



# **HMPPS Welsh Language Scheme Annual Monitoring Report to the Welsh Language Commissioner December 2023**

## **Introduction**

This is the HM Prison and Probation Service Welsh Language Scheme Annual Monitoring Report (HMPPSWLS) to the Welsh Language Commissioner, submitted in Welsh and English. This report outlines our performance against our commitments set out in the HMPPS Welsh Language Scheme (the Scheme) since implementation in 2020 until the Scheme's end in September 2023. This document also reports activities that respond to the Welsh Language Commissioner's 2018 Welsh Language in Prisons Report recommendations (Appendix A).

## **HMPPS Welsh Language Scheme**

HMPPS is committed to the principle that in the conduct of public business and the administration of justice in Wales, it will treat the English and Welsh languages on a basis of equality; to continue our aim to deliver a high-quality Welsh language service and, in keeping with the requirements of the Welsh Language Act 1993, to adopt the best possible practice with regard to the use of Welsh.

Amy Rees, the CEO (Chief Executive Officer) of HMPPS retains overall responsibility for the Agency's legal compliance of the HMPPSWLS. It is managed on her behalf by the HMPPS Disparities Unit.

In 2023, HMPPS also appointed a Welsh Language Senior Champion who will drive focus, prioritisation and progress by leveraging their existing leadership capability, experience and passion. The Welsh Language Champion will be a key partner in the design, delivery and implementation of the Welsh Language Scheme activity.

## **Policies and Initiatives**

### **Collaborative working**

HMPPS are represented at several meetings which specifically consider Welsh language delivery across Civil Service, Criminal Justice and wider public sector services. These include:

- Grwp Deddf – Sector specific Welsh Government co-ordinated meeting for the Civil Service to share good practice.
- Lord Chancellor’s Standing Committee for the Welsh Language – chaired by a Senior Judge to co-ordinate Welsh language activities across the Criminal Justice Sector. The Committee also oversees the Justice Sector’s Cross Operations Welsh Language Sub-Committee.
- Civil Service Welsh Language Network – chaired by the Department of Work and Pensions, delivering joint activities and initiatives across the Civil Service.
- Ministry of Justice Welsh Language Co-ordinators Meeting – chaired by the Ministry of Justice (MoJ), engaging Welsh language leads from MoJ agencies.

Over the duration of the Scheme, collaborative efforts have assisted in delivering a range of Welsh language initiatives, including the introduction of a MoJ-wide Welsh language skills monitoring question for all staff, regular audits of Welsh language skills of staff across criminal justice agencies, and a Civil service-wide approach to public engagement, including an annual presence at the National Eisteddfod.

HMPPS also continues to work closely with HM Courts and Tribunal Service (HMCTS) to better identify Welsh speakers coming through the courts. An incoming change to HMCTS’ Common Platform will ensure that Probation Practitioners are able to identify language choice at the earliest possible point in order to deliver timely services in Welsh and support effective pre-sentence report assessments.

### **Equality Analysis**

In early 2023, HMPPS launched our new Equality Analysis Policy Framework which replaces PSI 20/2016 ‘Implementation of Equality Analysis’. The framework and associated guidance and training was subject to extensive consultation across relevant departments and specialists, user groups and regional Diversity and Inclusion Teams. As a result, the new framework includes a strengthened approach to ensuring Welsh language is robustly considered as part of decision-taking, change-making and policy and service design. The framework now requires users to consider not only the impact of their activity on the Welsh language, but also opportunities to promote it. A comprehensive e-learning and operational guidance package supports staff to engage with the Welsh Language Scheme when planning their activity, and provides practical examples of how Welsh language can be considered, for example, through data collection, understanding of linguistic need and cognisance of devolved policy arrangements.

### **Welsh Language Skills Policy**

We have recognised the good practice which exists across other organisations in Wales who are subject to Welsh Language Standards and have established a Welsh

Language Skills Policy Working Group who are developing a Welsh Language Skills Policy for Wales. This will build on, and improve our offer to staff in Wales, as well as setting out a more robust approach to assessment of Welsh language skills required for new posts, and our provision for Welsh speakers within our recruitment processes (Recommendation 10).

