

# Welsh Language Impact Assessment

**May 2018**

## Welsh Language Impact Assessment

<b>Title:</b> <ul style="list-style-type: none"> <li>• National Standards and Outcomes Framework for Children and Young People in Wales (CYP Framework)</li> </ul>	<b>WLIA Reference No</b> <i>(completed by WLU):</i>																
<b>Name of person completing form:</b>	<b>Ruth Akers</b>																
<b>Date:</b>	<b>May 2018</b>																
<b>Policy lead:</b>	<b>Ruth Akers</b>																
<b>Contact details:</b>	0300 0622436																
<b>Programme/Project Type</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input checked="" type="checkbox"/> Policy</td> <td style="width: 50%; border: none;"><input type="checkbox"/> Project or programme</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Legislation</td> <td style="border: none;"><input type="checkbox"/> Research, evaluation</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Grant</td> <td style="border: none;"><input type="checkbox"/> Services</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Business change</td> <td style="border: none;"><input type="checkbox"/> Contracts, tenders</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Infrastructure</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Construction, Capital</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> ICT</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Other (Please specify below)</td> <td style="border: none;"></td> </tr> </table> <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>		<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Project or programme	<input type="checkbox"/> Legislation	<input type="checkbox"/> Research, evaluation	<input type="checkbox"/> Grant	<input type="checkbox"/> Services	<input type="checkbox"/> Business change	<input type="checkbox"/> Contracts, tenders	<input type="checkbox"/> Infrastructure		<input type="checkbox"/> Construction, Capital		<input type="checkbox"/> ICT		<input type="checkbox"/> Other (Please specify below)	
<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Project or programme																
<input type="checkbox"/> Legislation	<input type="checkbox"/> Research, evaluation																
<input type="checkbox"/> Grant	<input type="checkbox"/> Services																
<input type="checkbox"/> Business change	<input type="checkbox"/> Contracts, tenders																
<input type="checkbox"/> Infrastructure																	
<input type="checkbox"/> Construction, Capital																	
<input type="checkbox"/> ICT																	
<input type="checkbox"/> Other (Please specify below)																	
<b>Costs: How much is the projected whole life cost for the programme/project?</b> If below £25k, then a full WLIA is not always required (see guidance).																	
<b>Under £25k</b>	<b>£25k - £49k</b>	<b>£50 - £249K</b>	<b>£250K - £1m</b>	<b>Over £1m</b>													
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>													
<b>Of the above, please provide details if there are any identified costs directly associated with the Welsh language?</b> <p>Although no costs have been directly associated with the Welsh language the total cost of the National Approach to Advocacy has been costed at over £1m, with the Welsh Government providing up to £550k for the active offer element as is outlined in the CYP Framework, with Local Authorities providing the rest of the funding.</p> <p>The National Standards and Outcomes Framework for Children and Young People in Wales (CYP Framework) identifies the outcomes children and young people can expect in relation to children and young people's advocacy. It sets out a framework against which advocacy service providers and those commissioning them can be sure those standards are being achieved, enabling them to evidence they are making a positive difference to children and young people's lives. This includes delivering or working towards actively offering a service in the Welsh language to individuals</p>																	

whose first language is Welsh. An element of the national approach is the active offer as outlined in the CYP Framework.

The CYP Framework was used by the Advocacy Technical Group to map out the new regulations and associated guidance as part of phase 3 of implementing the Regulation and Inspection of Social Care (Wales) Act 2016, which is due to come into effect in April 2019.

In addition, providers will need to take reasonable steps to meet the language needs of individuals. A number of policies and procedures must be in place for the service. The guidance will clarify that these policies and procedures are in a format accessible to the individual. If an individual's first language is Welsh then those policies and procedures may need to be provided in Welsh.

These requirements may result in additional costs for providers. However, the precise costs are difficult to estimate as they will vary greatly depending on the levels of Welsh language need identified within the service, the current abilities of staff employed within the service to meet that need, the subsequent level of interpretation required, or training needs.

An example of the cost of using an interpretation service in Wales, as of October 2017 is from £28 per hour.<sup>1</sup> However this cost will likely vary depending on the company used and the volume of interpretation required.

