

## **Council, 4 December 2012**

# **Annual report on implementation of the Welsh Language Scheme**

## **Executive summary and recommendations**

### **Introduction**

We launched our Welsh Language Scheme in 2011. The Scheme sets out the actions we will take to ensure that we treat English and Welsh equally when conducting business in Wales.

Part of the Scheme includes the requirement to produce annual implementation reports. The first of these implementation reports is enclosed.

We have also updated our Scheme to reflect our new name and new responsibilities for regulating social workers in England.

The Welsh Language Commissioner recently held a consultation on standards for providing services in Welsh. These standards will replace the requirement to produce Schemes. However, the work already carried out to implement the Scheme will help us to meet the new standards.

After the Council meeting, we will send copies of the Scheme and the implementation report to the Welsh Language Commissioner, for their information and to ask the Commissioner to agree the new Scheme.

### **Decision**

This paper is to note, no decision is required.

### **Background information**

The Council considered the final version of the Scheme at its meeting in October 2011: <http://www.hcpc-uk.org/aboutus/committees/archive/index.asp?id=538> (enclosure 15).

### **Resource implications**

The resource implications of implementing the Scheme are included by Departments within annual workplans as appropriate.

### **Financial implications**

The financial implications of implementing the Scheme are included by Departments within annual budgets as appropriate.

## **Appendices**

None

## **Date of paper**

22 November 2012

# Annual report on implementation of the Welsh Language Scheme

## 1. Background

- 1.1 The Health and Care Professions Council launched its Welsh Language Scheme in 2011. This report is the first report setting out the actions we have taken to implement the Scheme.
- 1.2 The Health and Care Professions Council has adopted the principle that in the conduct of public business in Wales, it will treat the English and Welsh languages on a basis of equality. The Scheme sets out how the Health and Care Professions Council will give effect to that principle when providing services to the public in Wales.
- 1.3 We are aware that the Welsh Government is in the process of developing standards for services in Welsh. These standards will replace the requirement to produce Schemes. However, we have continued to work to implement the Scheme to meet our commitment to treat English and Welsh equally when conducting public business in Wales. In addition, we believe that the work we have done already will help us to meet the new standards.

## 2. Implementation of the Scheme

- 2.1 We have set out below the actions we have taken to implement the Scheme. These are grouped under the relevant section headings from the Scheme.

### Service planning and delivery

- We have revised the whole Scheme to reflect our new name and responsibilities in regulating social workers in England
- We are currently reviewing our customer service standards (including responding to complaints) to reflect our commitments under the Scheme

### Communicating with the Welsh speaking public

- We have made amendments to departmental email addresses to make clear that correspondence is welcome in English and Welsh
- We have not yet received any requests to correspond only in Welsh
- We recently conducted a bilingual mailing to 250 GP waiting rooms and all Community Health Councils in Wales with information on the HCPC
- We have not conducted any public meetings in Wales this year
- We have revised and expanded the Welsh language section of our website to provide more information to the public about our role, our standards and our Scheme

## **The organisation's public face**

- We have developed a new bilingual identity to reflect our new name
- Our bilingual identity is now available on public facing information and headed paper
- We have published on our website Welsh language versions of the following publications:
  - Who regulates health and care professionals?
  - The standards of conduct, performance and ethics
  - Guidance on health and character for students
  - CPD and your registration
  - How to raise a concern
- We have not yet released any press releases in Welsh or conducted any public advertising in Wales

## **Fitness to practise hearings**

- To date, no one involved in fitness to practise case management or in a hearing has asked to use Welsh

## **Implementing and monitoring the Scheme**

- All employees received training on our Scheme at an all staff meeting
- We have not recruited for any posts that require Welsh language skills
- There were no new contracts entered into with third parties for the provision of services to, or affecting, the public in Wales
- We will continue to monitor the Scheme and are pleased to say that we have received some positive feedback about the Scheme (please see [www.cot.co.uk/hpc/hpc-conduct-business-english-and-welsh](http://www.cot.co.uk/hpc/hpc-conduct-business-english-and-welsh))