## **Digital Services**

HMPPS Digital has recently completed work supporting an effective response to the requirements set out in the Scheme. This includes defining an approach to delivery in consultation with the Welsh Language Unit and learnings from other government departments to understand how software can support the process. For the approach to be effective, it must be sustainable, usable, consistent and repeatable. Prisons Digital will trial delivering a bilingual product with the Visit Someone in Prison team. They are developing a public-facing product that will improve the social visit experience by allowing members of the public to register as a visitor and book their own visits slots in Welsh. In addition to this, the team will look at:

1. How to best use software to add and manage translations
2. Establishing effective ways of iterating Welsh content, with user feedback
3. Ensuring consistency of language across the user journey
4. Working with other government departments to see how they have approached Welsh language support in their services

Their findings will then be used to shape a process that can be rolled out to other public-facing products in development or being updated in HMPPS Digital.

## **Delivery and Standards of Service**

The current HMPPS Welsh Language Scheme is available to all staff via the new HMPPS internal intranet and available to the public through gov.uk. Across Wales, promotion of the Welsh Language Scheme is a continued activity, with posters, banners and information shared widely across prisons, and a dedicated Welsh language group operating across our Probation Delivery Units.

Each Prison and Probation Delivery Unit in Wales has an identified Welsh Language Champion who is responsible for the delivery of local Welsh language initiatives, and the promotion of the Scheme to the public (prisoners, people on probation, visitors) and staff. Each Champion attends a quarterly Welsh Language Implementation Board, chaired at Deputy Director level. The Board is responsible for ensuring compliance with, and promotion of the Scheme, and its work is underpinned by a Strategic Welsh Language Plan (Recommendations 7, 16).

HMPPS in Wales currently supports staff to undertake Welsh language courses in a range of ways, including online and in person delivery. In 2021, all of our probation staff across Wales attended a mandatory Welsh Language Awareness session, and all new Probation Officers receive an input on Welsh language and their responsibilities under the Welsh Language Scheme as part of their initial training.

HMP Berwyn has recently introduced a Welsh Language Awareness course, delivered to all staff on induction, and work is underway to replicate this across all prisons in Wales. In 2022, all Learning and Skills Staff based in Welsh prisons were offered an opportunity to attend a Welsh language workshop as part of their professional development day. Informal opportunities for staff to practice their Welsh language skills are provided in a range of ways across HMPPS Wales, including regular 'Bore' coffee mornings which bring together learners and fluent speakers (Recommendation 12).

Our staff say...

**"Using Welsh, which is my first language, in the day-to-day workplace gives me the opportunity to feel confident in my role, and allows me to make others feel more confident and comfortable by giving them the same opportunities."**

**"Welsh is part of my self-identity, so it's so important to me that I get to use it in my work, that is with my co-workers and the individuals I supervise."**

## **Complaints**

HMPPS Wales' Welsh Language Implementation Board monitors all complaints received by people in prison and people on probation in Wales on a quarterly basis. Prisoners across England and Wales are able to use the Discriminatory Incident Reporting Form (DIRF) to report concerns regarding unfair treatment by staff or other prisoners related to their Welsh identity, or their right to use Welsh. The DIRF process is widely promoted, and forms are available in Welsh and English. Staff are able to raise complaints in a range of ways, including formal HR reporting processes, through identified Welsh Language Champions and via the Wales Diversity and Inclusion Team (Recommendation 13).

Details of complaints received during the life of the Scheme can be found in Appendix B. All complainants have received a response, and where possible, improvements have been made to processes based on issues raised.

## **Data**

Within Wales, significant efforts have been made to ensure that information on prisoners' and people on probation's language skills are captured at the earliest opportunity to ensure that relevant information and services in Welsh can be provided where necessary. Work is ongoing to make further improvements to the consistency of this data collection (Recommendation 3).

