



Legal Aid
Agency

Welsh Language Scheme Report 2016/17



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Introduction

1. This is the Legal Aid Agency's report on the operation of its Welsh Language Scheme (WLS) based on activities undertaken for the period April 2016 to March 2017.
2. This report is produced in line with the framework for monitoring and reporting agreed with the Welsh Language Board in September 2010.

Compliance with the WLS

Tenders

3. Our contracts with providers specifically contain clauses regarding the provision of Welsh language services to legal aid clients in Wales as a matter of course. We have run tender processes for both civil and criminal legal advice contracts during this review period and continue to maintain this requirement in legal aid contracts for the delivery of advice to the public.

Publications

4. All published materials intended for the public in Wales are produced bilingually. These include the Legal Aid Agency's Annual Report 2016-17 and the Director of Legal Aid Casework Report 2016-17.

Performance Indicators

PI 1 Frontline Services

Bilingual Staff

5. In the last 12 months we have taken on an additional two Welsh speakers and currently have four bilingual members of staff and one advanced learner dedicated to our Welsh language services. The

Operations Manager for the Cardiff office is also an advanced learner. This amounts to approximately 25% of the customer services team in Wales. They cover our frontline services (telephone, correspondence, applications) and assist with proof reading and ad-hoc translations. In addition, we have a further two bilingual staff in different departments within our Welsh office who can also cover the Welsh language services if required.

6. We continue to receive positive feedback from our providers regarding our Welsh language frontline services.

Criminal legal aid applications

7. Since 2014 we have processed all criminal legal aid applications, work previously undertaken by Her Majesty's Courts and Tribunals Service (HMCTS). The application process includes an online Welsh language application form to ensure that our clients can continue to apply for Criminal Legal Aid in Welsh and receive all related correspondence in Welsh if they choose to. In the 12 months to 31 March 2017 we received 26 applications in Welsh.

Telephone calls

8. We maintain monthly logs of the telephone calls that we receive on the Welsh language telephone line. Our analysis shows that between April 2016 to the end of March 2017, we received 159 calls, a decrease of 40% of calls received in the previous 12 months. This follows a reduction in Welsh language calls for the previous year. This reduction is explained by the introduction of digital processes and the new Client and Cost Management System

(CCMS). The new system enables those who make applications for legal aid to instantly see the progress of an application or payment query, negating the need to telephone the Agency for updates on their cases. In addition, the new CCMS system makes it easier for our customers to contact us electronically using the 'case enquiry' function. It is likely that this has contributed significantly to the number of calls received as we have increased the methods customers can use to access information and contact the Agency. It should be noted that the primary user of the CCMS system are providers making applications on behalf of their clients, not the clients themselves.

9. In the same period, the Agency has seen a slight rise in the number of calls to the English language telephone service by 3%. This rise was forecasted as the English language service has taken over responsibility for a number of specialist departments and also technical support for the new digital system. The English language line gives an option for those who wish to conduct the call in Welsh to be transferred to our Welsh language service.
10. The majority of users of our front-line services are contracted providers. We are currently identifying ways to promote our Welsh language service to them to support them with their obligation to promote the Welsh language service offered as part of that contract.
11. We have begun to actively engage on social media to raise awareness and will be publicising the service on our website. This is in addition to our Contract Managers who pro-actively promote the Welsh Language

service as part of their annual provider activities.

PI 2 Providing Services through Third Parties

Contract management

12. Our existing legal aid contracts with our face-to-face providers and new contracts include specific requirements that they have the ability to provide a Welsh language service in Wales. Firms either comply 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. We have reviewed arrangements with all of our providers to establish what Welsh speaking staff they have and the demand that they have received for Welsh language services. We also promote our Welsh language services, such as our telephone line and bilingual forms (where applicable). Of the organisations that we currently contract with in Wales, over 60% employ one or more Welsh speakers. Those providers who do not currently employ a Welsh speaker are all, bar one, based in the south east of Wales where demand for Welsh services is low. There are over 40 providers in this area who do employ a Welsh speaker and we therefore consider that there is sufficient alternative provision available. Where a provider does not provide a Welsh speaker, any clients wishing to conduct their affairs in Welsh are passed to an alternative firm within the same procurement area where such provision is available.

Clients

13. We continue to fund the Civil Legal Advice (CLA) Service which is a national telephone advice line service providing specialist legal advice in Debt, Education, Housing, Family and Discrimination. Clients accessing the initial telephone triage service can speak to Welsh speaking operators. The MoJ Translation Framework (The Big Word) is available to facilitate the delivery of Welsh language specialist advice service.

14. The LAA's 'Check if you can get legal aid' digital online service on Gov.UK is available in Welsh and supports clients to diagnose whether their problem falls within scope of legal aid and if they are likely to be financially eligible to receive public funding. If appropriate, they will be offered a call back, in Welsh, from Civil Legal Advice in order to progress their case. This service passed a live assessment with Government Digital Services in September 2015.

15. Where clients are detained in police custody and require legal advice, they can request a Welsh-speaking solicitor when the custody officer contacts the LAA's Duty Solicitor Call Centre (DSCC). This service facilitates the deployment of an appropriate solicitor to the police station.

PI 3 Language Training and Awareness

16. All staff are allocated time for training and development. We are actively looking to develop the skills of our advanced learners and are exploring suitable courses for them, including paid for residential courses. We have one member of

staff about to start an advanced course in September. We also continue to discuss all learning and development opportunities for our staff, including whether or not there is a desire to undertake Welsh language training. All staff have regular one to ones where training and development is discussed. When any individual wishes to develop skills in Welsh we would identify suitable courses to meet that need.

PI 4 Information Technology

17. Our IT system for civil legal aid matters continues to be used by 1600 legal aid providers, including approximately 250 barristers' chambers. Correspondence and any declarations requiring the client's signature are available in Welsh.

PI 5 Administering the Scheme

18. Responsibility for our Welsh Language scheme remains with our Secretariat team in the Corporate Centre team during the reporting period 2016/17.

19. We have received no complaints about our Welsh Language services during 2016/17. We have received a tweet giving positive feedback on our Welsh language telephone line, see Annex A.

Conclusion

20. We are pleased to report that we have successfully implemented our Welsh Language scheme this year and have continued to provide a high standard of Welsh language services.

Shaun McNally CBE

Chief Executive, Legal Aid Agency.

Annex A – Transcript of Compliment of the LAA’s Welsh Language Scheme

Dwi newydd galw @HMRCcustomers am tro gyntaf yn Gymraeg. Gwasanaeth gwych! Dim ciw o gwbl!
Mae nhw wedi delio efo broblem yn glou. Diolch!

Replying to XXXX

mae llinell gymraeg y @LegalAidAgency yn effeithiol iawn hefyd #chwarateg

A translation of the conversation reads:

- 'I've just called @HMRCcustomers for a first time in Welsh. Great service! No queue at all! They have dealt with a problem. Thanks'

Replying to XXXX

- 'The @LegalAidAgency's welsh line is also very effective #fairplay'

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