

CABINET EQUALITIES COMMITTEE - 12 APRIL 2010

MINUTES OF A MEETING OF THE CABINET COMMITTEE - EQUALITIES HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND, ON MONDAY, 12 APRIL 2010 AT 10.00AM

Present: -

Councillor D Sage - Chairperson

Councillors

M E J Nott
H J David

Councillors

L C Morgan
J C Spanswick

Invitees:

Councillor N Clarke
Councillor P A Evans
Councillor C A Green
Councillor M Gregory
Councillor P A Hacking
Councillor R M James
Councillor R D Jenkins
Councillor M Thomas

Officers:

D MacGregor - Assistant Chief Executive - Corporate Development and Partnerships
L Smith - Policy and Performance Management Officer (Equalities)
S Kelly - Policy and Performance Management Officer (Research)
D Beeke - HR Business Partner
P Williams - HR Business Partner
B Neville - Occupational Therapist (UNISON Representative)
M A Galvin - Senior Cabinet and Committee Officer

62 APOLOGIES FOR ABSENCE

Apologies were received from Councillor A E Davies who was on other Council business.

63 DECLARATIONS OF INTEREST

None

64 MINUTES OF PREVIOUS COMMITTEE MEETING

RESOLVED: That the minutes of a meeting of the Cabinet Committee - Equalities dated 4 January 2010, be received as a true and accurate record.

65 MATTERS ARISING FROM THE ABOVE COMMITTEE MEETING

The Assistant Chief Executive - Corporate Development and Partnerships stated that in relation to Minute No. 61 entitled "Equalities in the BCBC Workforce", with the Committee's consent, it was his intention in future to submit reports on this subject twice yearly rather than at every quarterly meeting.

A considerable amount of data had been submitted to the Committee at past meetings specifically aimed at informing Members of the different category of employee the Council had at given times including a breakdown of the number of casual staff, relief staff, agency workers, sickness absence statistics, and other associated data.

The Assistant Chief Executive - Corporate Development and Partnerships advised that the new report format would include analysis of the statistical information presented in the reports, as well as expanding these to include issues such as Workforce Planning information.

Benchmarking of the information contained in these reports in comparison with neighbouring authorities and other external organisations would also be explored where appropriate and reported back to Committee with a view to presenting more meaningful information.

Members agreed with the suggested new approach in relation to the submission of future reports of this nature.

66 NOTES OF CORPORATE EQUALITIES MANAGEMENT GROUP

RESOLVED: That Members agreed to note the Notes of the above Management Group dated the 28 January 2010, as a true and accurate record.

67 MATTERS ARISING FROM THE ABOVE MANAGEMENT GROUP MEETING

The Assistant Chief Executive - Corporate Development and Partnerships advised Members that in relation to the first paragraph of Minute No. 4, responses had now been received from departments in relation to feedback to be incorporated in the Annual Monitoring report on the Corporate Equality Scheme.

The Policy and Performance Management Officer (Equalities) extended thanks to the Officers who had responded, as this had allowed her to use the information received in the report to be considered later in the Agenda.

68 WELSH LANGUAGE (WALES) MEASURE 2010

The Assistant Chief Executive - Corporate Development and Partnerships submitted a report which advised the Cabinet Committee - Equalities of the consultation process relating to the proposed Welsh Language (Wales) Measure 2010, and to introduce a Presentation from the Policy and Performance Management Officer (Research) on the Measure, in order that the Committee could identify points for consideration in the process of drafting the Authority's response.

The Policy and Performance Management Officer (Research) opened his Presentation by giving some background information.

He advised that currently under the Welsh Language Act 1993, there was a duty upon the local authority to produce a Welsh Language Scheme, with only bodies such as the public sector covered by this duty.

He further advised that Welsh Language Schemes often involved resource intensive processes with the content of schemes often being of a product of negotiation, which sometimes led to inconsistency and lack of clarity.

Dependent on the part of Wales you were situated in, (i.e. dictated by the population of Welsh speakers in that area) Welsh speakers often faced variations and difficulties in accessing Welsh services, including any expansive use of dealing with business by way of using Welsh.