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**The Health and Care Professions Council**

**Welsh Language Scheme prepared under the Welsh  
Language Act 1993**

## **The Health and Care Professions Council Welsh Language Scheme**

The Welsh Language Scheme of the Health and Care Professions Council received the approval of the Welsh Language Board under Section 14(1) of the Welsh Language Act 1993 on 2 September 2011.<sup>1</sup>

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<sup>1</sup> The Health and Care Professions Council was previously known as the Health Professions Council. This Welsh Language Scheme has been updated to reflect the HCPC's new name and its new remit in regulating social workers. However, the updated Scheme has not yet been approved by the Welsh Language Commissioner.

## **Principle of equality**

The Health and Care Professions Council is committed to fulfilling its obligations under the Welsh Language Act 1993.

The Health and Care Professions Council has adopted the principle that in the conduct of public business in Wales, it will treat the English and Welsh languages on a basis of equality.

This Scheme sets out how the Health and Care Professions Council will give effect to that principle when providing services to the public in Wales.

# 1. Introduction

## About the Health and Care Professions Council (HCPC)

- 1.1 The Health and Care Professions Council (HCPC) adopts the principle that in the conduct of public business in Wales, it will treat the English and Welsh languages on the basis of equality. This Scheme sets out how the HCPC intends to give effect to that principle when providing services to the public in Wales.
- 1.2 The HCPC is a statutory UK-wide regulator, and was set up to protect the public. To do this, the HCPC keeps a register of health and care professionals who meet its standards for their training, professional skills, behaviour and health. The HCPC was previously known as the Health Professions Council.
- 1.3 Professionals on the HCPC's Register are called 'registrants' and there are approximately 300,000 on the Register, from 16 different professions.
  - Arts therapists
  - Biomedical scientists
  - Chiropodists / podiatrists
  - Clinical scientists
  - Dietitians
  - Hearing aid dispensers
  - Occupational therapists
  - Operating department practitioners
  - Orthoptists
  - Paramedics
  - Physiotherapists
  - Practitioner psychologists
  - Prosthetists / orthotists
  - Radiographers
  - Social workers in England
  - Speech and language therapists
- 1.4 The HCPC may regulate other professions in the future. An up-to-date list of the professions it regulates can be found at [www.hcpc-uk.org](http://www.hcpc-uk.org)
- 1.5 Each of these professions has a 'protected title' (protected titles include titles like 'physiotherapist' and 'dietitian'). Anyone who uses one of these titles must be on the HCPC's Register. Anyone who uses a protected title who is not registered with the HCPC is breaking the law and could be prosecuted.
- 1.6 The Register is available on the HCPC's website for anyone to search, so that they can check that their professional is registered.
- 1.7 Members of the public can raise concerns about a registrant's conduct or competence. The HCPC can look at these concerns as part of its role in protecting the public. It looks at all concerns raised, to decide whether it is necessary to take action. The HCPC may hold a hearing to consider the case and the concerns raised.



1.8 The HCPC is currently based at Park House, 184 Kennington Park Road, London, SE11 4BU and employs over 100 members of staff. It does not anticipate that it will have an office in Wales in the near future. However, the HCPC intends to follow the Act as the HCPC is a UK wide regulator.

## **How we are run**

- 1.9 The HCPC was created by a piece of legislation called the Health and Social Work Professions Order 2001. This sets out its role and gives the HCPC its legal power. The HCPC has a Council which sets the strategy and policy, and makes sure that the HCPC carries out its role.
- 1.10 Professionals must register with the HCPC before they can use one of the protected titles for their profession. This means that even if they have completed a course in, for example, physiotherapy, they would still not be able to call themselves a 'physiotherapist' unless they were registered with the HCPC.

