

More Than Just Words: Practice Guidance

Inspecting and reporting on the use of the Welsh language
'Active Offer' in social care and childcare services

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Introduction

This guidance is for inspectors and managers in CIW's three inspection teams and the registration and enforcement team. References to relevant regulations for childcare, RICSA services and local authorities are contained at the end of the guidance.

More than just words: A Strategic Framework for Promoting the Welsh Language in Health, Social Services and Social Care' was published in 2016 by the Deputy Minister for Social Services.

An **independent evaluation of the More than just words framework**

(<https://gov.wales/evaluation-more-just-words>) (External link) was published in 2021 and an updated **More than just words action plan** (<https://gov.wales/more-just-words-welsh-language-plan-health-and-social-care>) (External link) was produced.

Receiving services in Welsh is an integral component of good quality, rights based and person-centred care. Adoption and delivery of More than just words by social care and childcare services should help improve the quality of care and outcomes for people living in a bilingual country. The aim of More than just words is to provide a greater level of recognition among service providers that the use of Welsh language is not just a matter of choice but also a matter of need for many people. Service providers therefore have a responsibility to meet these needs.

A core aim of the framework is to ensure people who need services in Welsh have an 'Active Offer'. This is when a service is provided in Welsh without someone having to ask for it. It means providers naturally anticipate the needs of Welsh speakers. They do not wait for a person to ask for a service in Welsh but incorporate and promote the belief that if you are a Welsh speaker, being able to use your own language has to be seen as a core component of your care and not an optional extra.

We know the term 'active offer' can be confusing for the public and providers. It is clearer to talk/write about promoting Welsh language and culture and we assess how proactively providers and local authorities are doing this, and the actions they are taking.

Making an 'Active Offer' is about creating the right environment where children/people feel empowered and confident their needs will be met. It is the responsibility of everyone who provides care services for people and their families across Wales to deliver the 'Active offer' for people who speak Welsh and to put the person at the core of services.

Providing an Active Offer is about people's rights. When people's communication is improved then their rights are more likely to be respected and protected. This is important in all aspects of daily living but never more so than in challenging times in people's lives such as when they are being assessed under the Mental Capacity Act or moving to a care home, being cared for in a childcare setting or if involved in child protection procedures.

Everyone who works in social care and childcare can make a difference by asking themselves "what can I do to help improve Welsh language provision?".

Small changes can make a big difference.

This doesn't mean everyone has to be fluent in Welsh. Being able to say a few words in Welsh 'dipyn bach yn y Gymraeg' can go a long way – they can include words of comfort or offering a "paned". It doesn't matter how many words of Welsh you have – what matters is that you use it. Even if you don't speak Welsh, a little bit of understanding about the needs of Welsh speakers can go a long way.

The Role of CIW in promoting More than Just words and the 'Active Offer' of the Welsh language

At the point of registration

All care providers should include information on the level of Welsh language service provision in their Statement of Purpose.

During the fit person interview with Responsible Individuals / Persons, they should be asked about their understanding of the Active Offer and how they / the service will promote this. Where we speak with Persons in Charge they should also be encouraged to understand and promote the Active Offer.

When reviewing the performance of local authorities

In all inspection and assurance checks we will review the 'Active Offer'. This means we will consider the evidence gathered during inspections to inform a judgment within the report or letter about the extent to which local authorities are promoting the Welsh language 'Active Offer'. We will only consider this in Improvement Checks if this is identified as an area requiring improvement. We will also consider the 'Active Offer' as part of our ongoing performance and review activity (e.g. Director of Social Services annual meetings and IM engagement).

On inspection of a regulated service

Our inspection frameworks include the need to report on whether a service is providing the Welsh language 'Active offer'.

When planning an inspection, consider the Statement of Purpose, Self Assessment of Service Statement (SASS) or Annual Return - what does it say about the 'Active Offer' of the Welsh Language?

A variety of evidence sources should be considered during inspection. For example, observation, discussion with children/people, families and staff and scrutiny of personal plans or other documentation.

NB. All care providers should include information on the level of Welsh language service provision in their Statement of Purpose. The absence of any consideration of the Welsh language in the Statement of Purpose should be included in the inspection report under the leadership theme.

In addition to the examples below please also refer to **More than just words – Delivering the Active Offer Information Pack** (<https://socialcare.wales/cms-assets/documents/150928activeoffersocialservicesen.pdf>) (External link) which has examples of 'What does implementing the Active Offer look like'.

Please note there is no expectation that providers need to do all listed below to be working towards/providing the 'Active Offer'.

Delivering the 'Active Offer' can be achieved in many different ways and does not need to be costly. It may be challenging in some areas due to a shortage of Welsh speakers, but non Welsh-speakers also have a role to play in delivering the 'Active Offer'.

It is important to acknowledge providers efforts and take into account local circumstances. We need to be proportionate and reasonable.

