

**Betsi Cadwaladr University Health Board's response to the
Culture, Welsh Language and Communications Committee's inquiry into
'Supporting and promoting the Welsh Language: The legislative, policy and
wider context'.**

Betsi Cadwaladr University Health Board (the Health Board) welcomes the opportunity to comment on the Culture, Welsh Language and Communications Committee's inquiry into 'Supporting and promoting the Welsh Language: The legislative, policy and wider context'.

Health Boards in Wales are currently consulting on the Welsh Language Standards draft compliance notices placed on them by the Welsh Language Commissioner. As such, other organisations who have gone through the process of being issued with Standards are perhaps in a better position to address all the elements of the terms of reference of this inquiry, however, we are happy to comment on our own experience and position in terms of the current legislation in relation to Welsh language.

The Health Board has welcomed the introduction of the new legislative framework, the Welsh Language (Wales) Measure 2011 and has been working towards achieving compliance with the proposed Welsh Language Standards. The legislative framework has allowed for a robust planning and preparation process to achieve new compliance requirements.

As part of its commitment to providing the best possible patient centred-care, the Health Board has invested significantly in Welsh language services to address the increased demand. A Welsh Language Standards Compliance Officer has been appointed to focus specifically on the implementation and facilitation of the Welsh language Standards. A Welsh Language Tutor was also appointed to address demand for training provision to increase the Health Board's capacity to deliver bilingual services by focusing on workforce planning and staff development. A significant increase in translation demand has also seen an investment in the form of a Senior Translator and an additional Translator.

The Health Board has developed a Welsh Language Strategic Plan setting out its long-term goals and objectives for 2016-2019. This strategic plan provides a vision for promoting and advancing Welsh language provision, outlining a key focus to delivering on the Welsh Government's Strategic Framework for Welsh Language Services in Health, Social Services, and Social Care, 'More than just words', ensuring an "Active Offer" approach to service planning and delivery.

In order to aid planning, requirements have been considered in line with three dimensions that will form a baseline to build upon.

- **Strategic Intervention** sets the vision for the Health Board going forward, ensuring we are working towards the same goal. The Health Board will ensure clarity in terms of the commitment and engagement required at senior leadership level ensuring Welsh language is rooted in operational planning and service delivery.
- **Behavioural Change** ensures that the Health Board creates a context that encourages staff to use their language skills. Cultural change is required at all levels within the organisation to create an environment where Welsh language awareness is paramount
- **Performance and Monitoring** ensures that the Strategic Plan remains a live work in progress through a continuous cycle of monitoring.

Based on the Strategic Plan, an operational Welsh Language Standards Work Programme has been developed also incorporating objectives outlined within 'More than Just Words'.

To ensure its implementation, a Project Management Group has been established to support the Board in delivering its responsibilities in line with the Welsh Language Standards to improve service user experience through the provision of bilingual care. The Group's responsibilities will include taking ownership of the successful delivery of the Standards across the Health Board as well as acting as strategic leads and points of contact within service areas.

In preparation for the Welsh Language Standards, the Health Board has been liaising and working with partners from other public sector bodies who are already implementing a set of Welsh Language Standards. In particular, the Health Board has had a keen interest in the activity within its neighbouring Local Authorities, and has participated in numerous organised meetings, conferences and workshops led by the Welsh Government and the Welsh Language Commissioner.

A new fit for purpose legislation was required to progress and strengthen obligations set out within the Welsh Language Schemes under the Welsh Language Act 1993. Welsh Language Schemes did not ensure consistency between sectors, nor between organisations within the same sector which was a fundamental flaw and something that would hopefully be addressed under the new regime.

The Welsh Language (Wales) Measure 2011 has provided the stronger base that was required for organisations to build upon, something that was lacking in the previous requirements within the Welsh Language Act 1993.

This is especially true following the Welsh Government's vision to aim for one million Welsh speakers as part of the Cymraeg 2050 Strategy.

In taking into account the Welsh Government's Cymraeg 2050 Strategy, the Health Board agrees with the Minister's foreword which outlines the vision for a "country where the Welsh language is strong and sustainable....with bilingualism threaded through communities and workplaces across the country." A whole country

generational approach is needed in order to achieve the vision and aims of the Strategy.

Welsh Language Schemes under the Welsh Language Act 1993 were not seen to achieve policy objectives. Consideration needs to be given to why this was the case for certain organisation, and to ensure that the same errors are not repeated.

One of the key aims of the Welsh Language (Wales) Measure 2011 was to provide greater clarity and assurance to members of the public in terms of what their rights would be around language choice across the public sector. However, owing to the fact that what may be required from one body in one part of Wales may be different to what is required from another body in another part of Wales, the 2011 Measure has fallen short of achieving the level of consistency that had been anticipated across all organisations. In other words, our members do not feel that the Measure has clarified this issue. Legislation should ensure that an individual is able to receive the same level and quality of service regardless of whereabouts in Wales they live.

Implementation of the legislation needs to go a step further to ensure clarity and a consistent approach – an individual should be able to receive the same level and quality of service whether in North Wales or South Wales. A framework is required to ensure plans and procedures are put in place to allow for robust governance and accountability which should, in turn, assure all organisations who are working collectively to achieve the wider Welsh language goals within Cymraeg 2050.

Since the Welsh Language Board was abolished, it has become evident that there is a gap in terms of promoting the Welsh language. A balance is needed between supporting and enforcement action. Whilst acknowledging that regulation is key to the successful delivery of the Standards, there is a need to focus on supporting organisations and promoting the language. Both should be kept separate, but equally robust.

There should be greater focus on promotional activity, as organisations that are experienced in implementing Welsh language legislation and who have in the past embraced the concept of promoting the Welsh language, have seen a gap in this area. The undertaking of relevant, promotional activities are lacking in the current system and both organisations and the public require support and guidance.

Another core element which seems to be lacking in the current system is in relation to working with bodies to help them comply with the Standards, for example by providing training and holding workshops. A careful approach and clear outline of what is expected is needed from each service area. The Health Board would welcome this as there is currently a lack of consistency even within sectors.

In looking at possible future developments and implementation of Welsh language legislation, a balance is needed to ensure that correct governance and supportive frameworks are in place if we are to develop further. There is a need for:

- the promotion of the language,
- an advisory role for organisations who experience challenges,
- enforcement actions to ensure that organisations implement Standards

- regulation for the monitoring of compliance;
- and a provider of support for organisations

As a separate issue that requires attention, we would emphasise that there are challenges in the investigation process undertaken that act as barriers to reasonable and joint resolutions. The current system is a lengthy and prolonged process. The Health Board has experience of the current approach in dealing with alleged complaints where an escalation of a relatively wider concern, into an investigation when it could have been addressed locally in a logical manner. It is disappointing that this limitation provides a barrier to resolving issues locally, when attention could be better focused elsewhere.

As outlined in this response, the Health Board welcomes the growing recognition of the importance of meeting language need in the NHS in Wales and the impact this can have on the provision of services and patient experience. We would also emphasise the importance of progressing the positive baseline established by 'More than just words' and encourage forward planning by introducing long term goals as part of a revised Strategic Framework focusing on further progressing the "Active Offer".

Thank you for the opportunity to provide a response to this inquiry. You are welcome to contact us if you require any further information or clarification.

We hope that the comments are useful.