## **Our role**

1.11 The HCPC has four main functions. It:

- sets standards which applicants and registrants must meet;
- approves education programmes which meet its standards;
- registers individuals who meet those standards; and
- takes action against individuals on its Register who do not meet those standards.

## **2. Service planning and delivery**

- 2.1 The HCPC acknowledges the importance of providing a service in the preferred language of the customer as part of a quality service and recognises the culture and linguistic needs of the Welsh speaking public. The HCPC is fully committed to the principle that the English and Welsh languages will be treated on the basis of equality.

### **New policies and initiatives**

- 2.2 An assessment will be made of the likely impact of any new policy or proposal on the Welsh Language Scheme. The ability of others to provide services in Welsh will also be considered.
- 2.3 In addition:
- Employees involved in developing HCPC policy will be made aware of the Welsh Language Scheme and our responsibilities under the Welsh Language Act 1993. Training will also familiarise them with the implementation, reporting and evaluation plans for the Scheme.
  - The Council will ensure that new policies and initiatives will be consistent with the Scheme and not undermine it.
  - The Council will oversee the formulation, implementation and on-going monitoring of the HCPC Welsh Language Scheme.
- 2.4 The HCPC will publish and distribute internal guidelines describing the measures necessary to implement the Scheme.
- 2.5 The HCPC will consult with the Welsh Language Board in advance regarding proposals which will affect the Scheme.
- 2.6 The Scheme will not be altered without approval from the Welsh Language Board.

### **Delivery of service**

- 2.7 The HCPC is committed to the delivery of a bilingual service in accordance with the contents of the Scheme.

### **The standards of service in Welsh**

- 2.8 The HCPC is committed to providing an equally high service in Wales in both the Welsh and English languages. This will be stated on the HCPC website and in key documents such as our annual report.

### **Supporting measures**

- 2.9 HCPC will include details of the standards of service with regard to providing a Welsh Language Service in its annual report and on its website.

### **3. Communicating with the Welsh speaking public**

- 3.1 The role of the Health and Care Professions Council is to protect the health and well being of people using the services of its registrants across the UK.

#### **Public access to the HCPC**

- 3.2 In delivering its services in accordance with the contents of the Scheme, the HCPC will give priority to the areas of operation where contact with service users and the public is greatest.
- 3.3 The HCPC is committed to offering services to the public in the language or format of their choice.
- 3.4 In order to achieve this, the HCPC will:
- establish the language of choice of the stakeholder at an early stage;
  - arrange for services to be provided directly or through interpretation in the language of choice;
  - ensure that all HCPC employees are aware of the HCPC's Welsh Language Scheme and how communication in Welsh will be handled and by whom; and
  - publicise clearly the availability of services in Welsh.
- 3.5 The following section deals with specific examples of where the Scheme would be implemented.

#### **Written and telephone communication**

- 3.6 The HCPC is committed to being able to deal with written enquiries in either Welsh or English. This will be stated clearly on any communications intended for distribution or use in Wales. The phrase 'Correspondence is welcome in English or Welsh/Gallwch ohebu yn Gymraeg neu Saesneg' will be included at the foot of headed notepaper and email signatures. Letters or emails in Welsh will be answered with a signed reply in Welsh and within the same service levels as correspondence in English.
- 3.7 For correspondence received in English, HCPC will automatically reply in English unless otherwise requested.
- 3.8 For written communications sent to more than one member of the public, where that written communication is sent to individuals in Wales, then this information will be provided in both English and Welsh.
- 3.9 As the HCPC's office is in London, the HCPC has no Welsh speaking employees at present. It therefore cannot deal with Welsh language calls at the moment. The HCPC will offer the caller the option of continuing the call in English or of putting the query in writing.

- 3.10 The HCPC will publish guidelines on dealing with written and telephone communications in Welsh, and ensure that all employees are aware of the relevant protocol.
- 3.11 The HCPC will monitor the demand for provision to ensure that the option of being able to receive and deal with calls in Welsh from the outset will be considered.