**Number of Welsh speaking prisoners\* by Welsh public sector prison and overall total for English public sector prisons (up until September 2023)\*\***

	2020	2021	2022	2023
<b>Berwyn</b>	125	161	177	182
<b>Cardiff</b>	69	64	53	52
<b>Parc (exc YOI)</b>	60	69	65	67
<b>Swansea</b>	102	97	93	80
<b>Usk</b>	5	4	6	7
<b>Prescoed</b>	6	15	16	11
<b>Grand Total</b>	367	410	410	399

	2020	2021	2022	2023
<b>Welsh Language</b>	101	102	119	116

*\*Prisoners may be counted more than once should they move prisons.*

*\*\*Data taken from self-declared language preference recorded on P-NOMIS.*

**Number of Welsh speaking women\* across the Women's Estate by calendar year (up until December 2023)**

	2020	2021	2022	2023
<b>Welsh Language</b>	3	5	2	3

Through our work with Welsh speaking women in English prisons we recognise that this not likely to be a true reflection of women whose language preference is Welsh. We intend to carry out further work to understand true levels and reasons for under-recording.

*\*Prisoners may be counted more than once should they move prisons.*

*\*\*Data taken from self-declared language preference recorded on P-NOMIS.*

**Number of Welsh speaking people on probation\* in Wales only by calendar year (up until September 2023)**

	2020	2021	2022	2023
<b>Welsh Language</b>	260	186	145	147

*\*Data taken from self-declared language preference recorded on NDelius.*

We are currently unable to obtain data on the number of Welsh speaking young people in prison due to the way that our systems record information in the Youth Estate.

Regular manual audits have taken place to establish the numbers of Welsh speaking staff. As there has historically been no consistent way of capturing Welsh language skills of staff via HR systems, there have been limits to how effectively this can be achieved. At the beginning of 2023, a new Welsh language question was introduced to MoJ systems which now allows staff to self-declare their Welsh language ability. As declarations increase, we hope to be able to more accurately determine where our gaps in Welsh speaking staff are across the organisation to inform our recruitment plans (Recommendation 9).

As of December 2023, 4% of HMPPS staff (England and Wales) and 13% of staff based in Wales had updated their personal record with their Welsh language ability. HMPPS Wales are monitoring completion rates every quarter through their Welsh Language Implementation Board, delivering regular communications and staff messaging to encourage this voluntary disclosure

## **Recruitment**

All HMPPS posts based in Wales are advertised as Welsh language desirable, and consideration should be given to those posts which may be legitimately deemed as Welsh language essential, particularly in those areas of Wales where Welsh language speaking communities are prevalent.

We recognise that this remains an area for development, which will be addressed through our Welsh Language Skills Policy, an end-to-end review of our recruitment process in Wales, and improvements to the data collated on Welsh speaking people on probation and in prison in Wales. As recruitment activity is dispersed both across functions and national/local teams there is currently no mechanism in place to collate the numbers of posts which are deemed Welsh language essential.

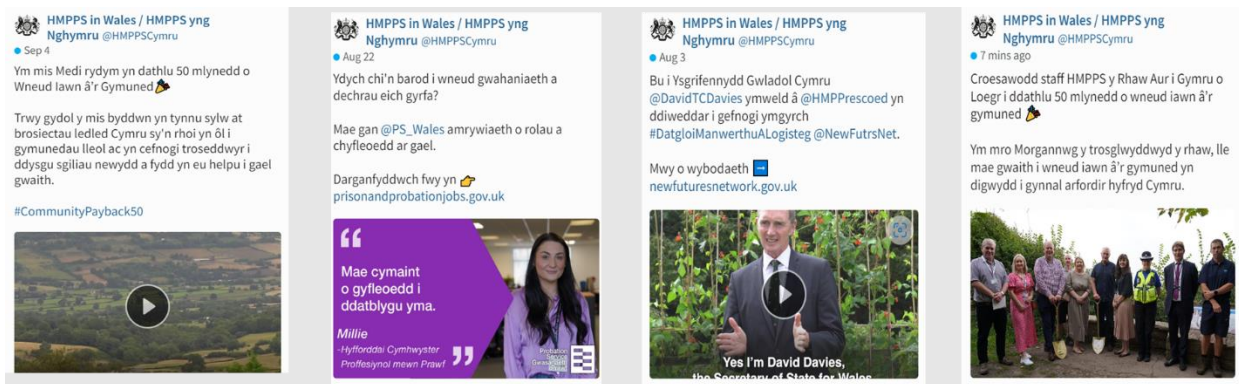
Our Welsh Language Skills Policy Working Group is currently reviewing our recruitment processes in Wales to better take account of the Welsh Language Commissioner's Recruitment Good Practice Guidance and consider ways in which this can be achieved, as well as extending our reach to attract more Welsh speaking candidates.

