

This report is made in compliance with standards 152, 158, and 164 of the Welsh Standards Compliance Notice issued to the Valuation Tribunal by the Welsh Language Commissioner on 6 November 2017. It is made for the period 1 April 2020 to 31 March 2021.

Original publication and subsequent variation of Compliance Notice

1. The Tribunal's original Compliance Notice was issued to it on 30 September 2016 with an effective date for all standards contained within it (except numbers 99 to 103, 122 and 145) of 30 March 2017. The effective date for the excepted standards just noted was set at 30 September 2017.
2. Following challenges made by the Tribunal, the Commissioner varied the original Compliance Notice by removing standards 64 and 67 altogether and removing the limitations originally placed against standards 65 and 65A. The Commissioner made the determination on 6 November 2017. A copy of the finalised Compliance Notice is available on the Tribunal's website.

How the Tribunal has complied with the different classes of standards imposed upon it

3. The Tribunal has the following classes of standards imposed upon it:
 - Service delivery standards
 - Policy making standards
 - Operational standards
 - Record keeping standards

Service delivery standards

4. As reported last year the Tribunal's ability to deliver a full and immediate response at the first point of contact was compromised at the end of that period as a result of one of its fluent Welsh Language speakers leaving to take up a post with a different organisation. The recruitment of a replacement was then hampered by the impact of the COVID-19 pandemic. A replacement was finally in place in September 2021, together with a further appointment of a high level (non-first language) Welsh speaker).
5. The function of these appointments is not primarily to deliver language services. The organisation is not large enough and does not have sufficient funding to incorporate dedicated Welsh Language roles. Effectively the organisation's funding has been cut year-on-year for the last eight years, and its staffing has been reduced from 21 full-time equivalent officers to 15.8. The staffing is primarily geared to delivering its core service of providing administrative and legal support to the tribunal's membership, which hears and determines rating and council tax appeals. Nevertheless the organisation culturally is continuously aware of its responsibility to deliver its service through the medium of Welsh in the way that it delivers it through the medium of

English. This awareness, however, makes us conscious of our limitations and the difficulties we have in overcoming these limitations. Despite our best efforts in a rare opportunity for us to recruit new staff (ie three Trainee Tribunal Clerks), we only managed to attract 13 candidates out of a field of 54 with high-level Welsh language abilities (ie first language Welsh or near-fluent second language, according to self-assessment on our application form against our published Welsh language skills matrix). All shortlisted candidates had their Welsh language skills and attitudes towards the Welsh language assessed by us at the interview stage. Interestingly, only one candidate completed her application in Welsh, despite our promotion of the importance of Welsh language skills to the organisation. (As an aside, that candidate was eventually appointed, as she also held the basket of other skills that we required.)

6. Despite managing to replace a departing first language Welsh speaker with another first language speaker and also recruiting an additional member of staff with high-level second language skills, the proportion of staff with fluent or near-fluent skills sits at 19 percent (ie 3 out of 15.8) – and so broadly approximates to the balance of skills in the general population within Wales. In pure number terms this is obviously a very small number of people; and so the availability of these individuals when required is severely impacted by normal periods of absence such as annual leave entitlement, sickness leave, training etc. However the proportion of Welsh speakers within the Tribunal's volunteer lay membership is above the national average for Welsh speakers across the general population (ie one third of the members are fluent Welsh speakers [27 out of 78]).
7. The pressure on the availability of Welsh language speakers within the staff has the potential to compromise the Tribunal's telephone response. Callers on our main enquiry line are greeted with an automatic message which allows them to select a Welsh or English language service. Selecting Welsh routes the call directly to the computers of all three fluent Welsh staff wherever they may be, as our telephone service is now fully Cloud based (which was a service shift prompted by the impact of COVID-19 and the instituting of long-term homeworking). However if the call is not answered within 30 seconds, the call switches to an answer-service in which we apologise for not being able to take the call immediately and we undertake to call back as soon as we can. We usually phone back within an hour – and often within a small number of minutes. The answer-service is our preferred compromise, having initially set up the service to switch the call to other staff with a range of Welsh language abilities. A significant number of our Welsh language callers are our own Tribunal members and the feedback from them as regular callers is that they preferred the ring-back scenario to having the initial call re-routed to primarily English speakers – which felt wrong to them, given that a Welsh language option had been selected at the outset. We are conscious that this situation is not ideal and raises questions about equal treatment. With regard to equal treatment, it is the case that if an English caller does not receive an answer within the first 30 seconds, they too are prompted to leave a message for a call back. But as we have more staff available on the English line, this is less likely to happen.
8. Because of the impact of the COVID-19 pandemic the Tribunal needed to shift away from in-person tribunal hearings at physical locations to hearings conducted via video-conferencing technology. The Tribunal, unlike other tribunals in Wales, chose to run its hearings using the Zoom app. One of the considerations for this choice was the availability of the simultaneous translation option within Zoom. However the Tribunal has not yet been in the position where it has had to deploy this option, as it has been able to provide Welsh language hearings with Welsh-speaking members