## **Public meetings**

- 3.12 Notices of public meetings in Wales will be bilingual. Such notices will make it clear that the public will be welcome to speak in Welsh or English. All public meetings in Wales will have Welsh/English interpreters present to allow for the asking and answering of questions in either language. For fitness to practise proceedings held in Wales, please see the separate section below.
- 3.13 The HCPC will provide guidance for the chair of the meeting on offering a choice of language.
- 3.14 Papers and agendas will be produced bilingually for public meetings held in Wales. The HCPC will also use public facing exhibition stand materials and display materials in Welsh and English or bilingually.

## **Translation**

- 3.15 The HCPC already uses Welsh language translators to ensure a high quality of service to our Welsh speakers. The HCPC gives a commitment to continue doing so.

## **HCPC website**

- 3.16 The HCPC publishes Welsh pages that explain the key functions of the HCPC and how to complain on our website. These are:
- About us
  - How to contact us
  - Standards
  - Our Register
  - Raising a concern
  - Welsh Language Scheme
- 3.17 Press releases where specific to a Welsh audience will be made available via the website press room in Welsh.
- 3.18 Welsh translations of HCPC publications are published on the website.
- 3.19 We are committed to increasing the bilingual provision and accessibility of our website and will continually revise and update content to this purpose.

## **4. The organisation's public face**

### **Corporate identity**

- 4.1 The government has recently indicated that the HCPC's name will change once it takes responsibility for regulating social workers in England. The HCPC will develop a bilingual corporate identity once its new name is known, in line with the organisation's rebranding.

### **Publications**

- 4.2 The HCPC issues publications for a variety of purposes. The following will be available in both Welsh and English:

- Press releases (where these relate to specific issues in Wales)
- Who regulates health professionals? (leaflet about health regulation)
- How to raise a concern

Any future publications and information for the public will be published bilingually in Welsh and English.

- 4.3 Standards, guidance and other technical or specialised material aimed at professionals and not directly at the public will be in English. However, a translation will be available on request.
- 4.4 All new publications which need to be presented bilingually in Welsh and English will be presented in a single bilingual publication.
- 4.5 All HCPC documents are available free of charge. However, if in the future there is a cost attached to a publication, the English and Welsh copies or the bilingual copies of the publication will be the same price.

### **Press notices**

- 4.6 The HCPC will issue bilingual press releases and statements to the media in Wales where they relate to Wales issues. Translations at press conferences in Wales will be provided for journalists.
- 4.7 There may be times when it is not possible to organise translation of an urgent press release before issuing it, where this occurs a translation will be arranged as soon as possible.

### **Public advertising**

- 4.8 The HCPC will conduct public advertising and publicity campaigns in Wales in a way that treats the two languages on a basis of equality. Specifically the HCPC will ensure advertising specific to Wales is produced bilingually in the following media:

- Public transport advertising (where the public transport is exclusive to Wales)
- Billboard advertising (where the billboard site is in Wales)
- Magazine/newspaper advertising (where the publication is intended for a Welsh audience only or is a Welsh edition)

4.9 The HCPC will ensure any public advertising produced for Wales conforms to the guidance produced by the Welsh Language Board.

## **5. Fitness to practise**

- 5.1 The HCPC's fitness to practise proceedings are a key part of its role in protecting the public. This section sets out the Health and Care Professions Council's support for the principle in the Welsh Language Act 1993 that, in the administration of justice in Wales, the English and Welsh languages should be treated on the basis of equality.
- 5.2 It should be noted that the arrangements set out in this Scheme only apply to fitness to practise and appeal proceedings which take place in Wales.

