

COMISIWN  
gwasanaethau cyfreithiol

legal services  
COMMISSION

# **LEGAL SERVICES COMMISSION**

## **WELSH LANGUAGE SCHEME**

Prepared under the Welsh Language Act 1993

**CONSULTATION VERSION**

**August 2005**

*(In final version)*

*WLB Statement of Approval*

*WLB logo*

This Scheme will not be altered without the prior approval of the Welsh Language Board.

## Foreword

The Legal Services Commission (LSC) helps people obtain publicly funded legal and advice services across England and Wales. Our work is particularly focused on ensuring that the vulnerable and socially excluded have access to justice. While the Access to Justice Act 1999 under which the LSC was founded makes no distinction between how we fulfil our functions in England and Wales, we recognise that there are diverging needs and increasing legislative and policy differences between the two countries. This influences our policy, design and delivery functions in Wales.

This Legal Services Commission Welsh Language Scheme Consultation Paper outlines our commitment to the Welsh language when providing services to the public in Wales. We have adopted the principle that in the conduct of public business in Wales we will treat the English and Welsh languages on the basis of equality. This Scheme sets out how we will give effect to that principle when providing services to the public in Wales. We have been working closely with the Welsh Language Board in developing this Consultation Paper. We are now seeking the views of our stakeholders and partners on what we propose with a view to publishing the approved scheme in 2006.



Clare Dodgson  
Chief Executive, Legal Services Commission

## **Introduction**

### **Who we are, how we are organised, and what we do.**

1. The Legal Services Commission (LSC) was established in April 2000. We are the successor body to the former Legal Aid Board. We are a non-departmental public body, accountable to the Department for Constitutional Affairs.
2. The duties and responsibilities of the LSC are set out in the Access to Justice Act 1999. Our purpose is to help people get quality legal services that tackle real needs. This is our contribution to making the justice system fair, accessible and affordable for all, and to combating social exclusion. We are charged to establish, maintain and develop the Community Legal Service and the Criminal Defence Service. Across England & Wales, the LSC spends approximately £2 billion per annum on legal services – approximately £70 million per annum in Wales.
3. The LSC provides services in England and Wales. The administration of legal aid is not a devolved function.

## **General principles**

### **New policies and initiatives**

4. When developing new policies and procedures, or considering the impact of Government policies and initiatives, we will have full regard to their consequences on the use of the Welsh language. Our policies and initiatives will be consistent with the measures in this Scheme.

### **Service standards**

5. We are committed to delivering equally high quality services in Welsh as in English as defined in this scheme. Our performance targets and service standards apply equally to services provided in both languages. We aim for consistency in the standard of services across all our offices, regardless of whether those services are delivered in Welsh or in English.

### **Responsibility for, and delivery of, the Scheme**

6. The Chief Executive of the LSC has overall responsibility for the operation of this Scheme.

## **Measures for dealing with the public in Wales**

This section is addressed to the users of LSC services in Wales.

### **Forms**

7. Because you submit your legal aid application, and other forms, through your solicitor, we make our forms available to solicitors and legal advisors rather than direct to the public. They are supplied on disk, via our website, or in hard copy in our Forms Masterpack. We have adopted a programme to have our forms available in Welsh as well as English so that your solicitor or legal advisor can select the one most appropriate for you.
  
8. The Welsh or bi-lingual forms will be produced to a similar design and the same standards as the English versions.

### **Correspondence**

9. We welcome letters in Welsh. A reply will be sent in Welsh. Our target time and quality standards for replying to letters in Welsh are exactly the same as for replying to letters in English.
  
10. When initiating correspondence in Wales, we will write in Welsh to members of the public who we know prefer to correspond in the Welsh language, unless requested otherwise. Any “circular” letters we issue to the public in Wales will be bilingual.
  
11. Electronic correspondence will follow the same principles as above.

### **Telephone calls**

12. If you telephone our Cardiff Office you are welcome to use the Welsh language.
  
13. At our Cardiff office we will answer the telephone with a bilingual greeting; outside Wales we answer in English only.
  
14. If you wish to converse in Welsh but the person taking the call cannot do so, where possible we will transfer your call to a member of staff who speaks Welsh.

