

# Welsh Language Standards: Annual Monitoring Report

2017 - 2018

## 1. Introduction

The Welsh Language (Wales) Measure 2011 established a legal framework to impose duties regarding the Welsh language on certain organisations, including the four Welsh Police and Crime Commissioners. These duties are known as the Welsh Language Standards and the Welsh Language Commissioner decides which specific Standards are will be applied to an organisation.

Once the Standards applicable to a particular organisation are determined, the legal process requires the Welsh Language Commissioner to issue a Compliance Notice to that organisation. The Compliance Notice lists all the Welsh Language Standards with which an organisation must comply. Organisations have a right to challenge any Standards applied to them which they feel are unreasonable or disproportionate.

The <u>Compliance Notice for the Police and Crime Commissioner</u> (<u>PCC</u>) for <u>Gwent</u> was issued on the 30<sup>th</sup> September 2017.

The main purpose of the Welsh Language Standards is to ensure that the Welsh language is treated no less favourably than the English language in the conduct of public business in Wales. The emphasis is on a public body actively offering and recording a person's language choice rather than the individual having to request information or services in Welsh.

The Welsh Language Standards are split into five distinct categories, four of which are applicable to the PCC. These are:

Service Delivery Standards, which relate to the public facing services provided by an organisation.

Policy Making Standards, which require an organisation to consider the effects of their policy decisions on Welsh speakers and the Welsh language, thereby ensuring that the principle of treating Welsh no less favourably than English is maintained.

**Operational Standards,** which deal with how an organisation uses the Welsh language in its internal business.

Record Keeping Standards, which require an organisation to keep information and records to show that it is complying with its legal obligations in relation to the Welsh language.

In accordance with Welsh Language Standards 155, 161 and 167, the PCC is required to publish an annual report of how he has complied with certain Standards. This annual report must be published within six months of the end of the financial year to which it relates. This document provides the PCC's annual Welsh Language Standards Monitoring Report for 2017/18.

Once published, the Report will be available to download from the Office of the Police and Crime Commissioner's (OPCC) website and a hard copy will be available to the public at the PCC's office.

# 2. Our Joint Welsh Language Strategy

To support the delivery of the Standards, and further ensure a workplace and operational culture that embraces and promotes Welsh language, in April 2017 Gwent Police and the Police and Crime Commissioner published our first Joint Welsh Language Strategy 2017-2020.

Our overarching strategic aim is to:

"Work In partnership towards a policing service which treats the Welsh and English languages equally and supports our staff and communities who wish to communicate and engage with us through the medium of Welsh"

This aim will be met through delivery against four Key Objectives:

## **Key Objectives**

1. Engage effectively with Welsh speakers within our communities in order to shape the service we provide

#### How will we do this?

- Work in partnership with communitybased Welsh language organisations to access the views of, and engage with, Welsh speakers in Gwent
- Establish appropriate external reference groups and consultation

- 2. Promote our Welsh language services to the public in order to ensure their use
- 3. Increase the proportion of Welsh speakers that we employ across both organisations

4. Create a workplace culture that recognises the value of delivering a service through the medium of Weish

- mechanisms which mainstream the consideration of Welsh language use across our day to day business
- Offer a high quality, consistent Welsh language service to all those who access our services
- Raise the profile of our Welsh language provision through effective community engagement and advertisement
- Put in place positive action initiatives which target, support and develop potential applicants with Welsh language skills
- Provide basic Welsh language training for all of our personnel, and adopt a blended learning approach to further develop these skills
- Work with Welsh medium youth groups, schools and FE/HE providers to promote career opportunities
- Engage all staff in regular, creative campaigns which highlight lived experiences of Welsh speaking staff and communities

# 3. Progress against our Service Delivery Standards

## A. Correspondence and Telephony Services

To support staff in ensuring they meet their responsibilities in relation to these Standards, an internal Welsh language awareness campaign was delivered, utilising screen savers and Intranet articles over the summer period. 'Postcards from Wales' featured pictures of local landscapes across Gwent and reminded staff to give bilingual greetings when answering the telephone and to ensure that their out-of-office messages

are in Welsh as well as English. Staff were signposted to the support pages on the Intranet where templates and greetings guides are available to all.





