



Legal Aid
Agency

LEGAL AID AGENCY

WELSH LANGUAGE SCHEME

Prepared under the Welsh Language Act 1993

WELSH LANGUAGE SCHEME POLICY STATEMENT

The Legal Aid Agency has adopted 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. This Scheme sets out how the Legal Aid Agency will give effect to that principle when providing services to the public in Wales.

AIMS OF THE POLICY

The aim of the policy is to enable everyone who receives a service from the Legal Aid Agency in Wales, or communicates with it, to do so through the medium of English or Welsh, according to their personal choice.

The Legal Aid Agency's Welsh Language Scheme was approved by the Welsh Language Commissioner on the XXXX.

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

Foreword

The Legal Aid Agency (LAA) administrates legal aid across England and Wales. While the Legal Aid Sentencing and Punishment of Offenders Act 2012 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 Legal Aid Agency Welsh Language Scheme outlines our commitment to the Welsh language when providing services to the public in Wales, which includes members of the legal profession and any particular interest group in Wales to which we provide a service. 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 Commissioner in developing this Scheme and are now pleased to publish the final Scheme that we have adopted.

Matthew Coats
Chief Executive, Legal Aid Agency

Introduction

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

1. The Legal Aid Agency (LAA) was established in April 2013. We are the successor body to the former Legal Services Commission. We are an Executive Agency of The Ministry of Justice, having previously been a non departmental public body.
2. The duties and responsibilities of the LAA are set out in the Legal Aid Sentencing and Punishment of Offenders Act 2012. Our purpose is to administrate both the civil and criminal legal aid systems. We are charged to deliver civil and criminal legal aid.
3. The LAA provides services in England and Wales. The administration of legal aid is not a devolved function.

General principles

New policies and initiatives

4. Legal aid policy is undertaken by the MOJ and covered by that Welsh Language Scheme. The LAA is responsible for implementing such policies. When implementing government policies, or implementing new internal initiatives, we will have full regard to the needs of users of the Welsh language and will be consistent with the measures in this Scheme.
5. We will also assess the linguistic consequences of implementation on the users of our services, promote and facilitate the use of Welsh where possible and implement the principle of equality at every opportunity, so far as is appropriate in the circumstances, reasonably practicable and cost effective.
6. We require staff to consider Welsh language needs at the outset of policy implementation projects in parallel with consideration of Equality Act 2010 duties.

Service standards

7. 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 will be consistent in the standard of services across all our offices, regardless of whether those services are delivered in Welsh or in English.
8. We will participate in justice sector committees and networks to promote the consistency of language use in the justice sector.

Responsibility for, and delivery of, the Scheme

9. The Chief Executive of the LAA has overall responsibility for the operation of this Scheme.

Measures for dealing with the public in Wales

This section is addressed to the users in Wales of LAA services

Forms

10. 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 via our website. We have provided our forms in Welsh as well as English so that your solicitor or legal advisor can select the one most appropriate for you.
11. The Welsh forms are available in a similar design and the same standards as the English versions.
12. All new forms, including electronic forms, intended for the public in Wales will be available bilingually. Both versions will be equally accessible and it will be stated in both that the document is also available in the corresponding version.
13. We will also accept English forms completed in Welsh or Welsh forms completed in English.
14. The same service standards will apply for Welsh forms as for English forms.

Correspondence

15. 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.
16. When initiating correspondence in any office that deals with users from Wales, we will write in Welsh to members of the public who we know prefer to correspond in the Welsh language, unless requested otherwise. 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. Any “circular” letters that we issue to the public in Wales will be bilingual.

17. Electronic correspondence will follow the same principles as above and the contact details of staff based in the Cardiff office on all electronic messages will be bilingual.

Telephone calls

18. We have a Welsh Language Contact Point that deals with Welsh Language enquiries from people in Wales. If you telephone our Welsh Language Contact Point or our Wales office, you are welcome to use the Welsh Language. The telephone number is 0845 6099989.
19. If you telephone our Welsh Language Contact Point or our Wales office, we will answer the phone with a bilingual greeting.
20. 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.
21. Outside business hours, the message on the answerphone at our Welsh Language Contact Point and the Wales office will be bilingual.

Public meetings

22. 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 we will invite you to notify us in advance if you wish to use Welsh or English. We will provide translation facilities which will normally be by simultaneous interpretation.
23. This scheme does not cover technical training events.

Personal attendances

24. 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 Wales 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.
25. Most appeals are dealt with by a paper review but, if exceptionally, you are attending any of our offices that deal with the people of Wales 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 use our best endeavours to provide a bilingual appeal committee. Where that is not possible instantaneous translation facilities will be provided.
26. We will issue internal guidance 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.
27. We will record and share language choice with other agencies in the justice sector at the earliest opportunity where appropriate and where confidentiality provisions permit.
28. We will periodically review our bilingual services to identify what additional bilingual services we should provide and, where it is reasonable to do so, we will implement those services.

