

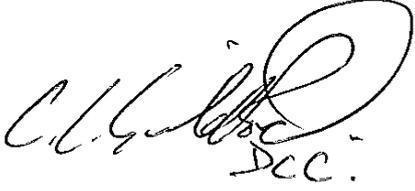
<b>OFFICE OF POLICE &amp; CRIME COMMISSIONER</b>	
<b>LEAD CHIEF OFFICER:</b>	DCC Guildford
<b>TITLE:</b>	Welsh Language Standards
<b>DATE:</b>	29/06/2016
<b>TIMING:</b>	July 2016
<b>PURPOSE:</b>	To be considered by the Strategy & Performance Board
<b>1.</b>	<b><u>RECOMMENDATION</u></b>
1.1	This report is for information and provides a brief update on actions taken in response to the Notice to Comply, issued by the Welsh Language Commissioner earlier this month.
<b>2.</b>	<b><u>INTRODUCTION &amp; BACKGROUND</u></b>
2.1	<p><b>Welsh Language Standards</b></p> <p>On the 22nd March 2016 the Welsh Language Standards (No. 5) Regulations ('the Regulations') came into force. The Regulations specify service delivery, policy, operational and record keeping standards which both the Force and OPCC may specifically be required to comply with.</p> <p>The OPCC has been served with a separate Notice to Comply which includes a slight variation of expected Standards.</p>
2.2	<p><b>Timescales</b></p> <p><b>1st June 2016</b> – A draft Notice to Comply has now been served to Gwent Police. A consultation period is now underway which allows organisations to review their Notice and, if needed, challenge the proposed Standards on the basis of unreasonableness and disproportionality, or suggest more appropriate Standards. Any challenge must be accompanied by clear evidence that the Standard is inappropriate, and it has been made clear that financial grounds are not sufficient in themselves to constitute a challenge.</p> <p>An audit document has been issued to all departments across the Force with a return deadline of the 1<sup>st</sup> of July. Analysis of the audit data will allow Gwent Police to provide a fully informed response to the Welsh Language Commissioner, including any appropriate challenge to Standards we feel are unreasonable.</p> <p><b>29th July 2016</b> – Consultation period ends.</p> <p><b>30th September 2016</b> – The Welsh Language Commissioner will issue the final Compliance Notice to Gwent Police</p> <p><b>March 2017</b> – 'Imposition Day' – the day from which Gwent Police will be</p>

	<p>expected to comply with the Notice (or at the end of 6 months from the day the Notice is issued)</p> <p><b>September 2017:</b> An annual report must be published within 6 months of the end of the financial year in which the Notice was issued, and annually thereafter.</p> <p>There will be further opportunity to challenge any of the Standards within the final Notice to Comply. In the first instance a challenge may be presented to the Commissioner. If Gwent Police wishes to challenge the Commissioner's decision, there is a route of appeal available to the Welsh Language Tribunal, and thereafter to the High Court.</p>
<b>3</b>	<b><u>ISSUES FOR CONSIDERATION</u></b>
<b>3.1</b>	There are a total of 173 Standards that the Welsh Language Commissioner is able to impose on organisations. Gwent's draft Notice to Comply, issued on the 1 <sup>st</sup> of June, includes 143 Standards which must be met within 6 months of the 'Imposition Day' (expected in March) and 13 which must be met within 12 months. The remaining 17 have been judged not applicable.
<b>4.0</b>	<b><u>NEXT STEPS</u></b>
	<p>A position paper will be drafted following receipt of departmental audits, setting out expected challenges, cost and resource implications and areas where the Standards are already being met.</p> <p>An all Wales meeting is scheduled for the 4<sup>th</sup> of July where the 4 Forces will discuss submitting responses that provide a consistent and united narrative around implementation of the Standards.</p>
<b>5.0</b>	<b><u>FINANCIAL CONSIDERATIONS</u></b>
<b>5.1</b>	There is potential for the Standards to have a significant financial impact on the Force (primarily through the increased need for translation and interpretation). The audit exercise will seek to establish the potential for this impact and inform any challenge that is subsequently put forward to the Commissioner.
<b>6.</b>	<b><u>PERSONNEL CONSIDERATIONS</u></b>
<b>6.1</b>	The strategic lead for this work is DCS Warrender, supported by the Community Cohesion Co-ordinator. The OPCC lead for this work is Caroline Hawkins. The Welsh Language Standards will become a standing agenda item at the Force's Equality and Diversity Boards, overseen by the DCC.
<b>7.</b>	<b><u>LEGAL IMPLICATIONS</u></b>
<b>7.1</b>	The Commissioner not only has the right to investigate non-compliance with the Standards, but also to take appropriate steps to enforce them. Where the Commissioner determines that an organisation has failed to comply with a relevant requirement she may take enforcement action, which may include one

	<p>or more of the following:</p> <ul style="list-style-type: none"> <li>• requiring that the organisation prepares an action plan or takes steps;</li> <li>• that the organisation or the Commissioner publicises the failure to comply;</li> <li>• or that the Commissioner imposes a civil penalty</li> </ul> <p>The Commissioner may also give recommendations or advice, or may enter into a settlement agreement with that organisation instead of taking enforcement action.</p>
<b>8.</b>	<b><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></b>
8.1	Consideration has been given to the Public Sector Equality Duty in preparing this report.
8.2	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.
<b>9.</b>	<b><u>RISK</u></b> As set out under Legal Implications.
<b>10.</b>	<b><u>PUBLIC INTEREST</u></b>
10.1	The document can be made available to the public
<b>11.</b>	<b><u>CONTACT OFFICER</u></b>
11.1	Heather Powell, Community Cohesion Co-ordinator
<b>12.</b>	<b><u>ANNEXES</u></b>
12.1	None

## Public Access to Information

Information in this submission is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. This submission will be made available on the OPCC website following consideration by the Police and Crime Commissioner.

<p>Are you satisfied that the contents and observations made are necessary and suitable for the public domain?</p>	
<p>In producing this submission, has consideration been given to 'public confidence'?</p>	
<p>If you consider that this submission should be exempt from the public domain, please state the reasons.</p>	

For OPCC use only

**Office of the Chief Constable**

I confirm that the Welsh Language Standards report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for **monitoring purposes**.

**Signature:**



Sec.

**Date: 05.07.16**

	Tick to confirm (if applicable)
<b>Financial</b> The Chief Finance Officer has been consulted on this proposal.	√
<b>OPCC</b> The Chief of Staff has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	√
<b>Legal</b> The legal team have been consulted on this proposal.	n/a
<b>Equalities</b> The Equalities Officer has been consulted on this proposal.	n/a

**Chief of Staff:**

I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.

**Signature:**



**Date: 13.07.16**

**Police and Crime Commissioner for Gwent**

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.

The above request has my approval.

**Signature:**

**Date:**