



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

---

# Welsh Language Commissioner's Standards Report – Section 64 Welsh Language (Wales) Measure 2011

## **Schedule 5(1): Public authorities**

[Cyf: 20150529ASAt5(1) - 1]

# Contents

---

	Schedule 5(1): Public authorities	1
1	Background and context	1
2	Standards investigation in relation to Schedule 5(1): Public authorities	2
3	Reasonableness and proportionality	4
4	Evidence received from relevant persons	6
5	Evidence received from members of the public	55
6	Evidence received by the Welsh Language Commissioner's Advisory Panel	61
7	Conclusions of the standards investigation	63
8	The next steps	74
	Appendix A - General comments received from members of the public in relation to round 2 of the standards investigations	75
	Appendix B - List of respondents to the standards investigation	80

# 1 Background and context

The principal aim of the Welsh Language Commissioner, an independent body established by the Welsh Language (Wales) Measure 2011, is to promote and facilitate the use of the Welsh language. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers.

Two principles will underpin the Commissioner's work:

- in Wales, the Welsh language should be treated no less favourably than the English language
- persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

On 7 November 2014 the Welsh Government published a document entitled 'Welsh Language Standards Regulations 2015'<sup>1</sup>. These proposed standards were developed to impose duties upon county councils and county borough councils in Wales, national park authorities and Welsh Ministers.

On introducing the document, the following was noted by the Welsh Government:

The standards have been drafted so as to build on the [language] schemes. Organisations who will be required to comply with standards will now be required to take a more proactive, strategic approach to mainstreaming the Welsh language. We are confident that this will provide a solid foundation, enabling the Commissioner to improve services for Welsh-speakers.<sup>2</sup>

The Welsh Language Commissioner's standards investigations and the Welsh Government's evidence gathering exercise for composing their regulatory impact assessment are based upon the draft regulations, published on 7 November 2014.

The Welsh Language Standards (No. 1) Regulations 2015<sup>3</sup> came into force on 31 March 2015, following a debate and vote at a Plenary Meeting of the National Assembly for Wales.

---

<sup>1</sup> <http://gov.wales/docs/dcells/consultation/141106-regulations-welsh-language-standards-en.pdf>

<sup>2</sup> <http://gov.wales/docs/dcells/consultation/141106-consultation-welsh-language-standards-en.pdf>

<sup>3</sup> <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

## 2 Standards investigation in relation to Schedule 5(1): Public authorities

In accordance with section 62 Welsh Language (Wales) Measure 2011, an exploration notice was issued on 31 October 2014 for the attention of the persons/following groups of persons:

- Police Chief Constables
- Police Commissioners
- The General Pharmaceutical Council
- NHS Wales Shared Services Partnership

The relevant persons under the group '*Schedule 5(1) Public authorities: Police Chief Constables*' in this standards report are:

- Chief Constable of South Wales Police
- Chief Constable of Dyfed Powys Police
- Chief Constable of North Wales Police
- Chief Constable of Gwent Police
- Chief Constable of the British Transport Police

The relevant persons under the group '*Schedule 5(1) Public authorities: Police Commissioners*' in this standards report are:

- South Wales Police and Crime Commissioner
- Dyfed Powys Police and Crime Commissioner
- North Wales Police and Crime Commissioner
- Gwent Police and Crime Commissioner

The following persons were recognised as relevant persons who appear to the Commissioner to be members of the group '*Schedule 5(1) Public authorities*':

- The General Pharmaceutical Council
- NHS Wales Shared Services Partnership

An exploration notice was issued for the attention of the relevant persons on 31 October 2014. An exploration notice is a notice in writing stating the Welsh Language Commissioner's intention to carry out a standards investigation, and which specifies the subject matter of the standards investigation. The Commissioner may not carry out a standards investigation unless she has given an exploration notice to each relevant person (organization), at least 14 days before beginning the investigation.

The subject matter for this standards investigation was to determine:

- whether the persons should be liable to comply with standards;
- if the persons come within Schedule 6, which standards (if any) should be applicable to each relevant person within the group;

- which standards (if any) should be specifically applicable to persons (whether or not the standards are already specified by the Welsh Ministers under section 26 (1)).

The period of this standards investigation began on 17 November 2014. It ended on 6 February 2015.

As part of this standards investigation, information was collected from each relevant person identified in this section. This was by means of a completed questionnaire. Alongside the process of collecting evidence from all relevant persons, evidence was collected from the Advisory Panel and the public.

A public questionnaire was placed on the Welsh Language Commissioner's website. The purpose of this questionnaire was to give members of the public an opportunity to identify what they felt was reasonable for the relevant persons to undertake and provide in Welsh, in considering the requirements related to the standards published on 7 November 2014. Advertisements were placed in the national press during the period of the standards investigation in order to make the public aware of this questionnaire. Furthermore, a video was posted on the Commissioner's website in order to provide an introduction to the process, and to provide guidance to the public on how to respond to the standards investigation.

### 3 Reasonableness and proportionality

In accordance with section 63 (1) of the Welsh Language (Wales) Measure 2011, the Commissioner must have regard to the need to secure that requirements for persons to comply with standards by virtue of section 25 (1) are not unreasonable or disproportionate.

In carrying out a standards investigation, the Commissioner must consider the following:

- (a) whether, in respect of each of the activities specified in Schedule 9 which a person carries out, it is reasonable and proportionate for service delivery standards to be specifically applicable to a person, and
- (b) as respects each such activity, if it is reasonable and proportionate for service delivery standards to be specifically applicable to a person, conclude that service delivery standards should be specifically applicable to a person in relation to that activity.

In considering the question of reasonableness and proportionality, it should be noted that the Measure places a duty upon Welsh Ministers to secure that regulations provide for service delivery standards relating to all of the activities specified in Schedule 9 to be specifically applicable to a person if, and to the extent that, the person carries out those activities.

But Welsh Ministers need not secure that regulations provide for service delivery standards to be specifically applicable to a person in relation to an activity specified in Schedule 9 if, or to the extent that:

- (a) a standards report under section 64 indicates that it would be unreasonable or disproportionate for service delivery standards to be specifically applicable to a person in relation to that activity, or
- (b) Welsh Ministers think it would be unreasonable or disproportionate for service delivery standards to be specifically applicable to a person in relation to that activity.

This does not prevent regulations from providing for other service delivery standards to be specifically applicable to a person.

By making regulations under this Measure exercisable by statutory instrument, the Commissioner is authorised to give a compliance notice to a person.

A compliance notice is a notice given to a person by the Commissioner, which:

- (a) sets out, or refers to, one or more standards specified by the Welsh Ministers under section 26 (1), and
- (b) requires a person to comply with the standard or standards set out or referred to.

## Welsh Language Commissioner's Standards Report - Schedule 5(1): Public Authorities – Section 64 Welsh Language (Wales) Measure 2011

The Welsh Language Commissioner will consider the evidence provided in reaching a decision on the content of a compliance notice given to a person.

The fact that a standard is made specifically applicable to a person does not mean that there is a duty to comply with that standard. A duty to comply with a standard will only be in force if the Commissioner gives a compliance notice to the person, and that notice makes it a requirement to comply with the standard on an imposition day.

The Welsh Language Commissioner will consult with the person before giving the person a compliance notice. The failure of a person to participate in a consultation will not prevent the Commissioner from giving that person a compliance notice.

After the Welsh Language Commissioner has given a compliance notice to a person, that person may apply to the Commissioner asking her to determine whether or not the requirement to comply with that standard, or to comply with it in that respect, is unreasonable or disproportionate. Should the Commissioner inform the person that the requirement to comply with the standard is not unreasonable or disproportionate, they have the right under the Measure to appeal to the Tribunal for determination.

### The Welsh Language Commissioner's criteria

In reaching a conclusion on the subject of this standards investigation, in accordance with the requirements outlined in Part 4, Chapter 8 of the Measure, the following criteria were considered alongside the evidence received as part of the standards investigation. Each criterion need not be considered in each case, and each criterion is of equal importance.

- Is the relevant person liable to be required to comply with standards – does the relevant person come within Schedule 5 and also within Schedule 6, or do they come within Schedule 7 and also within Schedule 8?
- Is the class of standard (service delivery; policy making; operational; record keeping; promotion) potentially applicable to the relevant person?
- Does the relevant person carry out the activity<sup>4</sup> in question?
- Has the relevant person already undertaken to provide the activity or action in question, in part or in full, via their Welsh language scheme?
- Does the relevant person already provide the service in Welsh (whether this corresponds exactly to the requirements included in the standard or not), or carry out the activity in accordance with the standard?
- Do the vast majority of other relevant persons within the same sector provide the service in Welsh, or carry out the activity?
- Are there any other reasons, for or against, making the standard specifically applicable to the relevant person?

---

<sup>4</sup> This criterion will be considered in respect of service delivery standards only.

## 4 Evidence received from relevant persons

Evidence was received from all relevant persons identified in section 2 of this report. This evidence included responses to 190 questions within a questionnaire, as well as further evidence provided following further enquiries.

Each response was read individually, and software was also used to record and analyse the text and identify general themes. Regular meetings were held amongst officers of the Welsh Language Commissioner to analyse the current Welsh language schemes commitments of the organizations in question.

In this section an average percentage is given of the relevant persons' Welsh language schemes commitments corresponding to the standards, (be that entirely or partly corresponding to the standards' requirements), for each activity.

When analysing current Welsh language schemes commitments against the standards, it should be noted that it was not possible to correspond many of the standards in relation to service delivery activities due to the detailed nature of the regulations published by the Welsh Government. In some circumstances, it is possible that relevant persons are committed to, or comply with the requirement, but that it is not stated explicitly in their Welsh language schemes.

A summary is provided in section 4 of this report of the evidence received from each relevant person from within the groups of persons noted in section 2. The evidence submitted included information regarding what activities are carried out by the persons in question, what activities they carry out through the medium of Welsh and to what degree they can comply with the standards.

On 17 November 2014, the following relevant persons did not have a Welsh Language Scheme approved under section 14(1) Welsh Language Act 1993:

- NHS Wales Shared Services Partnership

Where there are any references to standards within this standards report, these refer to the draft standards published by Welsh Government on 7 November 2014.



## Police Chief Constables

### Service delivery standards

#### **Activity 1: Correspondence sent by a body** **Standards for correspondence sent by a body [1-7]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 77% of the commitments corresponded to the standards for correspondence sent by a body.<sup>5</sup>

All 5 of the relevant persons noted that they already carried out standard 1, with 3 of the 5 carrying out standards 2-7 at present. Among the concerns for complying with standards 2-7, two Chief Constables noted that they would need additional resources to maintain the record of language choice as mentioned in standard 2 and it was noted that there were a number of 'one-off' pieces of correspondence and that there would be no purpose in inquiring about language choice.

The Chief Constable of Gwent Police notes the number of Welsh speakers living in the area they serve in the context of the proportionality of imposing standard 5 as a duty; they suggest that the headed paper includes a standard text noting that a Welsh version is available upon request. The Chief Constable of South Wales Police notes that they cannot guarantee there would be no delay for sending correspondence in Welsh to a person; however, it is not known whether the delay would mean they would receive the letter later than the number of days set as a target for replying to correspondence.

The five relevant persons have noted they consider that making the standards specifically applicable to them would be reasonable and proportionate.

However, the Chief Constable of Dyfed Powys Police stated that only upon request [by the public] would documents sent with Welsh language correspondence be in Welsh or bilingual if they were lengthy or of limited interest. The Chief Constable of South Wales Police expressed concern that they did not have an internal translator and should they have one the demand for his/her services would be beyond the ability of one individual as the result of the advent of the standards. They were keen to emphasise that financial constraints and the expectation upon them to make savings had already meant that they decided to publish ward newsletters in English only.

#### **Activity 2: Telephone calls made and received by a body** **Standards for telephone calls made and received by a body [8-22]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 3 relevant persons (60%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average 76% of the commitments corresponded to the standards determined

---

<sup>5</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

in the draft regulations for telephone called made and received by a body.<sup>6</sup>

The Chief Constable of the British Transport Police believed that these were a challenging selection of standards for them to comply with due to the difficulties in recruiting bilingual skills to their control rooms and call centre in London and Birmingham. However, they are in discussions with the Association of Police Chief Constables in Wales with a view to one or more of the forces in Wales providing a Welsh medium telephone service on their behalf.

The investment by the Chief Constable of North Wales Police to ensure that 95% of the staff of their call centre can speak Welsh and English has meant that they already provide a proactive offer without the caller having to ask for service in Welsh in North Wales. It was noted that complying with these standards would not cause them difficulties and that it would be reasonable and proportionate to make them specifically applicable to them.

Although long-established procedures are at work in the call centres of Gwent, South Wales and Dyfed Powys Police Forces for answering calls with a bilingual greeting, they note that they cannot guarantee that the caller can continue with the call in Welsh. The main reason for this is that the numbers of workers with the appropriate skills are too low at present, with draft standards 10, 11, 18 and 21 specifically causing difficulty for them.

The Chief Constable of Dyfed Powys Police believes that it is not feasible for them to make the Welsh language an essential skill for telephone answering jobs and believes that draft standard 22 is unreasonable in emergency situations. They added that they were of the opinion that this could affect the effectiveness of police actions in circumstances where a member of the public was in danger.

The Chief Constable of Dyfed Powys Police noted they consider standards 18, 19 and 21 to be reasonable and proportionate but they do however foresee a challenge in complying with them, again due to the paucity of fluent Welsh speakers within their current workforce.

### **Activity 3: Meetings arranged by a body that are not open to the general public Standards for meetings arranged by a body that are not open to the general public [23-29]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 2 relevant persons (40%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 82% of the commitments corresponded to the standards in the draft regulations for meetings arranged by a body that are not open to the general public.<sup>7</sup>

With the exception of the Chief Constable of the British Transport Police, all the Chief Constables noted concern regarding their ability to comply with these standards at all times. They went on to note that staff in specific roles who did not have Welsh language skills meant that they could not conduct a meeting without simultaneous translation services. It was stated that they could not guarantee that Welsh speaking staff would be available to administrate those meetings at present.

---

<sup>6</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>7</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

In discussing the translation services, three Chief Constables (South Wales, Dyfed Powys and Gwent) noted that it was an administrative, practical and financial burden that was beyond them.

The Chief Constable of North Wales Police stated that they complied with these standards to a certain extent if they were advised beforehand, giving them an opportunity to provide translation services.

**Activity 4: Meetings arranged by a body that are open to the public**  
**Standards for meetings arranged by a body that are open to the public [30-34]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 4 relevant persons (80%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 84% of the commitments corresponded to the standards for meetings arranged by a body that are open to the general public.<sup>8</sup>

As an activity that is rarely carried out by the Chief Constable of the British Transport Police, they do not comply with draft standards 30-33 at present. However, it was noted that they would meet the needs of standard 34 in full when they are held and that they considered the standards to be reasonable and proportionate. So too did the Chief Constable of North Wales Police who notes that they already meet the draft standards in respect of the activity.

The Chief Constables of Gwent and Dyfed Powys believe that these are reasonable and proportionate with the exception of standard 33. The Chief Constable of Dyfed Powys noted that it was unreasonable and disproportionate to provide a translation service in meetings that are open to the public in case it was not used. The Chief Constable of Gwent would provide a simultaneous translation service at a meeting where he knew an adequate number of members of the public had asked for the service. The Chief Constable of South Wales Police expressed concern about the ability of human resources to cope, together with the possibility that circumstances could change which would mean that the person arranged would not be available to serve the public wishing to contribute to the meeting through the medium of Welsh.

