

Council – 24 September 2015

Annual report on implementation of the Welsh Language Scheme

Executive summary and recommendations

Introduction

The Health and Care Professions Council (HCPC) launched its Welsh Language Scheme in 2011. The Welsh Language Act 1993 established the principle that in the conduct of public business and administration of justice in Wales the English and Welsh languages should be treated on a basis of equality. Our Scheme sets out how we give effect to that principle when providing services to the public in Wales.

Each year the HCPC prepares an implementation report for the attention of the Welsh Language Commissioner. This is the fourth implementation report setting out the actions we have taken to implement our Scheme. The reporting period covers September 2014 to September 2015. We have also prepared an evaluation report of our Scheme which has been appended to the back of this report and a proposed timetable for the implementation of any outstanding actions under our Scheme.

Decision

This is a paper for discussion, no decision is required.

Background information

- HCPC's Welsh Language Scheme (www.hcpc-uk.org/aboutus/welshlanguagescheme/).

Resource implications

None as a result of this paper. The resource implications for monitoring, implementing and reporting on our Welsh Language Scheme have been accounted for in departmental planning for 2015-2016.

Financial implications

None as a result of this paper. The financial implications for monitoring, implementing and reporting on our Welsh Language Scheme have been accounted for in departmental planning for 2015-2016.

Appendices

- Evaluation report of the HCPC's Welsh Language Scheme.
- Appendix 1: Implementation plan of key priorities under the HCPC's Welsh Language Scheme 2015 – 17.

Date of paper

11 September 2015

Annual report on implementation of the Welsh Language Scheme

1. Background

- 1.1 The Health and Care Professions Council (HCPC) launched its Welsh Language Scheme in 2011.¹ This is the fourth report setting out the actions we have taken to implement the Scheme.
- 1.2 We have adopted the principle that in the conduct of public business and administration of justice in Wales, we will treat the English and Welsh languages on a basis of equality. The Scheme sets out how we give effect to that principle when providing services to the public in Wales.
- 1.3 We were recently the subject of a standards investigation by the Welsh Language Commissioner (the Commissioner) as part of the Welsh Government's preparations for developing Welsh language standards. These standards will ultimately replace our Scheme. However, we have continued to implement our Scheme as we believe that this will help us to meet the new standards.
- 1.4 The reporting period for this report covers September 2014 – September 2015.

2. Implementation of the Scheme

- 2.1 We have set out below the actions we have taken to implement our Scheme. These are grouped under the relevant section headings used in the Scheme.

Service planning and delivery

- We have referred to our Scheme and its commitments in our Annual Report 2015 which included an update on the recent standards investigation.²
- We have amended our 'Equality and Diversity Impact Assessment' form which is used for all major projects. This form is reviewed by the executive management team (EMT) prior to releasing any funding for major projects. Welsh language speakers are now identified as a relevant group in this form. The major project team is required to consider the positive and negative impacts of the project on this group and to prepare an action plan

¹ The HCPC's Welsh Language Scheme can be found here: www.hcpc-uk.org/aboutus/welshlanguagescheme/

² The HCPC's Annual Report 2015 can be found here: www.hcpc-uk.org/publications/reports/index.asp?id=1068

where necessary. The form also now includes a specific requirement for the project team to consider the relevant commitments under our Scheme if the project affects Welsh speakers.

- We have strengthened the compliance requirements for third party contractors to adhere to our Scheme. This involved amending our procurement policy to include a specific requirement for the HCPC to require suppliers and third party contractors, where appropriate, to adhere to any specific obligations or commitments as outlined in our Scheme. The amended policy is awaiting formal approval by our Audit Committee.
- We have increased the visibility of our Welsh language service standards on the website. This involved translating both the 'customer service' section and related feedback form into Welsh. We published this as a new webpage on the Welsh section of the website.³
- We have also developed and published Welsh language Registration Department service standards on the Welsh section of our website.⁴ This webpage will be used to promote our Welsh language service standards for registrants.
- We are meeting our current commitments to publish the relevant webpages as outlined in our Scheme. There are approximately 377 main webpages on our website. We have nine dedicated Welsh webpages which account for approximately 2.4 per cent of the website's published content. Over the last two reporting periods we have published three new dedicated Welsh webpages (see above).
- We have experienced very limited demand for Welsh content on our website to date. However, we continue to monitor demand for extra content in Welsh and regularly review the existing content to make sure that it is up-to-date.

Communicating with the Welsh speaking public

- We held four events in Wales since our last implementation report. These included: one employer event; one 'meet the HCPC' event (aimed at registrants); and one education seminar. These events were not open to the general public and are aimed at registrants, employers and educators, who are invited to register in order to attend.
- The fourth event was aimed specifically at service users and carers to obtain their feedback on our revised standards of conduct, performance and ethics.