Under the new legislation, competence for legislating in the Welsh language had transferred from UK to Welsh Assembly Government, and therefore the Welsh Language Act 1993 would be replaced by the Welsh Language (Wales) Measure 2010.

The Policy and Performance Management Officer (Research) advised that the new Measure would modernise the existing legal framework originated from the 1993 Act, and this would in future extend not only to the public sector but also to third party contractors, recipients of £400k and above in public grants, social housing providers and other outside and statutory bodies.

The aims of the new Measure was to primarily raise standards in terms of linguistic rights for Welsh as well as English speakers and to extend these to the services the Council currently provide, which would both promote consistency and raise standards in terms of the public assessing services in Welsh.

He explained that replacing the current scheme with the new Measure would be achieved via a rolling programme over the next few years.

There would be certain standards contained in the Measure namely Service standards, Policy Development standards, Operational standards, Promotional standards and Record-keeping standards, each of which were elaborated upon.

The new Measure would look to build on and improve the existing Welsh Language Scheme, though standards would vary between organisations, for example provisions would be applied differently dependent upon the area of the Country i.e. how many Welsh speakers there were within that particular area.

The Measure would differ to the existing Scheme, in that there would be Codes of Practice to follow with an emphasis on Authorities and organisations to comply with the standards that were introduced. Non-compliance with standards could also result in authorities receiving a fine, though there was also an appeal process to any fines imposed under the new standard through the Welsh Language Tribunal.

The maximum civil penalty in terms of receiving a fine was £5k, though the introduction of secondary legislation could vary this, the Policy and Performance Management Officer (Research) added.

The independent Welsh Language Commissioner appointed by the First Minister would investigate and adjudicate in terms of any interference by public or private bodies with individual's freedom to use the Welsh language. An annual report in respect to any of the above cases would be produced by the Commissioner.

He then outlined the timescales under which the Welsh Language (Wales) Measure 2010 would be phased-in, with the legislation to be enacted late 2010/early 2011.

The Policy and Performance Management Officer (Research) confirmed that there was scope for organisations to challenge the standards applied to them after they were introduced.

In summary, the Presentation showed the differences which distinguished the 1993 Act from the new 2010 Measure as follows:-

- The 1993 Act introduced Welsh Language Schemes whilst under the 2010 Measure there would be Welsh Language Standards that when introduced would be "challengeable" but also enforceable;
- The Measure would extend to a wider range of organisations rather than just the public sector;
- The governing body in terms of the 1993 Act was the Welsh Language Board. The new Measure would be overseen by a Welsh Language Commissioner (and Advisory Panel)
- The 1993 Act provisions applied had limited enforcement whereas, stronger enforcement, i.e. a maximum civil penalty of £5k would apply, though organisations could appeal against any enforcement action taken.

In terms of the consultation process with the Welsh Assembly Government in relation to the Measure, a number of questions were outlined in the final slide which the Authority would provide a response to.

The Policy and Performance Management Officer (Research) advised that the Council were currently performing well in terms of its Welsh language arrangements, with only one complaint having been received in the last two years.

This was borne out by extra facilities being provided to encourage the processing of business through the Welsh medium, particularly at the Customer Service areas of the Council, and through initiatives such as the build of the new Welsh medium school.

The Policy and Performance Management Officer (Research) confirmed that WAG and the Welsh Language Board would look to ensure that initiatives presently in operation in the promotion of Welsh with young children in the community would continue under the new regime.

An invitee of the Committee expressed some concern regarding the financial implications that the Authority would incur as a result of the new Measure, and asked if there would be any funding avenues to pursue i.e. from grants, etc, given the

predicted future reduced financial settlements the Council faced, so as to adequately promote the new Measure.

The Policy and Performance Management Officer (Research) advised that in all probability there were no such avenues for funding to support the Measure, although the foundations of promoting the Welsh language had been made under the Welsh Language Scheme, and the Authority would look to progressively build upon these under the new Measure.

