

REPORT TO:	Customers, Performance, Resources and Governance
REPORT NO:	HCCS/60/18S.
DATE:	28 November 2018
LEAD MEMBER:	Councillor Hugh Jones (People – Communities, Partnerships, Public Protection and Community Safety)
CONTACT OFFICER:	Sue Wyn Jones – Digital, Brand and Communications Lead (Tel: 292275)
SUBJECT:	Welsh Language Standards – Welsh Language Commissioner Investigation into a failure with WCBC signage
WARD:	n/a

1. PURPOSE OF THE REPORT

- 1.1 To advise Members of concerns raised by the Welsh Language Commissioner in the form of an investigation into failures regarding non-compliant signage and how we are addressing the concerns.

2. EXECUTIVE SUMMARY

- 2.1 The Council is committed to the Welsh language and its promotion. Ensuring that our services can be accessed bilingually is something that is important to us and we have worked hard and made good progress towards achieving this. We understand that it is a person's right to use the Welsh language when dealing with us and we welcome the fact that the introduction of the Welsh Language Standards has contributed greatly to their ability to do this.
- 2.2 The Welsh Language Commissioner received a number of complaints from members of the public about inaccurate and non-compliant signage across the County Borough since the Standards were introduced on 30 March 2016. This resulted in the Commissioner stating that rather than investigating each individual complaint that she would undertake a full investigation into the Council's approach to signage and the processes and procedures in place with regard to the erection of signage. The investigation commenced on 3 October 2017 and was completed on 20 June 2018 when the Commissioner served the Council with her Final Investigation Report, which outlined the Enforcement actions the Council is required to comply with. Below we have provided a summary of our responses and a list of the enforcement actions. A copy of the Commissioner's report is attached.

3. RECOMMENDATIONS

3.1 That Members of the Committee formulate their conclusions and recommendations based on the information in the report and the discussion at the meeting.

3.2 REASONS FOR RECOMMENDATIONS

- (i) To ensure that the Council complies with, and correctly implements, its Welsh Language Standards
- (ii) To comply with the requirements of the Welsh Language Commissioner as outlined in her Final investigation CSG237

4. BACKGROUND INFORMATION

4.1 The report contained 14 complaints; 3 were considered invalid by the Commissioner, the Council was not responsible for another and one where the investigation was terminated. That left 9 signs, 6 of which were temporary and 3 permanent. This would suggest that the main issue lies with temporary signs although the 3 non-compliant permanent signs are also a cause for concern. The Council's signage suite is vast with thousands of signs erected, both temporary and permanent, across the County Borough and even though there are obvious failures the Council is heartened that it would appear that the majority of its signage is compliant and that great effort and due diligence has been given to the erection and accuracy of its signage. However, it acknowledges that failures do occur and this is unacceptable.

Below is a list of the Enforcement Actions and our response

Enforcement Action 1

Wrexham County Borough Council must take steps to:

Ensure that any text that is displayed on signs that have been erected since 30 March 2016, (including temporary signs) is displayed in Welsh (either on the same sign that displayed the corresponding English text or on a separate sign). Ensure that the Welsh text is not treated less favourably than the English text, if the text is displayed in Welsh and English.

In order to respond to the investigation the Council undertook an audit with departments to establish how many signs had been erected since the imposition date. A number of departments noted that none, neither temporary or permanent, had been erected. Some noted that the information was not held/available and others noted that compliant signage had been created. Commitments were made by those which were found not to be compliant that they would be corrected although the majority noted that they had already taken remedial action prior to the audit being undertaken or doing so as part of the investigation. Unfortunately, it is not possible for the Council to identify every sign produced and erected since the imposition date as some departments have noted that they do not hold the information and we do not have any way of knowing exactly which signs have been produced. However, when we are made aware that new signs are not compliant we take immediate action to correct them. All new signs must now be submitted for approval by the Welsh language team before they are erected and departments have also been asked to keep a record of their new signage and their location for future monitoring purposes.

