertaking consultations are those that are already afoot or have already been delivered by the Council.

### **3. COMPLAINTS and ENQUIRIES REGARDING A SERVICE OR RELATING TO THE COUNCIL'S LANGUAGE POLICY**

<b>Department</b>	<b>No. of complaints</b>	<b>The matter relating to the complaint</b>	<b>Explanation and actions taken</b>
<b>Corporate Support</b> <b>(January 2023)</b>	<b>1</b>	Complaint that it was not possible to note that they were Welsh learners on the equality questionnaire used with public consultations.	The standard question used is in line with the question about linguistic ability that appears in the census. This enables the Council to compare data that indicates if responders to consultations are representative of the Gwynedd population. Having discussed the question with relevant officers from the research, communication and equality team, it was resolved to trial a new question,

			<p>that asks about the level of ability and skills in a different manner and includes an option to note if anyone is a Welsh language learner. We will look at the results of both consultations that trial the question to see if this form gives us more useful information.</p> <p>A response was sent to the complainant, and they were thanked for bringing the matter to our attention and to explain the change we are trialling.</p>
<b>Corporate Support / Highways and Municipal</b>	<b>1</b>	<p>Complaint that the Council's recruitment policy was unfair in demanding that there was a need to be fluent in Welsh for every post. The individual had a hearing impairment that meant that the person could not understand or learn Welsh well. As he was under the impression that the language requirements for posts meant that there was a need to be fluent, he felt that he could not apply for a post with the Council. He had been turned away from the Council's recycling centre when he tried to submit a CV as he could not speak Welsh. He therefore felt that the policy discriminated against him.</p>	<p>An apology was sent to the complainant because of the response he received at the recycling centre, and the policy was explained in terms of setting language requirements for posts.</p> <p>One of the posts in question by the complainant (LGV driver post) was looked at and it was confirmed that the language requirements were Basic/Access level for that post.</p> <p>The Equality Advisor was also part of the response to this complaint as the complainant claimed there was discrimination based on disability.</p> <p>The possible action to this complaint is to look at the wording shown in job descriptions to ensure that the requirements are clear and understandable to residents who apply for jobs.</p>
<b>Byw'n Iach</b>	<b>1</b>	<p>A complaint was received about the use of English in swimming lessons.</p>	<p>Discussions have been held between the management team and the swimming development officer and a work plan drafted by them to get to grips with this matter. The situation had arisen recently as a result of</p>

			<p>staffing problems that led to the need to appoint swimming officers with the correct qualifications but did not reach the language designation of the post.</p> <p>Explanation sent to the complainant.</p>
<b>Finance</b>	<b>1</b>	<p>Complaint about the lack of a Welsh language service from the Excel company, who provide a debt collection service on behalf of the Council.</p>	<p>The circumstances of the company (staff sickness and recruitment issues) meant that the fluent Welsh-speaker was not available on the day the complainant phoned to deal with the call and fully reply to the enquiry in Welsh. It is part of the agreement with the company that the service is offered in Welsh, and they have worked hard to ensure this service by recruiting and training local workers rather than recruiting from over the border. Although the service usually provided answers the requirements of the agreement, the Finance service is considering whether the work in question can be in-house by the Council in the future.</p>

#### **4. Recommendation**

The Committee is asked to accept the report for their information.