and clerks in all required cases. Indeed, because video-conferencing technology is not constrained by the participants' location within the country, it has resulted in our Welsh Language offering being broadened and more responsive. It is now easier for us to compose a panel of Welsh Language speakers on a date that is convenient to an appellant, as we can draw on our whole population of Welsh Language speakers wherever they are located.

9. During the year the Tribunal decided to terminate its renting of space in Welsh Governing Buildings in Llandudno Junction and Swansea. The teams located there were extremely small and homeworking arrangements brought on by the impact of the COVID pandemic had proved themselves to be very effective. Consequently the Tribunal now has just one set of premises (in Newport). During the initial COVID lockdown period the Tribunal undertook some significant refurbishment works at this location, which included replacing all signage, both inside and outside the building. This has resulted in all our signage now being bilingual, with Welsh in the most prominent position. Previously the vast majority of signs were bilingual; but there were some old signs in place which were monoglot.

Policy making standards

10. Policy-making is undertaken by the Tribunal's Governing Council (the VTW's governing body). The Governing Council requires the development of all new policies and the revision of current ones to take into account the impact of the policies themselves on the use of the Welsh Language and on opportunities to use the Welsh Language. An annexe noting the Welsh Language considerations the Governing Council has taken into account is added to all new and revised policies, so that it is clear that an assessment of a policy's impact on the use of the Welsh Language, as well as opportunities to promote it, has been undertaken. A small number of policies were revised this year. Although no Welsh Language impacts or opportunities were identified, these were actively considered. The Governing Council is predominantly Welsh-speaking, with three out of its five members being fluent Welsh speakers, and so it is well placed to be alive to these considerations.

Operational standards

11. The language preferences of staff and tribunal members are held on record. Two members of staff (out of 16) and 14 tribunal members (out of 78) have chosen Welsh as their preference for all applicable standards.
12. Welsh Language spell-checking and grammar-checking software is part of the standard workstation build for all members of staff. It is also included as standard on laptops, including additional laptops which were issued at the commencement of the UK COVID-19 lockdown. All VTW staff therefore have continued to have access to these facilities whilst working at home. The Tribunal's bespoke database software also has a switchable language interface, so users can choose to have the application presented to them in Welsh or English. Staff are able to set their default language on their Windows PCs/laptops to Welsh. One member of staff currently chooses to deploy this.
13. The assessment the Welsh Language skills of our staff is as follows: two have been identified as fully proficient, one as very high level, one as high level, six as basic (upper), two as basic (lower), and four as very low or nil. The way in which these

assessments map to the VTW's Welsh Language Skill Levels is shown in the Required Records table in Appendix A below. Appendix B shows the Welsh Language Skill Levels themselves. The Language Skill Levels chart has been slightly modified so that it can be applied now to Tribunal members as well as Tribunal staff. This has been done as the Tribunal is planning to recruit new tribunal members in the next year or two. [For the last few years the Tribunal has been down-sizing its membership]. This means that the Tribunal now has a common scheme across the whole organisation – for both its paid tribunal staff and its unpaid voluntary membership.

14. The tribunal supports all requests for Welsh language training and encourages staff to undertake it. Several staff have pursued this in recent years but have reached a point, as reported last year, where they have decided to stop formal language training for the being. The Tribunal ensures that funding is available every year for anyone who wishes to undertake such training. The Tribunal does not currently pursue mandatory training, but it is looking at requiring the achievement of specified levels of competence within a given timeframe with regard to new recruits if they are not already bilingual. Most notably this is will be applied to any new CEO recruited in the future.
15. The Tribunal continues to have standard bilingual formats for email signatures and Out of Office messages where the Welsh language is likely to be read first. Email signatures indicate whether the sender is a Welsh language speaker or learner, as applicable. Welsh language speakers are encouraged to wear badges and/or lanyards to show that they can converse in the language.

