



Legal Aid Agency
Welsh Language Scheme Report 2013

Introduction

This is the Legal Aid Agency’s report on the operation of its Welsh Language Scheme based on activities undertaken between April 2012 and March 2013. This is the Legal Aid Agency’s first report since moving from a Non-Departmental Public Body as the Legal Services Commission to an Agency of the Ministry of Justice on the 1st April.

This report has been produced having regard to the framework for monitoring and reporting as agreed with the Welsh Language Board in September 2010.

Compliance with the Welsh Language Scheme

The LAA’s revised scheme introduced in 2009 detailed planned activities over the three years to 2012. In accordance with the timetable a new Scheme was due to have been published in 2012. Under the Legal Aid, Punishment and Sentencing of Offenders Act which received Royal Assent on the 1st May 2012 the Legal Services Commission was abolished and The Legal Aid Agency was created. The LSC/LAA rolled over its existing Scheme until 2013 and the Welsh Language Commissioner was notified in 2012 of this intention.

The table below sets out our progress against the activities in our current Welsh Language Scheme to date.

LAA Scheme – Agreed Actions	LAA Scheme - Initial Timetable	Progress during 2012-2013
<p>New Policies and initiatives (para.4)</p> <p>1. Equal status to be given to the Welsh language in any development of new policies and procedures or when considering the impact of government policies and initiatives.</p>	<p>We will implement a formal process to ensure that any new policies and procedures comply with our obligations under this scheme within 6 months of implementation.</p>	<p>Action completed</p> <p>Our Equalities Impact assessment documentation includes a requirement to consider Welsh Language provision within any new policies and procedures that are being implemented.</p> <p>However, during 2010/11 policy <i>creation</i> moved to within the Ministry of Justice and the LAA has become a policy <i>implementation</i> organisation. The responsibility for the equality of Welsh language in this respect has therefore also moved to the MoJ under the terms of its own</p>

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		<p>Welsh Language Scheme.</p> <p>Welsh Language provision is included in the Equalities Impact assessment documentation for all LAA policy <i>implementation</i> work.</p> <p>There are still issues in publishing forms in bilingual format at the same time as the English forms and there are occasions when English forms appear on the websites before the bilingual forms. We continue to minimise and ideally eliminate the number of instances where this occurs.</p>
<p>Internet Websites (para. 32)</p> <p>2. Community Legal Advice Website – will be available in both English and Welsh languages</p> <p>We will also undertake a full review addressing the bilingual provision of information on our websites.</p>	<p>Implementation plan in place to meet this.</p> <p>We will undertake a full review addressing the bilingual provision of information on the LSC website and devise an action plan to increase the bilingual content of this site within 6 months of implementation of the scheme.</p>	<p>Action completed</p> <p>The Community Legal Advice website was fully bilingual by June 2009 This website has now been transferred into the Direct gov website as part of a wider government initiative and remains bilingual.</p> <p>The content of the LAA website www.legalservices.gov.uk is in the process of being moved to the www.justice.gov.uk website.. We received one complaint from a solicitor that Welsh forms could not be found easily. Steps have been taken with the MOJ to improve the link to the site. We have also requested that the link to the forms be placed on the Network Wales website (a sub group of The Lord Chancellor’s Standing Committee on the Welsh Language) and for our Communications Department to issue an e-alert to solicitors with the link.</p>
<p>Publications (para.30)</p> <p>3. All published materials intended for the public in Wales</p>	<p>Already implemented and ongoing for documents originating in Wales. We</p>	<p>Action completed</p> <p>No additional documents have been added to the list of</p>

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<p>will be produced bilingually in one document unless the size or complexity of the document dictates the need for separate Welsh and English versions.</p>	<p>will ensure that all other published materials meet this requirement where reasonable and practicable to do so. Within 6 months of the scheme being adopted we will review all publications for the public and prepare an implementation plan.</p>	<p>documents produced bilingually.</p> <p>We currently produce in bilingual format, forms used by the public and the Business Plan, Strategic Plan and the Agency’s Annual Report.</p> <p>We have previously reported on the difficulties in producing bilingual documents/correspondence for the public in Wales when documents/correspondence is produced through our computer system known as CIS. The Executive Team of the LSC considered this matter in early 2012 and was of the view that the CIS system cannot be changed to accommodate bilingual format because of cost and risk and the system is in the process of being decommissioned.</p> <p>The LAA’s replacement to its civil case management system (CCMS) is not intended for access by members of the public, only members of the legal professional that have a legal aid contract with the LAA, and therefore the system will only be available in English. We will ensure that any documents that need to be signed by the client are available in Welsh.</p>
<p><u>Measures for dealing with the public in Wales (para. 26)</u></p> <p>4. We will consult with our contracted suppliers in Wales to identify what additional bilingual services we should provide and, where it is reasonable to do so, we will implement those services.</p>	<p>We will carry out a survey of our providers within 3 months of the implementation of this scheme to establish what additional bilingual services they would require and where reasonable to do so we will draw up an action plan to implement those services.</p>	<p>Action completed.</p> <p>No additional bilingual service requirements were highlighted in the survey conducted in 2011/2012 – the results of which were annexed to the 2012 annual report to the Welsh Language Commissioner.</p> <p>We will continue to maintain the existing Welsh language provision in the Legal Aid Agency.</p>

