



LEGAL SERVICES
BOARD

Welsh Language Scheme

*Summary of all responses to the 2010
consultation paper and the LSB's response*

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Introduction

On 21 May 2010 the Legal Services Board (LSB) launched a 12 week consultation paper proposing its Welsh Language Scheme. This paper summarises the responses received and any amendments consequently proposed to the Scheme.

The document was sent to all the approved regulators (ARs), consumer and citizen groups, professional/representative groups, other regulators, Ministers, Government departments, a variety of Parliamentarians and other interested individuals. Specifically we also targeted Government, legal and consumer organisations in Wales.

In addition we publicised the Consultation by placing a bilingual advert in the Western Mail on the 22 May 2010. The draft Scheme was also placed on our website in line with LSB practice.

Our aim, as always was to encourage comment and discussion from our stakeholders and the wider public.

1 The responses

- 1.1 The consultation closed on 16 August 2010 by which time we had received three responses, the respondents are listed in Annex A.
- 1.2 During the consultation exercise we piloted the Scheme by applying it to an Open Forum event that was held in Cardiff and also analysed the estimated cost of operating the Scheme based on documents that were published in 2009/2010. The outcome of these exercises were considered alongside the responses to ascertain whether amendments were required.
- 1.3 The draft Welsh Language Scheme consultation document did not ask any specific questions – rather it welcomed views and comments on each policy proposal. The following key points have been drawn from an analysis of the responses:
 - No respondents were opposed to the Scheme.
 - Two organisations had no comments on the Scheme other than to support it.
 - One organisation made suggestions as to changes to the Scheme.
 - No responses were received in Welsh
 - No responses were received from individual members of the public.

- 1.4 Overall the respondents were supportive of the approach outlined in the scheme. A summary of the responses and the LSB's comments is shown below:

Welsh
Assembly
Government

The response centred mostly on points of clarification or drafting queries. A query was raised about our proposed approach to receiving calls in Welsh and whether not holding one-to-one meetings in London in Welsh, or advertising posts in Welsh adhered with our duty to treat the two languages equally.

The LSB will address the drafting points raised in line with our own publications policy and where it is felt that the comments are helpful.

In terms of our location and the scope of our business it is felt to be neither appropriate to the circumstances or reasonably practicable to offer a Welsh Language telephone service, face to face meetings in London in Welsh or to advertise jobs in Welsh.

The Law
Society

The respondent had no substantive comments but wanted to know what estimate the LSB had made of the cost of implementing the scheme and operating it each year.

A response was provided to the Law Society regarding the specific query. This point is addressed in paragraph 3.

Solicitors
Regulation
Authority

Overall the SRA agreed with the proposed approach which they saw as in line with their approach. They specifically endorsed our commitment to translating on request and ensuring that we remove barriers to Approved Regulators delivering service to the public in Wales.

2 Conclusion

- 2.1 The LSB appreciates those persons and organisations who took time to provide responses, which have been helpful. Amendments will be made to the Scheme as outlined in Section 1.

- 2.2 The LSB have also considered the following areas in deciding whether amendments were required to the scheme. These are:
- i. The actual cost of applying the Welsh Language Scheme to an event held in Cardiff.
 - ii. The estimated cost of operating the Scheme based on documents that were published in 2009/2010, and following an assessment of all publications against the criteria outlined in Annex A.
- 2.3 Providing Welsh translations for the Cardiff event increased the final cost by 22% (£476 out of £2210). The LSB is committed to the principles of paragraph 4.3.1 of the Scheme, however some refinement will be undertaken to ensure that Welsh translation and interpretation is only carried out where there is a stated need. Notice will need to be provided by attendees two weeks prior to the public meeting, to ensure that there is sufficient time for translation and interpreter facilities to be organised if required. This will be made clear when the event is publicised.
- 2.4 The estimated cost of operating the Scheme, based on documents that were published in 2009/2010 was £6500. This is based on the cost of translating two ABS consultation documents (14 May 2009 – *Wider Access, Better Value, Strong Protection: Discussion paper on developing a regulatory regime for alternative business structures* and 18 November 2009 – *Alternative business structures: approaches to licensing*) and the corresponding LSB responses. This is a disproportionate burden on the LSB in comparison to the cost of running a consultation in English, which does not carry an additional cost. This issue will be addressed in two areas of the Scheme:
- In paragraph 4.5 the LSB will state that for consultation documents or reports, meeting the criteria in Annex A of the Scheme, the whole document or Executive Summary will be produced in Welsh or bilingually and that the Executive Summary of the consultation response will also be provided in Welsh or bilingually.
 - Annex A of the Scheme will make clear that a consultation document should be translated into Welsh if the subject matter relates to the *direct* provision of services in Wales.

3 Annex A - Respondents

Written responses were received from:

Mike Miller - Welsh Assembly Government

Russell Wallman, Director of Government Relations - The Law Society

Richard Silver, Policy Officer, SRA