All of our external recruitment campaigns in Wales are bilingual and where need can be evidenced, specifically focussed on recruiting Welsh speakers. For example, HMP Berwyn has run several campaigns specifically to attract Welsh speaking Operational Support Grade staff.

More broadly, our external communications in Wales continues to support our efforts to promote HMPPS Wales as an employer who values and promotes Welsh language. All of our social media promoting our work with people on probation and people in prison are bilingual, often with original Welsh language video content.



North Wales Probation staff are also currently filming the Welsh language S4C 'Darlun' documentary which showcases the depth and breadth of our Probation teams' work.



## People in Prison and on Probation

The priority for the prison service is to allocate prisoners based on a number of metrics which we know support successful rehabilitation, alongside safety criteria and proximity to their homes.

Whilst we understand that language plays a role in rehabilitative outcomes, we do not rank our prisons in terms of language service provision, but have an expectation that they are all able to offer services that prisoners need in line with language preferences. We also recognise that allocating Welsh speaking prisoners to a minority of prisons may result in the Welsh language becoming devalued across the wider estate.

It is imperative that this is not the case, and our focus remains on encouraging equity of language provision across prisons, whether you are held in, or outside of Wales (Recommendation 1). We understand that we have more work to do to ensure that this is the case, and embedding Welsh language provision across our English prisons will be a focus within our next Scheme.

Our work with prisons outside of Wales over the duration of this Scheme has prioritised high security and women's establishments as we do not have these facilities in Wales, and many now have thriving Welsh language communities.

All of our prisons in Wales have now established Welsh language communities (Recommendations 6, 15), engaging prisoners who are learning Welsh, or are fluent in Welsh. Regular Welsh language forums run in each establishment and have been able to make suggestions around improvement to Welsh language provisions, including more Welsh language resources in libraries and the introduction of Welsh Language Prisoner Representatives.

These are Welsh speakers who have been allocated roles across the prison to support other Welsh speakers at key points in their custody journey, for example, during a prisoner's first night and induction. HMP Usk, HMP & YOI Parc, and HMP

Swansea have also introduced peer-led Welsh language lessons, where Welsh speaking prisoners support their peers to learn or further develop their Welsh language skills.

Significant dates are celebrated across HMPPS Wales, including our prisons, to promote the Welsh language and Welsh culture.

This includes St David's Day, Owain Glyn Dwr Day, Welsh Language Rights Day and Diwrnod Shwmae. Celebratory days are marked through prisoner and staff events, competitions and menu changes across establishments. HMP & YOI Parc runs an annual Eisteddfod for prisoners, and during 2023, HMP Usk hosted their first Eisteddfod event. This year, young people at HMP & YOI Parc also entered the Urdd National Eisteddfod's arts and crafts, writing, poetry and literature competitions, securing a first and second place in an arts and crafts category.

Carpentry, artwork and poetry created by prisoners at HMP Berwyn and HMP & YOI Parc and people on probation completing unpaid work was recently displayed as part of HMPPS' presence at the National Eisteddfod.



With the support of the Welsh Language Officer at HMP & YOI Parc, work has continued throughout the life of the Scheme to identify those prisons in the Women's, Long Term High Security and Youth Custody Estates that have significant numbers of Welsh speaking prisoners (Recommendation 7).

### **Women's Estate**

HMP Downview, HMP Styal and HMP Eastwood Park have received visits to promote the Scheme. HMP Eastwood Park and HMP Downview now promote their Welsh community in reception so Welsh prisoners are identified at the earliest opportunity and Welsh preference is declared. HMP Downview have monthly focus groups and will be hosting the first ever Eisteddfod in an English establishment in 2024.

### **Youth Custody**

HMP Werrington and HMP & YOI Parc are fully aware of the Scheme and offer all young people an opportunity to declare a preference on induction to the establishment.

### **High Security Estate**

HMP Long Lartin now promote their Welsh community in the reception area and give opportunity for Welsh speakers to declare their preference at the earliest opportunity.



Prisoner feedback has indicated that Welsh speakers feel comfortable to speak Welsh to each other and the prison now stocks Welsh materials in the library and celebrates significant dates in the Welsh Language calendar.

