

COUNCIL:

21 JUNE 2018

CABINET PROPOSAL

WELSH LANGUAGE STANDARDS: ANNUAL REPORT 2017-18

Reason for this Report

1. To agree and approve the content of the 2017-18 Welsh Language Standards Annual Report prior to publication in accordance with the Welsh Language Standards under the Welsh Language (Wales) Measure 2011.

Background

2. Local authorities in Wales have a statutory duty to comply with Welsh Language Standards Regulation that explain how they as organisations should use the Welsh language in different situations. The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties on certain organisations to comply with standards in relation to the Welsh language by way of sub-legislation (Welsh Language Regulation (No.1) Standards 2015). The standards issued to Cardiff Council are listed in 'The Cardiff Council Compliance Notice – Section 44 Welsh Language (Wales) Measure 2011. A copy of the standards, which is referred to in this report, is available from www.cardiff.gov.uk/bilingualcardiff

3.

The principal aim of the legislation (standards) is to ensure that the Welsh language is treated no less favourably than the English language with the emphasis on actively offering and recording language choice rather than the onus being on the individual service user or employee to request information or services in Welsh.

4. The standards are listed in the following categories:

Service delivery standards
In relation to the delivery of services in order to promote or facilitate the use of the Welsh language, or to ensure that it is treated no less favourably than English.

Policy making standards
Require organisations to consider what effect their policy decisions will have on the ability of persons to use the language and on the principle of treating Welsh no less favourably than English.
Operational standards
Standards which deal with the internal use of Welsh by organisations.
Promotional standards
Require organisations to adopt a strategy setting out how it proposes to promote and facilitate the use of Welsh.
Record keeping standards
These standards make it necessary to keep records about some of the other standards, and about any complaints received by an organisation. These records will assist the Commissioner in regulating the organisation's compliance with standards

5. The Welsh Language Standards have been drafted with the aim of:
 - Improving the services Welsh-speakers can expect to receive from organisations in Welsh
 - Increasing the use people make of Welsh-language services
 - Making it clear to organisations what they need to do in terms of the Welsh language
 - Ensuring that there is an appropriate degree of consistency in terms of the duties placed on organisations in the same sectors.
6. Each local authority was issued with a compliance notice from the Welsh Language Commissioner in September 2015 which lists the standards and compliance date which the organisation is expected to comply with. Cardiff Council was issued with **171 standards**.
7. The Council has a statutory duty to comply with the Welsh Language Standards, which includes the requirement to produce an annual report on compliance with these standards.
8. The report also includes an update on the Bilingual Cardiff Strategy 2017-22 and an external review of the strategy, which was published in March 2017 following full Council approval.

Issues

9. The Welsh Language Standards Annual Report has been completed to meet the requirements of the Welsh Language Standards (Welsh Language [Wales] Measure 2011).
10. Each local authority is required to publish each year an annual report detailing the following information.

Complaints
The number of complaints received during that financial year relating to compliance with the Welsh language standards.
Employees Welsh language skills
The number of employees who have Welsh language skills at the end of the financial year in question.
Welsh Medium Training
<ul style="list-style-type: none"> • The number of members of staff who attended training courses offered in Welsh during the year. • If a Welsh version of a course was offered by you during that year, the percentage of the total number of staff attending the course who attended the Welsh version. •
Posts Advertised
<p>The number of new and vacant posts that were advertised during the year which were categorised as posts where:</p> <ul style="list-style-type: none"> • Welsh language skills were essential, • Welsh language skills needed to be learnt when appointed to the post, • Welsh language skills were desirable, or • Welsh language skills were not necessary. •

11. Approval needs to be given by Council prior to the report being published on the Council's website by the required deadline of **30th June 2018**.
12. The Welsh Language Commissioner can investigate a failure to comply with the Welsh Language Standards and can take enforcement action, including imposing a civil penalty, requiring an action plan to remedy the breach or publicising the breach.

Reason for Recommendations

13. Standard 158, 164 and 170 requires the Council to produce an annual report, in relation to each financial year, which deals with the way in which the Council has complied with the service delivery, policy making and operational standards.

Financial Implications

14. The Annual Report sets out a series of proposed actions and recommendations in accordance with the Welsh Language Standards. In the event of any of these actions resulting in costs then the funding will need to be identified from within the current budgetary allocation of the relevant individual directorates. The covering report highlights the potential for financial sanctions to be incurred as a result of non-compliance with the Welsh Language Standards. Any financial penalties incurred will need to be found within the overall budgetary allocation of the appropriate directorate.

Legal Implications

15. The Welsh Language (Wales) Measure 2011 provides for a system of regulation through 'standards', which specify how an organisation should use the Welsh language and created the Welsh language Commissioner. It is a statutory requirement to comply with the Welsh Language (Wales) Measure 2011.
16. The Welsh Language Standards (Number 1) Regulations 2015 specify standards in relation to the conduct of County Councils. The Welsh language Commissioner issued the Council with a compliance notice on the 30th September 2015. This contains 5 different types of Standards; Service delivery standards, policy making standards, operational delivery standards, promotional standards and record keeping standards.
17. Standard 158 requires the Council to produce an annual monitoring report in relation to each financial year, which deals with the way in which the Council has complied with the service delivery standards, similarly standard 164 requires this in relation to the policy making standards and standard 170 makes similar provision for the operational delivery standards. The annual report must include the number of complaints that the Council received during that year which related to compliance with the standards, details of the Welsh language skills of Council staff, training courses offered and attended by Council staff and number of posts advertised with Welsh language as a requirement. The annual report must be published no later than 30th of June following the financial year to which the report relates and must be publicised and placed on the Councils website as well as at any Council offices open to the public.
18. The Welsh Language Commissioner can investigate any failure to comply with the Welsh Language Standards and can take enforcement action, including imposing a civil penalty, requiring an action plan to remedy the breach or publicising the breach

HR Implications

19. The Welsh Language Standards Annual Report includes compliance with those standards that relate to the Council's role as an employer. There are no direct HR implications arising from the approval of the report, other than ensuring continued training provision to increase the numbers of Welsh language speakers across the Council in line with the Council's proposed Workforce Strategy.

CABINET PROPOSAL

Council is recommended to approve the Welsh Language Standards Annual Report 2017-18 (as attached as Appendix A) prior to publication in accordance with the Welsh Language Standards (Welsh Language (Wales) Measure 2011).

THE CABINET
14 June 2018

The following appendices are attached:

Appendix A – Welsh Language Standards Annual Report 2017-18

Appendix A1 – Bilingual Cardiff Strategy Actions 2017-18

Appendix A2 – Bilingual Cardiff Strategy External Review

Appendix A3 – Complaints 2017-18

Appendix A4 – Welsh Essential Posts 2017-18

Appendix A5 – Directorates Welsh Language Standards Objectives