³ The Welsh version of our 'customer service' section can be found here: www.hcpc-uk.org/cymru/gwasanaethcwsmeriaid/

⁴ Our Welsh language Registration department service standards can be found here: www.hcpc-uk.org/cymru/safonaugwasanaeth/

- For all these events we used bilingual signage, offered bilingual versions of any information provided and also offered simultaneous translation into Welsh.
- We recently completed an advertising campaign to recruit both a new chair for our Council and a new registrant Council member. This involved placing a Welsh and English advert for both vacancies on the Job Wales and Public Appointments Wales websites. This recruitment exercise fully complied with the terms of our Scheme including that in any advertising or publicity in Wales, we treated both languages on a basis of equality.
- We recently changed our email service system from Lotus Notes to MS Outlook. As part of this change, we are working to ensure that the following phrase will now be included at the foot of all emails: 'Correspondence is welcome in English or Welsh / Gallwch ohebu yn Gymraeg neu Saesneg'.
- We have continued to monitor requests from our registrants and other stakeholders on Welsh language service provision. During this reporting period we received only two requests from registrants to have documentation related to the renewal of their registration translated into Welsh. We also received one continuing professional development (CPD) profile from a registrant which contained some evidence in Welsh.

The organisation's public face

- During this reporting period we published 15 new publications. However, we received no requests to translate any of our publications into Welsh for the same period. The following phrase has been included in all our publications (which include standards): 'This document is available in alternative formats and Welsh on request.'
- We have not issued any bilingual press releases over this reporting period including about the outcome of final fitness to practise (FTP) hearings in Wales.

Fitness to practise (FTP) hearings

- To date, no one involved in FTP case management or in a hearing has asked to use Welsh.
- During the period September 2014 to September 2015, we held 30 FTP hearings in Wales. The majority of these hearings were held in Cardiff and there were 45 days of hearing activity in total.
- We have published a Welsh version of our FTP practice note 'Use of Welsh in Fitness to Practise proceedings' on the website and also provide a Welsh

version of the relevant oath or affirmation to witnesses and other relevant parties upon request.⁵

Implementing and monitoring the Scheme

- We completed another internal review of our Scheme, noted any outstanding commitments which required completion, and have taken action to complete a number of these which have been outlined above.
- We have also prepared a summary report of our Scheme and its implementation over the last four years. Both the summary report and the accompanying timetable for the implementation of any outstanding actions under our Scheme is appended to the back of this report.
- Under our existing Scheme, we had committed to further reviewing, evaluating and updating the Scheme in the third year of its implementation. As confirmed in our previous implementation report, we do not intend to revise the Scheme and will instead await the forthcoming Welsh language standards.
- We continue to monitor whether the ability to speak Welsh is an essential or desirable requirement for any advertised role or post. However, to date we have not yet identified any posts where the ability to speak Welsh is an essential or desirable requirement.
- We recruited 51 new employees over this reporting period. Our Scheme is listed as an induction requirement for all new employees which means that each recruiting manager needs to make the new employee aware of the Scheme and any resultant obligations which are relevant to their particular role.
- None of the rest of our employees have received formal training to raise awareness of our Scheme's commitments beyond published internal articles and guidance on our Intranet. However, we are planning to raise awareness amongst existing employees by delivering a presentation at a future all-employee meeting.
- We received one formal complaint during this reporting period in relation to Welsh language service provision and our Scheme. This complaint is ongoing and is being handled by our Service and Complaints Manager. The complaint was received in English.

Welsh language standards investigation

- We contributed to a joint response with the other UK healthcare professional regulators to the Commissioner's proposed enforcement policy in November 2014. This enforcement policy will be used by the

⁵ This practice note can be found here: www.hcpc-uk.org.uk/publications/practicenotes/index.asp?id=155

Commissioner to enforce compliance measures on organisations under the forthcoming Welsh language standards.

- We underwent a standards investigation by the Commissioner from 17 November 2014 to 6 January 2015. We completed both the required questionnaire and the impact assessment which were submitted to the Commissioner and Welsh Government respectively.
- The Commissioner published the relevant standards investigation report in June 2015 and the Welsh Government will use this report and the impact assessment to draft the relevant regulations and standards.
- We continue to have a number of concerns about some of the conclusions reached in the standards investigation report. These include:
 - a concern about the disproportionate impact some of these standards would have on our resources if they were made applicable to us; and
 - a concern about the impact of these standards on a UK-wide organisation which is self-financing through registration fees
- We contributed to a joint letter with the other professional regulators at the conclusion of the standards investigation which highlighted some important considerations.
- We will continue to work with the Commissioner to ensure that the forthcoming standards are reasonable and proportionate together with the provision of adequate time for their successful implementation.