Enforcement Action 2

The Council must take steps to improve its corporate arrangements by:

Producing clear guidance and procedures for staff for designing, producing and approving new signs or signs that are being renewed. Create a programme of activities in order to raise staff awareness of the requirements of standards 61, 62 and 63.

The Council will create dedicated guidance on Signage to complement, strengthen and greatly enhance the existing guidance. It will detail how officers procure signs, the approvals process and provide examples of templates for signage to ensure consistency and accuracy. This will be completed by early December 2018. The Council will then put in place a plan to ensure that all staff are aware of the updated guidance, what their responsibilities are and raise awareness of the fact that all signs must be fully compliant at all times as outlined in the document. It will also have a dedicated page on the intranet. As noted above all signage must now be approved prior to erection.

Enforcement Action 3

Wrexham County Borough Council must:

Develop an inspection and review process to check all signs that have been erected since the imposition date to ensure that they comply with the Welsh Language Standards.

The Council must replace any signs that do not comply within 3 months of their discovery.

Please note response to Q1. Our approach to issues of non-compliance is to take immediate action to replace the signs be they temporary or permanent.

Enforcement Action 4

The Council must give publicity to its failure by publishing this report in a prominent place on its website and include an item regarding the investigation in its news section.

Please follow this link to see a copy of the report on our website, which also appeared on the Council's News page <https://www.wrexham.gov.uk/english/council/documents/welsh-language-standards.htm>

Enforcement Action 5

Wrexham County Borough Council must ensure that any text on signs erected since the imposition date [30.3.16] displays any Welsh text in a position whereby it is most likely to be read first.

Please see the response to 1 and 3. The Council has made all staff aware that the Welsh must be positioned above the English or to the left of it in all instances and continues to do so.

Enforcement Action 6

Wrexham County Borough Council must review their Transport and Highways contracts with third parties that erect signs on their behalf, in order to ensure that correct reference is made to the requirement to comply with Standards relating to displaying signs.

This has been completed and revised contracts are being issued.

Enforcement Action 7

Wrexham County Borough Council must create processes and guidance for the use of staff to ensure that Welsh language text on signs is accurate in terms of meaning and expression.

See response to Q2

Enforcement Action 8

Wrexham County Borough Council must present the report on this investigation to a relevant scrutiny committee of the Council.

The Council will submit the report for consideration to the Customers, Performance, Resources and Governance Scrutiny Committee.

Enforcement Action 9

Wrexham County Borough Council must provide written evidence that gives sufficient assurance to the Welsh Language Commissioner that it has completed enforcement actions 1-8.

The Council will write to the Welsh Language Commissioner to outline what has been done in order to comply with the enforcement actions – due date 20 December 2018.

5. IMPLICATIONS

5.1 Policy Framework – Welsh Language – The Council Plan for 2018-22 states that “This is a cross cutting principle that is being considered across all our objectives”. The Standards also support one of the goals in the Well-Being of Future Generations (Wales) Act 2015 “A Wales of vibrant culture and thriving Welsh Language” which furthers the Council’s aim of providing services equally in both Welsh and English.

5.2 Budget – The Council’s cash limited budget 2018-19 for Welsh Language is £308k.

5.3 Legal – The Welsh Language Standards have been introduced as part of the new Welsh Language [Wales] Measure 2011.

5.4 Staffing – n/a

5.5 Equality/Human Rights – Members are advised of their duty to consider the full Equality Impact Assessment, which is available at <http://vmwinsqld/equalityisalive/Menu.aspx> report number CCS/EIA00127/2016 . Members of the public can request a copy of the full Equality Impact Assessment from the Contact Officer named in the header box of this report. A summary of the Equality Impact Assessment is attached as Appendix 1.

5.6 Risks -

6. CONSULTATION

6.1 n/a

6.2 n/a

7. EVALUATION OF OPTIONS

7.1 **Option 1** - n/a

7.2 **Option 2** - n/a