Welsh language leads have been appointed at the following establishments outside of Wales:

- HMP Werrington
- HMP Guys Marsh
- HMP Long Lartin
- HMP Eastwood Park
- HMP Oakwood
- HMP Downview
- HMP Leyhill
- HMP Rye Hill

As part of our strategic priorities for Welsh language in Wales during 23/24 we have embedded Welsh language assessments within our prison assurance model (Recommendation 7). Each Welsh prison receives an annual visit to assess their performance against a range of equality and diversity indicators, which now explicitly includes Welsh language. Assurance activity includes focus groups with Welsh speaking prisoners (Recommendation 15), interviews with Welsh Language Leads and general monitoring of compliance against our Welsh language Scheme. Findings are fed back to Governors, as well as any recommendations for change. Progress against recommendations is monitored on a regular basis. This assurance model has recently been developed so that it is appropriate for use across Wales Probation services, where it will be implemented shortly.

People accessing our services say:

**"It can be a scary feeling to discuss sensitive and personal issues in a language that isn't as familiar to you, so that's why I think it's vital that there's an option to have a Welsh (speaking) Probation Officer."**

## **Stakeholders and external groups (Recommendation 8)**

Throughout the life of the Scheme we have ensured that a requirement on third party providers to deliver their services in Welsh is included when developing specifications for services. This is built into contract documentation and monitored by the contract management team. Our Wales Probation Commissioning Team has also built in an early equality screening process which requires staff who are proposing commissioned services or projects to consider our Welsh language duties, and opportunities to maximise our Welsh language provision.

Our contracted education provisions within HMP Berwyn and HMP & YOI Parc have newly developed, enhanced contracts and service specifications to ensure providers meet Welsh prisoners' needs by designing and implementing curriculums to offer Welsh provision. This may include basic, intermediate or advanced Welsh Speaking,

Listening and Writing dependent on the cohort and the needs of the prisoner. All contracts are written to ensure Welsh prisoners' needs are met as outlined within the Estyn Common Inspection Framework (2019).

## Forward Look

As we reflect on achievements and challenges over the life of our Welsh Language Scheme, we now look towards the development of a new Scheme which will build on progress made, whilst refocussing our efforts on those areas that still require attention.

The following sets out potential areas of future focus, for consideration in the development of our Welsh Language Scheme for 2024-2027, subject to consultation with stakeholders:

- Development and implementation of our Welsh language skills policy in Wales, inclusive of a more robust approach to assessment of Welsh language post requirements and strengthening our approach to recruiting and supporting staff more broadly.
- Exploration of options for a national Welsh language awareness package for all HMPPS staff.
- Progression of our bilingual digital services for prisons and HMCTS Common Platform improvements.
- Setting and achieving a minimum completion rate for our Welsh language staff monitoring question on our HR system to enable better analysis of our workforce's linguistic profile.
- Developing a standard communications/promotion pack for all prisons and probation services across England and Wales, highlighting prisoner Welsh language rights and entitlements, mechanisms to make complaints, and promoting the new Scheme once published.
- Refreshing our national governance structure to improve oversight and accountability for our new Welsh Language Scheme at a National level.
- Work with prisons and probation services in England to build an accurate picture of Welsh language demand, and the current offer.
- Levering the influence of our newly appointed senior Welsh Language Champion to influence and shape national prison and probation policy and planning.

We will continue to develop and engage our Welsh speaking staff and communities across HMPPS to shape our future priorities, and maintain a close working relationship with the Welsh Language Commissioner and their Office.

## Contact

We welcome comments and feedback on this report and our Welsh language work more widely. You can contact us at [cymraeghmpps@justice.gov.uk](mailto:cymraeghmpps@justice.gov.uk)

## Appendix A

### Welsh Language Commissioner's Recommendations; Welsh Language in Prisons, 2018

**Recommendation 1:** HMPPS should consider adapting its prisoner placement arrangements to ensure that, where practical, prisoners requiring Welsh language services are placed in the prisons which are most able to provide those services.

**Recommendation 2:** HMPPS should ensure that the needs of Welsh speaking women are fully considered as part of any plans to develop the provision for female offenders under the Government's strategy.

