



Legal Aid  
Agency

# Welsh Language Scheme Report 2017/18



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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 2017 to March 2018.
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 implemented new crime contracts and have been running a tender process for new civil contracts during this review period. We 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 2017-18 and the Director of Legal Aid Casework Report 2017-18.

## Performance Indicators

### PI 1 Frontline Services

#### *Bilingual Staff*

5. In the last 12 months we have taken on one additional Welsh speaker 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 2018 we received 20 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 2017 to the end of March 2018, we received 151 calls, slightly less than the previous 12 months, a 5% reduction. We received 10.8% fewer calls in English during the same period. This follows a reduction in Welsh language calls for the previous 2 years to coincide with 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 reduction in 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 users of the CCMS system are providers making applications on behalf of their clients, not the clients themselves.

9. In addition to recording the details of telephone interactions we have begun recording all our interactions in the Welsh language which reflects the digital channels available via our systems. Between April 2017 and March 2018, we received 163 requests via our CCMS system in Welsh and 10 emails. We will continue to monitor all transactions in Welsh. The majority of users of our front-line services are contracted providers. We support our providers to fulfil their obligation to promote the Welsh language service offered as part of that contract.
10. For example, our Contract Managers pro-actively promote the Welsh language service as part of their annual provider activities, we have used Twitter to respond to provider queries in Welsh and we have amended our website to ensure that our Welsh language forms are easy to find.

## **PI 2 Providing Services through Third Parties**

### *Contract management*

11. Our legal aid contracts with our face-to-face providers include specific requirements that ensure they have the ability to provide a Welsh language service in Wales. Firms 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 promote our Welsh language services, such as our telephone line and bilingual forms (where applicable).
12. Over 60% of our providers when surveyed 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.
13. 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. The review of provision of Welsh language services is a process we will repeat with new civil contacts beginning in September 2018.

### *Clients*

14. 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 currently choose to communicate in Welsh via the MoJ Translation Framework ('The Big Word'). Due to staff leaving the organisation, we are currently unable to offer callers Welsh speaking staff at the service and are taking urgent steps with our contractor to restore this as soon as possible. Callers can still access both our triage and specialist advice service in Welsh by using the translation service 'The Big Word'.

15. 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, using Welsh Language interpreters, from Civil Legal Advice in order to progress their case. This service passed a live assessment with Government Digital Service in September 2015.
16. Last year, an issue was identified with the translation in Welsh of the Civil Legal Advice (CLA) digital tool which is hosted on Gov.Uk. This was a digital issue that was interrupting the translation past the tool's initial start page and was requiring users to click on the Welsh translation a second time, on the following page. Although all other pages of the tool remained unaffected, the LAA were concerned that this anomaly in the service was impairing the user journey for Welsh speakers and work was commissioned to identify which changes were needed to resolve this issue. We have worked in close collaboration with the Government Digital Service in making the

necessary changes. We are pleased to confirm that this issue has been resolved and the Welsh translation of the tool now works seamlessly.

17. 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**

18. 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 also continue to discuss all learning and development opportunities with our staff, including whether or not there is a desire to undertake Welsh language training. All staff have regular one-to-one meetings 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**

19. 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**

20. Responsibility for our Welsh Language scheme remains with our Secretariat team in the Corporate Centre team during the reporting period 2017/18.



21. We have received no complaints about our Welsh Language services during 2017/18.

### **Conclusion**

22. 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.**

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