**Activity 5: Public events organised or funded entirely by a body**  
**Standards for public events organised or funded entirely by a body [30-38]**

3 of the 5 relevant persons (60%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 3 relevant persons (75%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standards for public events organised or funded entirely by a body.<sup>9</sup>

Of those carrying out the activity, they all considered that making them specifically applicable to them would be reasonable and proportionate. The Chief Constable of South Wales Police noted that they do in fact carry out the activity in question but that most of the

---

<sup>8</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>9</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

public events are held in partnership with other organizations. Their ability to secure workers with Welsh language skills for such an event was a cause of concern for them. The ability of the staff was also the prime concern of the Chief Constable of Gwent Police whilst the Chief Constable of Dyfed Powys Police noted that emergency situations could affect their ability to comply at all times and that it was not possible to translate Home Office publications. The standards in relation to public events were already being carried out by the Chief Constable of North Wales Police.

**Activity 6: A body's publicity and advertising**  
**Standard for a body's publicity and advertising [37]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standard for publicity and advertising by a body.<sup>10</sup>

The Chief Constable of Dyfed Powys Police noted that they could not comply with this draft standard as they were a Home Office body and that the format and length of their publications meant that they could not translate them. However, the other 4 Chief Constables are of the view that it is a reasonable and proportionate duty which they already carry out.

**Activity 7: Displaying material in public**  
**Standards for displaying material in public [38-39]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standards for displaying material in public.<sup>11</sup>

In relation to this activity, the Chief Constable of Dyfed Powys Police noted that some specific documents were lengthy and that their form and content meant that it was not possible to make them available in Welsh to the public. The remainder of the Chief Constables considered these standards to be reasonable and proportionate and were already being carried out by them. It was noted that efforts were being made by one Chief Constable (South Wales) to ensure consistency in this respect.

**Activity 8: A body producing and publishing documents**  
**Standards for a body producing and publishing documents [40-49]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

---

<sup>10</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>11</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 92% of the commitments corresponded to the standards for a body producing and publishing documents.<sup>12</sup>

Due to specific efforts to translate key documents, the Chief Constable of the British Transport Police can comply with these standards, as can the Chief Constable of North Wales Police. The Chief Constable of Gwent Police confirmed that they only produced some documents on request due to the cost of translation and the presumed demand for them. However, they note that it is reasonable and proportionate to make it specifically applicable to them.

The Chief Constable of Dyfed Powys Police believes that some documents are too large or come from the Home Office and therefore they translate them on request. They believe it is unreasonable and disproportionate to translate documents into Welsh without considering the size of the document and its relevance to the public. The Chief Constable of South Wales Police also mentions Home Office documents noting that translating them would be challenging, but noting also that these draft standards are reasonable and proportionate.

**Activity 9: A body producing and publishing forms  
Standards for body producing and publishing forms [50-51]**

4 of the 5 relevant persons (80%) within the Police Chief Constables group noted that they carried out the activity in question. However, the 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 85% of the commitments corresponded to the standards for a body producing and publishing forms.<sup>13</sup>

4 of the 5 Chief Constables noted that they considered that making these standards specifically applicable to them was reasonable and proportionate, due to the fact that they had already been complying with them for some time or more recently following specific efforts. The Chief Constable of Dyfed Powys Police believes that it is unreasonable and disproportionate to make standards in relation to forms specifically applicable to them as it is only upon request that some forms are produced in Welsh and due to the financial and staffing burden.

**Activity 10: A body's websites and on-line services  
Standards for a body's websites and on-line services [52-57]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 73% of the commitments corresponded to the standards for a body's websites and on-line services.<sup>14</sup>

---

<sup>12</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>13</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>14</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

The standards in relation to this activity were reasonable and proportionate in the view of the Police Chief Constables as a group with 3 of the 5 (North Wales, Gwent and Dyfed Powys) already complying with these standards. Work is proceeding on the websites of the two remaining forces with the aim of achieving this.

**Activity 11: Signs displayed by a body  
Standards for signs displayed by a body [58-60]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 5 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 87% of the commitments corresponded to the standards for signs displayed by a body.<sup>15</sup>

The five Chief Constables noted that they considered the standards in relation to this activity to be reasonable and proportionate and that already complied with them to all intents and purposes. However, the Chief Constable of Dyfed Powys Police expressed concern regarding the way in which standard 59 should be interpreted.

**Activity 12: A body receiving visitors at its buildings  
Standards for a body receiving visitors at its buildings [61-66]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 3 relevant persons (60%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 89% of the commitments corresponded to the standards for a body receiving visitors at its buildings.<sup>16</sup>

Although the Chief Constable of the British Transport Police noted that they do not comply with all standards in relation to receiving visitors, they considered it reasonable and proportionate for them to be made specifically applicable to them. In the meantime, they would carry out research to establish to what extent they could comply with them from station to station. Similarly, the Chief Constable of North Wales Police considers them to be reasonable and proportionate and already complies with them.

The Chief Constables of Gwent and Dyfed Powys describe similar situations in terms of being unable to guarantee that the Welsh language would not be treated less favourably than English in receiving visitors due to the lack of staff with appropriate skills at consistent levels from one area to the next. These Chief Constables note how they have striven specifically to increase the number of workers with Welsh language skills in posts that come into direct contact with the public. These posts, they note, are the ones that are prioritised for language training. With the exception of standard 62A, they considered these standards to be unreasonable and disproportionate due to them being challenging in some areas.

---

<sup>15</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>16</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

**Activity 13: Official notices made by a body**  
**Standards for official notices made by a body [67-68]**

4 of the 5 relevant persons (80%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 80% of the commitments corresponded to the standards for a body producing official notices.<sup>17</sup>

Of those carrying out the activity, 3 of them (Chief Constables of North Wales Police, British Transport Police and South Wales Police) consider that making the standards in relation to a body producing official notices specifically applicable to them would be reasonable and proportionate and they already comply with them. The Chief Constable of Dyfed Powys Police believes that it is unreasonable and disproportionate to make standard 67 specifically applicable to an emergency service although they could comply with it in most circumstances.

**Activity 14: A body awarding grants**  
**Standards for a body awarding grants [69-73]**

1 of the 5 relevant persons (20%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, the relevant person (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 77% of the commitments corresponded to the standards for a body awarding grants.<sup>18</sup>

The Chief Constable of North Wales Police was the only one of this group who noted that they carried out the activity and no concerns were expressed regarding making the standards in relation to awarding grants specifically applicable to them.

**Activity 15: A body awarding contracts**  
**Standards for awarding contracts [74-78]**

4 of the 5 relevant persons (80%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 1 relevant persons (25%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 77% of the commitments corresponded to the standards for a body awarding contracts.<sup>19</sup>

2 of the 5 within the group of Chief Constables (British Transport Police and Gwent Police) considered that making these standards specifically applicable to them was reasonable and proportionate. However, it was confirmed that they did not comply with them at present and that there was a shortage of Welsh speakers among their workforces.

---

<sup>17</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>18</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>19</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

The other three agreed that these prospective duties were too much of a burden on their organizations and that it would not be effective use of their resources. However, the Chief Constable of Dyfed Powys noted that they would produce documents in Welsh upon request.

**Activity 16: Raising awareness about Welsh language services provided by a body  
Standards for raising awareness about Welsh language services provided by a body [79-80]**

4 of the 5 relevant persons (80%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 60% of the commitments corresponded to the standards for raising awareness about Welsh language services provided by a body.<sup>20</sup>

4 of the 5 Chief Constables considered the standards in relation to raising awareness about Welsh language services provided by a body to be reasonable and proportionate. However, the Chief Constable of the British Transport Police is in the process of researching to what extent they could comply with the prospective duties and the Chief Constable of South Wales Police was concerned that attaining the standards would raise the hopes of members of the public, as the number of staff they had who could provide face to face service through the medium of Welsh was very low.

The Chief Constable of Dyfed Powys Police noted that standard 80 was unreasonable and disproportionate as they are funded by the Home Office.

It should be noted that section 12(2) (b) Welsh Language Act 1993, notes that Welsh language schemes must specify how the organization will ensure that the scheme is publicised. The Commissioner emphasises that this measure is not an optional element within the legislation.

**Activity 17: A body's corporate identity  
Standard for a body's corporate identity [81]**

All 5 relevant persons (100%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 4 relevant persons (80%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standard for a body's corporate identity.<sup>21</sup>

No concerns were expressed regarding making the standard in relation to a body's corporate identity specifically applicable to them; the prospective duties were already current practice to all intents and purposes.

---

<sup>20</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>21</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.



**Activity 18: Courses provided by a body**  
**Standards for courses provided by a body [82-84]**

3 of the 5 relevant persons (60%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, 3 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 20% of the commitments corresponded to the standards for courses provided by a body.<sup>22</sup>

Although the Chief Constable of Gwent Police had noted originally that they did not carry out the activity, it was confirmed that they held Speeding Awareness courses via a third party provider and gave a language choice to the public who attended them.

The Chief Constable of North Wales Police and Dyfed Powys Police noted that language choice was available on their courses and that they were reasonable and proportionate (although Dyfed Powys does not currently comply with standard 84). The Chief Constable of South Wales Police noted that they considered that making these standards specifically applicable to them was unreasonable and disproportionate as there is very little demand for them as the number of Welsh speakers in their workforce was so low at present. It should be noted that these standards were drafted for the purposes of providing courses for the public. Standards in relation to internal administration for staff are to be found in the operational standards.

**Activity 19: Public address systems used by a body**  
**Standard for public address systems used by a body [85]**

1 of the 5 relevant persons (20%) within the Police Chief Constables group noted that they carried out the activity in question. Of those, the relevant person (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standard for public address systems used by a body.<sup>23</sup>

Chief Constable of North Wales Police was the only person to note that they carried out the activity. However, they noted that very rarely used public address systems.

**Standards that deal with supplementary matters in relation to the service delivery standards [158-163]**

Whilst 4 of the 5 in the Chief Constables group noted that they considered making standards dealing with supplementary matters in relation to the service delivery standards specifically applicable to them was reasonable and proportionate, it was noted that it would be a deviation from their current arrangements.

The Chief Constable of North Wales Police expressed concern regarding making standard 161 a duty upon them due to the onerous nature of the requirement. They also wanted to note that they would not wish to collect information that was neither useful nor relevant in their view, to avoid placing a bureaucratic burden upon them.

---

<sup>22</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>23</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

## **Policy making standards [86-95]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 82% of the commitments corresponded to the standards for policy making standards.<sup>24</sup>

The Chief Constable of North Wales Police (the only one with a policy regarding awarding grants) noted that 92A was an unreasonable and disproportionate standard to make specifically applicable to them due to there being an impractical expectation in terms of monitoring compliance with conditions relating to awarding grants. They noted that practical guidance should be given by the Welsh Language Commissioner to those subject to the draft duties. However, they had an equality impact assessment as did the Chief Constables of Gwent Police, British Transport Police and South Wales Police.

The Chief Constable of Dyfed Powys Police stated that it was not reasonable or proportionate for standard 168 to be specifically applicable to them due to the fact that the requirements were similar to a Welsh Language Scheme in their view. Although it would be possible to adopt a linguistic equality impact assessment should they be required to do so, they noted that such a tool was not always relevant to all policies and that it would be better to assess the relevance to the Welsh language as a first step.

## **Standards that deal with supplementary matters in relation to the policy making standards [164-169]**

The Chief Constable of South Wales Police considers that the standards that deal with supplementary matters in relation to the policy making standards are unreasonable and disproportionate as it is Central Government that steers those policies in their view. Although they do not comply at present, the Chief Constable of the British Transport Police notes that they consider the supplementary matters to be reasonable and proportionate. In terms of the policy making standards they note that they wish to receive clarification regarding the prospective duties as not all policies are relevant to Wales as they operate over the whole of Britain.

## **Operational standards [96-142]**

### **Standards for the use of the Welsh language within a body's internal administration [96-109]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 53% of the commitments corresponded to the standards for use of the Welsh language within a body's internal administration.<sup>25</sup>

The Chief Constables of Wales Police Forces noted that details were available in their language schemes regarding what they do to promote the Welsh language or regarding use of Welsh as a language of internal business. The Chief Constable of Dyfed Powys Police stated that they would not create a policy to promote use of the language within the force as they were not liable to be required to comply with promotion standards. It should be noted that these particular standards are included within the Operational class.

It was confirmed that none of the Chief Constables asked members of staff in which language they would like their key human resources documents. However, four of them

---

<sup>24</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>25</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

(namely the Chief Constables of South Wales, Gwent, Dyfed Powys and the British Transport Police) noted that they could translate them into Welsh with the aid of translation services. The Chief Constable of North Wales Police noted that the first three documents were available in Welsh but not the others as they were part of the human resources system that was solely in English. The same Chief Constable, as well as the Chief Constables of Gwent and South Wales operated a continuous campaign to increase the use of Welsh internally.

The Chief Constable of the British Transport Police considers it to be unreasonable and disproportionate at present to make operational standards in relation to internal administration specifically applicable to them as they are a body which operates across Britain and that of a comparably small percentage of their workforce lives in Wales a smaller number again possess Welsh language skills.

### **Standards for complaints made by members of a body's staff [110-113]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 44% of the commitments corresponded to the standards regarding complaints made by members of a body's staff.<sup>26</sup>

In relation to complaints made by members of a body's staff, the responses received are almost uniform. The five Chief Constables from this group confirmed that they allowed their workers to make complaints and respond to complaints about themselves through the medium of Welsh but none of the Chief Constables informed their workforce that this was possible. In general, the Chief Constables do not offer to hold the meeting in Welsh nor do they ask the member of staff whether they wish to use the Welsh language during the meeting. The Chief Constable of North Wales Police noted that it was possible for them to hold the meeting in Welsh (without a simultaneous translation service). The Chief Constable of Gwent Police noted that it would be possible for them to hold the meeting with the support of simultaneous translation.

Of the five Chief Constables, only two noted that it was possible for a member of staff to receive a decision about a complaint they submitted through the medium of Welsh, namely the Chief Constables of Gwent and South Wales Police. In describing to what extent the Chief Constables could comply with the standards, should the Welsh Ministers make them specifically applicable to them, common observations were noted regarding facilitating the wishes of their workers should they make a specific request for them.

The Chief Constable of North Wales Police noted that there was a possible restriction on the chosen language of a member of staff when a central procedure of tackling complaints was followed. This was reinforced by the Chief Constable of the British Transport Police who noted that complaints which are dealt with in Wales met these standards but that there was likelihood that they would be concluded in England.

### **Standards relating to a body disciplining staff [114-117]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 44% of the commitments corresponded to the standards regarding a body disciplining staff.<sup>27</sup>

---

<sup>26</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>27</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

With the exception of the Chief Constable of South Wales Police, the Chief Constables allow members of staff to respond in Welsh to allegations made against them as part of a disciplinary process. However, the remaining four Chief Constables do not inform their workforce that it is possible to do this. None of the Chief Constables in Wales offer their workers the chance to hold such a meeting in Welsh nor are they asked whether they would like to use Welsh during the meeting. However, the Chief Constable of North Wales Police notes that the meeting can be held in Welsh and the Chief Constable of Gwent Police notes that the use of Welsh is allowed during the meeting with the support of a simultaneous translation service. Only the Chief Constable of Gwent Police would inform a member of staff in Welsh of a decision following a disciplinary case.

