



12 May 2016

Paper Title:	Welsh Language Annual Monitoring Report 2015/16
Paper Reference:	NRW B 27.16
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Purpose of Paper:	Decision / Scrutiny/ Development / Information
Recommendation:	<ul style="list-style-type: none"> • The Board to approve the Welsh Language Annual Report 2015/16 for submission to Welsh Language Commissioner • The Board to approve our response to the Welsh Language Commissioner on the draft Welsh Language Standards Compliance Notice

Impact: To note – all headings might not be applicable to the topic	<p>How do the proposals in this paper help NRW achieve the Well-Being of Future Generations Act principles in terms of:</p> <p>Looking at the <u>long term</u>: A Wales of vibrant culture and thriving Welsh Language</p> <p>Taking an <u>integrated</u> approach:</p> <p>Involving a <u>diversity</u> of the population: Ability to give a language choice when dealing with the public. Giving English & Welsh equality / parity in our work.</p> <p>Working in a <u>collaborative</u> way: Ensuring we are able to provide a Welsh language service</p>
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	<p>in all areas of our work</p> <p>Preventing issues from occurring: Providing a bilingual service is an example of good practice where people can express their views better in their chosen language</p>
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Issue

1. To update the Board on progress with our Welsh Language Scheme during 2015-16 and approve our Annual Report to the Welsh Language Commissioner.
2. To inform the Board of the Welsh Language Standards Draft Compliance Notice received from the Welsh Language Commissioner, and approve our response to the consultation arrangements including our opportunity to appeal what we consider is unreasonable and/or disproportionate within the Notice.

Background

3. The NRW Welsh Language Scheme is a corporate policy developed in line with the Welsh Language Act 1993. The Scheme sets out how NRW is providing a bilingual service to the public of Wales. It has been operational since 1st April 2013 and will remain in place until the new Welsh Language Standards displace the Scheme in January 2017.
4. The Welsh Language (Wales) Measure 2011 established a legal framework with which NRW has a duty to comply. The Standards give Welsh speakers greater clarity on the Welsh language services they can expect from public organisations. The first set of Standards will become operational for us in January 2017.

Assessment

Welsh Language Annual Monitoring Report 2015/16 (Annex 1)

5. We have a duty under the Welsh Language Act 1993 to produce an Annual Monitoring Report on the progress we have made within the year in implementing our Welsh Language Scheme, and to present it to the Welsh Language Commissioner by July 2016. The report highlights work we have done to raise awareness of the Scheme, increase the opportunities for our people to work bilingually and report back on specific targets which the Commissioner has requested.

Key Highlights for 2015/16 Report:-

- In October 2015 staff were asked to self-assess their Welsh language skills and record them in MyNRW. This enabled us to produce reports on the Welsh language skills and levels. This is a commitment in our

Scheme and the first step in getting our Bilingual Skills Strategy fully operational. To date 74.6% (1502) of our staff have assessed and recorded their skills in MyNRW. We will need to everyone to complete this exercise as this is also a commitment in the forthcoming Standards.

- To date 24.5% of our staff have self-assessed as being fluent Welsh speakers, our target is to have 30% of our staff able to speak Welsh confidently by 2018.
- Success of our Welsh language training programme which has supported 244 members of staff to learn or develop their Welsh language skills for work purposes.
- In October 2015 we received Welsh Workplace of Year Award by Cardiff University for the support we are giving our staff in learning Welsh. A member of staff won Welsh Learner of the Year from Coleg Gwent for his commitment in learning Welsh.
- ICT have developed a bilingual service desk giving staff a language choice to discuss ICT issues
- Work on a new Translation tool-kit which will enable more of our staff to use their Welsh language written skills and lessen the dependency on our Translation Team.
- Communications and ICT teams have worked together to develop a new bilingual online flood warning service.
- Additional bilingual social media accounts have been developed, for example [Coed y Brenin @WardenCadair](#) and [Sian Williams](#).
- Work has been carried out over the last year to prepare the organisation for the forthcoming Welsh Language Standards, raising awareness of the Scheme and its requirements on a regular basis through our normal communication channels.
- Procurement Team have published standard terms and conditions of contract on the external website, the terms and conditions include Welsh language considerations.
- Following the flooding which occurred in December 2015, we were very pleased to receive an e-mail from a member of the public who appreciated the bilingual service we provided. This person was reassured by being able to speak their preferred language, during a very difficult time.