## B. Meetings and Interviews

All OPCC staff have been instructed to ensure that they offer opportunity for people to use Welsh at meetings, and we have an agreed provider of simultaneous translation services. The OPCC promotes the facilitation of Welsh at meetings, such as the PCC's public surgeries and where members of the public request private meetings. Whilst the OPCC was not asked to provide translation at any of these meetings during the year, interviews conducted as part of the OPCC's grant funding process were conducted in Welsh where appropriate (see section D. Grant Funding).

#### C. Website and Social Media

The OPCC is in the process of developing a new website that will better support the provision of bilingual content. This will be launched in 2018/19. Improvements to the existing website include the addition of a splash page to enable Welsh speakers to select their language of choice before entering the website.

Our Welsh Language Translator works closely with the OPCC's Media and Communications Team in maximising opportunity for engagement

through the medium of Welsh to ensure that, wherever possible, messages are provided bilingually.

#### D. Grant Funding

The PCC's Partnership Fund was designed to assist charities, voluntary organisations and community groups involved in activities that have a positive impact on the communities they serve in Gwent, whilst at the same time contributing towards delivering the PCC's police and crime priorities.

This Fund is made up of monies recovered via the Proceeds of Crime Act, the Police Property Act, and where necessary, supplemented from within the PCC's overall budget. A formalised bid process is administered by the OPCC, with bids scrutinised by a panel made up of representatives of the OPCC, Gwent Police, Gwent Youth Forum, community groups and other partners.

Information and application forms were published in Welsh and English, with applications from Welsh medium projects and groups actively encouraged. During the 2017/18 funding process, four applications were received and responded to in Welsh; of these, one was referred to and funded by the PCC's Positive Impact Fund and two were awarded funding from the Partnership Fund. One application was unsuccessful. Interviews with the applicants were conducted in Welsh by a Welsh-speaking member of staff and all grant-related correspondence conducted in Welsh.

#### E. Tenders and Contracts

No tenders or contracts have been issued or received in Welsh during this reporting period.

For relevant contracts (where the subject matter of the contract suggests it should be in Welsh), tender documents will be published in Welsh. At present, staff in our Procurement Department do not have the relevant skills to compose documents in the first instance in Welsh. However, a

process to support Procurement staff in meeting this requirement has been implemented. If, after completing a Welsh Language considerations checklist, the Procurement Team (in partnership with the Welsh Language Policy Officer) finds the subject matter to be relevant, the tender document will be sent for translation. Timescales will be considered to make sure that translating the document will not lead to any delay.

The tender document has been amended to state "The Commissioner welcomes tender responses in Welsh" and the Welsh Language Checklist has been embedded within the tender process to ensure due consideration is given to the Welsh Language at all stages. Access to professional translation services ensures the content of Welsh Language submissions is accurately reflected, and the evaluation process will run parallel to the evaluation of submissions in English (if relevant). The same closing date will apply for submissions in Welsh and English and simultaneous translation services will be offered and arranged for relevant contracts should an organisation wish to complete an interview in Welsh.

Welsh Language requirements will be considered and included (when relevant) when drafting the specification. For example, if the contract concerns training which is appropriate for bilingual delivery, the Contractor will be required to provide evidence of their capacity to provide any supporting literature, customer service (for bookings) and the training sessions in both Welsh and English. Specific evaluation criteria will also be set if providing the service in Welsh is a core requirement.

# 5. Progress against our Policy Making Standards

We have met our Policy Making Standards by amending our Equality Impact Assessment (EIA) process, which is used by both the OPCC and Gwent Police. EIAs are a compulsory part of our policymaking procedure, and guide policy writers and decision makers in considering adverse or positive impact on people that share Protected Characteristics as defined by the Equality Act 2010.

Our EIA template now includes a number of questions which mean any impact on our treatment of the Welsh language in relation to English, or opportunities for people to use the Welsh language are identified. The EIA also sets out how the writer intends to mitigate any negative impact identified, and any changes that are necessary.