The Assistant Chief Executive - Corporate Development and Partnerships added that the financial implications arising from implementation of the Measure would vary from Authority to Authority, given that the use of the Welsh language in areas such as Ceredigion and Carmarthenshire was far more extensive than in authorities East of these. He added that a strong case should be made in our response to WAG in relation to difficulties the Council would face in resourcing the financial implications of the Measure, given the current economic climate.

He added that real progress had been achieved since the introduction of the Welsh Language Act 1993, particularly in recent years.

The Policy and Performance Management Officer (Research) in response to an earlier question, advised that conducting certain Committee meetings through the medium of Welsh under the Welsh Language Scheme was under the discretion of the Council. Under the new Measure the Authority may be governed by the freedom of persons to use the Welsh rather than the English language and at this time it had not yet been made clear what the result of this would be.

The Assistant Chief Executive - Corporate Development and Partnerships, arising from debate that had ensued at the meeting, suggested that the recommendation of the report be slightly modified and added to along the following lines.

Committee Members agreed to this recommendation.

- RESOLVED: That the Cabinet Committee - Equalities receives and accepts the Presentation on the Welsh Language (Wales) Measure 2010 and the related issues and identifies areas for consideration in the Council's response, to include:-
- (a) That the objectives of the Council are to build on the work it has already achieved under its Welsh Language Scheme, with the overarching focus being to increase Welsh speakers in the County Borough.
 - (b) That significant concerns were raised over the potential financial implications for the Authority arising from the introduction of the Welsh Language (Wales) Measure 2010.

The Assistant Chief Executive - Corporate Development and Partnerships submitted a report, the purpose of which, was to seek approval of the Council's Annual Monitoring Report on the above scheme to be submitted to the Welsh Language Board.

The report advised that the Welsh Language Scheme was a statutory requirement that impacted upon work across the Authority. It also linked the Equalities agenda and was a key component in the Council's Customer Care Programme.

The report further advised that it was a requirement of the Council to report to the Welsh Language Board on an Annual basis, outlining progress made on implementing its Welsh Language Scheme, as well as to note how improvements could be made over the coming year.

Attached to the report was a draft Annual Monitoring report, confirming improvements that had been made in terms of the Welsh Language Scheme in a number of areas, shown indicated by bullet points in Paragraph 4 of the report.

Full details of progress against all the actions due for completion in 2009-10, as well as those that were outstanding from 2008-09, were detailed in Appendix 'A' of the report.

The Policy and Performance Management Officer (Research) emphasised that a significant amount of work had been undertaken in respect of certain areas which included:-

- The Website, including wider web development projects, including 'Browse Aloud' for the visually impaired;
- "Good Practice" initiatives set out by the Welsh Assembly Government;
- Appointment of new officers to promote Welsh speaking in sport and physical activity and Welsh medium nursery education;
- Development of various Initiatives through the Youth Service, with support from the Welsh Language Board.

In terms of the Welsh language skills of staff shown in Paragraph 5 of the Appendix broken down on a Directorate basis, the Policy and Performance Management Officer (Research) advised that these figures may not be entirely accurate, given that the information shown was not compulsorily given, but was based on what had been declared by employees voluntarily, so the figures could well be higher than was actually shown.

He added that Welsh beginners courses continued to show progression, and that the development of the Welsh Language Skills Strategy would look to be built upon and further developed in the future.

A Member of the Committee enquired if the three translators that the Council used charged the same rates for their translation services.

The Policy and Performance Management Officer (Research) confirmed that the Council's three approved translators charged slightly differently, though our main user was the cheapest. Charges were quoted in terms of 10, 100 and 1000 words, though

anything under 30 words can be translated free of charge by the Welsh Language Board.

Members further enquired if the Council were collecting data such as customers expressing a preference for Welsh, and hits we are receiving on Welsh pages on the website and the "Browse Aloud" facility.

He replied that whilst this could be achieved in terms of personal visits to the Customer Service Centre, it could not currently be collated in terms of telephone calls received. However, he added that when the single number service was implemented within the Council then this data could be recorded and collated. In terms of the website, he replied that the number of hits can be counted, but as a number of pages have only recently been translated, a decision will need to be made about when will be a sensible time to take a count.