Corporate identity

29. We have a Welsh language version of our logo. Our office in Wales will use bilingual stationery when dealing with people in Wales.

30. Public signs for which we are responsible in and around our Wales office, and for display at our conferences etc, are bilingual.
31. 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

32. All materials intended for the public in Wales will be produced in Welsh and English. 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 Welsh and English production than our policy publications which are intended for a smaller audience.
33. This Scheme does not cover technical documents, contracts, technical guidance, invitations to tender and similar publications (for example, consultation documents) where circulation is limited to the technical community e.g. solicitors, legal advisors and their representative bodies.

Internet Website

34. The LAA no longer has an independent website. From August 2014, LAA information will reside on the GOV.uk website, which is managed by the Cabinet website. We will work with GOV.uk to provide all documents of interest to the public in Wales in both English and Welsh for publication on this site.

Press notices, advertising and publicity

35. 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. To support this, we have several Welsh speakers available to represent the LAA in interviews with the Welsh media. We will also place bilingual copies of any press

notice that we issue on the Wales pages of the LAA website to reach a wider audience of Welsh speakers.

36. 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.

37. All our publicity campaigns that 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 LAA by other parties

38. 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.

39. We have included terms in our contracts with third parties to ensure that legally aided clients receive the same standard of service regardless of language choice. Where Welsh language legislation covers a funded organisation, such organisation will provide its services in accordance with its own Scheme.

Working in Partnership

40. Since becoming the Legal Aid Agency our functions no longer require partnership working or joint commissioning. Should this change in the future, if the LAA is the strategic and financial leader within a formal partnership, we will ensure that any public service aspects comply with this scheme. Where another organisation leads a formal partnership, the LAA input to the partnership will comply with this scheme and we will encourage the other partners to comply.

Recruitment and staffing strategy

41. We employ a sufficient number of Welsh speaking staff to provide the services described in this Scheme including dedicated frontline case workers and are committed to providing this resource on a continuing basis. We will review staffing levels annually as part of our annual report.
42. 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.
43. We encourage our staff to learn Welsh or improve their Welsh language skills through our learning and development procedures and, where this meets an identified business need, we meet the cost of their training.
44. We will develop the ability of our Welsh speaking staff to operate in Welsh by providing vocational training in Welsh, whenever appropriate.
45. Recruitment advertisements for staff form part of the MoJ process and are covered by the MoJ Welsh Language Scheme.
46. We will ensure that all new staff, regardless of the location of their office, will receive an overview of the Welsh Language Scheme as part of their induction.

Implementing, monitoring and publishing this Scheme

47. A timetable for giving effect to the measures in this Scheme is at Appendix 1.
48. This Scheme will be monitored on an ongoing basis by the LAA and a bilingual Report on our performance in implementing and delivering this Scheme will be produced annually, available publicly on the Justice website and copied to the Welsh Language Commissioner.
49. We will monitor our performance against specific performance indicators agreed with the Welsh Language Commissioner, namely, in relation to our frontline services, services delivered on our behalf through our providers, language training, IT and complaints.
50. Any complaint about our services in Welsh should be addressed to WLScomplaints@legalaid.gsi.gov.uk or telephoned to us on 0845 6099989. 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 Commissioner.
51. 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 49 above.
52. This Scheme, *once approved and adopted*, will be made available on the Justice website. We will also produce and make publicly available a bilingual leaflet which summarises the key elements of the Scheme. We will also comply with any guidance issued by the Welsh Language Commissioner on how to publicise the Scheme.

Appendix 1 - Timetable

Actions	Timetable
<p><u>Measures for dealing with the public in Wales (para. 26 & 28)</u></p> <p>1. We will issue internal guidance 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</p> <p>2. We will periodically review our bilingual services to identify what additional bilingual services we should provide and, where it is reasonable to do so, we will implement those services.</p>	<p>Guidance will be made available to staff within 6 months of the implementation of this scheme.</p> <p>We will incorporate this review as part of our annual reporting to the Welsh Language Commissioner.</p>
<p><u>Publications (para. 32)</u></p> <p>3. All published materials intended for the public in Wales will be produced bilingually.</p>	<p>We will ensure that published materials meet this requirement.</p>

Actions	Timetable
<p><u>Implementing, monitoring and publishing this Scheme (para. 47)</u></p> <p>4. This Scheme will be monitored on an ongoing basis by the LAA and a bilingual Report on our performance in implementing and delivering this Scheme will be produced annually, available publicly on the Justice website and copied to the Welsh Language Commissioner.</p> <p>5. We will produce and make publicly available a bilingual leaflet which summarises the key elements of the Scheme</p>	<p>We will report annually to the Welsh Language Commissioner's office in line with their agreed reporting standards.</p> <p>To be produced at the time of launch of the approved scheme.</p>