Among the observations regarding their ability to comply, it was stated that in cases that are concluded outside Wales or which merit intervention from beyond Wales it is more difficult to guarantee that all aspects of the process will be in Welsh. One Chief Constable (Gwent Police) noted that they considered draft standard 115 to be disproportionate due to the lack of Welsh speakers to implement it.

### **Standards relating to information technology and support material provided by a body, and relating to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 17% of the commitments corresponded to the standards relating to information technology and support material provided by a body, and relating to the intranet.<sup>28</sup>

All 5 of the Chief Constables in the group provided spellchecking software for their staff and implemented an intranet system. With the exception of the Chief Constables of Dyfed Powys and South Wales Police, they all provided a Welsh language interface for software where available.

General agreement was noted among the comments regarding the group's ability to comply with standards relating to the intranet, namely that it is too much of a burden to translate so many items that are uploaded to their sites daily into Welsh when the number of those who could read them is low. It was noted that this is not where they would like to prioritise work for the translation unit. One Chief Constable (North Wales Police) suggested that a possible compromise would be to impose a duty upon them to translate the intranet interface and menus as a starting point.

### **Standards for a body developing Welsh language skills through workforce planning and development [125-133]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 69% of the commitments corresponded to the standards relating to a body developing Welsh language skills through workforce planning and development.<sup>29</sup>

The responses of the Police Chief Constables are quite uniform in relation to this selection of standards. Every Chief Constable raises awareness of the Welsh language among new staff, trains them to engender an understanding of the requirements upon their workforce to work in accordance with the language scheme and how the Welsh language can be used in the workplace. Also, they all note workers' e-mail contact details in Welsh.

---

<sup>28</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>29</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

With the exception of the Chief Constable of the British Transport Police they all provide basic and more intensive Welsh classes for workers and maintain wider schemes to develop those skills. With the exception of the Chief Constable of Dyfed Powys Police, all Chief Constables assess the Welsh language skills of their employees. Only the Chief Constable of Gwent Police does not place wording or a logo on staff e-mail signatures to note their level of proficiency in Welsh.

The Chief Constable of North Wales Police is the only one of the group who offers recruitment and interview training through the medium of Welsh.

### **Standards relating to recruiting by a body [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 54% of the commitments corresponded to the standards relating to recruiting by a body.<sup>30</sup>

According to the evidence submitted by the Police Chief Constables, consideration is given to Welsh language skills in assessing the needs of all vacant and new posts. There were some minor variations regarding whether it was human resources or the line manager who would reach a decision on the linguistic requirement. The Chief Constables of Gwent and South Wales noted that it would be disproportionate to make standard 136 (where a job interview is held without the support of simultaneous translation services) specifically applicable to them due to their lack of appropriate employees to serve on the panel at present.

3 of the 5 Chief Constables (North Wales, Dyfed Powys and Gwent) noted that they provide key documents within the recruitment pack through the medium of Welsh and that they respond in Welsh to job applications submitted in that language.

Only the Chief Constable of North Wales Police provides space for a job applicant to note their wish for an interview or an assessment through the medium of Welsh.

### **Standards relating to signs displayed in a body's workplace [139-141]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 80% of the commitments corresponded to the standards relating to signs displayed in a body's workplace.<sup>31</sup>

The 5 members of the Police Chief Constables Group stated that they displayed Welsh language signs within their workplace. With the exception of the Chief Constable of Dyfed Powys Police, they all placed the Welsh text so that it was likely to be read first.

### **Standard relating to audio announcements and messages in a body's workplace [142]**

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standard relating to audio announcements and messages in a body's workplace.<sup>32</sup>

---

<sup>30</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>31</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>32</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

Only two Police Chief Constables (Dyfed Powys and Gwent) carry out the activity. They were not of the opinion that it would be reasonable or proportionate to make this standard specifically applicable to them due to the number of Welsh speaking staff they currently have, either to understand the audio message or to produce it.

### **Standards that deal with supplementary matters in relation to operational standards [170-175]**

In general, the Police Chief Constables Group considered the standards reasonable and proportionate but they were keen to state that these duties should not place too heavy a bureaucratic burden upon them and that a template and standard text would facilitate the process.

The Chief Constable of the British Transport Police believed that they were unreasonable and disproportionate as they had not received any requests for the documents in Welsh. The Chief Constable of Dyfed Powys Police reinforced their previous comments by noting a similarity between the requirements of standard 174 and the system of Welsh language schemes.

### **Promotion standards [143-144]**

Only 1 of the 5 forces noted that they would consent to promotion standards being potentially applicable and specifically applicable to them, namely the Chief Constable of South Wales Police; they were of the same opinion relating to the standards dealing with supplementary matters in relation to the promotion standards.

### **Record keeping standards [145-157]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 72% of the commitments corresponded to the standards for record keeping.<sup>33</sup>

The Chief Constable of Dyfed Powys Police considers the following selection of standards (147, 152, 153, 154 and 157) unreasonable, due to the practicality of collecting and maintaining the information. It was noted that it was possible to comply with the remaining standards either by means of systems they already have in place or by creating new systems.

The Chief Constable of the British Transport Police noted that they would have to adopt new methods of collecting information in order to comply, and so too the Chief Constable of Gwent Police who noted that making standard 153 specifically applicable to them would be both unreasonable and disproportionate.

The Chief Constable of North Wales Police stated that it was important for there to be a value to the information collected and that it should be of such quality that it meant it could be used for alternative purposes. They suggested that a record be kept of the use of Welsh in specific circumstances relevant to the sector e.g. in custody.

As regards the Chief Constable of South Wales Police, they stated that it would be unreasonable and disproportionate to make them specifically applicable to them due to a lack of staff with Welsh language skills working in the human resources department.

---

<sup>33</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

**Standards that deal with supplementary matters in relation to record keeping standards [178-179]**

With the exception of the Chief Constable of Dyfed Powys Police, all other members of the Police Chief Constables group have noted that they consider making the standards dealing with supplementary matters in relation to record keeping specifically applicable to them as reasonable and proportionate.

## Police and Crime Commissioners

### Service delivery standards

#### **Activity 1: Correspondence sent by a body**

##### **Standards for correspondence sent by a body [1-7]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 82% of the commitments corresponded to the standards for correspondence sent by a body.<sup>34</sup>

The North Wales Police and Crime Commissioner noted that what is described in the standards is already carried out by them in relation to correspondence. With the exception of the Gwent Police and Crime Commissioner, each Commissioner considered that making the standards specifically applicable to them was reasonable and proportionate. The Gwent Police and Crime Commissioner considered that a selection of the standards, namely 2, 3, 4 and 5 were disproportionate as this would be a substantial administrative burden for the organization. They noted also that the number of Welsh speakers in the area was falling and that there was pressure on them to make savings.

The South Wales Police and Crime Commissioner noted that they did not have internal translators to translate correspondence and if they had, there would be great pressure on them. They stated that this had already led them to decide to publish and distribute a circular in English only.

The Dyfed Powys Police and Crime Commissioner stated that they could comply with standards 2 and 3 although they were not currently doing so. However, they noted that they did not include bilingual documents to send with the correspondence at the present time.

#### **Activity 2: Telephone calls made and received by a body**

##### **Standards for telephone calls made and received by a body [8-22]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 2 relevant persons (50%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average 85% of the commitments corresponded to the standards for telephone calls made and received by a body.<sup>35</sup>

Two of the four Police and Crime Commissioners (Dyfed Powys and Gwent) considered it to be unreasonable and disproportionate to make these standards specifically applicable to them. Gwent noted that standards 11 and 19 were disproportionate and that 18 was irrelevant to them. Dyfed Powys noted that standard 9 was unreasonable and disproportionate as callers are not greeted by an automatic message. They believe callers would receive a lower standard of service if they were referred to a Welsh speaker (in

---

<sup>34</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>35</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.



accordance with standard 10) if that person did not have the relevant information. It was noted that standards 15 and 17 are not relevant to them and that it would be very difficult for them to comply with standard 21 at present, due to the fact that 47% of their workforce could not speak Welsh.

The South Wales Police and Crime Commissioner noted that standards 18 and 19 are not unreasonable or disproportionate as such, but that they could not guarantee compliance due to the number of staff who can speak Welsh at present. The North Wales Police and Crime Commissioner confirmed that this was already current practice.

**Activity 3: Meetings held by a body that are not open to the general public**  
**Standards for meetings held by a body that are not open to the general public [23-29]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 2 relevant persons (50%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 76% of the commitments corresponded to the standards in the draft regulations for meetings held by a body that are not open to the general public.<sup>36</sup>

All the Commissioners noted concern regarding their ability to comply with these standards at all times and that staff in specific roles who do not have Welsh language skills meant that they could not hold a meeting without the aid of simultaneous translation services. It was stated that they could not guarantee that Welsh speaking staff would be available to administrate these meetings.

In discussing the translation facility, three Chief Constables (South Wales, Dyfed Powys and Gwent) noted that it was an administrative, practical and financial burden that was beyond them. The North Wales Police and Crime Commissioner noted also that it would have a substantial impact on their translation resources.

The North Wales Police and Crime Commissioner stated that these standards were achieved to a certain extent if they are informed beforehand, giving them an opportunity to provide translation services.

**Activity 4: Meetings arranged by a body that are open to the public**  
**Standards for meetings arranged by a body that are open to the public [30-34]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 85% of the commitments corresponded to the standards for meetings arranged by a body that are open to the general public.<sup>37</sup>

The North Wales Police and Crime Commissioner noted that this was already current practice whilst the Gwent Police and Crime Commissioner noted that it was upon request

---

<sup>36</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>37</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

that they would provide simultaneous translation at a meeting that is arranged and is open to the public.

Two of the Police and Crime Commissioners (Dyfed Powys and South Wales) noted that it was unreasonable and disproportionate to make these standards specifically applicable to them as they could not guarantee that Welsh speakers would be available to attend or whether the simultaneous translation service would be used. It was noted that the standards did not consider the subject of the meeting and the field of work meant that workers with Welsh language skills who had been designated to attend the meeting might have to leave at short-notice due to an emergency situation.

**Activity 5: Public events organised or funded entirely by a body  
Standards for public events organised or funded entirely by a body [35-36]**

3 of the 4 relevant persons (75%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (including one who had noted that they did not carry out the activity; 100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standards for public events organised or funded entirely by a body.<sup>38</sup>

All the Police and Crime Commissioners noted that they considered making these standards specifically applicable to them was reasonable and proportionate and that they were already complying as part of the commitments of their Welsh language schemes.

However, Gwent Police and Crime Commissioner noted that it was upon request only that they hold public events through the medium of Welsh or with the assistance of a simultaneous translation service. The South Wales Police and Crime Commissioner noted that they could not guarantee compliance due to the low number of staff with the appropriate skills at present.

**Activity 6: A body's publicity and advertising  
Standard for a body's publicity and advertising [37]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standard for publicity and advertising by a body.<sup>39</sup>

Wales Police and Crime Commissioners gave consistent replies to this activity, namely that they already comply with the standards as part of the commitments within their Welsh language schemes. As a result, each Commissioner noted that they believed that making this standard specifically applicable to them was reasonable and proportionate.

---

<sup>38</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>39</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

**Activity 7: Displaying material in public**  
**Standards for displaying material in public [38-39]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standards for displaying material in public.<sup>40</sup>

All Wales Police and Crime Commissioners were consistent in their reply that they considered that making these standards specifically applicable to them was reasonable and proportionate as the duties were already being carried out by them as part of the commitments in their Welsh language schemes.

**Activity 8: A body producing and publishing documents**  
**Standards for a body producing and publishing documents [40-49]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 95% of the commitments corresponded to the standards for a body producing and publishing documents.<sup>41</sup>

Two of the Wales Police and Crime Commissioners (South Wales and North Wales) stated that these prospective duties were already being carried out by them although South Wales noted that it was a very costly service. The Gwent Police and Crime Commissioner confirmed that it was only upon request that some documents would be available in Welsh, and that was due to the cost and the presumed level of demand for the document.

Only the Dyfed Powys Police and Crime Commissioner noted that they considered that making a selection of these standards specifically applicable to them was unreasonable and disproportionate, namely 40, 41, 44 and 46. They noted that standards 42 and 45 were irrelevant to the organization. It was stated that the standards needed to take account of the size of the document and the demand for it.

**Activity 9: A body producing and publishing forms**  
**Standards for body producing and publishing forms [50-51]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 3 relevant persons (75%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 94% of the commitments corresponded to the standards for a body producing and publishing forms.<sup>42</sup>

---

<sup>40</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>41</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>42</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

With the exception of the procurement forms of the South Wales Police and Crime Commissioner, it was noted that duties in standards relating to producing and publishing forms were already being carried out by the group. However, the Dyfed Powys Police and Crime Commissioner noted that they did not publish any for the use of the public at the present time.

All Police and Crime Commissioners of Wales noted that they considered that making these standards specifically applicable to them was reasonable and proportionate.

**Activity 10: A body's websites and on-line services**  
**Standards for a body's websites and on-line services [52-57]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 71% of the commitments corresponded to the standards for a body's websites and on-line services.<sup>43</sup>

A consistent response was received to the questions and observations regarding this activity, namely that they already comply with the standards as part of commitments in their Welsh language scheme. No concerns were expressed and making these standards specifically applicable to them would not be unreasonable or disproportionate.

**Activity 11: Signs displayed by a body**  
**Standards for signs displayed by a body [58-60]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 92% of the commitments corresponded to the standards for signs displayed by a body.<sup>44</sup>

Consistent responses were noted regarding the signs of Police and Crime Commissioners in Wales with all 4 confirming that they already complied with these standards or do not foresee a problem in doing so. However, concern was expressed by one (Dyfed Powys Police and Crime Commissioner) noting that it would be more difficult to ensure compliance in terms of temporary signs produced by individuals.

**Activity 12: A body receiving visitors at its buildings**  
**Standards for a body receiving visitors at its buildings [61-66]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 3 relevant persons (75%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 89% of the commitments corresponded to the standards for a body receiving visitors at its buildings.<sup>45</sup>

---

<sup>43</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>44</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

The Gwent Police and Crime Commissioner stated that they do not carry out the activity in Welsh as it is the force itself that is responsible for administrating the reception areas. It was noted that it was possible to comply with standards 62 and 62A but that the remainder depended on the force. As a result, they considered that making these standards specifically applicable to them was unreasonable and disproportionate. Dyfed Powys Police and Crime Commissioner also considered them to be unreasonable and disproportionate as not all current reception staff can speak Welsh.

The South Wales Police and Crime Commissioner noted concern regarding the above, but in order to address the issue, they are prioritising these posts for Welsh language lessons. The North Wales Police and Crime Commissioner noted that it was the police station in St Asaph that administered their reception and that those posts were ones in which Welsh language skills were essential. As a result, only this organisation currently ensures that the Welsh language is treated no less favourably than English in receiving visitors.

**Activity 13: Official notices made by a body**  
**Standards for official notices made by a body [67-68]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 4 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 75% of the commitments corresponded to the standards for a body producing official notices.<sup>46</sup>

Consistent responses were noted by the Wales Police and Crime Commissioners regarding a body issuing official notices, namely that they can comply with them, and that they are already doing so. Similarly, they do not consider that making these standards specifically applicable to them to be unreasonable or disproportionate.