**Recommendation 3:** HMPPS should review the data it commits to collect on the language needs of prisoners, in order to ascertain preferred language in different situations, and to identify the ability to speak Welsh as well as preferred language.

**Recommendation 4:** HMPPS should strengthen its arrangements in order to ensure that data on the Welsh language is collected for all prisoners without fail, and that all prisons are able to access correct data in order to plan services.

**Recommendation 5:** HMPPS should take action to ensure that it is completely clear that prisoners are able to communicate in Welsh with each other and with external contacts, clearly stating under which circumstances this is not allowed.

**Recommendation 6:** HMPPS should develop further opportunities to use the Welsh language socially at HMP Berwyn and at other prisons.

**Recommendation 7:** HMPPS should strengthen its arrangements in order to monitor the availability and quality of the Welsh language services offered in prisons, and support prisons to offer those services.

**Recommendation 8:** HMPPS should review its arrangements for ensuring that prison services offered by external organisations acknowledge the fact that Welsh language services lead to better outcomes for Welsh speakers.

**Recommendation 9:** HMPPS should ensure that there is a continuous process in place to collect current data on the language skills of prison staff, and it should use that data to plan services for Welsh speakers, including raising prisoners' awareness of the opportunities available to use Welsh with staff.

**Recommendation 10:** HMPPS should take steps, especially when recruiting new members of staff, to ensure that there is a sufficient number of staff to offer consistent and reliable services to Welsh speaking prisoners.

**Recommendation 11:** When planning to open any new prisons in Wales, HMPPS should consider Welsh language provision from the outset, including recruiting staff with Welsh language skills.

**Recommendation 12:** HMPPS should review the training offered to prison staff in order to address the shortcomings highlighted in this report, particularly around the

recording of data on Welsh speakers and interference with the freedom to use Welsh, and investigate the possibility of increasing its capacity by developing the language skills of current members of staff.

**Recommendation 13:** HMPPS should ensure that processes for dealing with internal complaints give prisoners confidence that matters are being resolved appropriately, and enable prisons to improve their services.

**Recommendation 14:** HMPPS should ensure that prisoners are aware that they have the right to complain to the Commissioner about matters relating to the Welsh language, and should facilitate any complaint a prisoner wishes to make.

**Recommendation 15:** HMPPS should continue its efforts to engage with prisoners in order to learn from their experiences and consult on developments.

**Recommendation 16:** HMPPS should consider the findings of this review as it amends its Welsh language Scheme, ensuring that appropriate accountability arrangements are in place for monitoring progress in implementing the recommendations.

**Recommendation 17:** The Ministry of Justice should ensure that the policy direction, the resources and the accountability arrangements it has in place with HMPPS guarantees sufficient Welsh language provisions for prisoners.

## Appendix B

### Complaints relating to Welsh language 2020-2023

Complaint type	Complaint nature	Date
Confidential Access Complaints (Prisoner to Prison Group Director)	None received	N/A
Public Enquiry letters (Prison Group Director's Office)	Complaint from member of the public that allowing prisoners at HMP Berwyn to speak Welsh is a security risk	2023
HMP Swansea – prisoner complaints or DIRFs	None received	N/A
HMP Berwyn – prisoner complaints or DIRFs	2 complaints from prisoners that they weren't able to watch Welsh television channels. Complaint from prisoner that he was denied a Welsh Listener. Complaint from prisoner that the St David's Day quiz was in English only. Complaint from prisoner that he requested his adjudication to be heard in Welsh but did not happen. Complaint from prisoner regarding a disproportionate representation of Welsh speakers in job roles. Complaint from prisoner that he could not speak Welsh in a Good Order and Discipline review.	2020 2021 2021 2021 2021 2021
HMP Cardiff – prisoner complaints or DIRFs	None received	N/A
HMP Usk – prisoner complaints or DIRFs	None received	N/A
HMP Prescoed – prisoner complaints or DIRFs	None received	N/A
HMP & YOI Parc – prisoner complaints or DIRFs	None received	N/A



<b>Complaint type</b>	<b>Complaint nature</b>	<b>Date</b>
Probation Service Wales	Complaint from person on probation that correspondence was in English despite stated language preference.	2021
Central Welsh language inbox	Complaint received by Cymdeithas regarding prisoners in England being prevented from speaking Welsh	2022