If no Welsh speaker is available, we will give you the choice of a Welsh speaker returning your call or continuing the call in English.

15. Outside business hours, the message on the answerphone at our Cardiff office will be bilingual; outside Wales it will be in English.

### **Public meetings**

16. When we arrange meetings in Wales which members of the public can attend you are as welcome to speak in Welsh as in English. Invitations and notices publicising the event will be bilingual and will invite you to notify us in advance if you wish to use Welsh. We will provide translation facilities which will normally be by simultaneous interpretation.

### **Personal attendances**

17. Most of our business is conducted through correspondence or over the telephone, but we do receive a small number of personal callers. Callers to our Cardiff office are welcome to ask to see a member of staff who speaks Welsh. If no Welsh speaker is available you will be given the choice of continuing the conversation in English or arranging an appointment when you can discuss your enquiry with a Welsh speaker or interpreter present.

18. If you are attending our Cardiff office in order to present an appeal against one of our decisions (for example, to refuse legal aid in your case or to withdraw your legal aid certificate) you are welcome to present your appeal in either English or Welsh. Prior to the appeal hearing you (or your legal representative) will be asked via an enquiry form if you wish to speak Welsh at the hearing. When such a request is made we will endeavour to provide a bilingual appeal committee. Where that is not possible a translator will be provided.

19. We will prepare an internal advice note for all our employees explaining what they need to do to comply with the measures of this Scheme in their dealings with the general public in Wales.

### **Corporate identity**

20. We have a Welsh language version of our logo. Our Cardiff office will use bilingual stationery when dealing with the public in Wales.
21. Public signs for which we are responsible in and around our Cardiff office, and for display at our Conferences etc, are bilingual.
22. The Quality Mark Certificate which we award to quality-assured organisations and the signs they can then display, are available in Welsh as well as English.

### **Publications**

23. All materials intended for the public in Wales will be produced bilingually, with the favoured format being Welsh and English together in one document. However, should the size or complexity of the document dictate the need for separate Welsh and English versions, then both versions will be equally accessible and it will be stated in both that the document is also available in the corresponding version. Materials intended for the users of our services will have a higher priority for bilingual production than our policy publications which are intended for a smaller audience.
24. This Scheme does not cover technical documents, contracts, technical guidance, invitations to tender and similar publications where circulation is limited to the technical community e.g. solicitors, legal advisors and their representative bodies.

### **Internet Website**

25. The LSC currently has four websites – about the Commission, Community Legal Service Direct, designed to give advice to the public, the Legal Services Research Centre, and the Recruitment site. The CLS Direct website will be available in both English and Welsh languages. All material on the other websites intended for the general public which originates in the Cardiff Office will also be available bilingually. We will, over time, ensure the main sections of the website which are likely to be used by the public in Wales are available in both English and Welsh.

### **Press notices, advertising and publicity**

26. We will issue bilingual press notices to the press and broadcasting media in Wales where the subject matter is of particular interest to the public in Wales.

27. We will issue bilingual advertisements in English language publications with a local circulation in Wales. Advertisements in Welsh language publications will be in Welsh only.

28. All our publicity campaigns which run in Wales will be communicated in both Welsh and English. In Wales, exhibits and displays for the public are bilingual.

### **Services delivered on behalf of the LSC by other parties**

29. When we enter into an agreement with another public body to jointly deliver a service to the public we will ensure that the service provided is consistent with the terms of this Scheme.

30. The Welsh Language Act 1993 does not directly cover the vast majority of organisations which receive LSC funding to provide legal services. We will nevertheless encourage funded organisations to adopt the ethos of the Act where this is appropriate and reasonable. Where the Act does cover a funded organisation, such organisation will provide its services in accordance with its own Scheme.

### **Recruitment and staffing strategy**

31. We will employ a sufficient number of Welsh speaking staff to provide the services described in this scheme
32. As an Equal Opportunities employer, our policy is to recruit the most suitable candidates to vacancies and train them in the particular skills they need to perform effectively. There are no individual posts for which the ability to speak Welsh is essential but, across our services in Wales as a whole, we recognise that we need to ensure a sufficient number of Welsh speakers in order to provide a satisfactory service. To take this forward fairly and objectively, we will adopt and implement a linguistic skills strategy. This will identify, and keep under review, where we need bilingual skills, where staff already possess such skills, and where we need to ensure such skills are being developed as suitable training and employment opportunities arise.
33. We encourage our staff to learn Welsh or improve their Welsh language skills and, where this meets an identified business need, we meet the cost of their training.
34. Recruitment advertisements for staff and Legal Services Committee members in Wales-based newspapers will be bilingual. This commitment will be followed even if the post to be filled is not one where the ability to speak Welsh is a desirable or essential factor. Advertisements in the major UK newspapers will normally be in English.