**Activity 14: A body awarding grants**  
**Standards for a body awarding grants [69-73]**

3 of the 4 relevant persons (75%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 2 relevant persons (67%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 71% of the commitments corresponded to the standards for a body awarding grants.<sup>47</sup>

With adaptations to their current arrangements, the Gwent Police and Crime Commissioner noted that they could comply with these standards although they do not currently do so. These procedures are already operational by the North Wales Police and Crime Commissioner. Only the Dyfed Powys Police and Crime Commissioner considered it unreasonable and disproportionate to make these standards specifically applicable to them, as the levels of demand for a Welsh copy of the tender documents were low.

---

<sup>45</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>46</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>47</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

**Activity 15: A body awarding contracts  
Standards for awarding contracts [74-78]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 2 relevant persons (50%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 75% of the commitments corresponded to the standards for a body awarding contracts.<sup>48</sup>

The Gwent Police and Crime Commissioner is the only person within the group to note that they consider making these standards specifically applicable to them to be reasonable and proportionate and within their ability following adaptations to their current arrangements. However, it considered standard 76 as disproportionate. Concerns were noted by the remainder of the Police and Crime Commissioners, specifically regarding the procurement systems they use which are in English only at present together with the European audience that would be likely to submit tenders for the open contracts. Relevant officers without Welsh language skills were another concern as well as the cost and time added to the process.

**Activity 16: Raising awareness about Welsh language services provided by a body  
Standards for raising awareness about Welsh language services provided by a body [79-80]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 3 relevant persons (75%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 63% of the commitments corresponded to the standards for Welsh language services provided by a body.<sup>49</sup>

Although these duties are already in operation by the relevant persons, and that they all believe it would be reasonable and proportionate to make them specifically applicable to them, two of the Police and Crime Commissioners (Dyfed Powys and South Wales) noted a few concerns. It was noted that standard 80 is only partially complied with at present and that there was a risk involved in managing the expectations of the public by drawing attention to Welsh medium services where there is insufficient numbers of staff to provide them.

It should be noted that section 12(2) (b), Welsh Language Act 1993, notes that Welsh language schemes must specify how the organization will ensure that the scheme is publicised. The Commissioner emphasises that this measure is not an optional element within the legislation.

**Activity 17: A body's corporate identity  
Standard for public events [81]**

All 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 3 relevant persons (75%) noted that they carried out the activity in question through the medium of Welsh.

---

<sup>48</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>49</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standard for a body's corporate identity.<sup>50</sup>

It was stated that what was described in the standards is already in operation by the Police and Crime Commissioners as commitments within their Welsh language schemes. Therefore no concern was expressed regarding making this standard specifically applicable to them.

**Activity 18: Courses provided by a body**  
**Standards for courses provided by a body [82-84]**

2 of the 4 relevant persons (100%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, 2 relevant persons (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 25% of the commitments corresponded to the standards for courses provided by a body.<sup>51</sup>

Of the two carrying out the activity, and doing so in Welsh (the Police and Crime Commissioners of North Wales and South Wales), the South Wales Police and Crime Commissioner noted that they did not consider making the standards specifically applicable to them to be reasonable or proportionate. Reasons were provided for this using examples of internal administration relevant to Police Chief Constables rather than Commissioners, in the context of internal training for police officers.

**Activity 19: Public address systems used by a body**  
**Standard for public address systems used by a body [85]**

1 of the 4 relevant persons (25%) within the Police Commissioners' group noted that they carried out the activity in question. Of those, the relevant person (100%) noted that they carried out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standard for public address systems used by a body.<sup>52</sup>

The North Wales Police and Crime Commissioner, the only one of the group to whom the activity is relevant, noted that very rarely are public address systems used, but they would, however, comply with the prospective duties.

**Standards that deal with supplementary matters in relation to the service delivery standards [158-163]**

Of the four, the North Wales Police and Crime Commissioner was the only one who noted that they considered that making the standards that deal with supplementary matters in relation to service delivery standards specifically applicable to them would be unreasonable and disproportionate. They expressed concern regarding how useful and relevant the information collected would be and that standard 161 specifically was unreasonable and disproportionate.

---

<sup>50</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>51</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>52</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

In discussing the same standard, the Dyfed Powys Police and Crime Commissioner noted that it would be better to produce one annual report detailing compliance rather than a number of reports in order to avoid an administrative burden that would be disproportionate to the result.

The Gwent and South Wales Police and Crime Commissioners noted that it would be possible for them to comply with these standards once it was known what standards would be imposed on them.

### **Policy making standards [86-95]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 75% of the commitments corresponded to the standards for policy making standards.<sup>53</sup>

The four relevant persons within the Police and Crime Commissioners group noted that they used a linguistic impact or general equality assessment that would consider the Welsh language in all policy or commissioning decisions.

The Gwent Police and Crime Commissioner was the only member of the group who believed that it was reasonable and proportionate to make the policy making standards specifically applicable to them. Among the reasons for the viewpoint of the other members to the contrary, concerns were expressed regarding the practicality of checking compliance with the conditions of a grant awarded (although the principle is reasonable, according to the North Wales Police and Crime Commissioner). The South Wales Police and Crime Commissioner noted that it is Central Government that produces the policies they need to follow. The Dyfed Powys Police and Crime Commissioner stated that a body would not need to comply with standards 86-95 in all cases as it would be necessary to establish relevance to the Welsh language or not, as a first step.

### **Standards that deal with supplementary matters in relation to the policy making standards [164-169]**

Two of the four in the Police and Crime Commissioners' group (North Wales and Gwent) noted that they considered that making them specifically applicable to them was reasonable and proportionate. However, a request was made to the Welsh Language Commissioner to provide a template with standard wording for the relevant persons upon whom the duty will be imposed.

For other members of this group, the following reasons in terms of these standards being disproportionate and unreasonable were noted: standard 165, this would mean maintaining a different complaints procedure to the present one; standard 167, producing one annual report regarding compliance would be more effective; standard 169, they considered that standards 166 and 168 already collected this information anyway, and thus it was an unreasonable and disproportionate burden.

The South Wales Police and Crime Commissioner noted that it was central government that was responsible for preparing their policies and that these standards were therefore irrelevant to them.

---

<sup>53</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.



## Operational standards [96-142]

### **Standards for the use of the Welsh language within a body's internal administration [96-109]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 41% of the commitments corresponded to the standards for use of the Welsh language within a body's internal administration.<sup>54</sup>

All relevant persons from this group noted that they operated a policy on the internal use of Welsh for the purposes of promoting and facilitating the language in the form of their Welsh language scheme. Each one stated that this would be an additional translation burden.

The Dyfed Powys Police and Crime Commissioner noted that it would be possible for them to comply with these standards upon request by staff following short-term investment in their translation services but the demand would need to be analysed as a first step. They noted also that only job contracts and services provided would be available in Welsh if requested.

The South Wales and Gwent Police and Crime Commissioners noted that they considered translating documents without first receiving a request for them was disproportionate. These two persons as well as the Dyfed Powys Police and Crime Commissioner noted that English was the language of the seven key human resources policies listed in the draft regulations.

The North Wales Police and Crime Commissioner noted that the human resources administration system used meant that only the contracts for employment and services and correspondence in relation to employment is available in Welsh upon request from a member of staff. However, they noted that their benefits and salaries policy was available bilingually; thereby the only Commissioner to note this.

### **Standards for complaints made by members of a body's staff [110-113]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 55% of the commitments corresponded to the standards regarding complaints made by members of a body's staff.<sup>55</sup>

Save for the Gwent Police and Crime Commissioner, the other relevant persons in the group all allow staff to complain to the body in Welsh and respond in Welsh to any complaint made about them. However, none of those who allow this inform their staff of the ability to do so.

Only the North Wales Police and Crime Commissioner holds meetings relating to a complaint about a member of staff through the medium of Welsh and it is only the South Wales Police and Crime Commissioner who informs a member of staff of their decision following a complaint made about them in Welsh.

Three of the Police and Crime Commissioners noted that it was possible for them to procure a simultaneous translation service if necessary but it was stated that this would be an additional financial burden for the bodies. Although the North Wales Police and Crime

---

<sup>54</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>55</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

Commissioner noted that they welcomed requests and tried to respect the language of choice, the need to follow central procedures in terms of complaints meant that many aspects of the process would be in English, depending on the circumstances.

### **Standards relating to a body disciplining staff [114-117]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 55% of the commitments corresponded to the standards relating to a body disciplining staff.<sup>56</sup>

The comments of three of the four persons were quite similar in describing their ability to comply with these standards, namely that it was an additional administrative and/or financial burden as the resource of an adequate number of Welsh speakers was not available to them.

The North Wales Police and Crime Commissioner noted that staff were welcome to conduct aspects of the process in Welsh if they wished but whether this was possible or not depended on the circumstances.

### **Standards relating to information technology and support material provided by a body, and relating to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 25% of the commitments corresponded to the standards relating to information technology and support material provided by a body, and relating to the intranet.<sup>57</sup>

In relation to the intranet, all the relevant persons noted that they did not provide a home page, interface or menus in Welsh for the workforce. Similar comments were expressed relating to these standards, in that it was unreasonable and disproportionate to invest in a translation resource for the staff. The North Wales Police and Crime Commissioner noted that it would be better to translate the interface and menus as an initial duty. They were the only member from within the group who noted that they provided Welsh interfaces for software when they were available.

Only the Gwent Police and Crime Commissioner noted that they did not provide Welsh spelling and grammar checking software for their staff. The Dyfed Powys Police and Crime Commissioner, as well as the Gwent Police and Crime Commissioner noted that they used the intranet system of the relevant Force rather than administering their own. As a result, it was noted that their compliance with this depended on the compliance of the Chief Constables.

### **Standards for a body developing Welsh language skills through workforce planning and development [125-133]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 86% of the commitments corresponded to the standards relating to a body developing Welsh language skills through workforce planning and development.<sup>58</sup>

Although all the Police and Crime Commissioners assess the Welsh language skills of their workforce, there is some variation in the way in which Welsh language lessons and

---

<sup>56</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>57</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>58</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

language awareness training is provided by the four. The North Wales Police and Crime Commissioner noted that they already carried out four aspects of developing Welsh language skills as follows:

- I. providing Welsh medium training on using the Welsh language effectively in meetings, interviews, and in complaints and disciplinary procedures.
- II. providing opportunities during working hours for employees and workers to receive basic Welsh lessons
- III. providing opportunities during working hours for employees and workers responsible for managing people to receive training on using the Welsh language in their role as managers.
- IV. providing opportunities for employees and workers who have completed a course of basic Welsh lessons to have further training for free in order to develop their skills in the language.

The remainder of the relevant persons in the group did this in part. In terms of vocational training through the medium of Welsh, only the North Wales Police and Crime Commissioner offered recruitment and interview training to workers through the medium of Welsh. English was the medium of all other elements of training for them and for the remaining members of the group.

Although the Dyfed Powys Police and Crime Commissioner was the only relevant person who noted that they did not provide training to their workers to raise awareness of the Welsh language, to understand the needs of operating in accordance with their Welsh language scheme, and to understand how the Welsh language can be used in the workplace, it is noted later that information is shared internally during the induction process for new staff. Internal training is the medium used by all Police and Crime Commissioners in Wales to raise staff awareness of the Welsh language.

With the exception of the Gwent Police and Crime Commissioner, all the relevant persons note that they provide a logo or text to indicate whether a worker is fluent or learning Welsh. All the Police and Crime Commissioners note contact details and e-mail signatures in Welsh, as well as 'out of office' messages.

### **Standards relating to recruiting by a body [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 68% of the commitments corresponded to the standards relating to recruiting by a body.<sup>59</sup>

All the Police and Crime Commissioners in Wales noted that it was their practice (either the line manager or the human resources officer) to assess the need for Welsh skills in relation to all posts. However, the level necessary for those posts varied across the regions.

Only the North Wales Police and Crime Commissioner states that people are welcome to apply for a post in Welsh and that it will not be treated less favourably than English. They were also the only Commissioner to inform a person of a decision on an application for a post made through the medium of Welsh and conduct job interviews in that language.

---

<sup>59</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

However, the Dyfed Powys Police and Crime Commissioner noted that they could provide simultaneous translation services during interviews.

### **Standards relating to signs displayed in a body's workplace [139-141]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 100% of the commitments corresponded to the standards relating to signs displayed in a body's workplace.<sup>60</sup>

With the exception of Gwent, all the Police and Crime Commissioners in Wales displayed Welsh signs internally and it was likely that the Welsh text would be read first.

### **Standard relating to audio announcements and messages in a body's workplace [142]**

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standard relating to audio announcements and messages in a body's workplace.<sup>61</sup>

Only one of the relevant persons noted that they made audio announcements for the workplace, which was the Gwent Police and Crime Commissioner. However, it was noted that they did not do so in Welsh.

### **Standards that deal with supplementary matters in relation to operational standards [170-175]**

Three of the four relevant persons noted that they considered that making the standards that deal with supplementary matters in relation to operational standards specifically applicable to them would be reasonable and proportionate. One of them (North Wales Police and Crime Commissioner) stated that practical guidance would be useful to facilitate compliance.

The Dyfed Powys Police and Crime Commissioner expressed concern relating to a selection of the standards. He noted that 171 was unreasonable and disproportionate as it would mean maintaining a complaints system that was separate to the one they intended to maintain. In the context of standard 173, they were keen to suggest the drawing up of one annual report detailing compliance rather than several ones. This was reinforced by noting that requests in relation to standard 175 would have to be reasonable and proportionate.

### **Promotion standards [143-144]**

One of the relevant persons, namely the South Wales Police and Crime Commissioner, stated that they consented to Welsh Ministers making promotion standards potentially applicable and specifically applicable to them; they were of the same opinion relating to the standards that deal with supplementary matters in relation to the promotion standards.

### **Record keeping standards [145-157]**

When analysing the current Welsh language scheme commitments of all the relevant persons, an average of 73% of the commitments corresponded to the standards for record keeping.<sup>62</sup>

---

<sup>60</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>61</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

## Welsh Language Commissioner's Standards Report - Schedule 5(1): Public Authorities – Section 64 Welsh Language (Wales) Measure 2011

Two of the Police and Crime Commissioners in Wales (Gwent and North Wales) noted that they considered that making the record keeping standards specifically applicable to them was reasonable and proportionate as they were either already current practice or it would be possible to comply with them with reasonable adaptations to their current procedures.

The Police and Crime Commissioners of Dyfed Powys and South Wales expressed concern relating to a selection of the standards including 147 where it was noted that they did not need an additional burden; standard 150 which was impossible to achieve they believed, due to the number of calls and because it was not answered automatically; it was noted that standards 152 and 154 were too onerous and impractical to comply with.

### **Standards that deal with supplementary matters in relation to record keeping standards [178-179]**

Of the Police and Crime Commissioners group, three relevant persons (the Police and Crime Commissioners of North Wales, South Wales and Gwent) noted that they considered that making these standards specifically applicable to them was reasonable and proportionate. The Dyfed Powys Police and Crime Commissioner noted that they considered standard 179 to be unreasonable and disproportionate as they were of the opinion that the information sought was already collected by the other standards.

---

<sup>62</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

## The General Pharmaceutical Council

### Service delivery standards

#### **Activity 1: Correspondence sent by a body Standards for correspondence sent by a body [1-7]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 71% of the commitments corresponded to the standards for correspondence sent by a body.<sup>63</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was unreasonable and disproportionate if they were relevant to correspondence sent to an address outside Wales.