# 6. Progress against our Operational Standards

## A. Complaints and Grievances

We have provided a briefing to our Public Response Unit who deal with public complaints and dissatisfaction to ensure they fully understand their responsibilities in relation to offering language choice as part of this process. The process to make a complaint against the OPCC in relation to our Welsh Language Standards compliance is accessible via our website. The number of complaints received in relation to Welsh language is monitored regularly. The OPCC also monitors the number of complaints received by Gwent Police as part of the PCC's statutory monitoring of the Chief Constable's provision of an effective Police service for the people of Gwent.

## **B. Staff Support**

The OPCC and Gwent Police share an Intranet site, which is maintained by the latter organisation. OPCC staff have access to the comprehensive Welsh Language Standards site, which outlines requirements for staff when corresponding, using the telephone and arranging meetings and events, as well as methods of recording language preference. The pages also include support and resources for staff wishing to practice their Welsh language or access help.

We have reviewed the usefulness of our Performance Management tool, *Qlikview* in finding the location and contact details for Welsh speakers across both organisations. Following this review, consideration is being given as to how the process of locating a Welsh speaker quickly can be improved.

Welsh templates for 'out of office' responses and personal signatures are provided, alongside virtual badges that personnel can add to their emails indicating that they are either learning or speaking Welsh. All known Welsh speakers across the OPCC have been issued with an appropriate badge to wear.

A further internal campaign was delivered on St David's Day to name a dragon, a stand with traditional Welsh food was located in the staff canteen, and information about the history of Welsh language and St David's Day was circulated via the Intranet. All staff were reminded to visit the Welsh language support pages in order to find out more about using and promoting Welsh in the workplace.

#### C. Recruitment

The OPCC continues to assess Welsh language requirements for all new posts. Vacancies are advertised in Welsh as well as English, and Welsh versions of information relating to that post, as well as application forms are published. All applications for new posts require candidates to indicate whether they would like to complete the recruitment process in Welsh. We will continue to work with the People Services Department to ensure that our recruitment processes are compliant with the relevant Standards.

## D. Training

The OPCC has supported Gwent Police in the development of a Welsh Language Skills Plan in partnership with South Wales Fire and Rescue Service. We have contracted the services of a Welsh language tutor employed by South Wales Fire and Rescue Service. Initially, this resource delivered a mandatory basic Welsh session to all Police and OPCC personnel, including content relating to Welsh culture and history. To date, all OPCC staff have received the input. Processes are in place to ensure that any staff joining the organisation are assessed for their Welsh language skills, following which eligible individuals will be automatically registered to attend the basic Welsh session.

Members of staff are supported to learn Welsh during working hours. During the last year, one individual enrolled on an in-house Mynediad level course. Staff are also provided with other opportunities to improve their

# 7. Record Keeping Standards

The following information is published in line with requirements under the Standards that relate to Record Keeping.

# A. Complaints against the Welsh Language Standards 2016-17

The PCC for Gwent has been issued with standard 155, 161 and 167dd, which require the OPCC to report on the number of complaints we have received each year in relation to our compliance with the Service Delivery, Policy Making and Operational standards.

During this reporting period, the OPCC received no complaints either in Welsh or about lack of compliance with Welsh Language Standards.

## B. Posts advertised in 2016/17

The PCC for Gwent has been issued with standard 167d which requires the OPCC to report on the number of new and vacant posts advertised during the year which were categorised as posts where:

- Welsh language skills were essential
- Welsh language skills needed to be learnt when appointed to the post
- Welsh language skills were desirable
- Weish language skills were not necessary

During the reporting period, no posts were advertised where Welsh language skills were essential and four posts were advertised where Welsh language skills were desirable. No posts were advertised with a condition to learn Welsh on appointment.

# C. Employees' Welsh language skills

The PCC for Gwent has been issued with standard 167a, which requires the OPCC to report on the number of employees who have Welsh language skills at the end of the reporting year in question.

All OPCC personnel complete a mandatory Welsh language skills monitoring form when joining the organisation. The recorded data can be searched via *Qlikview* so that Welsh speaking members of staff can be identified. Staff are also encouraged to update their personal Welsh language skills record, which can be done via 'My Page' on the Intranet. The OPCC undertakes an annual Welsh language skills audit to ensure that its records are up-to-date and to document any progress in an employee's language ability.

