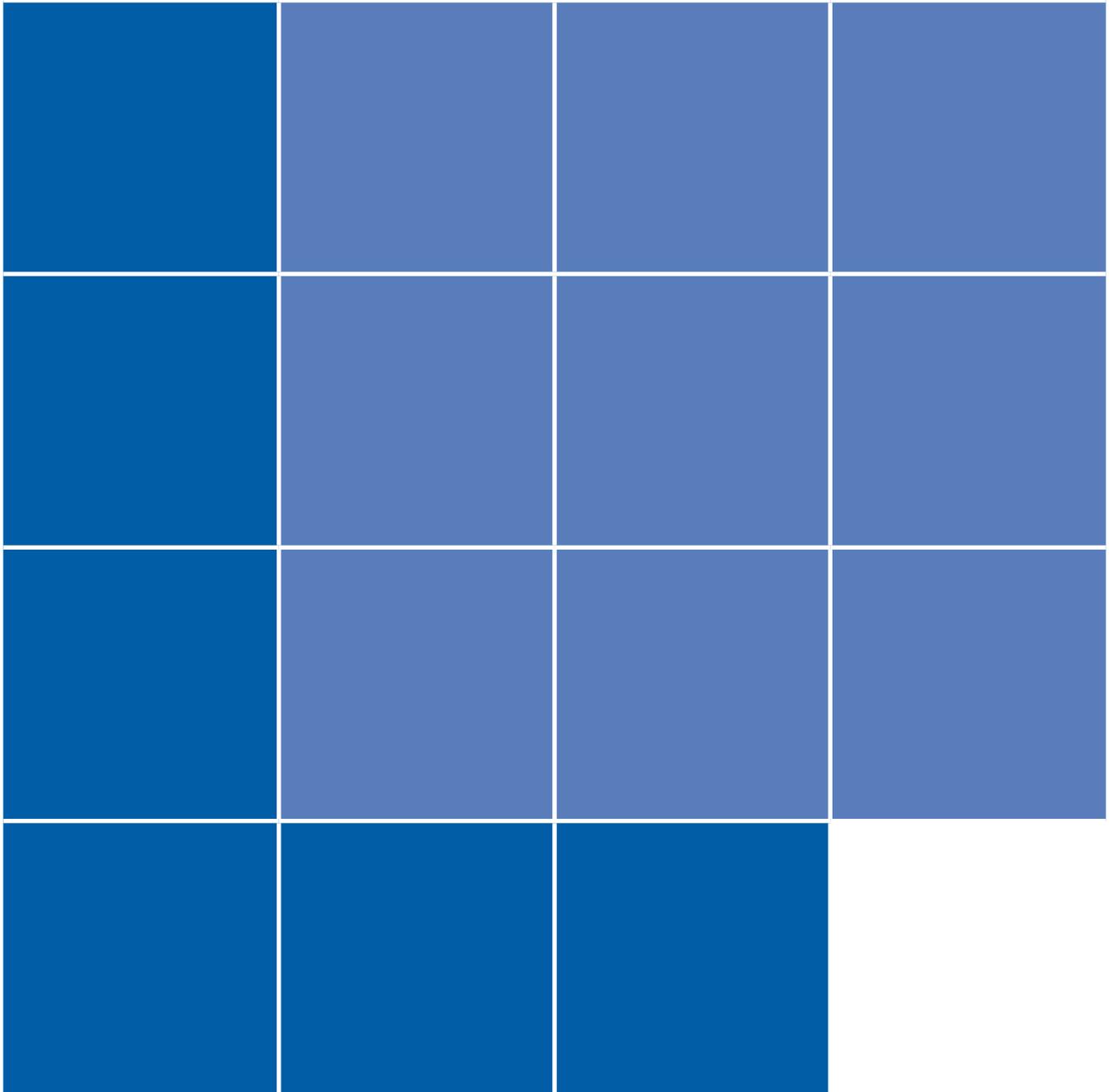




Legal Aid
Agency



Welsh Language Scheme Report 2015/16

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Introduction

1. This is the Legal Aid Agency's report on the operation of its Welsh Language Scheme based on activities undertaken for the period April 2015 to March 2016.
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

Transfer of Grant

3. In our last report we mentioned that we had successfully transitioned the processing of criminal legal aid applications from HMCTS to the Legal Aid Agency. As part of the transfer, we introduced an online Welsh language application form to ensure that our clients could continue to apply for Criminal Legal Aid in Welsh and receive all related correspondence in Welsh if they choose to. In the last 12 months we have received 47 applications in Welsh.

Tenders

4. 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

5. All published materials intended for the public in Wales are produced bilingually. These include the Legal Aid Agency's Annual Report 2015-16 and the Director of Legal Aid Casework Report 2015-16.

Performance Indicators

PI 1 Frontline Services

Bilingual Staff

6. We currently have two bilingual members of staff and one advanced learner dedicated to our Welsh language services. We have also appointed a new Operations Manager for the Cardiff office who is also an advanced learner. This amounts to 20% 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.

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

Telephone calls

8. We maintain monthly logs of the telephone calls that we receive on the Welsh language telephone line. From April 2015 to the end of March 2016, we received 264 calls, a decrease of 44% of calls received in the previous 12 months.

This reduction is likely to be due to 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. 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 corresponding reduction in calls to the English language telephone service of 18%. It is not known why there is a greater drop in Welsh language calls. 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. Our Contract Managers actively promote the service as part of their annual provider activities. The majority of users are contracted providers who have an obligation to promote the Welsh language service offered as part of that contract.

PI 2 Providing Services through Third Parties

Contract management

10. 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 within 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.

11. Additionally, we continue to fund telephone advice through Civil Legal Advice contracts. Clients accessing this service are able to speak to Welsh speaking operators.

Clients

12. For those clients accessing Civil Legal Advice (CLA), which is a national telephone advice line service providing specialist legal advice in Debt, Education, Housing, Family and Discrimination, MoJ Translation Framework (Language Line) is available to facilitate the delivery of Welsh language services where requested.

13. The LAA's 'Check if you can get legal aid' digital on-line 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.
14. 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

15. All staff are allocated time for training and development. Two members of staff who were pursuing Welsh language training provided by Her Majesty's Court Service (HMCTS) to improve Welsh language skills have recently left the organisation. 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 will 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. If an individual wishes to develop skills in Welsh we would identify suitable courses to meet that need.

PI 4 Information Technology

16. Our IT system for civil legal aid matters has been rolled out to 1600 legal aid providers. Correspondence and any declarations requiring the client's signature are available in Welsh.

PI 5 Administering the Scheme

17. We received one complaint about our Welsh language services during 2015/16. This was in relation to the 'Invitation to Tender for 2015 Duty Provider Crime Contracts'. On behalf of the Welsh Language Commissioner, Ffreuer Owen's email dated 17 November 2015, confirmed that our invitation to tender did comply with the requirements of the Welsh language Scheme and the complaint was closed.

Conclusion

18. 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
Chief Executive, Legal Aid Agency