Draft Welsh Language Compliance Notice

6. The Draft Compliance Notice for Welsh Language Standards Regulations (No.2) 2016 for NRW was received on 31st March 2016. The Standards have been drafted following an investigation which was carried out by NRW between November 2014 and February 2015. A Standards Report was produced by the Welsh Language Commissioner outlining the conclusions of the investigation, for the attention of Welsh Ministers in May 2015.
7. Welsh Language Standards Regulations (No.2) 2016 were approved in the National Assembly for Wales' Plenary Meeting on 9 February 2016 and came into force on 16 February 2016. This authorised the Welsh Language

- Commissioner to give compliance notices requiring organisations to comply with one or more standards.
8. There now follows a consultation period on the draft compliance notice which commenced on 31 March 2016 and will end on 26 May 2016. The consultation is in two parts, the first part includes comments where the Commissioner wishes to receive further information or evidence from us in relation to specific standards. The second part of the form offers us the opportunity to note if we are of the opinion that one or more of the standards included within this Draft Compliance Notice is unreasonable and/or disproportionate. Supporting reasons and evidence should be submitted to verify our reasons.
 9. Final Compliance Notices are expected at the end of July 2016 with the first set of Standards coming into being in January 2017 replacing our current Welsh Language Scheme.
 10. The Commissioner will regulate on compliance of the Standards by:
 - investigating any complaint received
 - carry out mystery shopper exercises and user surveys with no advance warning
 - carry out thematic studies on groups of Standards
 - feedback on our Annual Report
 - publish codes of practice
 11. Our current Welsh Language Scheme was written with the forthcoming Standards in mind. This puts our organisation in a comfortable position, with minor adjustments and some additions needed to the current Welsh language service we have already committed to offer to the public and also our own staff. These additional adjustments/changes are set out in Annex 2 of this paper.
 12. Our response to the Commissioner, through the consultation process is that we consider all except one of the Standards to be reasonable and proportionate with our intention to challenge on Standard 36 due to additional cost implications for the organisation.
 13. Standard 36 would require our organisation to publish all documents that we produce for the public in Welsh. This would include publishing all our technical documents which are currently assessed using our Translation guidance in place.
 14. Our proposal is to ask the Commissioner to consider imposing Standards 37 – 43 relating to the same activity to be more reasonable and proportionate instead of Standard 36. This will mean no additional translation costs to our organisation with current commitments in publishing arrangements remaining the same.

Recommendation(s)

15. The Board is asked to approve the Welsh Language Annual Report 15/16 and approve that we will accept the Commissioners draft Standards, but challenge Standard 36 on the grounds of unreasonableness and disproportionality.

Key Risks

16. Failure to produce a Welsh Language Annual Monitoring Report will be breaking the commitment made in our Welsh Language Scheme.

We are not obliged to respond to the consultation on the standards if we are satisfied with the content of the draft compliance notice, the Commissioner will issue final compliance notice on the draft notices.

Financial Implications

17. Implementation of the Scheme and forthcoming Standards will continue from current budgets.

Equality impact assessment (EqIA)

18. An Equality Impact Assessment was carried out on the Welsh Language Scheme prior to vesting day. We will review the EqIA once the Standards are set as part of the development of the action plan.

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Annex 1 – Welsh Language Annual Monitoring Report 2015/16

Annex 2 – Analysis of Changes and Additions to current Welsh Language Commitments