### **Implementing, monitoring and publishing this Scheme**

35. A timetable for giving effect to the measures in this Scheme is at Appendix 1.
36. This Scheme will be monitored on an ongoing basis and a specific Report on our performance in implementing and delivering this Scheme will be produced annually, available publicly and copied to the Welsh Language Board.
37. Complaints from members of the public about a failure to comply with this Scheme will form an important part of the monitoring process. Any complaint about our services in Welsh should be addressed to the Quality Manager, Legal Services Commission, Marland House, Central Square, Cardiff CF10 1PF or telephoned to us on 029 2064 7100. Any such complaints will be dealt with to the same time and quality standards as our usual complaints procedure. If you are dissatisfied with our response you may take the matter up with the Welsh Language Board.
38. Suggestions for improvement to our services in Welsh are also welcome and will be considered as part of our monitoring process. They should be directed to the same address as at paragraph 37 above.
39. This Scheme, *once approved and adopted*, will be advertised by placing bilingual posters in the public areas of our Cardiff office. Copies of this Scheme will be made available as a free bilingual document from our Cardiff office. We will also produce and make publicly available a bilingual leaflet which summarises the key elements of the Scheme and explains how copies of the full Scheme can be obtained.

## Appendix 1 - Timetable

Actions	Timetable
<p><b>New Policies and initiatives</b></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>This provision will be phased in during the life of the scheme, starting with those policies and initiatives which have the most impact on people in Wales.</p>
<p><b>Service Standards</b></p> <p>2. Equal application of performance standards and service standards regardless of whether performance and/or services are delivered in Welsh or English</p>	<p>Already implemented and ongoing</p>
<p><b>Measures for dealing with the public in Wales</b></p> <p>3. <b>Forms</b> – availability of all forms on disk, website and hard copy in our Forms Masterpack.</p>	<p>Within 6 months of the scheme being adopted we will review the main forms used by the public and prepare a realistic implementation plan.</p>
<p><b>Correspondence</b></p> <p>4. Letters received in Welsh will be answered in Welsh</p>	<p>Already implemented and ongoing.</p>
<p>5. When initiating correspondence in Wales, we will write in Welsh to members of the public who we know prefer to correspond in the Welsh language.</p>	<p>Already implemented and ongoing</p>
<p>6. Circular letters issued to the public in Wales will be bilingual</p>	<p>Already implemented and ongoing</p>
<p><b>Telephone Calls</b></p> <p>7. Answering the telephone with a bilingual greeting</p>	<p>This will be implemented as soon as the policy is adopted.</p>
<p>8. Transferring calls from clients who wish to converse in Welsh to a member of staff who speaks Welsh</p>	<p>Already implemented and ongoing</p>

Actions	Timetable
9. If no Welsh speaking member of staff is available we will give a choice of a Welsh speaking person returning the call, or for the caller to continue the call in English, or to write to us.	Already implemented and ongoing
<p><b>Public Meetings</b></p> <p>10. Members of the public who attend meetings arranged by us in Wales are welcome to speak in Welsh or English.</p>	Already implemented and ongoing
11. Invitation notices publicising such events will be bilingual	Already implemented and ongoing
12. We will provide simultaneous translation facilities when notified in advance that members of the public wish to speak in Welsh	Already implemented and ongoing
<p><b>Personal attendances</b></p> <p>13. Callers to our Cardiff office can ask to see a Welsh speaking member of staff.</p>	Already implemented and ongoing
14. If no Welsh speaking member of staff is available then the caller is given the choice of continuing the conversation in English or arranging an appointment to discuss the matter with a Welsh speaking member of staff or to have an interpreter present.	Already implemented and ongoing
15. On notification that a member of the public wishes to present an appeal in Welsh we will provide a bi-lingual appeal committee or an interpreter.	Already implemented and ongoing
<p><b>Corporate Identity</b></p> <p>16. We will use both the English and Welsh versions of our logo on all bilingual public documents</p>	Already implemented and ongoing
17. Our Cardiff office will use bilingual stationery when dealing with the public in Wales	Already implemented and ongoing