#### **Activity 2: Telephone calls made and received by a body Standards for telephone calls made and received by a body [8-22]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, none of the commitments corresponded to the standards for telephone calls made and received by a body.<sup>64</sup>

The General Pharmaceutical Council noted that they considered that making a selection of these standards specifically applicable to them was reasonable and proportionate as long as they related to callers who spoke Welsh. It was stated that they used a simultaneous translation service when a caller wished to use Welsh as they do not currently employ Welsh speakers. This arrangement led them to consider that imposing the same performance indicators on calls in both languages was unreasonable and disproportionate. They noted that they did not know where callers came from and so it was also unreasonable and disproportionate for them to greet callers bilingually.

#### **Activity 3: Meetings held by a body that are not open to the general public Standards for meetings held by a body that are not open to the general public [23-29]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 78% of the commitments corresponded to the standards in the draft regulations for meetings held by a body that are not open to the general public.<sup>65</sup>

---

<sup>63</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>64</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>65</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

The General Pharmaceutical Council noted that they considered that making a selection of these standards specifically applicable to them was unreasonable and disproportionate, i.e. when a body would be expected to hold a meeting without a simultaneous translation service. It was stated that they would have to procure such a service on all occasions when demand arose as they do not currently employ Welsh speakers.

**Activity 4: Meetings arranged by a body that are open to the public  
Standards for meetings arranged by a body that are open to the public [30-34]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 100% of the commitments corresponded to the standards for meetings arranged by a body that are open to the general public.<sup>66</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was reasonable and proportionate as long as they related to meetings held in Wales.

**Activity 5: Public events organised or funded entirely by a body  
Standards for public events organised or funded entirely by a body [35-36]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 100% of the commitments corresponded to the standards for public events organised or funded entirely by a body.<sup>67</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was reasonable and proportionate as long as they related to Welsh events.

**Activity 6: A body's publicity and advertising  
Standard for a body's publicity and advertising [37]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 100% of the commitments corresponded to the standard for a body's publicity and advertising.<sup>68</sup>

The General Pharmaceutical Council confirmed that they considered that making this standard specifically applicable to them was reasonable and proportionate.

---

<sup>66</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>67</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>68</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

**Activity 7: Displaying material in public  
Standards for displaying material in public [38-39]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 100% of the commitments corresponded to the standards for displaying material in public.<sup>69</sup>

The General Pharmaceutical Council confirmed that they considered that making these standards specifically applicable to them was reasonable and proportionate.

**Activity 8: A body producing and publishing documents  
Standards for a body producing and publishing documents [40-49]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language scheme of the person in question, an average of 100% of the commitments corresponded to the standards for a body producing and publishing documents.<sup>70</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was reasonable and proportionate as long as they were in relation to Wales. However, concern was expressed regarding standard 41 due to the size of the documents and the fact that they were used at their meeting in London. It was not stated whether these meeting documents would be available via an alternative medium or not.

**Activity 9: A body producing and publishing forms  
Standards for a body producing and publishing forms [50-51]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language scheme of the person in question, none of the commitments corresponded to the standards for a body producing and publishing documents.<sup>71</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was reasonable and proportionate as long as they related to forms distributed in Wales.

**Activity 10: A body's websites and on-line services  
Standards for a body's websites and on-line services [52-57]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

---

<sup>69</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>70</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>71</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.



When analysing current commitments in the Welsh language schemes of the person in question, an average of 83% of the commitments corresponded to the standards for a body's websites and on-line services.<sup>72</sup>

The General Pharmaceutical Council stated that they considered that making websites that are open to the public available in Welsh was reasonable, but not the pages for practitioners.

**Activity 11: Signs displayed by a body**  
**Standards for signs displayed by a body [58-60]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, none of the commitments corresponded to the standards for signs displayed by a body.<sup>73</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was unreasonable and disproportionate as they do not have offices in Wales.

**Activity 12: A body receiving visitors at its buildings**  
**Standards for a body receiving visitors at its buildings [61-66]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, none of the commitments corresponded to the standards for a body receiving visitors at its buildings.<sup>74</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was unreasonable and disproportionate as they do not have a physical presence in Wales and do not currently employ Welsh speakers.

**Activity 13: Official notices made by a body**  
**Standards for official notices made by a body [67-68]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language scheme of the person in question, none of the commitments corresponded to the standards for official notices made by a body.<sup>75</sup>

The General Pharmaceutical Council noted that they considered these standards to be proportionate if they are in relation to their registrars, the public or property in Wales.

---

<sup>72</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>73</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>74</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>75</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

**Activity 14: A body awarding grants  
Standards for a body awarding grants [69-73]**

The General Pharmaceutical Council noted that they did not carry out the activity in question, nor did they do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 17% of the commitments corresponded to the standards for a body awarding grants.<sup>76</sup>

**Activity 15: A body awarding contracts  
Standards for awarding contracts [74-78]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 17% of the commitments corresponded to the standards for a body awarding grants.<sup>77</sup>

The General Pharmaceutical Council noted that they considered that making these standards specifically applicable to them was reasonable and proportionate but concern was expressed regarding the proportionality of translating all tender documents on all occasions and that they would wish to do so upon request. Similarly, it was stated that it would not be possible for them to hold a meeting or interview without procuring simultaneous translation services and as the meeting would be held in England, they believed it would be unreasonable and disproportionate to make this duty specifically applicable to them.

**Activity 16: Raising awareness about Welsh language services provided by a body  
Standards for raising awareness about Welsh language services provided by a body [79-80]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 100% of the commitments corresponded to the standards for raising awareness about Welsh language services provided by a body.<sup>78</sup>

The General Pharmaceutical Council stated that they considered that making these standards specifically applicable to them was reasonable and proportionate.

It should be noted that section 12(2) (b) Welsh Language Act 1993, notes that Welsh language schemes must specify how the organization will ensure publicity for the scheme. The Commissioner emphasises that this measure is not an optional element within the legislation.

---

<sup>76</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>77</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>78</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

**Activity 17: A body's corporate identity  
Standard for public events [81]**

The General Pharmaceutical Council noted that they carried out the activity in question, but did not do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, an average of 100% of the commitments corresponded to the standard for a body's corporate identity.<sup>79</sup>

The General Pharmaceutical Council noted that they considered that making this standard specifically applicable to them was reasonable and proportionate in relation to their activities in Wales.

**Activity 18: Courses provided by a body  
Standards for courses provided by a body [82-84]**

The General Pharmaceutical Council noted that they did not carry out the activity in question, nor did they do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, none of the commitments corresponded to the standards for courses provided by a body.<sup>80</sup>

**Activity 19: Public address systems used by a body  
Standard for public address systems used by a body [85]**

The General Pharmaceutical Council noted that they did not carry out the activity in question, nor did they do so in Welsh.

When analysing current commitments in the Welsh language schemes of the person in question, none of the commitments corresponded to the standard for public address systems used by a body.<sup>81</sup>

**Standards that deal with supplementary matters in relation to the service delivery standards [158-163]**

The General Pharmaceutical Council noted that their offices are not usually open to the public but that it would be reasonable and proportionate to make these standards specifically applicable to them.

**Policy making standards [86-95]**

When analysing current commitments in the Welsh language schemes of the person in question, an average of 30% of the commitments corresponded to the standards for policy making standards.<sup>82</sup>

The General Pharmaceutical Council confirmed that they already assessed all new and amended policies for impact on the Welsh language, but it was stated that subjecting policies that are not relevant to Wales to receive the same assessment was unreasonable

---

<sup>79</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>80</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>81</sup> For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

<sup>82</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

and disproportionate. It was noted that making these standards specifically applicable to them would be reasonable and proportionate if policies that did not affect Wales were exempted.

**Standards that deal with supplementary matters in relation to the policy making standards [164-169]**

It was noted that making these standards specifically applicable to them would be reasonable and proportionate if policies that did not affect Wales were exempted.

**Operational standards [96-142]**

**Standards for the use of the Welsh language within a body's internal administration [96-109]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, none of the commitments corresponded to the standards in relation to use of the Welsh language within a body's internal administration.<sup>83</sup>

The General Pharmaceutical Council noted that they do not currently employ any Welsh speakers and therefore, although they would be able to translate any document it would not be reasonable and proportionate.

**Standards for complaints made by members of a body's staff [110-113]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, none of the commitments corresponded to the standards in relation to complaints made by members of a body's staff.<sup>84</sup>

**Standards relating to a body disciplining staff [114-117]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, none of the commitments corresponded to the standards in relation to a body disciplining staff.<sup>85</sup>

The General Pharmaceutical Council noted that they do not currently employ any Welsh speakers and therefore, although they would be able to provide simultaneous translation and translate any document it would not be reasonable and proportionate.

**Standards relating to information technology and support material provided by a body, and relating to the intranet [118-124]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, none of commitments corresponded to the standards in relation to information technology and support material provided by a body, and relating to the intranet.<sup>86</sup>

The General Pharmaceutical Council noted that they do not currently employ any Welsh speakers and therefore, although they would be able to provide simultaneous translation and translate any document it would not be reasonable and proportionate. Furthermore, it was noted that they did not have an office in Wales.

---

<sup>83</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>84</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>85</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>86</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

**Standards for a body developing Welsh language skills through workforce planning and development [125-133]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, an average of 33% of the commitments corresponded to the standards in relation to a body developing Welsh language skills through workforce planning and training.<sup>87</sup>

The General Pharmaceutical Council noted that they do not currently employ any Welsh speakers and therefore, although they would be able to provide simultaneous translation and translate any document it would not be reasonable and proportionate. Furthermore, it was noted that they did not have an office in Wales. However, the General Pharmaceutical Council confirmed that they provided training for their staff to develop an understanding of language awareness, the requirements upon them to operate in accordance with their language scheme and how to use the Welsh language internally. The General Pharmaceutical Council stated that it was relevant staff who would receive this training.

**Standards relating to recruiting by a body [134-138]**

When analysing current commitments in the Welsh language Scheme of the General Pharmaceutical Council, an average of 14% of the commitments corresponded to the standards relating to recruiting by a body.<sup>88</sup>

The General Pharmaceutical Council noted that they were already assessing whether Welsh language skills are needed as part of the competencies for new and vacant posts. They stated that it would be very challenging for them to comply with the remaining standards as they do not have Welsh speakers working for their human resources department.

**Standards relating to signs displayed in a body's workplace [139-141]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, none of the commitments corresponded to the standards relating to signs displayed in a body's workplace.<sup>89</sup>

The General Pharmaceutical Council noted that their buildings, which are located in England, do not include Welsh signs.

**Standard relating to audio announcements and messages in a body's workplace [142]**

When analysing current commitments in the Welsh language scheme of the General Pharmaceutical Council, none of the commitments corresponded to the standard relating to audio announcements and messages in a body's workplace.<sup>90</sup>

The General Pharmaceutical Council noted that they did not make audio announcements for the attention of the workforce.

---

<sup>87</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>88</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>89</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

<sup>90</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

**Standards that deal with supplementary matters in relation to operational standards [170-175]**

The General Pharmaceutical Council noted that they carried out the activity in question, and did so in Welsh.

The General Pharmaceutical Council stated that they considered that making these standards specifically applicable to them was reasonable and proportionate; detailing that it was via their website that they would comply with standard 170 as their offices are not open to the public.

**Promotion standards [143-144]**

The General Pharmaceutical Council noted that they do not consent to making the promotion standards potentially applicable to them.

**Record keeping standards [145-157]**

When analysing current commitments in the Welsh language schemes of the person in question, an average of 46% of the commitments corresponded to the standards for record keeping standards.<sup>91</sup>

The General Pharmaceutical Council stated that they already provided monitoring reports by virtue of a commitment within their Welsh language scheme and that keeping records of compliance with the standards was reasonable and proportionate.

**Standards that deal with supplementary matters in relation to record keeping standards [178-179]**

The General Pharmaceutical Council stated that they already provided monitoring reports by virtue of a commitment within their Welsh language scheme and that keeping records of compliance with the standards was reasonable and proportionate.

---

<sup>91</sup> Average percentage of commitments within the Welsh language schemes of the persons in question, which correspond to the standards in question, be that partially or fully.

## NHS Wales Shared Services Partnership

### Service delivery standards

#### **Activity 1: Correspondence sent by a body Standards for correspondence sent by a body [1-7]**

NHS Wales Shared Services Partnership noted that they carried out the activity in question, but did not do so in Welsh.

The relevant person confirmed that their main contact is with the local health boards and NHS trusts and that their services are unique as they support NHS Wales in providing its frontline services. It was explained that their work meant that they have no direct contact with the general public, but that it provides services that affect the quality of the services they receive from the local health boards.

It was noted that one department within the organization already sent bilingual correspondence automatically but that the remainder of the departments only did so in response to correspondence in Welsh or upon a specific request. It was explained that most of the organization's documentation was issued automatically via the IT systems and that these systems would have to be adjusted in order to ensure full compliance.

Although elements of standards 4 – 7 were already current practice; the relevant person noted that there were some inconsistencies in the way these were implemented. It was also noted that some substantial financial implications may be associated with procuring translation services for some of these standards, but that it would be possible for them to comply.

Having said that, the NHS Wales Shared Service Partnership confirmed that they considered that making all these standards, except for 2 and 3, specifically applicable to them was reasonable and proportionate. Concerns were expressed regarding their ability to comply with these specific standards, explaining that they do not currently keep a formal record of those wishing to receive correspondence from them in Welsh, and in order to be able to comply, a number of standard letters would have to be adapted. They were of the opinion that they do not have the resources to facilitate such action at present.

It was noted also that they were of the opinion that it would not be realistic to correspond in Welsh with NHS Wales organizations as the volume of correspondence between them was very high and that the requirement to translate all these into Welsh would cause problems due to lack of available resources to do so and due to the likely delay in awaiting translations from external sources.

#### **Activity 2: Telephone calls made and received by a body Standards for telephone calls made and received by a body [8-22]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that a number of the requirements attached to these standards were already current practice, noting that all telephone calls received to the

main telephone number were answered with a bilingual greeting. It was noted, however, that this was not consistent, considering the telephone calls made directly to specific members of staff.

The NHS Wales Shared Services Partnership explained that should a person wish to continue with the telephone call in Welsh, there was a list of Welsh speakers available in order to transfer the call to them. If no Welsh speaker was available immediately, then arrangements would be made for them to return the call. It was noted that it could not be guaranteed that the telephone call would be dealt with entirely in Welsh as it was possible that the person receiving the call did not know any Welsh beyond basic greetings.

The relevant person noted that they did not consider that making these standards specifically relevant to them was reasonable nor proportionate, referring specifically to the requirement to provide a message in Welsh on answering machines in accordance with standards 16 and 17. They were not of the opinion that this was reasonable as the calls they receive are mainly from members of staff of local health boards and associated NHS organizations, and so they were not of the opinion that it was necessary to be able to communicate through the medium of Welsh for that. Similarly, and for the same reasons, they did not consider it was reasonable to ask all persons whether they wished to receive telephone calls in Welsh. It was also noted that they did not have the resources at present to deal with Welsh-medium telephone calls on a regular basis.

**Activity 3: Meetings held by a body that are not open to the general public  
Standards for meetings held by a body that are not open to the general public [23-29]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, but that they did not do so in Welsh.

The relevant person confirmed that it is not their practice to inquire about language choice when arranging meetings that are not open to the general public, although that does happen with public meetings.

The relevant person explained that it would not be possible to guarantee that all meetings could be held in Welsh without the aid of a translation service as there was a shortage of staff who could speak Welsh. It was also noted that there would be substantial financial implications associated with providing a translation service and although they would consider doing so in public meetings should a request be received, doing so for other meetings would not be reasonable due to financial constraints. However, they noted that they would consider providing a translation service at a meeting if 30% of those invited had given advance notice that they wished to use the Welsh language at the meeting, but that this would depend on the nature of the meeting and the associated cost.