### **Background**

- 5.3 Article 22(7) of the Health Professions Order 2001 provides that fitness to practise hearings and related preliminary meetings must take place in the UK country in which the registrant is situated. Consequently, if a registrant's registered address is in Wales, then any hearing or preliminary meeting must take place in Wales. In addition, a hearing of a registration appeal must also take place in Wales if the appellant resides there.
- 5.4 Fitness to practise hearings are heard by a panel of three people which includes registrant and lay members. When making decisions about the make up of panels it is important that one member of the panel is from the same profession as the registrant. Some of these professions are relatively small in size. It is therefore important that the HCPC is given notice when registrants or complainants wish to conduct a hearing in Welsh so that the appropriate arrangements can be made.
- 5.5 This Scheme sets out the arrangements which HCPC has established to ensure that the principle enshrined in the Welsh Language Act 1993 is honoured and proceedings in Welsh are conducted fairly and managed effectively.

### **Case management**

- 5.6 In order to ensure that the appropriate support is available for the conduct of proceedings in Welsh, the parties or those representing them will be encouraged to inform the Council as soon as possible of their wish to use the Welsh language.
- 5.7 When it is possible that Welsh may be used by any party or witness or in any document which may be placed before the panel, the parties or their representatives will be encouraged to tell the HCPC of that fact as soon as possible so that appropriate arrangements can be made for the management of the case.
- 5.8 The provision of this information should not be delayed because a party does not have definitive information or details about the use of Welsh in the proceedings.
- 5.9 An indication at the earliest stage that Welsh may be used in the proceedings will help in managing the case more effectively. However, once more detailed

information becomes available it should be passed on to the Council. This includes details of:

- any person wishing to give oral evidence in Welsh; and
- any documents or records in Welsh which that party expects to use.

### **Preliminary meetings**

- 5.10 At any preliminary meeting which it holds, the Panel will take the opportunity to consider whether it should give directions for the management of the case. This includes offering a choice of language to the parties or representatives.
- 5.11 To assist the panel, the parties or their representatives should draw attention to the possibility of Welsh being used in the proceedings, even where this information has already been provided to the HCPC.
- 5.12 In any case where a party has already informed the HCPC that Welsh may be used in the proceedings, wherever possible, this should be confirmed or not (as the case may be) at the preliminary meeting.

### **Interpreters**

- 5.13 If an interpreter is needed to translate evidence from English to Welsh or from Welsh to English, the panel will appoint an interpreter. Wherever possible, and unless the nature of the case calls for some other form of linguistic expertise, interpreters will be drawn from the list of interpreters approved by the Courts.

### **Oaths and affirmations**

- 5.14 When witnesses are called during hearings, the hearings officer administering the oath or affirmation will inform them that they may choose to be sworn or affirm in Welsh or English.



## **6. Implementing and monitoring the Scheme**

### **Employees and their responsibility**

- 6.1 Whilst ultimate responsibility for the provision of services in Welsh rests with the Chief Executive, the Policy Manager will oversee the day-to-day implementation of the Scheme.
- 6.2 The Policy Manager, supported by the Equality and Diversity working group, will ensure that those involved with recruitment and training are made aware of their obligations under the Welsh Language Scheme.
- 6.3 All managers have a responsibility to implement those aspects of the Scheme which are relevant to their departments.
- 6.4 To ensure the effectiveness of our Welsh Language Scheme, employees will be advised of the requirements of our Scheme and the implications it will have on day-to-day activities.

### **Vocational training in Welsh**

- 6.5 Any person interacting with the public and wishing to learn Welsh will be encouraged and supported to do so by the HCPC in the context of their overall goals and objectives and those of the organisation.

### **Recruitment in Wales**

- 6.6 The HCPC will identify if there are any posts where the ability to speak Welsh is essential or desirable and identify the level of proficiency required. This will be reflected in job descriptions and person specifications accordingly.
- 6.7 When recruiting employees where fluent Welsh is an essential requirement recruitment adverts will be in Welsh only. Where the requirement is desirable, recruitment adverts appearing in the national press and in the Welsh press will be bilingual.