The table below shows the number of OPCC staff with Welsh language skills in 2017/2018, using the Welsh Language Competency Framework to define levels of ability based on ALTE framework definitions.

Record of Welsh language Skil	Is
Level	OPCC Personnel
1	6
2	0
3	0
4	0
5	
Total	7
Total number of Employees	18

Based on the figures listed above, 61% of OPCC personnel have no Welsh language skills. Fluent Welsh language speakers represent around 5% of the total workforce.

We recognise that the low numbers of Welsh speakers currently employed by the OPCC is one of the more significant challenges facing the organisation in terms of providing a bilingual service and meeting our compliance requirements.

Two new posts were created in response to the requirements on the PCC for Gwent and the Chief Constable of Gwent Police to comply with the Welsh Language Standards. These posts are Welsh Language Policy Officer and Welsh Language Translator. Both posts were advertised and successfully filled during the reporting period. These appointments will significantly improve our capacity to deliver against the Standards and our Welsh Language Strategy.

# 8. Challenge Applications

During 2017, the OPCC submitted a challenge application in relation to 19 of our March and September Standards. As required, the application included supporting evidence setting out our rationale in identifying areas which we believe require additional consideration. Our aim was to ensure a realistic and constructive assessment of how the Standards would impact on the organisation.

The table below shows the Standards which were challenged and the outcomes of those challenges, together with their imposition dates.

Standard	Challenge Outcome	Imposition Date
2, 3 & 21	The Commissioner is satisfied that the requirements to comply with these Standards as imposed is disproportionate and unreasonable.	30.03.18
	The Commissioner proposes to revise the implementation date for Standard 2, 3, and 21 to the 30 <sup>th</sup> March 2018.	
	Furthermore, the Commissioner has placed a circumstance on Standards 2 and 3 that these apply only when the individual is:	
	A victim	

	A witness     A suspect	
7	The Commissioner states that "the requirements of this Standard do not determine targets for responding to correspondence. Therefore setting timescales for responding to correspondence is a matter for the organisation. It is not considered that Welsh language correspondence would lead to delay if responded to within these timescales"  The Commissioner is not satisfied that the requirement to comply with Standard 7 as imposed is unreasonable nor disproportionate.	30.03.17
22	The Commissioner Is satisfied that the requirement to comply with Standard 22 as imposed is unreasonable and/or disproportionate.  The Commissioner proposes to extend the imposition date of Standard 22 to the 30 <sup>th</sup> September 2018.	30.09.18
24 & 24A	The Commissioner confirms that exemptions apply to these Standards when they relate to meetings held at short notice or an activity or service necessary to prevent, control or mitigate an aspect or effect of an emergency.  The Commissioner is satisfied that the requirement to comply with Standards 24 and 24A as imposed is unreasonable or disproportionate and proposes to extend the imposition date to the 30th of September 2017. The Commissioner does not propose to include a circumstance on these Standards which excludes operational meetings.	30.09.17
28 & 31	The Commissioner notes that Standard 28 requires an organisation to state that anyone attending a public meeting is welcome to use Welsh – not that translation services will be provided.	30.03.18
	The Commissioner considers evidence provided as to why the organisation considers it	

unreasonable or disproportionate to state on advertising materials or on an invitation that people are welcome to use Welsh language in meetings insufficient.

Also, a lack of robust evidence to support the statement that there are not enough qualified translators to meet potential demand.

The Commissioner is satisfied that the requirement to comply with Standards 28 and 31 as imposed is unreasonable or disproportionate and proposes to extend the imposition date to the 30<sup>th</sup> of September 2017.

The Commissioner proposes to vary the final compliance notice to require the Police and Crime Commissioner for Gwent to comply with Standard 31 in the following way:-

#### Standard 31

If you arrange a meeting that is open to the public, you must ensure that a simultaneous translation service from Welsh to English is available at the meeting, and you must orally inform those present in Welsh —

- (a) that they are welcome to use the Welsh language, and
- (b) that a simultaneous translation service is available.