The NHS Wales Shared Services Partnership did not consider that making these standards specifically applicable to them were reasonable and proportionate, noting that a request for a meeting in Welsh would be considered on a case by case basis in order to consider the nature of the meeting and the costs involved. It was noted that arranging translators for meetings that were not public meetings would be costly and unrealistic considering the financial pressures within NHS Wales at present.



**Activity 4: Meetings arranged by a body that are open to the public  
Standards for meetings arranged by a body that are open to the public [30-34]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, but that they did not do so in Welsh.

The relevant person confirmed that a number of the requirements attached to these standards were already current practice and that making the standards specifically applicable to them would be reasonable and proportionate. It was noted that the main public meeting currently held by the organization was the Shared Services Partnership Committee and that invitations to attend were issued in English only, partly due to the fact that the organization was a non-statutory body. However, it was noted that invitations to other public events were issued bilingually.

Although the relevant person does not currently provide simultaneous translation services at public meetings as a matter of course, or promote the use of Welsh at those meetings, they noted that they would comply if this was mandatory. It was also confirmed that they already tried to display information bilingually at such meetings.

**Activity 5: Public events organised or funded entirely by a body  
Standards for public events organised or funded entirely by a body [30-38]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, but that they did not do so in Welsh.

The relevant person confirmed that a number of the requirements attached to these standards were already current practice and that making the standards specifically applicable to them would be reasonable and proportionate.

**Activity 6: A body's publicity and advertising  
Standard for a body's publicity and advertising [37]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person noted that this standard was already operational and that it was reasonable and proportionate in principle.

**Activity 7: Displaying material in public  
Standards for displaying material in public [38-39]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that they already displayed material in public in bilingual format and that the Welsh language is treated no less favourably than English in doing so. It was noted that making these standards specifically applicable to them was reasonable and proportionate.

**Activity 8: A body producing and publishing documents  
Standards for a body producing and publishing documents [40-49]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that a number of these standards were already current practice within the organization and it was of the opinion that making them all specifically applicable to them would be reasonable and proportionate, with the exception of standard 46.

In terms of standard 46, it was noted that all press releases were issued bilingually, but, for the sake of convenience in their view, the English version was released first. It was explained that the organization currently had no internal translator and thus could not guarantee that there would be no delay in releasing the Welsh version.

**Activity 9: A body producing and publishing forms  
Standards for a body producing and publishing forms [50-51]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person explained that all the forms currently produced for the public were available in Welsh and was of the opinion that making all these standards specifically applicable to them would be reasonable and proportionate, except for standard 51.

In relation to standard 51, the relevant person explained that it was not possible to ensure that details inputted on Welsh forms were inputted in Welsh at present as they do not have an adequate number of staff available who can speak Welsh to ensure compliance.

**Activity 10: A body's websites and on-line services  
Standards for a body's websites and on-line services [52-57]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that a number of these requirements were current practice and noted that their main website and the Students' Awards Services were already available in Welsh. Reference was also made to the fact that they had a Twitter account but no evidence was provided on that aspect. It was noted that the majority of the information on the NHS Jobs website was bilingual but that not all pages were available in Welsh. It was explained that there were restrictions on that website and that only some of the content could be available bilingually at present.

Having said that, the relevant person noted that they considered that making all these standards, except for standards 52 and 54, specifically applicable to them was reasonable and proportionate. Reference was made to the NHS Jobs website, explaining that all the job descriptions were not available in Welsh. Due to the high number of jobs advertised, the organization was of the opinion that a requirement to advertise all these in Welsh would demand substantial use of resources, in terms of both finance and staff. It was also noted that substantial investment would be needed in terms of IT in order to be able to offer a fully bilingual provision, in accordance with these standards.

**Activity 11: Signs displayed by a body  
Standards for signs displayed by a body [58-60]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that a number of the requirements attached to these standards were already current practice. It was noted that the organization already made efforts to ensure that the Welsh language text was displayed so as to be the most likely to be read first but that they did not have the resources to ensure that this was regularly monitored. With this in mind, it was noted that making these standards specifically applicable to them was not considered to be reasonable and proportionate.

**Activity 12: A body receiving visitors at its buildings**  
**Standards for a body receiving visitors at its buildings [61-66]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, but that they did not do so in Welsh.

The NHS Wales Shared Services Partnership noted that some of these standards were already operation within the organization. It was noted, however, that they did not inquire about chosen language as a matter of course when arranging a visit or appointment beforehand, but should a request be received, they would consider providing the service by arranging for a Welsh speaking member of staff to be available. It was noted, however, that this would depend on the ability of the staff in the department and that no member of staff in the reception area could currently speak Welsh.

However, the relevant person noted that they considered that making all these standards, except for 62 and 66, would be reasonable and proportionate. In relation to standards 62 and 66, it was noted that they were not of the opinion that they had the resources, in terms of staff, to ensure a Welsh-language reception service in all building. It was also noted that there would be substantial financial implications associated with this.

**Activity 13: Official notices made by a body**  
**Standards for official notices made by a body [67-68]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that the requirements associated with these standards were already operational and that making them specifically applicable to them would be reasonable and proportionate.

**Activity 14: A body awarding grants**  
**Standards for a body awarding grants [69-73]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person explained that it offered one type of grant at present, which was a bursary for health care students. It was confirmed that a number of aspects of that process were consistent with these standards, though it was noted that Welsh universities were responsible for recruiting and interviewing those students. Having said that, it was noted that making these standards specifically applicable to them would be reasonable and proportionate.

**Activity 15: A body awarding contracts  
Standards for awarding contracts [74-78]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, but that they did not do so in Welsh.

The relevant person explained that the organization's procurement department is responsible for advertising contracts and applications for tenders on behalf of NHS Wales and that they are not currently produced in Welsh due to time restriction in terms of advertising and in considering applications for tenders. It was noted that the contracts are often lengthy and of a technical nature which would take time to translate and possibly lead to delays in terms of publishing the tenders.

With this in mind, it was noted that they did not consider that making these standards specifically applicable to them was reasonable and proportionate. It was noted that the timetable for publishing tenders and processing them was very tight and that there would be delays in the process caused by translating documents into Welsh and translating Welsh applications back into English for members of the department's staff. It was also considered that the associated costs would be impractical.

It should be noted that the relevant person also noted that all contracts were published in the Official Journal of the European Union. It was noted that the periodical was published in 24 recognised official languages, but that Welsh was not one of them. In imposing standards in regulations, Welsh Ministers should ensure that the regulations outline the requirement clearly.

**Activity 16: Raising awareness about Welsh language services provided by a body  
Standards for raising awareness about Welsh language services provided by a body [79-80]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The relevant person confirmed that a number of the requirements attached to these standards were already operational and that making them specifically applicable to them would be reasonable and proportionate.

**Activity 17: A body's corporate identity  
Standard for public events [81]**

The NHS Wales Shared Services Partnership noted that they carried out the activity in question, and did so in Welsh.

The NHS Wales Shared Services Partnership noted that this standard was already operational and thus it would be reasonable and proportionate to make it specifically applicable.

**Activity 18: Courses provided by a body  
Standards for courses provided by a body [82-84]**

The NHS Wales Shared Services Partnership noted that they did not carry out the activity in question, and thus it would not be reasonable and proportionate to make the standards specifically applicable to them.

**Activity 19: Public address systems used by a body**  
**Standard for public address systems used by a body [85]**

The NHS Wales Shared Services Partnership noted that they did not carry out the activity in question, and thus it would not be reasonable and proportionate to make the standard specifically applicable to them.

**Standards that deal with supplementary matters in relation to the service delivery standards [158-163]**

The NHS Wales Shared Services Partnership noted that some of the requirements attached to these standards were already operational within the organization. It was emphasised that it was an organization that was administered by Velindre NHS Trust and so co-operation with that organization would be required in order to comply with some of these standards.

The relevant person noted that they did not consider that making standards 162 and 163 specifically applicable to them would be reasonable and proportionate, referring specifically to the fact that they were administered by Velindre NHS Trust and that organization had a number of resources such as a Welsh Language Officer and translator to aid compliance. It was noted that the organization's progress had been limited due to lack of resources.

**Policy making standards [86-95]**

The relevant person emphasised once again that they were an organization administered by Velindre NHS Trust and thus they had to adhere to the policies of that organization. However, it was noted that they did create their own policies occasionally and that they were in the process of introducing an equality impact assessment to support those policy decisions. It was also noted that some policies relating to bursaries were the responsibility of the Welsh Government.

Although the relevant person acknowledged that a number of the requirements attached to the policy making standards were being implemented in part, it was not considered that making them specifically applicable to them would be reasonable and proportionate, noting that it would be very challenging to ensure consistency in terms of the consideration given to the effect on the Welsh language in relation to all policy decisions made. It was noted that this would also be costly and require many resources.

**Standards that deal with supplementary matters in relation to the policy making standards [164-169]**

The relevant person noted that standard 165 was operational to a certain extent but that the remainder of these standards were the responsibility of Velindre NHS Trust as it was that body that administered them. Bearing that in mind, the relevant person noted that they did not consider that making these standards specifically applicable to them was reasonable and proportionate, noting that ensuring that key information was produced would require a number of resources both in terms of finance and staffing.

## **Operational standards [96-142]**

### **Standards for the use of the Welsh language within a body's internal administration [96-109]**

The relevant person emphasised that they were an organization that was administered by Velindre NHS Trust and that they currently came under the Welsh language scheme of that organization.

In terms of standards 97 and 98, the relevant person confirmed that it would be possible to arrange for the relevant documentation to be translated into Welsh but that some knowledge of Welsh (such as job titles) would be needed by the Health Boards themselves, which carry out the recruitment. It was noted also that they would need to appoint an internal translator or use an external translation service in order to be able to comply. It was noted also that they were currently making inquiries in order to see whether it was possible to update their software in order to be able to share standard external correspondence bilingually.

The relevant person noted that standards 99 – 102 were current practice within the organization at present as they do not have an internal translator in order to ensure full compliance. It was noted again that they depended on the Health Boards to provide it with information and thus they were of the opinion that the Health Boards themselves would be required to comply with these standards for their staff.

The relevant person confirmed that the requirements attached to Standards 103 -109 are not current practice within the organization, noting that all the relevant documentation was published in English in accordance with the policies of Velindre NHS Trust.

### **Standards for complaints made by members of a body's staff [110-113]**

The NHS Wales Shared Services Partnership noted that the requirements associated with standards 110 – 113 were not current practice within the organization noting that all internal documents, processes and procedures were provided in English only at present. With this in mind, it was noted that it would not be possible to comply with these standards as they were not considered relevant to their internal services, though this was not elaborated upon further. It was noted that they would be too costly to implement due to the changes that would have to be made to the system.

### **Standards relating to a body disciplining staff [114-117]**

The relevant person noted that standards 114 – 117 were not currently operational within the organization noting that this was due to financial and time implications associated with the provision of translation services. However, it was noted that the organization would respond to allegations in Welsh and hold the meeting in Welsh if possible should a specific request be made to use the Welsh language.

### **Standards relating to information technology and support material provided by a body, and relating to the intranet [118-124]**

The relevant person noted that standards 118 – 124 were not currently operational, noting that there would be financial implications attached to the introduction of a new system for checking spelling and grammar in Welsh. Similarly, it was noted that their intranet was currently in English only and that it was thought the work of maintaining a bilingual intranet

would be overwhelming.

**Standards for a body developing Welsh language skills through workforce planning and development [125-133]**

The relevant person confirmed that the organization was already assessing the Welsh language skills of their employees in accordance with standard 125. Although it was noted that standards 126, 127 and 132 were not currently operational, it was noted that standards 128 - 131 and 133 were being implemented either fully or partially or that it would be possible for the organization to comply with them in due course.

**Standards relating to recruiting by a body [134-138]**

The relevant person emphasised that it supported NHS Wales in recruiting staff and was responsible for processing recruitment forms on their behalf. It was noted, however, that the responsibility for assessing the linguistic needs of new or vacant posts was the responsibility of the local health boards and the NHS trusts themselves. If the Welsh language is not an essential requirement the relevant person adds it as a desirable requirement. It was noted that the Welsh language was a desirable requirement for all NHS Wales Shared Services Partnership posts and that the post would be advertised bilingually if the Welsh language was essential.

In advertising posts on the NHS jobs website, the relevant person explained that the organization does not note specifically on behalf of NHS Wales that it welcomes applications made in Welsh. It was confirmed also that no invitations are currently extended for an interview in Welsh, due to system limitations but that this is a matter that has been raised with NHS Jobs. It was explained that translating job descriptions, personal specifications, relevant adverts and frameworks would be the responsibility of the Local Health Boards and NHS Trusts. Also, it was noted that it would be the responsibility of those organizations to decide whether they are going to allow applicants to note whether they wish to receive an interview through the medium of Welsh. Though noting a willingness to ask this question on their behalf, the relevant person noted that this would only be done if the relevant organizations could conduct interviews through the medium of Welsh or provide a translation service for that purpose.

The relevant person noted that the recruitment teams do not possess the relevant linguistic skills at present to create long lists of applications received through the medium of Welsh. However, it was explained that a number of the requirements were operational, such as the provision of application forms in Welsh and also that explanatory materials are translated into Welsh for all posts.

The relevant person noted that, in general, complying fully with these standards would be very challenging as the NHS Jobs website would have to have a bilingual system that would allow notifications to be sent in Welsh to applicants who have applied for posts in Welsh. It was emphasised that it would be dependent on the Local Health Boards and NHS Trusts in order to provide them with some information and that they do not have adequate staff resources with Welsh language skills or internal translators to be able to deal with a high number of applications made through the medium of Welsh. Some concerns were also expressed regarding costs should it be necessary to adapt the existing IT system that is used for recruitment, from being an English-only system to being a bilingual one.

**Standards relating to signs displayed in a body's workplace [139-141]**

The relevant person confirmed that they displayed signs within the organization's buildings in Welsh and that the Welsh text is placed so that it is the one that is likely to be read first.

**Standard relating to audio announcements and messages in a body's workplace [142]**

The relevant person explained that no announcements were made over an audio system within the body's workplace.

**Standards that deal with supplementary matters in relation to operational standards [170-175]**

Although the relevant person noted that it complied in part with standard 171, it was emphasised that it was an organization that was administered by Velindre NHS Trust and that it came under the requirements of that organization at present. With this in mind, it was noted that it was not considered that making these standards specifically applicable to them was reasonable or proportionate, noting that they have neither the funding nor resources to manage such arrangements independently.

**Promotion standards [143-144]**

The NHS Wales Shared Services Partnership confirmed that they did not wish to consent to making the promotion standards potentially applicable to them.

**Record keeping standards [145-157]**

The NHS Wales Shared Services Partnership confirmed that a number of the requirements attached to these standards were already operational, either fully or partially, within the organization. They added that the possibility of complying with them would be examined in due course. It should be noted that in relation to standard 145, the relevant person noted that keeping a record of assessments carried out regarding the linguistic requirements of their posts would be the responsibility of the Local Health Boards themselves.

The relevant person noted that they did not consider that making standard 157 specifically applicable to them was reasonable or proportionate, noting that complying with standard 126 referred to in this standard would require a financial commitment together with recruiting an appropriate person to provide the training. It was suggested that there was no demand for this kind of training due to the environment and nature of the services offered by the organization.