**How long is the programme/project expected to run?**

Up to 1 yr	Up to 2yrs	Up to 5yrs	Up to 10yrs	More than 10 yrs	Unknown
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Key milestone dates for the programme/ project:**

The Social Services and Well-being (Wales) Act 2014 provides the legal framework for improving the well-being of people who need care and support and carers who need support. It transforms the way social services are delivered, promoting people's independence to give them voice and control. It also seeks to ensure social services are sustainable going forward.

The statutory framework for the Act consists of three main elements:

- the Act itself
- regulations made under the Act
- codes of practice / statutory guidance.

These three elements work together to form the framework within which social services will operate from April 2016.

The code of practice will support implementation of the Social Services and Well-being (Wales) Act 2014, and came into force in April 2016.

This Impact Assessment relates to the CYP Framework which is linked to the Code of

<sup>1</sup> Taken from <https://bostico.uk/interpreter/wales.htm>, 18 October 2017

Practice on the exercise of social services functions in relation to advocacy under Part 10 and related parts of the Social Services and Well-being (Wales) Act 2014 (the Act) as referred to above.

## **STAGE 1: PLANNING**

### **What are the aims and objectives of the policy?**

### **What are the desired outcomes/ what constitutes 'success'?**

The Framework builds on the foundations of, and is cross-referenced to, the original National Standards for the provision of Children's Advocacy Services (2003) which it replaces. It should be read alongside A guide to handling complaints and representations by local authority social services (August 2014).

These standards have been consolidated into standards and outcomes statements for which there is then more detailed information on how commissioners and advocacy providers can evidence/measure how they are meeting them.

They are linked to and underpin the overarching Wellbeing Statement (Appendix A) and will demonstrate how local authorities evidence the way in which children and young people will be supported to achieve their well-being outcomes by accessing advocacy, and what well-being means, e.g. 'Securing rights and entitlements', 'Protection from abuse and neglect'.

This CYP Framework also provides children and young people with care and support needs who access advocacy services with information regarding what they are entitled to, and how they can be involved with developing and evaluating the services.

The desired outcomes are tabled in the CYP Framework in that correct application of this guidance will enhance the quality and consistency of advocacy services currently being provided under the Social Services and Well-being Act (Wales) Act 2014. The CYP Framework requires that the service providers must take reasonable steps to meet the language and communication needs of individuals. A key principle of the active offer is providing a service in Welsh without someone having to ask for it.

### **What policy options have been considered?**

**and**

### **What impacts will there be if the policy is *not* implemented?**

The need for Welsh speaking advocates varies considerably across Wales, as does the need for interpreters for children/young people whose first language is neither Welsh nor English.

Advocacy services provide and need to continue to provide a service through a variety of languages which is reflected in outcome Statement 3 of the Framework.

If Welsh speaking advocates are not available this could be detrimental to the service that the children and young people receive in expressing their views, wishes and feelings. The preferred language is a matter of need and not choice.

**Does the programme demonstrate a clear link with the Welsh Government's strategy for the Welsh language – [Cymraeg 2050 A million Welsh speakers](#)**

The CYP Framework is intended to support More than just words.... the Strategic Framework for Welsh Language Services in Health, Social Services and Social Care 2016-2019. The strategy is built on the values that all individuals should be treated with dignity and respect and should receive accurate assessments and appropriate care. The strategy highlights the importance of receiving care in one's first language, stating "the use of the Welsh language is not just a matter of choice but also a matter of need. It is especially important for many vulnerable people and their families who need to access services in their first language, such as older people suffering from dementia or stroke who may lose their second language or very young children who may only speak Welsh".

This is reflected in Advocacy Outcomes Statement 3 of the Framework, as well as Appendix A of the Framework which relates to Well-being statement and independent professional advocacy.

This means that service providers deliver or work towards actively offering a service in the Welsh language to individuals whose first language is Welsh. In relation to information for individuals, there is a requirement for the guide to the service to be in an appropriate language, style, presentation and format, having regard to the statement of purpose for the service.