You must comply with standard 31 in every circumstance, except:

 where an invitation or material advertising the meeting has asked persons to inform you whether they wish to use the Weish language, and that no person has informed you that he or she wishes to use the Weish language at the meeting.

49, 50 & 51

The Commissioner notes that the organisation is concerned that work being done on the website of Gwent Police will impact on the ability to comply with these standards as the same supplier

Standard 49: 30.09.17

provides the websites of the Chief Constable of Gwent Police and the Police and Crime Commissioner for Gwent.

The Commissioner does not consider that you have provided enough evidence to explain in what way developments relating to the website of Gwent Police would have an impact on the ability of the Police and Crime Commissioner to comply with the standards in question.

It should be highlighted that the standards as imposed only require the organisation to provide the homepage, new pages and revised pages in Welsh by 30 September 2017.

With regard to the system for logging the decisions made by the Police and Crime Commissioner, the 'Decision Log', the Commissioner acknowledges that the organisation is now working towards a bilingual solution to this element of the website and therefore considers that it is reasonable to grant a later imposition date for this element of the website.

The Commissioner proposes to vary the final compliance notice to require the Police and Crime Commissioner for Gwent to comply with standards 49, 50 and 51 as follows:

#### Standard 49

You must ensure that — (a) the text of each page of your website is available in Welsh, (b) every Welsh language page on your website is fully functional, and (c) the Welsh language is not treated less favourably than the English language on your website.

imposition date: 30/09/2017

Standard 49 must be compiled with, in relation to the following, by 30 March 2018:

 Police and Crime Commissioner for Gwent Decision Log Standard 50: 30.03.18

Standard 51: 30.03.18

	Standard 50	
	You must ensure that — (a) the text of the homepage of your website is available in	
	Welsh, (b) any Welsh language text on your homepage (or, where relevant, your	
	Welsh language homepage) is fully functional, and (c) the Welsh language is treated no less favourably than the English language in relation to the homepage of your website.	
	Imposition date: 30/03/2017	
	Standard 50 must be complied with, in relation to the following, by 30 March 2018:	
	Police and Crime Commissioner for Gwent Decision Log	
	Standard 51	
	You must ensure that when you publish a new page on your website or amend a page— (a) the text of that page is available in Welsh, (b) any Welsh language version of that page is fully functional, and (c) the Welsh language is treated no less favourably than the English language in relation to that page.	
	Imposition date: 30/03/2017	
	Standard 51 must be complied with, in relation to the following, by 30 March 2018:	
	Police and Crime Commissioner for Gwent Decision Log	
102, 103, 105, 106, 107 & 108	The Commissioner notes your comment that the Chief Constable is legally required to assist you and share resources and information in the exercise of your functions. Section 2(3) of the Police Reform and Social Responsibility Act 2011	30.03.18

It appears that there is no legal barrier preventing you from identifying any requirements imposed on you in relation to these standards as part of the arrangement between you and the Chief Constable when adopting his policies. The Commissioner therefore believes that you are responsible for ensuring that relevant policies comply with the standards that have been imposed on you. Section 1(5) of the Welsh Language Standards (No. 5) Regulations 2016 states that a body needs to ensure that any service being provided or any activity being carried out on its behalf via a third party arrangement complies with the standards applicable to the service or activity in question. You should therefore ensure that any arrangement between you and the Chief Constable states clearly any requirements imposed on you in relation to these standards.

It is acknowledged that the Chief Constable has launched a review of internal policies, including those policies identified in the standards that have been challenged, in preparation for the launch of the new intranet but that more time is needed to complete this work. You have therefore applied to extend the imposition day to 30 March 2018, in accordance with the imposition day for the intranet, in order to facilitate this. The Commissioner notes that no requirements have been imposed on you in relation to the intranet, and that you are referring to the imposition day for the Chief Constable's intranet in this instance. Furthermore, the regulations state that documents to which links have been provided on the intranet are exempt from the requirement to comply with the intranet standards, namely standards 118-121.

Although you state that an organisational or legal requirement prevents you from removing a number of published policies from publication whilst the review is in progress, no further information was given on those organisational or legal requirements.