Evaluation report of the HCPC's Welsh Language Scheme

1. Background

- 1.1 The Health and Care Professions Council (HCPC) originally published our Welsh Language Scheme (the Scheme) in September 2011. The Scheme was revised in 2012-13 to reflect our new name and role as the regulator of social workers in England. The Welsh Language Commissioner (the Commissioner) approved our amended Scheme in February 2013.
- 1.2 Since our Scheme's original publication, we have compiled four annual implementation reports for the attention of the Commissioner. The content of this evaluation report is mainly based on these.
- 1.3 We have adopted the principle that in the conduct of public business and administration of justice in Wales, we will treat the English and Welsh languages on a basis of equality. The Scheme sets out how we give effect to that principle when providing services to the public in Wales.
- 1.4 We understand that the forthcoming Welsh language standards will ultimately replace our Scheme. However, we have continued to implement our Scheme as we believe this will help us to meet the new standards.
- 1.5 One commitment in our Scheme requires us to produce an evaluation report focusing on our performance in implementing the Scheme since its inception. This report provides an overview and thematic analysis of our compliance and performance over the last four years through focusing on the service delivery and scheme management aspects only. We have also identified key priorities for the next couple of years as we await the implementation of the new standards.

2. Service delivery

- 2.1 We have completed a number of tasks to illustrate our compliance with the commitments under our Scheme which pertain to service delivery. These include:
- revising the Scheme in 2012-13 to reflect our new name and responsibilities in regulating social workers in England;
 - ensuring that the revised Scheme received appropriate approval by the Commissioner;
 - highlighting our Welsh language service standards for customer service and increasing their visibility;
 - developing Welsh language Registration Department service standards;
 - continuing to raise awareness amongst employees of our commitments under the Scheme, as appropriate;
 - ensuring that relevant information on our Scheme is reported in our Annual Report; and
 - amending the 'Equality and Impact Assessment' form for all major projects to include specific reference to Welsh speakers and the relevant commitments under the Scheme.

3. Scheme management

3.1 Proper implementation and monitoring procedures remain key prerequisites for the Scheme's effective management. We are committed to reporting annually to both the Council and the Commissioner on our progress in implementing the Scheme.

3.2 We have completed a number of tasks to illustrate our compliance with the Scheme's management. These include:

- raising awareness amongst our employees on the Scheme and its commitments;
- monitoring and responding to any feedback received about the Scheme;
- reassigning the responsibilities for monitoring the day-to-day implementation of the Scheme to one of the policy officers in the Policy and Standards Department; and
- carrying out regular internal reviews to identify any outstanding commitments under our Scheme.

3.3 In relation to the last point, some of the outstanding actions which we have implemented as a result of these regular reviews include:

- working to ensure that the following phrase will now be included at the foot of all emails: 'Correspondence is welcome in English or Welsh / Gallwch ohebu yn Gymraeg neu Saesneg'.
- strengthening the compliance requirements for third party contractors to adhere to our Scheme's commitments, where appropriate.

4. Conclusions

4.1 As referred to above, we will not be amending the Scheme due to the development and implementation of the forthcoming Welsh language standards. However, we have highlighted some key priorities together with a revised implementation timetable below for any outstanding actions under the Scheme.

4.2 We believe that we have made significant progress in meeting many of our existing commitments under the Scheme but there is further work to be done to fully embed these into all aspects of the HCPC's operations and processes.

Appendix 1: Implementation plan of key priorities under the HCPC's Welsh Language Scheme 2015-17

| | | Timeline | Lead Department |
|---|--|-----------------|---|
| 1 | Monitor and ensure that organisational policies reflect our commitments under the Scheme | Q4 2015 onward | All |
| 2 | Strengthen the induction requirements for new employees on the Scheme. For example, including appropriate reference to it in the 'HCPC Employee Handbook'. | Q1 – Q2 2016 | Human Resources |
| 3 | Ensure that all new public facing publications, campaigns and related material which are directed at service users and members of the public in Wales are provided bilingually in the first instance | Q4 2015 onward | Communications |
| 4 | Monitor demand for Welsh content on the HCPC's website and update content as appropriate | Q1 2016 onward | Communications |
| 5 | Provide annual updates to the Council evaluating our performance in delivering the Scheme's commitments and forward this report to the Welsh Language Commissioner for consideration | Q4 2015 onward | Policy and Standards |
| 6 | Ensure the Council maintains oversight of the Scheme and our commitments. For example, include appropriate reference to the Scheme in operational reports or work plans presented to Council. | Q1 2016 onward | All |
| 7 | Monitor demand for increasing the visibility of our Welsh language service standards on the HCPC's website | Q2 2016 onward | Policy and Standards and Communications |
| 8 | Amend the email footer for all employees to ensure that it is clear to stakeholders that we welcome correspondence in English and Welsh | Q4 2015 onward | Communications and IT |
| 9 | Promote vocational training in Welsh for all employees to encourage uptake | Q3 2016 onward | Human Resources |

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|----|--|----------------|---|
| 10 | Identify any posts where the ability to speak Welsh is essential or desirable and identify the level of proficiency required for any new posts resultant from implementation of the forthcoming Welsh language standards | Q4 2016 onward | Human Resources |
| 11 | Raise awareness and provide training, where appropriate, to employees on our Scheme and existing commitments | Q4 2015 onward | Policy and Standards and Human Resources, where appropriate |