### **Third party contractors**

- 6.8 All third party contractors will be made aware of the HCPC's Welsh Language Scheme and any specific obligations. Where the work will involve communicating in Wales, any third party contract will include reference to the HCPC's Welsh Language Scheme, and specify the service in Welsh that is required. Particular attention will be drawn to the relevant parts of the Scheme they will be expected to implement.
- 6.10 Performance against contract will be monitored against compliance.

## **Timescales and targets**

6.11 Timescales and targets for implementing our Scheme are identified in our action plan (Appendix A).

## **Monitoring the Scheme**

6.12 HCPC will prepare internal progress reports regarding the implementation of the Scheme and submit them to the monitoring group (the HCPC Council) annually.

6.13 The HCPC will receive an annual compliance report that will:

- measure whether the HCPC is complying with the Scheme;
- measure if the Scheme is being appropriately managed;
- analyse its performance on a departmental and corporate basis, in order to ensure consistency;
- assess and consider key themes in scheme implementation; and
- recognise any fundamental weakness and set up an action plan which will include a timetable to deal with them.

6.14 A copy of this report will be sent to the Welsh Language Board on an annual basis. In the third year of the Scheme's implementation the HCPC will prepare a comprehensive evaluation report that will assess and evaluate performance in implementing the scheme since its inception. This report will:

- provide an overview and thematic analysis of compliance and performance over the first three years of the Scheme( from two perspectives, service delivery and Scheme management); and
- outline priorities for the following three years, together with a revised timetable for implementing the measures in the Scheme.

6.15 After the priorities for the next three years have been identified and a revised timetable produced, the HCPC will revise and update the Welsh Language Scheme.

6.15 A summary report will be posted on the HCPC website.

## **7. Publication of the Scheme**

7.1 The HCPC will publicise its Welsh Language Scheme to the public and other stakeholders by:

- posting on the HCPC website;
- issuing a Press release (bilingual); and
- making all relevant stakeholder groups such as professional bodies, employers and patient associations aware of the Scheme.

### **Improving the Scheme**

7.2 The HCPC welcomes improvements to the Scheme. All comments or suggestions should be addressed to the Policy and Standards Department (Welsh Language Scheme) and will be considered as part of the monitoring process.

7.3 All complaints regarding the implementation of the Scheme will be investigated and the action taken will be highlighted in the annual reports and financial statements published by Council. Complaints will be received in Welsh and in English and will be dealt with in the same timescale.

7.4 Complaints can be sent to the following address:

Customer Services Manager  
Health and Care Professions Council  
184 Kennington Park Road  
London  
SE11 4BU

## Appendix 1: Implementation plan

The timelines given in this implementation plan are based on quarters of the financial year (indicated by Q and then the relevant quarter).

		Timeline	Lead
1	Consult on Welsh Language Scheme for 12 weeks.	Q3 2010	Policy Manager
2	Welsh Language Scheme approved by Council	Q4 2010	Policy Manager
3	Welsh Language Scheme approved by Welsh Language Board	Q2 2011	Policy Manager
4	Publish final Scheme on HCPC website in the Welsh section	Q2 2011	Policy Manager and Web Manager
5	Deliver training to all employees on the Scheme	Q1 2011	Policy Manager
6	Ensure that organisational policies reflect our commitments under the Welsh Language Scheme	From Q2 2011 onwards	Policy Manager with Equality and Diversity working group
7	Include the Welsh Language Scheme in employees induction plans	Q3 2011	Policy Manager and HR Director
8	Work with the Welsh translation agency on standards for translating press releases	Q3 2011	Press and Public Relations Manager
9	Production of bilingual display and public information materials	Q3 2011 onwards	Communications Director to oversee
10	Issue Welsh press releases	Q3 2011 onwards	Press and Public Relations Manager
11	Update Welsh language section of the HCPC website	Q3 2011 onwards	Web Manager
12	Assess and evaluate performance in delivering the Scheme. Provide annual updates.	Q3 2012	Policy Manager with Equality and Diversity working group
13	Review and update the Scheme as part of a 3 year review	Q3 2014	Policy Manager with Equality and Diversity working group