

Committee: **Corporate Overview & Performance Scrutiny Committee**

Date of meeting: **25 April 2024**

Report Subject: **CS092 Investigation Action Plan**

Portfolio Holder: **Cllr Steve Thomas, Leader of the Council/ Cabinet Member Corporate Overview and Performance**

Report Submitted by: **Sarah King, Head of Democratic Services, Governance & Partnerships**

| Reporting Pathway           |                           |                          |                            |                               |                    |          |         |                      |
|-----------------------------|---------------------------|--------------------------|----------------------------|-------------------------------|--------------------|----------|---------|----------------------|
| Directorate Management Team | Corporate Leadership Team | Portfolio Holder / Chair | Governance Audit Committee | Democratic Services Committee | Scrutiny Committee | Cabinet  | Council | Other (please state) |
|                             | 11/04/24                  | 24.04.24                 |                            |                               | 25/04/24           | 12.06.24 |         |                      |

**1. Purpose of the Report**

1.1 The purpose of the Report is to present the CS092 Investigation Action Plan Final Progress Report.

**2. Scope and Background**

2.1 The CS092 investigation (“the investigation”) was opened by the Welsh Language Commissioners Office (WLCO) in November 2021 following concerns raised during a direct verification assessment of whether the Council was compliant with the Welsh Language Standards in terms of providing a Welsh language telephone service.

2.2 In April 2022, the Council provided an initial response to the investigation, which in turn raised further compliance concerns with regards to promoting services, assessing the language skills of staff, providing training opportunities and assessing the language needs of posts. This led to the terms of reference for the investigation being widened to include a number of additional operational standards.

2.3 In September 2022, a final determination of the investigation, in accordance with Section 77 of the Welsh Language (Wales) 2011 Measure, was provided to the Council. The determination outlined the steps required to reach compliance and expected delivery timeframes. It also requested the Council take forward an organisational approach (including clear accountability and governance framework) to develop an Action Plan, with a deadline 31 January 2023. The final draft Action Plan was presented to the Corporate Leadership Team for consideration and signed-off on the 26 January 2022. The WLCO signed off the report on the 5 April 2023.

2.4 The CS092 Final Progress Report (Appendix 1) provides a final position on the implementation of actions set out within the plan to be submitted to the Welsh Language Commissioners Office for consideration of closing the case.

### 3. **Options for Recommendation**

#### 3.1 **Option 1**

Consider the CS092 Final Progress Report (Appendix 1) and support approach to be presented to Cabinet.

#### 3.2 **Option 2**

Consider the CS092 Final Progress Report (Appendix 1) and make observations/recommendations on progress to be presented to Cabinet.

### 4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

Since 2016 the Council has a statutory requirement to work in accordance with our Welsh Language Compliance Notice set by the Welsh Language Commissioners Office, written in accordance with the Welsh Language (Wales) Measure 2011.

This Action Plan ensures compliance with the standards that the WLCO failed the Council on as part of the investigation.

The Corporate Plan recognises meeting our Welsh language requirements as a key policy area which will enable the Council to deliver its ambition.

### 5. **Implications Against Each Option**

#### 5.1 ***Impact on Budget (short and long term impact)***

Failure to comply with any Welsh language standard could lead to penalties. The quoted figure is £5,000 by breach.

#### 5.2 ***Risk including Mitigating Actions***

There is a reputational risk to the Council if the action plan is not implemented efficiently, and the Council is found non-compliant with standard 98.

#### 5.3 ***Legal***

Failure to comply with any requirement set out within the decision notice requesting an action plan, may lead the Commissioner to apply for a court order requiring compliance.

#### 5.4 ***Human Resources***

Organisational Development staff play a key part within the implementation of this plan, working to strengthen the recruitment processes' consideration of the Welsh language.

### 6. **Supporting Evidence**

#### 6.1 ***Performance Information and Data***

The CS092 Investigation Core Group have been meeting every 6 weeks to provide updates on the actions assigned to them. Since presenting our Quarterly Action Plan Update to the Committee in September 2023 all actions within the plan have been completed bar, S132.1b and S132.2a, that require our Welsh language

training to be made available on the Council's new training portal. This portal is due to be made available to staff in spring 2024, therefore following the launch of the portal all action will be complete.

Actions taken to implement the plan are detailed in the progress report.

6.2 ***Expected outcome for the public***

The effective implementation of the Action Plan, supported by quarterly progress reports will improve our compliance with the service delivery standards.

6.3 ***Involvement (consultation, engagement, participation)***

The core group set up to support implementation of the action plan meet 6-weekly to monitor progress.

6.4 ***Thinking for the Long term (forward planning)***

The Council has a statutory requirement to work in accordance with the Welsh Language (Wales) Measure 2011. Furthermore, improving our consideration of the Welsh language contributes to the Welsh Language Promotion Strategy and the Well-Being of Future Generations Act goal to provide 'a Wales of vibrant culture and thriving Welsh language'.

6.5 ***Preventative focus***

Meeting the requirements set by the Welsh Language Standards, will aim to prevent reputational and financial risk.

6.6 ***Collaboration / partnership working***

Blaenau Gwent continues to work with neighbouring and regional local authorities to support the Council to work in accordance with the Welsh language standards, including regional partnership forums and networks (for example, Blaenau Gwent Welsh Network, Rhwydiaith, Deddf etc).

6.7 ***Integration (across service areas)***

By considering a corporate approach to Welsh Language the Council is demonstrating it is taking an integrated approach.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

This report has no direct implications towards decarbonisation or reducing carbon emissions.

6.9 ***Integrated Impact Assessment (IAA)***

The report considers Equalities throughout and seeks to ensure the Welsh language is valued and not treated less favourably across the Council.

7. **Monitoring Arrangements**

The CS092 Investigation Final Progress Report (appendix 1) is to be presented to Cabinet.

**Background Documents /Electronic Links**

Appendix 1: CS092 Investigation Final Progress Report.