



# Mental Health Review Tribunal for Wales Welsh Language Standards Annual Report

April 2023 – March 2024

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# Foreword

This is the Mental Health Review Tribunal for Wales (“the Tribunal”) eighth 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 2023 to 31 March 2024.

The Mental Health Review Tribunal for Wales (MHRTW) is an independent judicial body established under the Mental Health Act 1959 operating under the provisions of the Mental Health Act 1983 (as amended). The MHRTW has the responsibility of deciding applications and referrals concerning patients detained under the Mental Health Act 1983 (MHA), patients subject to community treatments orders (CTOs), guardianship and patients conditionally discharged from hospital.

The MHRTW as a judicial body is independent of government and members are appointed by the Lord Chancellor. Membership consists of:

- The Tribunal President i.e. the judicial lead;
- Seven Deputy Presidents;
- Legal chairpersons;
- Medical professional members; and
- Lay members.

The tribunal has 131 members (38 Legal, 51 Medical and 42 Lay Members). 16 of those members (5 Legal, 5 Medical and 6 Lay Members) have strong Welsh language skills, and the tribunal is able to convene a full panel (i.e. a legal chairperson, professional member and a lay member) 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 has one member who is fluent in Welsh and is also able to have assistance from other secretariats within the wider Welsh Tribunals Unit, when necessary. A Senior Operations Manager and the Head of Welsh Tribunals are also fluent Welsh speakers.

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# Section 1 – Compliance Oversight Arrangements

This Annual Report has been prepared by the Welsh Tribunals Unit and has been approved by the President of the Mental Health Review Tribunal.

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

## Section 2 – Compliance Assessment

### Service Delivery Standards

The tribunal ensures compliance with the service delivery standards by:

- 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.
- From March 2024, a new language preference question has been included within forms with a second non-mandatory question asking “If you can speak Welsh and have indicated English as your language of choice, we would welcome feedback to identify the barriers to using the Welsh language in Tribunals”.
- Making sure that 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 2023-2024:

Total Applications Received	1798
Applications Processed in Welsh	0
Total Hearings Held	1055
Hearings Held in Welsh	9

## Websites

Due to system changes we are not able to ascertain the number of visits to the Tribunal website for the first quarter of 2023-24. Therefore, the figures noted only cover Q2-4, from 1 July 2023 – 31 March 2024.

Below is a breakdown of how many visits were made to the Welsh and English pages of the MHRTW Tribunal Website between 1 July 2023 and 31 March 2024.

	English	Welsh	Total
Page views	1,684	57	1,741

## 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.mentalhealthreviewtribunal.gov.wales/sites/mentalhealthreview/files/2019-06/180711-mhrtw-welsh-lang-standards-compliance-en\\_0.pdf](http://www.mentalhealthreviewtribunal.gov.wales/sites/mentalhealthreview/files/2019-06/180711-mhrtw-welsh-lang-standards-compliance-en_0.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.

## Section 3 – Reporting on work undertaken in 2023-2024

	Action	Progress
1.	Work will be carried out to design a system of self-regulation regarding compliance to the Welsh language standards for the Tribunal.	<b>Objective completed.</b> Two tick box questionnaires were devised, one for clerks and one for the business manager. They act as an aide-memoir and to check knowledge of the Welsh Language standards. Implemented 2023.
2.	A guidance document will to 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.	<b>Objective completed.</b> Guidance document completed, and a new translation framework is in place. Implemented 2024.
3.	Engage with service users to identify barriers to interacting with the Tribunals through the medium of the Welsh language.	<b>Objective on-going.</b> Process has been designed to capture information from users (See bullet point 4 under Service delivery standards). Data being collected from March 2024 will be analysed once sufficient information has been received from service users.
4.	Identify improvements that can be made and implemented within 2023-24 to promote the use of the Welsh language in our tribunals.	<b>Objective on-going.</b> (see above) We have also identified improvements that can be made to the Website, which will enable promotion of the Welsh language. Currently working with our IT department to implement.
5.	Deliver training to all tribunal members and WTU staff to raise awareness of the use of the Welsh language in its hearings and wider communication and the tribunals obligations within the Welsh Language Standards.	<b>Objective ongoing.</b> Training was provided to WTU administrative staff during the Team Training Day in September 2023. Information to be provided to Tribunal members on the Welsh Language Standards.

## Section 4 – Forthcoming work 2024-2025

1. Engage with service users to identify barriers to interacting with the Tribunals through the medium of the Welsh language.
2. Identify improvements that can be made in 2024-25 to promote the use of the Welsh language in our tribunal proceedings.
3. Assess Tribunal Compliance with the Welsh Language Standards against baseline established in 2023-24.
4. Prepare a Refresher Document to be circulated to all Tribunal Members outlining the requirements of the Welsh Language Standards.