The Deputy Leader complimented all the staff who had contributed to the Annual report particularly the lead officer.

RESOLVED: That the Cabinet Committee - Equalities approves the Annual Monitoring report to the Welsh Language Board.

70 CORPORATE EQUALITY SCHEME - ANNUAL MONITORING REPORT 2009-10

The Policy and Performance Management Officer (Equalities) presented a report to Committee on the Annual Monitoring report on the Council's Corporate Equality Scheme which links to the Welsh Language Scheme and the Customer Care Programme and supports the community cohesion agenda.

The draft Corporate Equality Scheme Annual Monitoring report showed that 56 equality objectives and priorities had been set in 2009-10, with good progress being made in 48 areas and delays in 8 of the planned actions Details of these were shown in the covering report and expanded upon in the Annual Monitoring report.

The Policy and Performance Management Officer (Equalities) highlighted those areas where progress had been made:-

- Improvements to the Customer Services Centre to better cater for disabled people, parents with young children and individuals with visual or hearing impairments;
- Improvements to the Council's Website to make it more accessible for disabled people and further improvements were planned through the Website Development Project;
- Surveys had been carried out with the Bridgend Borough County Citizen's Panel to gauge people's confidence in fair treatment for different equality groups in the county;
- Initiatives were being undertaken to attract more community involvement in the Bridgend Equality Forum and the local Community Cohesion Group, with

the aim of developing a shared vision of equality and community cohesion for the County Borough;

- Significant progress had been made in delivering equality training for managers and staff;
- The report included statistics on the Council's workforce as at 30 September 2009, giving an equality breakdown and further progress will be made in the coming year to improve the quality of the data;
- Further work was on-going to promote the Council as being an "Employee of Choice" including becoming a Disability Symbol user;
- 15 successful project bids had been submitted to the Welsh Assembly Government Community Cohesion Fund 2009-2010.
- The delivery of training on equality impact assessment ;
- Good progress has been made on carrying out access audits and making physical improvements to Council property as part of the Council's Asset Management Plan;
- Improvements in services to support victims of domestic violence and their families;
- Improving services for carers, and
- Improvements to involve disabled children and young people in the Children and Young People's Participation Strategy, and to increase take-up of Youth Service activities.

A Committee Invitee enquired if individuals or families suffering from domestic violence were aware of avenues to turn to to seek help for this form of abuse.

The Policy and Performance Management Officer (Equalities) confirmed that there was a Domestic Abuse Co-ordinator in the Council who was proactive in a number of ways, for example by raising awareness of how and where to seek help for this problem. This included placing information on the Council's website and making leaflets available in public venues such as G.P.'s, libraries, community centres, etc. Information regarding how to seek help and support was also available from other bodies such as the South Wales Police website and Bridgend Women's Aid.

There were proposals to produce a delivery plan for 2010-2011 which will include promoting awareness on how victims could obtain support.

Further information was also requested for a future meeting in relation to an equality breakdown of job applications to the Council in addition to the workforce data already provided

In respect of improving services for carers, the Cabinet Member - Wellbeing made the point that though it was positive to see progress being made in this area, it was

important that tangible outcomes were achieved in relation to carer assessments, that Care Management staff and Social Care work teams were now receiving training in.

The Leader advised that it was important to promote awareness of domestic abuse to as wide an area as possible, and to that end referred to the excellent presentation given to Members some months ago on this topic in the Council Chamber. Building on work done to date to support victims and their families was extremely important

He further added that it was important to consider those equality objectives and priorities that were not progressing so well and the Policy and Performance Management Officer (Equalities) outlined what had caused the delays and what action was being undertaken to progress those actions that were behind target.

The Deputy Leader stressed the importance of encouraging participation through mechanisms such as the Bridgend Equality Forum and the Bridgend Coalition of Disabled People. The Policy and Performance Management Officer (Equalities) added that the next meeting of the Coalition had been convened for 5 May 2010.

RESOLVED: That the Committee receives and notes the Annual Monitoring Report.

The meeting closed at 11 45am.