Record keeping standards

16. The Tribunal has compiled the records it is required to compile under the standards applicable to it. Details of the records for the year are shown in Appendix A.

WELSH LANGUAGE STANDARDS - REQUIRED RECORDS

Standard number	Requirement	End of year result												
140	Number of complaints relating to compliance with standards	None												
141	Have copies of written complaints about compliance with standards been retained?	There were no written complaints, and so there are no retained documents.												
142	Have copies of other written complaints relating to the Welsh Language been retained?	There were no other written complaints, and so there are no retained documents.												
143	Is there a record of the steps taken to ensure compliance with the policy making standards?	Yes. A record is placed in an annexe at the end of each new or revised policy.												
144	Number of staff with Welsh Language skills as at the end of the year (and if recorded the relevant skill level)	2 Fully proficient <i>VTW level 5</i> 2 High level <i>VTW level 4</i> 8 Basic <i>VTW level 2</i> 4 Very low or nil <i>VTW level 1</i>												
145	The number (and percentage) of staff who have attended training in Welsh in the following areas: <ul style="list-style-type: none"> Recruitment and interviewing Performance management Complaints and disciplinary procedures Induction Dealing with the public Health and safety 	<table> <tbody> <tr> <td>Recruitment and interviewing</td> <td>None (0%)</td> </tr> <tr> <td>Performance management</td> <td>None (0%)</td> </tr> <tr> <td>Complaints and disciplinary procedures</td> <td>None (0%)</td> </tr> <tr> <td>Induction</td> <td>None (0%)</td> </tr> <tr> <td>Dealing with the public</td> <td>None (0%)</td> </tr> <tr> <td>Health and safety</td> <td>None (0%)</td> </tr> </tbody> </table>	Recruitment and interviewing	None (0%)	Performance management	None (0%)	Complaints and disciplinary procedures	None (0%)	Induction	None (0%)	Dealing with the public	None (0%)	Health and safety	None (0%)
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Dealing with the public	None (0%)													
Health and safety	None (0%)													
147	Number of advertised posts this year? Has a copy of the assessment of the required Welsh Language skills for the post(s) been retained?	None <not applicable>												
148	The number of advertised posts categorised as: <ul style="list-style-type: none"> Welsh skills essential Welsh skills need to be learnt Welsh skills are desirable Welsh skills are not necessary 	<table> <tbody> <tr> <td>0</td> <td>Welsh skills essential</td> </tr> <tr> <td>0</td> <td>Welsh skills need to be learnt</td> </tr> <tr> <td>0</td> <td>Welsh skills are desirable</td> </tr> <tr> <td>0</td> <td>Welsh skills are not necessary</td> </tr> </tbody> </table>	0	Welsh skills essential	0	Welsh skills need to be learnt	0	Welsh skills are desirable	0	Welsh skills are not necessary				
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VTW Welsh Language Skill Levels

Language area	Level 1	Level 2	Level 3	Level 4	Level 5
Listening/Speaking:	Can say Welsh names correctly (including first names, surnames and place names). Can greet tribunal users bilingually and open & close conversations bilingually using simple rehearsed phrases.	Can understand the gist of a conversation in moderately paced Welsh and be able to make an occasional contribution. Can make short basic statements and ask simple questions.	Can understand & take part in Welsh conversations. Can offer responses to queries but may have to use English terms occasionally.	Can contribute effectively in meetings. Can understand different tones & dialect; able to argue for & against an idea or position; able to ask & answer in-depth questions.	Can contribute fluently with confidence on all aspects of the organisation's business and express complex opinions clearly and without hesitation. Can translate effectively for others.
Reading:	Can understand short workplace signs and labels. Can understand other very short written phrases and sometimes very short sentences.	Can understand a significant amount of brief documents given sufficient time and access to language tools.	Can understand most correspondence & other business-oriented material. May have to use language tools for high level or technical vocabulary.	Can understand formal correspondence & short reports.	Can understand complex formal documentation.
Writing:	Can write Welsh place and personal names correctly Can include simple Welsh phrases in messages (eg within emails, texts, post-it notes, etc).	Can write brief messages & emails using simple sentences.	Can write short documents and notes with modest use of language tools.	Can produce grammatically correct, good conversational-style documents and emails etc with occasional use of language tools. Can take good quality notes in meetings.	Can produce formal documentation to a very high standard with minimal use of language tools. Can translate confidently and accurately with appropriate style and tone.