



The Education Tribunal for Wales Welsh Language Standards Annual Report April 2021 – March 2022

Contents

Foreword		3
Section 1	Compliance Oversight Arrangements	4
Section 2	Status of the Compliance Notice for an organisation which has changed its name	4
Section 3	Compliance Assessment	4

Foreword

The Special Educational Needs Tribunal for Wales (SENTW) changed its name to the Education Tribunal for Wales (“the Tribunal”) in September 2021. Over the next 3 years, the laws about the education provided to children and young people with learning difficulties or disabilities will change. However, for the purposes of the Welsh Language Standards the Tribunal will follow the same standards as set for SENTW.

This is the Tribunal’s fourth annual report on its compliance with the Welsh Language Standards since the standards came into force on 30 March 2017. The focus of this report is the period from 1 April 2021 to 31 March 2022.

The Tribunal has two parts, the secretariat and Members. Both work together, during the appeal and claim process doing different tasks. The Members consist of:

- the Tribunal President i.e. the judicial lead;
- Legal chairpersons; and
- Lay members, with experience of children and young people with ALN and/or disabilities.

The tribunal, its members and decisions are independent from Government. The tribunal has several members with strong Welsh language skills and is able to convene a full panel (i.e. a legal chairperson and 2 lay members) that can hear and conduct a full hearing through the medium of Welsh.

The secretariat is responsible for tribunal administration and deal with all telephone and written enquiries. They are civil servants employed by Welsh Government and form part of the Welsh Tribunals Unit, who are responsible for administering six devolved tribunals across Wales. The secretariat team have no members who are fluent in Welsh, but they can have assistance from other secretariats within the wider Welsh Tribunals Unit, when necessary. The Senior Operations Manager and the Head of Welsh Tribunals are fluent Welsh speakers.

Publication date: 30/09/2022

Contact details for enquiries: Tribunal.Enquiries@gov.wales

Section 1 – Compliance Oversight Arrangements

This Annual Report has been drafted by the Welsh Tribunals Unit and has been approved by the President of the Education Tribunal for Wales.

This annual report appears on the Tribunal's website and the Welsh Language Commissioner has been notified of its publication.

Section 2 – Status of the Compliance Notice for an organisation which has changed its name

On the 31 March 2022, the Tribunal's President received a letter from the Deputy Welsh Language Commissioner confirming the status of the compliance notice for the Education Tribunal for Wales (the Tribunal), following a change in name from the Special Educational Needs Tribunal (SENTW).

The letter stated that as there has only been a change of name in this case, and as the functions of the Tribunal remain very similar to the previous tribunal, no further action is required. The compliance notice issued for SENTW remains in operation for the Tribunal. Considering an organisation which changes its name after receiving its compliance notice under section 44 of the Welsh Language (Wales) Measure 2011 (Measure), a change of name of a person specified in Schedule 6 or Schedule 8 does not affect the implementation of the Measure in relation to that person.

Section 3 – Compliance Assessment

Service Delivery Standards

The tribunal ensures compliance with the service delivery standards by:

- The production of a new bilingual brand to accompany the new tribunal name.
- Providing staff with guidelines on responding to correspondence, telephone answering and e-mail messages.
- Letter templates offering Tribunal users an opportunity to receive correspondence in Welsh. Letters and emails from the Tribunal also include a standard sentence stating that correspondence is welcomed in Welsh, and that corresponding in Welsh will not lead to a delay.
- All documents produced for public are available in Welsh and English, including application forms and guidance documents. English versions of documents and forms produced by the Tribunal also include a standard sentence stating that they are available in Welsh, and that the public can submit information to the Tribunal in Welsh.
- Making sure there is an awareness that provision is in place to enable Welsh language hearings to be held and that an attendee can use Welsh in a hearing.
- Every page of our website is available in Welsh and English.

- The Welsh Government rolled out a new telephone system through Microsoft Teams in April 2021. The Tribunal uses this new system to ensure that it complies with standards 8 and 9 by ensuring that Tribunal users will have the option of pressing 1 to speak with a member of the team in Welsh and pressing 2 to speak with a member of the team in English.

Use of our Services:

The tribunal received 151 applications in 2021-22 and 58 hearings were held. Of these applications, 1 was requested to be processed in Welsh, but did not result in a hearing, therefore the tribunal held no hearings in Welsh.

Websites

Below is a breakdown of how many visits were made to the Tribunal home page of the internet, in both Welsh and English.

	English	Welsh	Total
Page views	8,748	763	9,511

Policy Making Standards

The Tribunal exercises its statutory functions as set out by its governing legislation. The Tribunal does not have a remit to develop policy. However, we consider the impact of our operational decisions on the delivery of our services in Welsh.

Record Keeping Standards

The Tribunal's Compliance Notice (that details the Service Delivery, Policy Making and Record Keeping Standards that the Tribunal must comply with) has been published on the Tribunal's website: www.specialeducationalneedstribunal.gov.wales/sites/specialeducationalneeds/files/2019-08/sentw-wls-compliance-notice.pdf. We keep a record of the number of complaints we receive, if any, relating to our compliance with the Standards.

Complaints

The Tribunal received no complaints about the implementation of the Standards during the reporting period.

Forthcoming Work 2022-2023

1. Develop an action plan for promoting and encouraging the public to use the medium of Welsh when interacting with the Tribunal.
2. The Tribunal will be conducting a skills audit of the Tribunal Legal and Lay members. This is to review our records for those able to conduct a Welsh language Tribunal hearing through the medium of Welsh.
3. Work will also be carried out to design a system of self-regulation regarding compliance to the Welsh language standards for the Tribunal.
4. A guidance document will also be produced, providing the Tribunal with instructions on how to access both written and simultaneous translation, and on facilitating bilingual meetings through video conferencing platforms.
5. The Education Tribunal for Wales and Special Educational Needs Tribunal for Wales websites will be reviewed and opportunities to access Tribunal services through the medium of Welsh will be highlighted.
6. Bilingual videos will be produced outlining the Tribunal's work and process, explaining the transition from SENTW to ETW and outlining the way the Tribunals remit has been extended. These videos will encourage the public to access Tribunal services through the medium of Welsh.