



RECORD OF DELEGATED OFFICER DECISION

Key Decision

✓

Operational Decision

SUBJECT: Welsh Language Standards: Offer of Variation to the Compliance Notice

PURPOSE OF REPORT:

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Education and Lifelong Learning as described below:

To seek a decision whether to agree to the Welsh Language Commissioner's proposal to vary the Welsh Language Compliance Notice.

DELEGATED DECISION (Date):

Agreed:

The variation to the Compliance Notice as proposed by the Welsh Language Commissioner.

Esther Thomas
Chief Officer Signature

ESTHER THOMAS
Print Name

23rd August 2016
Date

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

CONSULTATION



CONSULTEE CABINET MEMBER SIGNATURE

23/08/2016

DATE

CONSULTEE OFFICER SIGNATURE

DATE

CALL IN PROCEDURE RULES.

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YES NO ✓

Reason for urgency:

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Mayor)

.....
(Dated)

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

FOR CABINET OFFICE USE ONLY

PUBLICATION & IMPLEMENTATION DATES

PUBLICATION

Publication on the Council's Website:- 24/8/16

DATE

IMPLEMENTATION OF THE DECISION

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 1/9/16.

DATE


Secretary to the Cabinet Signature

CHRISTIAN SS HANAGAN
Print Name

24.8.16.
Date

Further Information

Directorate:	Education and Lifelong Learning
Contact Name:	Wendy Edwards
Designation:	Head of Community Learning
Tel.No.	01443 744111



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF EDUCATION AND LIFELONG LEARNING

31st August 2016

Welsh Language Standards: Offer of Variation

AUTHOR: Wendy Edwards, Head of Community Learning

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek a decision on whether to agree to a variation to the Welsh Language Compliance Notice as proposed by the Welsh Language Commissioner.

2. RECOMMENDATIONS

It is recommended:

that the variation to the Compliance Notice is approved.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The Welsh Language Commissioner, after having considered the evidence submitted by the Council, has determined that the requirement for Rhondda Cynon Taf Council to comply with standard 41,52,58,64 and 69, or to comply with the standard in a particular way, was unreasonable or disproportionate. As a result the Commissioner has proposed a variation to the existing Compliance Notice. It is recommended that the Council agrees to this variation as it significantly reduces the burden on the Council by providing additional time to implement measures to meet these standards.

4. BACKGROUND

- 4.1 On 30th September 2015 Rhondda Cynon Taf County Borough Council received its Final Compliance Notice from the Welsh Language Commissioner which indicated 171 standards which the Council was required to comply with and the imposition dates for compliance. 144 required compliance by 30th March 2016, 25 need to be complied with by 30th September 2016 and 2 by 30th March 2017.



- 4.2 On 30th March 2016 the Council submitted an appeal against the imposition of 14 standards, or imposition of these standards within the timescale indicated in the notice, as recommended by the Welsh Language Cabinet Steering Group and approved by Cabinet.
- 4.3 A letter was sent to the Chief Executive on 6th June indicating that, having considered the appeal submission, the Welsh Language Commissioner's initial response was to determine against the Council's appeal in each instance. However, the Council was provided with an opportunity to provide further evidence to support its case within 10 working days.
- 4.4 Further evidence was submitted to the Welsh Language Commissioner within the specified time period and correspondence was received from the Welsh Language Commissioner on 12th August indicating her determination to vary the Compliance Notice in relation to 5 standards.
- 4.5 The variation proposed by the Welsh Language Commissioner is as follows:

Standard 41- the Council must comply with standard 41(a) in every circumstance except 'other papers that are available to the public, which relate to management board or cabinet meetings.'

The Council must comply with standard 41(b) in every circumstance except 'other papers for meeting that are open to the public.'

Standard 52 – the Council must comply with standard 52 in relation to the body's corporate website by 31 March 2017.

The Council must comply with standard 52 in relation to all other websites by 31 March 2018.

Standard 58 – the Council must comply with standard 58 in relation to using social media on its main accounts by 31 March 2017.

The Council must comply with standard 58 when in relation to all other social media accounts by 31 March 2018.

Standard 64 – the council must comply with standard 64 in relation to the body's main reception service by 30 March 2016.

The Council must comply with standard 64 in relation to every other reception service by 31 March 2018.

Standard 69 – the Council must comply with standard 69 in every circumstance except for traffic notices by 31 March 2017.



The Council must comply with standard 69 in relation to traffic notices by 31 August 2017.

- 4.6 Although there is no change in the Welsh Language Commissioner's determination in relation to the remaining standards that were part of the appeal, this is a significant variation on the most challenging standards and the compromise is to be welcomed.

5 EQUALITY AND DIVERSITY IMPLICATIONS

An Equalities Impact Assessment is not required.

6 CONSULTATION

A consultation process has been undertaken with residents across Rhondda Cynon Taf to gather feedback on their priorities for Welsh Language services.

7 FINANCIAL IMPLICATION(S)

There are no financial implications aligned to this report. However, there will be costs and resources as yet not fully ascertained in respect of implementation of the standards. Non-compliance with a standard could incur financial penalties of up to £5,000.

8 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

Welsh Language (Wales) Measure 2011 and Welsh Language Statutory Standards 2015 regulate this area of work.

9 CONCLUSION

This item falls under Children and Young People Scrutiny Committee.



STRONG HERITAGE | STRONG FUTURE
RHONDDA CYNON TAF
TRIFTADAETH GALWIEN | DYFODH SICR