Local authorities in Wales have a statutory duty to comply with Welsh Language Standards which explain how they as organisations should use the Welsh language. This will be a driver for enhancing Welsh language provision in services run by, or contracted by, local authorities. Where services are not provided by a local authority, the Framework aim to take a proportionate approach to Welsh language requirements, placing the emphasis on what matters to the individual receiving advocacy services.

**What are the impacts/ effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage**

i.e. Welsh speakers, Welsh language communities, Welsh medium education, Welsh learners, services available in Welsh?

The impact of the CYP Framework will fall primarily on service providers and the service regulator with regard to carrying out their functions and aims to impact on all service providers equally, irrespective of their language. Therefore, there will not be any specific negative impact or effect on the Welsh language.

The need for Welsh speaking advocates varies considerably across Wales, as does the need for interpreters for children/young people whose first language is neither Welsh nor English. Advocacy services provide and need to continue to provide a service through a variety of languages which is reflected in outcome Statement 3 of the Framework.

Commissioning processes must ensure that all Independent Professional Advocacy (IPA) services are compliant with requirements in respect of the Welsh Language, and that provision in Welsh is made available to all children and young people in line with their language of choice.

A suggestion made at consultation is that it may prove helpful to capture case examples/good practice from IPA services and commissioners in helping to create bilingual services as a norm, and which would help ensure that children are able to access services in line with their language of choice whatever their circumstances or geographic location.

Consistency should also be secured in line with Article 30 of the UNCRC.

Good quality social care provision needs to reflect and promote this approach as in [More than just words – A Strategic Framework for Welsh Language Services in Health, Social Services and Social Care](#)

There's no major positive or negative impacts resulting from this policy, however we already have a strong support for language preference and the use of Welsh Language which has been set out in the Social Services and Well-being (Wales) Act 2014.

**Who are the stakeholders? Are the needs of Welsh speakers and learners addressed? To what extent are Welsh language interest groups likely to respond positively to the proposals?**

The stakeholders are the Local Authority, Advocacy Service Providers and those commissioned by them.

The CYP Framework identifies the outcomes children and young people can expect in relation to children and young people's advocacy. It sets out a framework by which advocacy service providers and those commissioning them can be sure those standards are being achieved, enabling them to evidence they are making a positive difference to children and young people's lives.

Under the Well-being statement it highlights that a child or young person is entitled to get care and support through the Welsh language if they need it.

Local authorities in Wales have a statutory duty to comply with Welsh Language Standards which explain how they as organisations should use the Welsh language. This will be a driver for enhancing Welsh language provision in services run by, or contracted by, local authorities. Where services are not provided by a local authority, the Framework aim to take a proportionate approach to Welsh language requirements, placing the emphasis on what matters to the individual receiving advocacy services.

**Where an assessment was not completed, or no impacts were identified, please provide a full account for record keeping purposes?**

N/A

**What actions/ further work has been identified at the initial planning stage?**

e.g. data requirements, need for peer review, external engagement with Welsh speaking

groups, identify stakeholders or consultation list, need to contact Welsh Language Division for advice)?	
The Framework will be revised as part of the process following the Consultation. In the meantime Service providers have been advised to continue using the version that was consulted.	
<b>STAGE 2: IDENTIFYING AND ASSESSING IMPACTS</b>	
<b><u>Impact Assessment Summary</u></b> Summarise the detailed impact assessment carried out together with the scores assigned.	
<b>Positive effects/ impacts:</b>	
<p>The Regulations and Statutory Guidance are underpinned by the principles of the Social Services and Well-being (Wales) Act 2014 which states that any person exercising a function under the Act must have regard to the characteristics of culture and belief of the individual which includes language. To this end we are expecting that any service users who fall within the scope of regulated advocacy services can reasonably access care and support services in Welsh, should they so wish.</p> <p>Under the Act the population needs assessment must identify the range and level of services (including advocacy) required to meet those needs including how these services will be delivered through the medium of Welsh. Through having to specify how services will be delivered through the medium of Welsh, there should be a positive impact on Welsh language provision.</p> <p>There will be an enhanced requirement for service providers in relation to providing a service which meets the language needs of individuals. This means that providers must identify an individual's communication needs as part of their determination as to whether the service is suitable for the individual. It also includes putting in place measures to ensure that individuals can communicate meaningfully. This relates to the individual's language of need and choice, which would include Welsh.</p> <p>No significant impacts have been identified in relation to the Welsh language.</p>	
<b>Adverse effects/ impacts:</b>	
None	
<b>Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased?</b>	
<b>Evidence/ data used including demographic profile when considering the effects/ impacts:</b>	
There's no major positive or negative impacts resulting from this policy, however we already have a strong support for language preference and the use of Welsh Language which has been set out in the Social Services and Well-being (Wales) Act 2014.	
<b>What is the overall anticipated likely impact on the Welsh language if this policy is taken forward based on the impact assessment/ risk assessment?</b>	Positive: <input type="checkbox"/> Adverse: <input type="checkbox"/> Neutral: <input checked="" type="checkbox"/> Unknown: <input type="checkbox"/>