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<p>Correspondence and Personal Attendances (paras 15 & 25)</p> <p>5. We will maintain a current record of the names of individuals and organisations that have expressed a wish to receive written correspondence through the medium of Welsh.</p>	<p>We will introduce a system to establish language choice at the first point of contact and record the preference for future use by ensuring that files and records are clearly marked.</p> <p>We will also introduce a system to record the details of individuals and organisations who have expressed a wish to receive correspondence through the medium of Welsh.</p> <p>Both within 6 months of the implementation of this scheme.</p>	<p>The procedure is in place.</p> <p>Where people contact the Agency through the medium of Welsh their details are recorded centrally.</p> <p>We received one complaint from a solicitor that a bill submitted on a Claim 1 Welsh form and completed in Welsh was returned with a query about a disbursement, but the letter raising the query was sent in English and the bill returned. The situation was resolved and reminders issued to the Finance billing team that any correspondence in Welsh has to be responded to in Welsh.</p>
<p><u>Implementing, monitoring and publishing this Scheme (para. 47)</u></p> <p>6. Suggestions for improvement to our services in Welsh are also welcome and will be considered as part of our monitoring process.</p>	<p>We will introduce a system within 6 months of the implementation of this scheme to consult with Welsh speaking visitors to our offices regarding our Welsh language services in order to establish any suggestions for improvement. Provision will be made to implement these suggestions where it is reasonable to do so.</p>	<p>Action completed.</p> <p>To date no Welsh speaking clients have attended at the offices in Wales. We will ensure that feedback is sought from any Welsh speaking visitors to our office in Wales.</p> <ul style="list-style-type: none"> • The LAA has published its Welsh Language Scheme and its Welsh language line number on its website (on the publications page). • In addition a poster is displayed in the Wales office Reception area indicating to visitors that the LAA provides a Welsh language service. • When clients phone the LAA line on the 0300 200 2020 number printed on correspondence there is a recorded message that tells the client that if they wish to conduct the conversation in

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		Welsh then they can phone the Welsh line number on 0845 6099989

Mainstreaming the Welsh Language

In order to ensure that Welsh language provisions are considered at the earliest opportunity, prompts have been included within our standard equality impact assessment documentation relating to the implementation of MoJ policy. These will be considered at the outset of any new policy implementation initiatives.

Welsh speaking staff continue to have access to Cysgliad and Welsh Microsoft on our internal IT system.

We have had several tender processes for legal aid work during 2012 and all our contracts with providers specifically contain clauses regarding the provision of Welsh language services to legal aid clients in Wales.

Performance Indicators

PI 1 Frontline Services

We currently have 2 bilingual staff dedicated to our Welsh language services full time which amounts to 8.3% of the customer services team in Wales. (There is an additional member of the business processing team in the Wales office that speaks Welsh and is able to assist if required). They cover the Welsh language line and also assist with proof reading and ad hoc translations. In addition, we have a further 2 bilingual staff in different departments within the Wales office who can also cover the Welsh language services if required.

We recently received a compliment from Lowri Morgan the Manager of the Law Society in Wales who reported that the solicitors in North Wales had reported to her that the service offered on the Welsh Language telephone line in the Wales office was of a very high standard and that the Welsh speaking caseworkers were very knowledgeable.

We maintain monthly logs of the telephone calls that we receive on the Welsh telephone line. From April 2012 to the end of March 2013, we received 932 calls, an increase of 386 calls (59%) on the previous 12 months. These continue to be predominantly enquiries from solicitors although we do receive calls from members of the public using the service.

In addition there is a certain amount of normal day to day business that is automatically dealt with in Welsh via telephone calls direct to Welsh speaking staff in the LAA from the Welsh Language Commissioner's office and from staff in other agencies. These calls are not recorded in the statistics above. Similarly correspondence and emails received in Welsh are responded to in Welsh.

PI 2 Providing Services Through Third Parties

All of our legal aid contracts with our face to face providers include specific requirements that they have the ability to provide a Welsh language service in Wales. Firms comply either by employing Welsh language speakers or have procedures in place to provide a Welsh language service through referral to Welsh speaking solicitors should a client so request.

3 contracts in relation to telephone services provided on our behalf have specific Welsh language provision clauses. Providers of all 3 contracts specifically employ Welsh speaking caseworkers and their contracts are monitored on a monthly basis.

PI 3 Language Training and Awareness

One member of staff is currently pursuing the Canolradd course in Welsh at the University of Glamorgan.

4 members of staff are currently pursuing Welsh language training provided by HMCTS to improve Welsh language skills. They undertake this during office hours using their own time under the flexi time system.

4 new members of staff have been recruited to the business processing team in Wales during the last twelve months and they are all aware of the Welsh language service that is offered. We continue to have regular informal conversation meetings with Welsh speakers and learners on a voluntary basis.

PI 4 Information Technology

We are currently developing a new IT system for legal aid providers which will not be bilingual as this will not be used by members of the public.

PI 5 Administering the Scheme

We have received only two complaints regarding our Welsh language implementation during the year, details of which have been set out above.

Conclusion

We remain committed to providing Welsh language services within reduced budgets and increasing demands on our resources.

The Welsh Language Scheme is being updated to change references from the Legal Service Commission to the Legal Aid Agency, together with the associated logos.

Matthew Coats
Chief Executive, Legal Aid Agency