<b>Actions</b>	<b>Timetable</b>
18. Public signs for which we are responsible in and around the Cardiff office and for display at our events and conferences in Wales are bilingual	Already implemented and ongoing
<p><b>Publications</b></p> <p>19. All published materials intended for the public in Wales will be produced bilingually in one document unless the size or complexity of the document dictated the need for separate Welsh and English versions.</p>	Already implemented and ongoing for documents originating in Wales. We will strive to ensure that all other published materials meet this requirement. Within 6 months of the scheme being adopted we will review all publications for the public and prepare an implementation plan.
<p><b>Internet Websites</b></p> <p>20. Community Legal Service Direct Website – will be available in both English and Welsh languages</p>	Already implemented and ongoing
21. Other LSC websites – the Wales pages will be available in both languages. Other pages intended for the public will be available bilingually.	<p>Wales Pages - Already implemented and ongoing</p> <p>Other Pages - Within 6 months of the scheme being adopted we will review the website pages for the public and prepare an implementation plan.</p>
<p><b>Press Notices, Advertising and publicity</b></p> <p>22. Production of bi-lingual press notices to the press and broadcasting media in Wales where the subject matter is of particular interest to the public in Wales.</p>	Already implemented and ongoing
23. Production of bi-lingual advertisements in English language publications with a local circulation in Wales	Already implemented and ongoing
24. Production of Welsh only advertisements in Welsh language publications	Already implemented and ongoing
25. Publicity campaigns in Wales are communicated in Welsh and English	Already implemented and ongoing

Actions	Timetable
26. Exhibits and displays for the public in Wales are bilingual.	Already implemented and ongoing
<p><b>Services delivered on behalf of the LSC by other parties</b></p> <p>27. Any agreement with another public body to jointly deliver a service to the public in Wales will be consistent with the terms of this Welsh Language Scheme</p>	Within 6 months of the scheme being adopted we will review any agreements with other public bodies and prepare an implementation plan which will show how we intend to implement this requirement during the life of the scheme.
<p><b>Recruitment and staffing strategy</b></p> <p>28. Cardiff office to employ a sufficient number of Welsh speaking staff to provide a comprehensive service in Welsh.</p>	Continuous implementation following adoption of the policy.
29. Adopt a linguistic skills strategy that will identify and keep under review, where we need bilingual skills, where staff already possess such skills and where we need to ensure such skills are being developed as suitable training and employment opportunities arise.	During the consultation period for this scheme we will begin the development of a linguistic skills strategy. Within 6 months of the scheme being adopted we will prepare an implementation plan
30. Encourage staff to learn Welsh or improve their Welsh language skills and, where this meets an identified business need, we meet the cost of their training.	Already implemented and ongoing
31. Recruitment advertisements for staff and Legal Services Committee members in Wales based newspapers will be bilingual. This commitment will be followed even if the post to be filled is not one where the ability to speak Welsh is an essential factor. Advertisements in the major UK newspapers will normally be in English.	Already implemented and ongoing

## How to respond

Responses to this consultation should be sent by e-mail, post or fax by the 1<sup>st</sup> of November 2005 to:

Shone Hughes  
Communications Manager  
Legal Services Commission  
Marland House  
Central Square  
Cardiff CF10 4DX

FAX: 029 2064 7171, e-mail: [shone.hughes@legalservices.gov.uk](mailto:shone.hughes@legalservices.gov.uk)

Please note that responses to this consultation may be made public. If you wish your responses to remain confidential, please mark it accordingly. A summary of the responses to the consultation will be available in early 2006. Additional copies of this consultation paper can be obtained by contacting Shone Hughes at the above address, or on the Legal Services Commission website:  
[http://www.legalservices.gov.uk/civil/regions/cardiff\\_information.asp](http://www.legalservices.gov.uk/civil/regions/cardiff_information.asp).