

## Communities, Equality and Local Government Committee

### National Assembly for Wales (Official Languages) Bill

#### Paper 2: Annexe A - Welsh Language Officers Group

##### Annexe A

##### Comments on 'The Official Languages Scheme' (drafft)

##### Background

6. Section 35(1) of the Government of Wales Act 2006 currently provides, in the context of Equality of Treatment, that:

(1)The Assembly must, in the conduct of Assembly proceedings, give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the English and Welsh languages should be treated on a basis of equality.

**Comment [b1]:** Why is this quote in English in the Welsh-language version?

7. Schedule 2, paragraph 8 (3) of the Act, relating to the principles in accordance with which the functions of the Assembly Commission are to be exercised, adds that:

(3)... effect must be given, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the English and Welsh languages should be treated on a basis of equality.

**Comment [b2]:** Why is this quote in English in the Welsh-language version?

11. To be prepared and adopted in accordance with the proposed new paragraph 8(3) of Schedule 2 to the Government of Wales Act 2006, this scheme sets out how the Assembly Commission plans to deliver bilingual services to Assembly Members and members of the public. It covers:

- the National Assembly's aspiration to become a truly bilingual organisation that enables Assembly Members and staff to work in both languages;

**Comment [R3]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

17. With this in mind, at its July 2011 meeting, the Assembly Commission agreed to propose a new Official Languages Bill in order to make sure that the legal duties relating to the place of Welsh in the work of the National Assembly and of the Assembly Commission were also brought up to date and placed on a sound statutory footing.

**Comment [b4]:** We welcome this.

##### Definition of 'public'

18. In this scheme, the term 'public' means individuals, legal persons and unincorporated bodies. It includes the public in general, or a section of the

public, as well as individual members of the public. However, it does not include people in public bodies when they fulfil official duties.

19. Individual correspondence between Assembly Members and their constituents is not covered by this Scheme.

**Comment [b5]:** In order to encourage bilingualism in the workplace, perhaps it would be possible to consider ways in which the National Assembly and the Assembly Commission could promote increased use of the Welsh language among their staff when they communicate and work with Welsh-speaking staff in other public bodies.

**Comment [b6]:** Despite the fact that individuals have the right to communicate with their Assembly Member in Welsh, and expect a written answer in Welsh if that is their language of choice?

## Authority and responsibility for co-ordinating this Scheme

23. Every manager has a delegated responsibility for:

- operating those aspects of the Scheme that are relevant to their work;
- encouraging staff to use their language skills;
- ensuring that any new staff members are aware of the bilingual ethos of the National Assembly, the **ambition** and services outlined in the scheme.

**Comment [b7]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

## Monitoring and reporting

27. Following the Assembly Commission's consideration, the annual compliance report will be laid before the National Assembly.

**Comment [b8]:** And published for the public in an appropriate form.

## Publicising and promoting our bilingual services

31. Every effort will be made to ensure that Assembly Members, members of the public and Assembly staff are aware of this Scheme and the services to be provided. We will publicise our bilingual services by:

- ensuring that we can offer a bilingual service to our customers **from the outset**, to the best of our ability - whether it be orally, face to face, in writing or through other service providers on our behalf;

**Comment [b9]:** Why only from the outset?

## Dealing with complaints

37. You can proceed with your complaint by:

- In the first instance raising your complaint or concern with the official with whom you have been dealing.

**Comment [b10]:** *[translator's comment - the Welsh paper contains gender-specific language]*

## The National Assembly's **ambition**

39. It is the National Assembly's **ambition** to be a truly bilingual institution.

**Comment [b11]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

40. The National Assembly considers that this Scheme enables that **ambition** to be achieved.

**Comment [b12]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

42. The strategies and aspirations of the National Assembly aim to achieve equal status for the Welsh and English languages under the Government of Wales Act 2006.

**Comment [b13]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

44. To achieve this ambition we will take the following factors into consideration:

**Comment [b14]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

### Bilingual Services for Assembly Members and their staff

46. Our ambition is to facilitate the means for National Assembly proceedings to be truly bilingual by empowering Assembly Members with bilingual materials and the means to communicate with each other and the public bilingually.