Examples for themes

Well-being

- Children engage freely with their friends and practitioners in English and Welsh
- Although the nursery is an English language setting there were children present who spoke Welsh as their first language. These children were encouraged to speak Welsh and supported by practitioners to do so
- People experience enhanced well-being because their Welsh language needs are understood and catered for

- This is a bilingual service where staff spoke interchangeably with people in Welsh and English depending on individual needs

Care and Development/Support

- People / children are cared for by staff who can meet their Welsh language needs.
- Assessments, care documentation and policies for example, are available in both Welsh and English.

Leadership and Management

- People / children receive services where people who run the setting/senior managers actively promote and support Welsh language provision within the setting.
- Welsh language needs are reviewed regularly and as part of the annual quality of care review.
- Recruitment, learning and development, staffing structures and rotas take into consideration Welsh language skills of staff.
- There is strong leadership in ensuring people receive a service in Welsh and English.

Environment

- People live in an environment which considers their Welsh language needs. Signs around the premises are provided in Welsh and English.
- People/children have access to equipment and materials appropriate for their Welsh language needs.

Recording findings in the Inspection report

Under 'Description of the service' at the beginning of the report add a brief sentence regarding Welsh language provision.

Does this service promote Welsh language and culture?

Definition of a service that is providing the Active Offer

This service anticipates, identifies, and meets the Welsh language and cultural needs of people who use, or may use the service.

Definition of 'a service that is 'working towards'

This service is making a significant effort to promote the use of the Welsh language and culture or is working towards being a bilingual service.

Definition of where the service does not provide an 'Active Offer'

This service is not making a significant effort to promote the use of Welsh language and culture.

Examples of significant efforts include evidence of

- Local authority provides Welsh speakers at significant times in people's contact such as safeguarding meetings, assessments and reviews
- Provider's pre-admission and ongoing assessments include language and language needs
- Recording language information and allocating Welsh speaking staff to Welsh speaking children/people
- Welsh is routinely used throughout daily activities
- Evidence local authorities are considering Welsh language in commissioning and workforce planning
- Activities are routinely provided in the medium of Welsh or bilingually.
- Cultural activities are celebrated, – festivals, Dydd Santes Dwynwen, figures from Welsh history; Welsh myths and legends, Eisteddfodau, sporting events, food and music.
- Community links – There are links with the local community to promote cultural and language experiences. For example, inviting bilingual visitors to the setting, asking chapels/choirs to come to the setting to hold Welsh services/sing Welsh songs; Welsh speaking hairdressers, yoga teachers; resources on local history etc
- Encouraging staff to speak Welsh, supporting staff to attend Welsh language training either online or more formal arrangements;
- Welsh is visible throughout the setting - Bilingual labelling, staff wearing pin badges, lanyards
- Welsh resources – games, books, posters, newspapers, use of media etc. S4C, Radio Cymru, web sites, podcasts and Welsh newspapers and magazines available
- Bilingual documentation – all public facing information e.g. Statement of purpose, brochures, website, complaints policy, notices, menus
- Making ongoing efforts to increase the use of Welsh including workforce planning and recruitment

Active Offer and ratings

Where a service is not working towards the Active Offer and not making any significant effort to do so, careful consideration should be given before awarding an excellent rating for well-being, care and support/development or leadership.

Guidance and resources

Welsh Government – [More than just words Delivering the ‘Active Offer’ information pack – Social Services and Social Care \(https://socialcare.wales/cms-assets/documents/150928activeoffersocialservicesen.pdf\)](https://socialcare.wales/cms-assets/documents/150928activeoffersocialservicesen.pdf) (External link).

Relevant Legislation

Childcare and play – regulations and National Minimum Standards

The Child Minding and Day Care (Wales) Regulations 2010

Reg 15 (1) (d) – Statement of purpose

Reg 20 (1) (b); 7 (a) & (b) Safeguarding and promotion of welfare

Reg 27 (a) & (b) Staffing

Reg 29 (3) (a) & (b) Employment of Staff

National Minimum Standards for Regulated Childcare for children up to the age of 12 years

NMS 1.2 Statement of purpose

NMS 3.1 & 3.3 Assessment

NMS 4 4.1, 4.2 4.3 Meeting individual needs

NMS 6.1 Working in partnership with parents

NMS 7.1 Opportunities for play and learning

Social Services and Well-being (Wales) Act 2014

Making an ‘Active Offer’ is a behaviour that reflects the core values of the Social Services and Well-being (Wales) Act 2014, to put the individual at the core of services.

Section 17 in Part 2 - Local authorities are required to: provide a bilingual Information, Advice and Assistance service. This will make it easy for everyone to access relevant, clear information and advice about all of the services available in the area. This will help people make decisions about the support they need to live the life they want. This service will be welcoming and supportive to help people find solutions early on. This service will be a preventative service in itself.

Part 4 Code of Practice (Meeting Needs) - Local authorities “should be proactive in [their] approach and the individual should be asked which language they would prefer at the beginning of the process”. Ensure people’s language needs are recorded on data systems and ensure that all services provided in the future take account of language needs.

Assessment and Care Planning Assessments are carried out in the best way to meet an individual's needs. The focus is on what matters to the person and how they can use their own strengths and resources to do those things. Assessment is a partnership between the person and the professional. Assessment of a person by different partners can be carried out at the same time. These assessments can be completed by one body on behalf of others.

