

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO CABINET COMMITTEE - EQUALITIES

17 SEPTEMBER 2015

REPORT OF THE CORPORATE DIRECTOR RESOURCES

WELSH LANGUAGE (WALES) MEASURE 2011 / WELSH LANGUAGE STANDARDS

1. Purpose of Report

To update the Cabinet Committee – Equalities with information regarding the Compliance Notice received from the Welsh Language Commissioner.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

The Welsh Language (Wales) Measure 2011 replaces Welsh Language Schemes with a set of enforceable national 'standards' which will impact upon the work of the whole council. They will be linked to the equalities agenda, and will form a key component of the council's Customer Care Programme.

3. Background

The Welsh Language (Wales) Measure 2011 modernises the legal framework regarding the use of the Welsh language in the delivery of public services and makes provision for the specification of standards of conduct in relation to the Welsh language.

The standards link to the following council's corporate priorities:

- working together to raise ambitions and drive up educational achievement
- working together to help vulnerable people to stay independent
- working together to make the best use of our resources

4. Current situation / proposal

- 4.1 The Welsh Government's Welsh Language Standards (No.1) Regulations came into force on 31 March 2015 following consultation and a Standards Investigation carried out by the Welsh Language Commissioner in 2014.
- 4.2 The final set of standards differs from the original set the council provided feedback on in 2014 in that a number have been split to make them easier to understand, a number have been reworded and a few standards added.
- 4.3 Appendix A details the standards that have been applied to the council. These standards have been separated in two sets by the Welsh Language Commissioner;
 - those standards with which the council is expected to comply within 6 months (March 2016) and
 - those standards with which the council is expected to comply within 12 months (September 2016).

- 4.4 Below is a timetable outlining the Welsh Language Commissioner's compliance requirements of Bridgend County Borough Council. The Standard Theme is listed on the left followed by 2 columns of either 6 or 12 month compliance and the number of standards falling into each timeframe.

Standard Theme	Timescale	
	March 2016	September 2016
Service Delivery	83	2
Policy Making	16	0
Operational	39	14
Promotion	0	4
Record Keeping	9	1
Totals	147	21

- 4.5 Many of the standards already exist within our current policy and practice ie within the Welsh Language Scheme 2012 – 2015.
- 4.6 In the very short timeframe allowed, the draft Compliance Notice was circulated to Corporate Directors, Heads of Service, Service Managers and key officers so that the council's response to the consultation was as comprehensive as possible.
- 4.7 In order to form an objection to specific standards and/or timeframes, the council was required to provide factual evidence as to why these standards are unreasonable or disproportionate for BCBC to implement.

5. Effect upon Policy Framework & Procedure Rules

As this is an information report, there are no proposed changes to the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

Within the Welsh Language Standards is a requirement for all policy decisions to be assessed against the impact or possible impact of that policy on the Welsh Language. The formulation of the Medium Term Financial Strategy will therefore need to be impact assessed in terms of the Welsh Language within the Full Equality Assessment.

7. Financial Implications

Whilst it is difficult to cost full compliance with all of the proposed standards, a conservative estimate of the cost to implement all those standards is in the order of £300,000 as one off expenditure and £900,000 per annum recurring spend. Any additional cost pressures will need to be considered as part of the Medium Term Financial Strategy. This is currently a minimum requirement. Bridgend County Borough Council is required to make significant budget reductions over the next 5 years, which is already impacting on the council's ability to deliver essential, frontline services. It is important to note however, that future non-compliance with one or more standards brings with it an organisational risk to the council in that any formal complaints that are upheld and which reach the final stage of the

investigatory process may potentially bring a financial penalty of up to £5,000 per standard breach. The requirement to comply with standards will still remain. Although this is the final sanction to be imposed, the greater the ability of the council to meet these statutory obligations now will mitigate against future financial penalty.

8. Recommendation

It is recommended that Cabinet Equalities Committee receives and considers this report.

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Background documents: None