**Standards that deal with supplementary matters in relation to record keeping standards [178-179]**

The relevant person emphasised that it was an organization that was administered by Velindre NHS Trust and that they were currently required to comply with the Welsh language scheme of that organization. As a result, reporting requirements were a responsibility of the Trust as well. With this in mind, it was noted that it was not considered that making these standards specifically applicable to them was reasonable or proportionate, noting that they had neither the funding nor the resources to manage such arrangements independently at present.



## 5 Evidence received from members of the public

291 responses from members of the public were received during the standards investigations carried out by the Welsh Language Commissioner in relation to persons within this standards report. 155 responses to the standards investigation were received from individuals who chose to complete a questionnaire provided by the Welsh Language Commissioner on her website.

A further 136 responses were received based on a template of a standard response published by Cymdeithas yr Iaith Gymraeg; in this case, all of the responses were the same. In 14 cases, responses were received from individuals twice. This happened because individuals responded via the Commissioner's consultation as well as completing Cymdeithas yr Iaith Gymraeg's template. 4 responses were received from other organizations or movements.<sup>92</sup> The Commissioner has noted every response received.

A full list of respondents who were willing for their responses to be published can be seen in Appendix B.

Figure 1 indicates where the respondents came from according to their group and geographical location.

**Figure 1 Number of responses to the standards investigation according to location<sup>93</sup>**

Locations	Number	Percentage (%)
Swansea	16	5.5%
Blaenau Gwent	1	0.3%
Vale of Glamorgan	7	2.4%
Caerphilly	5	1.7%
Newport	0	0%
Neath Port Talbot	2	0.7%
Ceredigion	30	10.4%
Conwy	9	3.1%
Cardiff	32	11.1%
Gwynedd	72	24.6%
Merthyr Tydfil	3	1%
Bridgend	3	1%
Powys	9	3.1%
Rhondda Cynon Taf	13	4.5%

<sup>92</sup> A list of those movements / organizations has been included within Appendix B of the standards report.

<sup>93</sup> These statistics include all responses received via the questionnaire, and also the Welsh Language Society template.

## Welsh Language Commissioner's Standards Report - Schedule 5(1): Public Authorities – Section 64 Welsh Language (Wales) Measure 2011

Pembrokeshire	4	1.4%
Denbighshire	22	7.6%
Monmouthshire	2	0.7%
Carmarthenshire	21	6.9%
Flintshire	10	3.5%
Torfaen	1	0.3%
Wrexham	4	1.4%
Isle of Anglesey	19	6.6%
Outside Wales	6	2.1%
No information	0	0%
<b>Total</b>	<b>291</b>	<b>100%</b>

### The public's response to the standards investigation carried out in relation to Schedule 5(1): Public Authorities

#### Service Delivery Standards

In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the service delivery standards, they were asked to respond to the following question in the questionnaire:

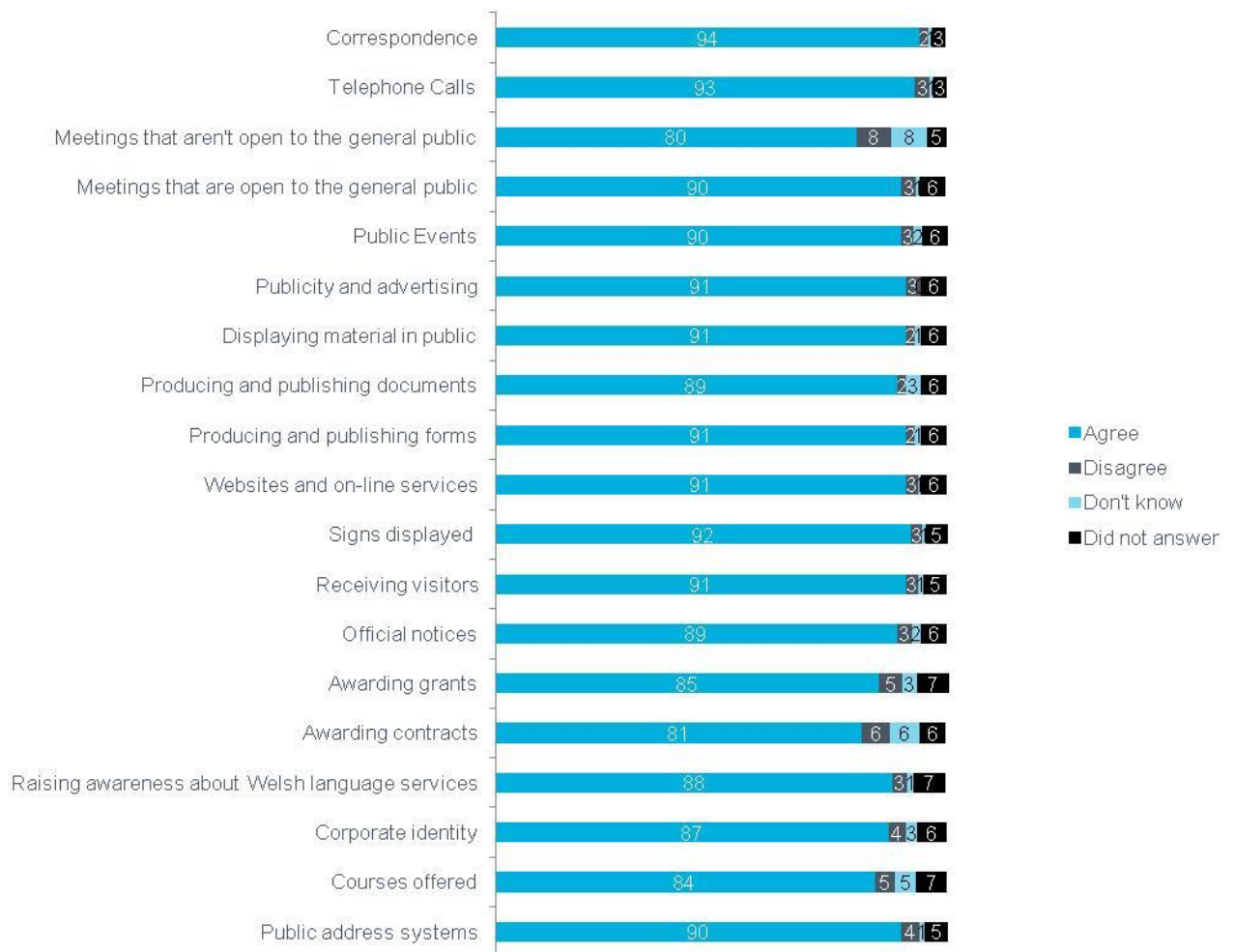
Do you agree or disagree that the organizations in question should carry out service delivery standards activities in the Welsh language, in order to enable you as a member of the public to use the Welsh language in the following situations?

In answering this question as part of the questionnaire, the public were given the opportunity to respond to each activity within the scope of the service delivery standards.

Figure 2 indicates the variety of responses received.

#### **Figure 2** Response to question 1 in the questionnaire - Service Delivery Standards

## Welsh Language Commissioner's Standards Report - Schedule 5(1): Public Authorities – Section 64 Welsh Language (Wales) Measure 2011



### Policy making standards

In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the policy making standards, they were asked to respond to the following question in the questionnaire:

Do you agree or disagree that the policy decisions of the organizations in question should improve the opportunities for you to use the Welsh language and ensure better treatment for the Welsh language?

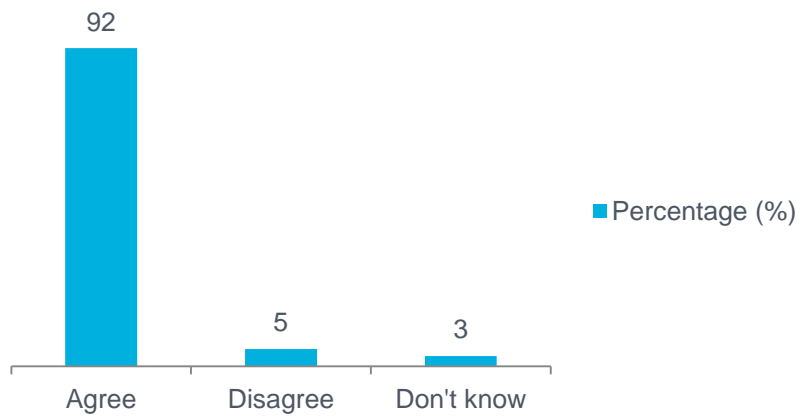
Of the 155 that responded via the questionnaire on our website, 94% (146) had answered this question. Of the 147 that responded, 92% (135) agreed that the relevant persons in question should have to consider the effect of their policy decisions, and ensure, or contribute towards ensuring better opportunities for persons to be able to use the Welsh language as well as ensure better treatment for the Welsh language.

The figure below indicates how members of the public responded to this question:

**Figure 3** Response to question 3 in the questionnaire – Policy making standards<sup>94</sup>

<sup>94</sup> Please note that these statistics relate to the respondents who had answered this question

### Policy Making Standards



### Operational standards

In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the operational standards, they were asked to respond to the following question in the questionnaire:

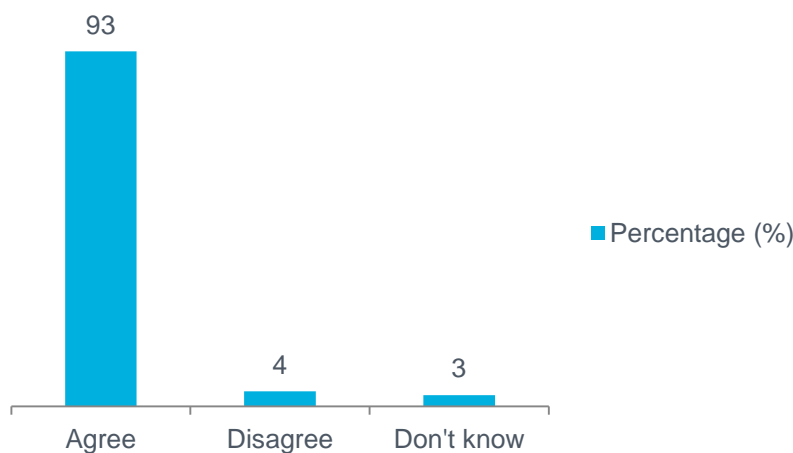
Do you agree or disagree that the organizations in question should have to facilitate the use of the Welsh language in accordance with the operational standards?

Of the 155 that responded via the questionnaire on our website, 95% (147) had answered this question. Of the 147 that responded, 93% (137) agreed that the relevant persons in question should have to facilitate and use the Welsh language in accordance with the definition of the operational standards in the Welsh Language (Wales) Measure 2011.

The figure below indicates how members of the public responded to this question:

**Figure 4** Response to question 4 in the questionnaire – Operational Standards<sup>95</sup>

### Operational Standards



<sup>95</sup> Please note that these statistics relate to the respondents who had answered this question

## Record keeping standards

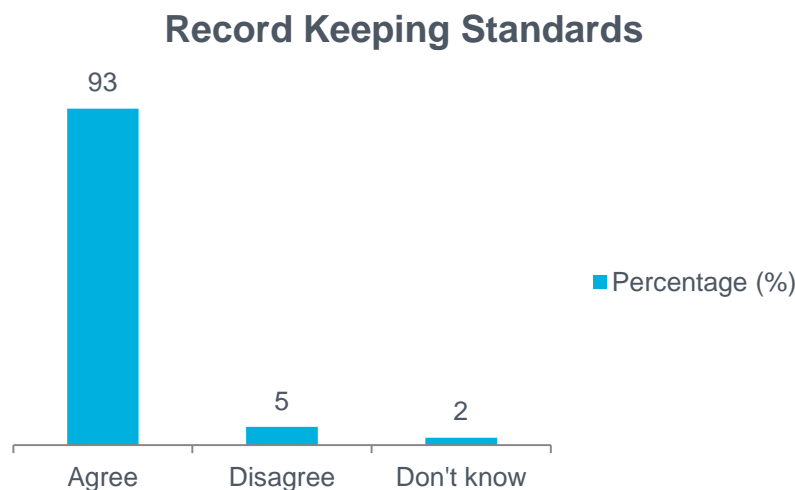
In seeking the public's opinion regarding the reasonableness of the requirements attached to the record keeping standards, they were asked to respond to the following question in the questionnaire:

Do you agree or disagree that the organizations in question should keep a record of how they comply with the Welsh language standards and keep a record of complaints?

Of the 155 that responded via the questionnaire on our website, 95% (148) had answered this question. Of the 148 that responded, 93% (138) agreed that this duty should be imposed on the relevant persons in question.

The figure below indicates how members of the public responded to this question:

**Figure 5** Response to question 5 of the questionnaire – Record keeping standards<sup>96</sup>



## Further Comments

As well as providing responses to specific questions on the subject of the standards investigation, the public were given the opportunity to note any additional standards they believed should be specified and made specifically applicable to the relevant persons in question, together with any further comments relevant to this standards investigation.

Of the 155 that responded via the questionnaire on our website, 49% (76) provided additional comments to be considered by the Welsh Language Commissioner as part of the standards investigation.

<sup>96</sup> Please note that these statistics relate to the respondents who had answered this question

Figure 6 Further comments provided by members of the public



## General comments received from members of the public in relation to round 2 of the standards investigations

### Policy making standards

One respondent referred to the importance of imposing the above standards on each body in round 2, bearing in mind that these policies form the basis of all their activities. Another respondent referred specifically to organizations such as the Police and Crime Commissioners, Sport Wales, the Millennium Centre and the Human Rights Commission, noting that they should give more consideration to the Welsh language in making policy decisions.

To the same end, one respondent referred to the importance of making the policy making standards specifically applicable to the Commissioners named in round 2 noting that a number of their reports did not mention the Welsh language at all, in areas where language rights are impinged upon on a regular basis.

## 6 Evidence received by the Welsh Language Commissioner's Advisory Panel

Evidence was received from the Advisory Panel in accordance with the requirements outlined in section 63 (3) of the Welsh Language (Wales) Measure 2011.

The responses received from the Panel indicated support for the purpose of the regulations, namely to realise the fundamental objectives of the Welsh Language (Wales) Measure 2011: that the Welsh language is an official language in Wales and that it should not be treated less favourably than English.

As with the persons in respect of which standards investigations were carried out in round 1, the Panel was of the opinion that the reasonableness and proportionality of making the standards specifically applicable to the relevant persons should be considered together with the context. In their opinion, this included the purpose of the legislation and the wish of the legislature in terms of the legal status of the Welsh language; the size of the persons in question; their engagement with the public; and the difference between setting standards and the timetable for complying with those standards.

In addition, it was noted that reasonableness and proportionality may be considered in one of two ways, namely: specifying different standards for persons in different areas of Wales, reflecting the linguistic nature of the relevant areas or setting out common standards across Wales, specifying different imposition days determining when they will be required to comply with the standard(s) e.g. where an element of staff training is required to comply with the standard, that particular person would be given more time to comply with the standard than a person where appropriate staff resources are already available. The Panel was once again of the firm opinion that the second method was the most suitable for the Welsh Language Commissioner to implement in most cases, bearing in mind that ensuring consistency between persons as regards providing Welsh language services is one of the main objectives of the Welsh Language (Wales) Measure 2011.

However, comments were received from the Panel regarding the reasonableness and proportionality of making the standards specifically applicable to persons whose headquarters are outside Wales; requiring them to comply with them across the UK. It was emphasised that any requirements imposed on similar persons have regard to those circumstances where they are expected to comply with the standard(s).