You claim that translating the policies in question would cost £7,331.08. The Commissioner does

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	not believe that cost in itself provides sufficient grounds for extending the imposition day.	
	However, we have noted your concern that translating such policies would be an unreasonable and disproportionate use of resources whilst the review is in progress given that policies may become obsolete or be changed significantly as a result of that review. Therefore, the Commissioner considers it reasonable to grant the additional time requested in order to complete the review before having to comply with the relevant standards.	
	In light of the above, the Commissioner is satisfied that the requirement for the Police and Crime Commissioner for Gwent to comply with standards 102, 103, 105, 106, 107 and 108 as imposed is unreasonable and/or disproportionate.	
	In accordance with that, the Commissioner agrees to vary the Police and Crime Commissioner for Gwent's compliance notice by requiring the organisation to comply with standards 102, 103, 105, 106, 107 and 108 by 30 March 2018.	
125(ch)	Standard 125 exists to ensure the rights of those who wish to receive training in Welsh in specific areas where that training is also delivered in English. Standard 125(ch) relates specifically to induction training.	30.03.18
	It should be noted that the standard is only applicable if training is provided in English. This means that if training in any of the areas identified in the standard is not provided in English, you are not required to provide that training in Welsh. Therefore, you would not be considered to be in breach of the standard if you did not provide specific types of induction training in Welsh nor English whilst the training review is underway.	
	No specific concerns were expressed relating to the unreasonableness and disproportionality of standard 125 in response to the consultation on the draft compliance notice.	

However, the Commissioner acknowledges that you have initiated or are planning to initiate a review of different types of induction training, and that you are applying for an extension to allow you to complete that work, including undertaking translation and resourcing translation support for induction meetings.

On the basis that you are taking steps to comply with standard 125(ch), it is considered reasonable to grant the additional time requested in order to facilitate this.

In light of the above, the Commissioner is satisfied that the requirement to comply with standard 125(ch) as imposed is unreasonable and disproportionate.

In accordance with that, the Commissioner agrees to vary the Police and Crime Commissioner for Gwent's compliance notice by requiring the organisation to comply with standard 125 as follows:

You must provide training in Welsh in the following areas, if you provide such training in English—

- (a) recruitment and interviewing;
- (b) performance management;
- (c) complaints and disciplinary procedures:
- (ch) Induction;
- (d) dealing with the public; and
- (dd) health and safety.

You must comply with standard 125(ch) by 30 March 2018.

# 9. Monitoring and Overseeing Compliance

The PCC has delegated responsibility for the oversight of the Standards to the Chief Executive. The Chief Executive is supported by a the Deputy Police and Crime Commissioner who acts as the strategic lead for Welsh language and a Policy Officer who oversees work to ensure compliance with the Standards.

A Welsh Language Board has been established and has initially supported a Welsh Language Standards Implementation Plan. Post-implementation, the Board will act as a mechanism to monitor continued compliance on behalf of both the PCC and the Chief Constable. The Board will also ensure delivery of the four Key objectives relating to the strategic aim as set out in the joint Welsh Language Strategy.

The OPCC works closely with Gwent Police to share resources, ensuring value for money, and best practice. Work with community-based organisations, like Menter laith, assists in providing additional quality assurance of our Welsh language work.

#### 10. Conclusion

Both the PCC and Chief Constable welcome the implementation of the new Welsh language Standards, which have already brought about significant changes to the way we promote Welsh language within the workplace and through the services we provide.

Our second year working with the Welsh Language Standards has brought challenges, but has also enabled us to better engage our staff and the general public in important conversations about the rights of Welsh speakers within our communities. General awareness across the organisation in relation to Welsh language is growing, and we are pleased that so many of our staff are seeking opportunities to develop their Welsh language skills.

We look forward to continuing this progress during the next reporting period.

For further information on how the OPCC complies with Welsh Language Standards, or to provide feedback on how the OPCC can engage more effectively with Welsh speakers and learners in the communities it serves, please contact the OPCC's Policy Officer, Caroline Hawkins, at Caroline.Hawkins@gwent.pnn.police.uk.

#### 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:

31/8/18