**Comment [b15]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

### Bilingual services: preparing for Plenary and committee meetings

48. Documents for consideration during Plenary drafted by the Commission, Assembly Members (with the exception of those undertaking Ministerial duties) and staff of the Assembly will be available simultaneously in Welsh and in English. Where an item is to be included on the Plenary agenda at short notice, it may not be possible to produce those papers bilingually although we aim to do so on every occasion.

**Comment [b16]:** The term "at short notice" needs to be defined.

49. Documents for consideration during committee meetings drafted by the Commission, Assembly Members (with the exception of those undertaking Ministerial duties) and staff of the Assembly will be simultaneously available for the committee members in Welsh and in English and at least two working days prior to the relevant meetings. Bilingual committee chairs will be provided with a bilingual brief to encourage more use of Welsh in our proceedings. Where an urgent item is to be included on a committee's agenda at short notice, it may not be possible to produce those papers bilingually although we aim to do so on every occasion.

**Comment [b17]:** We welcome this.

50. Supporting documents for committee and Plenary such as research briefings, will be prepared in both official languages as far as reasonably practicable. We will make these available to facilitate greater use of Welsh in our proceedings by Assembly Members. Where this is impractical, the relevant Head of Service will be advised.

**Comment [b18]:** Other public bodies have moved away from using the term "reasonably practicable". We suggest that this should be deleted, or that a more specific term is used.

51. Requests for documents or written responses to committee consultations and documents from external organisations and third parties intended for publication and / or use in National Assembly proceedings will be requested bilingually from the outset. Those organisations with Welsh language schemes, standards, policies or schemes should submit responses in both languages to ensure that Assembly Members and the public can engage with proceedings in either Welsh or English.

**Comment [b19]:** We welcome this.

### Staff communications to Assembly Members

67. We aim to communicate in writing with individual Members, party groups, or other forums bilingually or in Welsh or English when a choice has been expressed. Members will be notified when this is not possible.

**Comment [b20]:** We recommend that "aim to" should be deleted. Members' language of choice should be recorded and respected.

### **Bilingual Services for communicating and engaging with the public**

70. Our ambition is to enable the public to communicate and engage bilingually with the National Assembly. The remainder of this section outlines how we will achieve this.

**Comment [b21]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

73. Legal documents and legal agreements with individuals, organisations or groups will be offered in either Welsh or English.

**Comment [b22]:** And bilingually – in order to encourage learners and to meet the needs of bilingual families/groups/organisations.

### **Individual meetings**

82. When a member of the public wishes to discuss the National Assembly's procedures or services face-to-face, they are welcome to do so in Welsh or in English. We will facilitate the meeting by ascertaining beforehand the member of the public's preferred language, and if that is Welsh, provide a Welsh speaker to attend the meeting and where this is not possible, arrange simultaneous translation where reasonably practicable. If neither of these options is available, the member of the public will be invited to deal with the issue by correspondence in Welsh or to continue with a meeting in English. When face-to-face meetings are held at short notice, the above steps will be followed but we cannot guarantee to provide a Welsh speaker on every occasion.

**Comment [b23]:** Other public bodies have moved away from using the term "reasonably practicable". We recommend that this should be deleted and that a definition should be provided of why it would not be possible to arrange simultaneous translation.

### **Managing and encouraging Assembly staff's bilingual skills**

97. In order to achieve our ambition of becoming a truly bilingual institution, we will:

**Comment [b24]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

99. In addition to encouraging our staff to learn or improve their Welsh language skills, we propose to place less reliance on our translation service over time. This is likely to mean that more of our bilingual staff will need to develop their Welsh drafting skills. The increased use of the text checking service suggests that there have been improvements in this area and that more staff are preparing drafts bilingually. However, this is an area we need to develop further in the future. If this Scheme's ambition is to be realised, the numbers learning Welsh also need to increase.

**Comment [b25]:** We recommend that the word "aim" should be used instead of ambition – it is more specific.

### **Working in partnership**

119. If the Assembly Commission joins a formal partnership that is led by others, the Assembly Commission's input will conform to this Scheme and other partners will be encouraged to conform to this Scheme or at a minimum with the spirit of the Welsh Language Act 1993

**Comment [b26]:** We recommend that a clause should be added to ensure that any goods/services for the public in Wales that are produced through this type of partnership are bilingual. Does the Measure need to be mentioned too?