Regulation and Inspection of Social Care (Wales) Act (RISCA) 2016

Regulation 24: Language and communication

(1) The service provider must take reasonable steps to meet the language needs of individuals.

(2) The service provider must ensure that individuals are provided with access to such aids and equipment as may be necessary to facilitate the individual's communication with others.

Statutory guidance: Service providers deliver or work towards actively offering a service in the Welsh language to individuals whose first language is Welsh.

RISCA Statement of purpose guidance

Schedule 2, The Regulated Services (Registration) (Wales) Regulations 2017: Information required to be contained in a statement of purpose. The information that is required to be contained in a statement of purpose is as follows a) details of how the provider will meet individuals language and communication needs, including through the medium of Welsh;

Section 4A of the SoP template includes:

How the service is provided (accommodation-based services and domiciliary support services only)

b) Standard of care and support

- Where appropriate, this needs to describe how the service will support people to: maintain their linguistic, cultural and /or religious identities;

c) Language and communication needs for people using the service. This section should also describe how the provider will meet people's language and communication needs including the extent to which the service makes provision for the Welsh language offer.

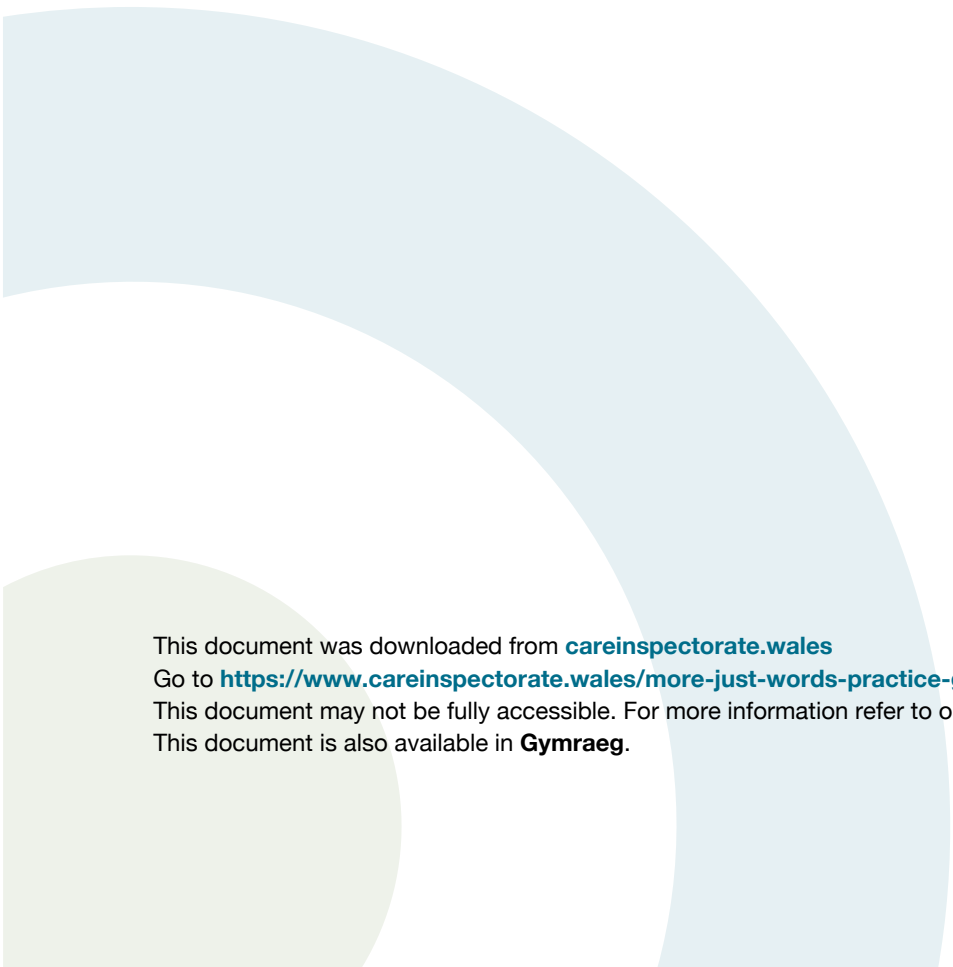
The Well-Being of Future Generations (Wales) Act 2015

The Act states that the Welsh language should be given due consideration as part of setting and delivering well-being objectives reflecting its official status in Wales and the national well-being goal of “a thriving Welsh language”. Where specific outcomes are identified as priorities e.g. promoting or protecting the language, or ensuring the adequate bilingual provision of services that meets local need, these should be considered in the setting of well-being objectives.

In the case of local authorities, promotion standards will place a duty on authorities (if the Commissioner requires it to comply with them) to plan strategically to promote the use of Welsh and to increase, or at least maintain, the number of speakers in the area. These duties will place an onus on bodies to consider their contribution to ensuring that the Welsh language can thrive in future.

Welsh Language Measure 2011 and Standards

Welsh language standards promote and facilitate the Welsh language, and ensure that the Welsh language is not treated less favourably than the English language in Wales.



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