<b>Decision following IA</b>	1. No major change <input checked="" type="checkbox"/>
	2. Adjust the policy to improve impacts <input type="checkbox"/>
	3. Continue the policy with mitigation measures <input type="checkbox"/>
	4. Stop and remove the policy <input type="checkbox"/>
<p><b><i>If answered 2,3, or 4 above – then answer the following:</i></b>  <b>How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation measures/ action points/ alternative options to reduce adverse impacts and increase positive outcomes:</b></p>	
<p><b>If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?</b></p>	
<p><u>Consultation</u>  One Workshop was held to support the consultation process. Delegates were given the option of contributing in Welsh or English, however before the Workshop was held we were aware that no Welsh speakers would be present.</p> <p>The questions asked in the Consultation document were:-</p> <p><b>We would like to know your views on the effects that the guidance would have on the Welsh language, specifically on</b></p> <ul style="list-style-type: none"> <li>i) opportunities for people to use Welsh; and</li> <li>ii) on treating the Welsh language no less favourably than English.</li> </ul> <p><b>What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated</b></p>	
<p><b>STAGE 3: POST CONSULTATION AND PREPARING FOR PUBLICATION, MONITORING AND EVALUATION</b></p>	
<p><b>Following consultation, what changes have you made to address any Welsh language issues that were raised?</b></p>	
<p>Following a 12 week consultation of the Framework (March – June 2017) there was general agreement that children and young people should be able to access services in the language of their choice. It was stressed by more than one organisation that it is important to note that there is a considerable challenge in recruiting Welsh speaking advocates with the necessary skills to undertake the role well.</p>	
<p><b>How will you monitor the ongoing effects during the implementation of the policy?</b></p>	
<p>The Regional Lead Bodies collect data which is then reported to WG, who will monitor the ongoing effects.</p> <p>As part of the monitoring process, it may also prove helpful to capture case</p>	



examples/good practice from IPA services and commissioners in helping to create bilingual services as a norm, and which help ensure that children are able to access services in line with their language of choice whatever their circumstances or geographical location.

**Please outline how you will continue to capture effects/ impacts in future monitoring and evaluation?**

The Regional Lead Bodies collect data which is then reported to WG, who will monitor the impact and evaluate as is necessary

**Any other comments – ongoing results of evaluations, emerging impacts**

#### 4. Declaration

**Policy lead:**

**The policy does not have an impact upon the Welsh language. Where there were identified adverse impacts or missed opportunities, the appropriate amendments and actions have been put in place.**

Name: Ruth Akers

Department:

Social Services & Integration

Date (s):

30 May 2018

Signature:

*Ruth Akers*

#### **SRO ENDORSEMENT and REVIEW**

I am satisfied that the WLIA is an accurate reflection of the programme/project at this stage of development. By signing, I am able to confirm that the Welsh Language Standards have been given the appropriate attention. I will re-assess the programme/project at key stages throughout the life of the programme/ project, including policy reviews.

Signed *Alistair Davey*

Date 30 May 2018

Signed (Senior Responsible Owner)	Review Date
Signed (Senior Responsible Owner)	Review Date
Signed (Senior Responsible Owner)	Review Date