## Schedule 5(1): Public Authorities

### **Service delivery standards**

The Panel was of the view that service delivery standards relating to all the activities should be made specifically applicable to the relevant persons, enabling members of the public to use the Welsh language in the situations in question.

In reaching that conclusion, the Panel noted that they were of the opinion that there was no reason why the relevant persons should not be able to carry out and comply with the majority of the activities in question, and thus deal with the public increasingly through the medium of Welsh. However, the Panel was of the opinion that some flexibility should be ensured in relation to some activities, drawing specific attention to producing and publishing documents, grant applications as well as courses. It was emphasised that flexibility would be required in exceptional situations or circumstances, drawing specific attention to documents which would be restricted in terms of the subject or presumed target audience.

Similarly, the Panel was of the opinion that consideration should be given to the location of the centres or offices of the persons in question in issuing compliance notices. This was reinforced by stating that it would be necessary to consider whether it would be reasonable for such persons to comply with a selection of the standards where they do not have a presence in Wales. The relevant clauses in section 44(3) of the Measure were emphasised as a means for the Commissioner to be able to overcome such situations.

### **Policy making standards**

The Panel welcomed the policy making standards. This was reinforced by noting that these standards should be imposed on all persons in respect of whom a standards investigation will be carried out in round 2, emphasising the importance of compliance at all levels.

The Panel agreed that the policy decisions of the relevant persons should improve the opportunities for persons to use Welsh and ensure better treatment for the Welsh language, and that policy making standards should be made specifically applicable to them.

### **Operational standards**

The Panel agreed that the relevant persons should have to facilitate use of the Welsh language in accordance with the operational standards, and that the operational standards should be made specifically applicable to them.

### **Record keeping standards**

The Panel was unanimous that making record keeping standards specifically applicable to persons in round 2 was completely necessary in order to ensure compliance with the remainder of the standards with which they will be required to comply.

The Panel agreed that the relevant persons should keep a record stating how they adhere to other specific standards, and keep a record of complaints. The conclusion was reached that record keeping standards should be made specifically applicable to them.



## 7 Conclusions of the standards investigation

### General comments

The following conclusions were reached based on the evidence received from the relevant persons, the public and the Advisory Panel on the subject matter of the standards investigation, together with independent advice gathered by the Welsh Language Commissioner in the context of the Welsh language scheme of the relevant person in question.

It is noted in the Explanatory Memorandum on the Welsh Language (Wales) Measure 2011 that one of the main objectives of the legislation was to modernise and build on the system of Welsh language schemes created under the 1993 Act. Similarly, it is noted that the aim of the Welsh Government in legislating was to ensure better consistency between persons, especially between persons in the same sector, in terms of providing Welsh language services.

Similarly, it is noted that section 42 of the Measure imposes a duty on Welsh Ministers to ensure that regulations provide for service delivery standards relating to all of the activities specified in Schedule 9 to be specifically applicable to the relevant person if the person,, and to the extent that the person, carries out those activities.

However, it should be noted that they do not have to do so if the Commissioner indicates in a standards report, or if the Welsh Ministers are of the opinion that it would be unreasonable or disproportionate for service delivery standards to be specifically applicable to a person in relation to that activity. It should be noted that this section in the Measure does not prevent regulations under section 39 from providing for other service delivery standards to be specifically applicable to a person.

In accordance with the above, if the standards investigation identifies that an organisation carries out the activity<sup>97</sup>, be that to a lesser or a greater extent, the Welsh Language Commissioner will conclude that all standards relating to that activity should be made specifically applicable. These conclusions were reached due to the fact that the standards introduced by the Welsh Government are interdependent on each other within a scope of activity.

We also note that the way in which a service is delivered under an activity can change in the future and that it would be necessary to adapt to reflect that by varying the compliance notice, rather than going back to regulations.

However, where evidence exists that a person does not carry out an activity at all, whether by means of evidence acquired as part of the standards investigation, or by other means, the Welsh Language Commissioner will conclude that standards in relation to that activity should not be specifically applicable to them, unless there are valid reasons for doing so.

It was explained in section 2 of this report that the subject matter of this standards investigation was to determine:

- whether the persons should be liable to be required to comply with standards;

---

<sup>97</sup> Service delivery activity as defined in section 28 of the Welsh Language (Wales) Measure 2011.

## Welsh Language Commissioner's Standards Report - Schedule 5(1): Public Authorities – Section 64 Welsh Language (Wales) Measure 2011

- if the persons come within Schedule 6, determine what standards (if any) should be potentially applicable to each relevant person within the group;
- which standards (if any) should be specifically applicable to persons (whether or not the standards are already specified by the Welsh Ministers under section 26(1)).

Based on the evidence received, and taking the objectives of the Measure as outlined above into consideration, the Welsh Language Commissioner concludes that these persons whom appear to the Commissioner to be members of the Schedule 5(1) Public Authorities group, should be liable to comply with standards.

The Commissioner's opinion based on the evidence received and with the intention of ensuring consistency with all persons in Schedule 6, is that the following standards should be potentially applicable to the persons whom appear to the Commissioner to be members of the Schedule 5(1) Public Authorities group:

- Service delivery standards;
- Policy making standards;
- Operational standards;
- Record keeping standards.

The Welsh Language Commissioner will consider the evidence provided in order to reach a decision on the content of compliance notices issued to persons under section 44 Welsh Language (Wales) Measure 2011.

## Standards that should be made specifically applicable to the persons who fall within the Schedule 5(1): Public Authorities report

### Service delivery standards

As a result of carrying out this standards investigation, and based on the evidence received, the Welsh Language Commissioner concludes that the persons included within this standards report should be able to deliver services in relation to the relevant activities.

Once again, the Commissioner wishes to note the importance of clearly differentiating between the commitments of the person (what is expected of them) and performance (to what extent they currently comply with those expectations). All Welsh language schemes carry the full authority of the person in agreeing upon their content. Not specifying equal standards, and making them specifically applicable to the person would be a step back, and would go against the intention of the Welsh Language (Wales) Measure 2011.

It is noted that performance, together with the extent to which a person can comply with a standard at a specific period in time, are practical matters. Those extents may improve, deteriorate or remain the same. The Welsh Language Commissioner is of the opinion that commitments should meet the needs of the Welsh speakers they serve, with a reasonable timetable specified for dealing with any existing obstacles. The Welsh Language Commissioner will consider those obstacles when determining the contents of compliance notices issued under section 44, Welsh Language (Wales) Measure 2011.

It is acknowledged that the persons had identified potential challenges and obstacles in terms of ensuring full compliance with some of the service delivery standards. However, the Commissioner is of the view that commitments proportional to the needs of Welsh speakers could be achieved with a reasonable timetable for action and dealing with any challenges.

Also, the fact that the persons had noted that they did not carry out each one of the activities in question is acknowledged. However, in order to try to ensure consistency within sectors, where at least one person within a group has noted that they carry out an activity, the Welsh Language Commissioner concludes that the activity in question should be made specifically applicable to all persons within that group.

All members of the group stated that a few of the standards within all activities were unreasonable and disproportionate. All members of the groups stated that they already complied with a number of the standards within all activities as well. Furthermore, all the activities were current practice by at least one member of all the groups.

The Welsh Language Commissioner will consider those inconsistencies further when determining the contents of individual compliance notices issued under section 44, Welsh Language (Wales) Measure 2011.

**Conclusion 1: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to all persons within this standards report:**

- correspondence sent by a body
- telephone calls made and received by a body
- meetings held by a body that are not open to the general public
- meetings arranged by a body that are open to the public
- a body producing and publishing documents
- a body producing and publishing forms
- a body's websites and on-line services
- a body awarding contracts
- a body's corporate identity
- public events organised or funded entirely by a body
- publicity and advertising
- displaying material in public
- signs displayed by a body
- a body receiving visitors at its buildings
- a body making official notices
- raising awareness about Welsh language services provided by a body

It was identified as part of the evidence submitted that all relevant persons did not undertake all the service delivery activities. One of the relevant persons, the General Pharmaceutical Council, noted that they did not award grants. It should be noted that flexibility is permitted under section 44 of the Measure so that the Welsh Language Commissioner may note the circumstances under which a person is expected to comply with a standard.

**Conclusion 2:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to all persons within this standards report, to the extent to which each person has the power and the function to do so:

- a body awarding grants.

Two of the relevant persons noted that they did not offer courses, namely the General Pharmaceutical Council and NHS Wales Shared Services Partnership. Note that Part 3 of the draft Welsh Language Standards<sup>98</sup> referred to educational courses and interpreted as “any seminar, training, workshop or similar provision which is provided in order to improve the skills of members of the public...” In view of the above, the Welsh Language Commissioner concludes that this activity could be relevant to the persons in question.

**Conclusion 3:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to all persons within this standards report:

- courses provided by a body.

Two of the relevant persons noted that they did not use public address systems, namely the General Pharmaceutical Council and NHS Wales Shared Services Partnership. There may be ambiguity whether the relevant persons do in fact partake of the activity beyond Wales or are located at premises where the landlord is responsible for the public address systems on their behalf.

The Welsh Language Commissioner believes that persons could undertake other service delivery activities of which public address systems would likely be a part: for example meetings that are open to the public, or public events. The Welsh Language Commissioner therefore concludes that this could be a relevant activity to each person within this report. It should be noted that flexibility is permitted under section 44 of the Measure so that the Welsh Language Commissioner may note the circumstances under which a person is expected to comply with a standard.

**Conclusion 4: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to all persons within this standards report:**

- public address systems used by a body

### **Policy making standards**

As a result of carrying out this standards investigation, and based on the evidence received, the Welsh Language Commissioner concludes that the policy decisions of organizations included in the report - Schedule 5(1): Public authorities should improve the opportunities for persons to use the Welsh language and ensure that Welsh is not treated less favourably than English.

The Commissioner's reasons for reaching that conclusion are that a number of these persons are already expected to assess the linguistic implications of new policies and initiatives during the process of creating and reviewing them. All of this was confirmed in the evidence received from them as part of this standards investigation.

It is acknowledged that questions were raised regarding the ability of some of the persons to comply with all the requirements of the standards. It is also acknowledged that some lack of clarity has arisen as a result of evidence received from some persons regarding who is responsible for drawing up their policies. However, where such ambiguity exists, and with a view to ensuring clarity via consultation on a draft compliance notice under section 47 of the Welsh Language (Wales) Measure 2011, the Commissioner concludes that the standards should be made specifically applicable to these persons.

The required measures which form the basis for the content of Welsh language schemes are available as statutory guidelines approved by the House of Commons (the Guidance as to the Form and Contents of Language Schemes was passed by the UK Parliament on 19 July 1995). Those guidelines state that organizations should be required to specify the measures they propose to take when assessing the impact of new policies, strategies and initiatives and when implementing them.

It should be noted that the Chief Constable of South Wales Police and the South Wales

Police and Crime Commissioner stated that these standards were not relevant to them in their view as they implemented policies drawn up by central Government. Similarly, the NHS Wales Shared Services Partnership noted that it partially implemented a number of requirements attached to these standards, but that a number of policies are drawn up and implemented by the Felindre NHS Trust, a body that is responsible for the administration of the Partnership.

**Conclusion 5: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for policy making standards to be specifically applicable to all persons within this standards report.**

### Operational standards

Section 30 of the Welsh language (Wales) Measure 2011 states that the meaning of operational standards is:

- a standard that is intended to promote or facilitate the use of the Welsh language
- (i) by A in carrying out A's relevant activities
- (ii) by A and another person in dealings between them in connection with A's relevant activities, or
- (iii) by a person other than A in carrying out activities for the purposes of, or in connection with, A's relevant activities.

That means that the purpose of the operational standards is to ensure that members of staff can use the Welsh language when carrying out their relevant activities with others. This could include the public in Wales, or another relevant person. Through these standards, sufficient language skills of staff are ensured in order that an individual who wishes to use the language with that person can do so. It should be emphasised that this aim is as appropriate for person who are located in other parts of the UK, but who deliver services in Wales, as it is to persons located in Wales. This is supported by the fact that Schedule 6 of the Welsh Language (Wales) Measure 2011 states that operational standards are potentially applicable to all persons.

The Welsh Language Commissioner notes that some persons of this nature (i.e. not located in Wales) are included within this standards report:

- General Pharmaceutical Council

On 24 March 2015, the Welsh Language Standards Regulations (No.1) 2015 were approved in the National Assembly for Wales Plenary Meeting. These regulations were developed to impose duties on county borough councils and county councils in Wales, national park authorities and Welsh Ministers. All of these persons are located in Wales. Welsh Ministers should ensure that operational standards specified in regulations for round 2 achieves the same objectives noted above, whilst acknowledging that some persons are not located in Wales at present.

The Welsh Language Commissioner recognizes that some elements attached to the operational standards are new to many of the relevant persons which are included within this standards report. Similarly, some examples were received where arrangements are

not in place in order to ensure full compliance with the requirements at present. The Welsh Language Commissioner will consider this further when deciding on the content of a compliance notice given under section 44 of the Welsh Language (Wales) Measure 2011. However, it should be noted that a number of the requirements are expected from a number of persons under current Welsh language schemes. These include specifying measures to ensure that workplaces which have contact with the public in Wales seek access to sufficient and appropriately skilled Welsh speakers; measures to identify those posts where the ability to speak Welsh is considered to be essential and those where it is considered to be desirable together with measures to assess the need for training and to provide it for employees. To that end, and based on the evidence received, the Commissioner concludes that it is reasonable and proportionate for these persons to enable its staff to carry out their relevant activities through the medium of Welsh.

Regarding those elements that are not embedded in the Welsh language schemes of the organizations in question, the Welsh Language Commissioner has reached the conclusion that allowing adequate time for persons to achieve this new signature policy, in addition to including mitigating measures within a compliance notice, where appropriate, would be reasonable and proportionate.

Whilst ambiguity exists regarding which establishment is responsible for the administration of human resources of the NHS Wales Shared Services Partnership, in terms of Velindre NHS Trust or the Local Health Boards, it should be ensured that future provisions encompass considerations of this nature.

Persons that are not located in Wales at present:

**Conclusion 6:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for operational standards in relation to the matters below are specifically applicable to the General Pharmaceutical Council:

- Standards in relation to a body developing Welsh language skills through planning and training its workforce.
- Standards in relation to a body recruiting staff.

**Conclusion 7:** The Welsh Language Commissioner concludes that Welsh Ministers should consider specifying other standards in relation to the matters below for the persons above:

- Standards relating to the use of the Welsh language within a body's internal administration.
- Standards in relation to complaints made by a member of a body's staff.
- Standards in relation to a body disciplining staff.
- Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet.
- Standards in relation to signs displayed in a body's workplace.
- Standard in relation to audio announcements and messages in a body's workplace.

Persons who are located in Wales:

**Conclusion 8:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for operational standards in relation to the matters below are specifically applicable to all other relevant persons within this standards report:

- Standards relating to the use of the Welsh language within a body's internal administration.
- Standards in relation to complaints made by a member of a body's staff.
- Standards in relation to a body disciplining staff.
- Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet.
- Standards in relation to a body developing Welsh language skills through planning and training its workforce.
- Standards in relation to a body recruiting staff.
- Standards in relation to signs displayed in a body's workplace.
- Standard in relation to audio announcements and messages in a body's workplace.

### Record keeping standards

As a result of carrying out this standards investigation, and based on the evidence received, the Welsh Language Commissioner concludes that the persons included in the report - Schedule 5(1): Public authorities should keep records indicating how they adhere to standards with which they are expected to comply, together with complaints. Under Welsh language schemes, the organizations in question are required to stipulate the action to be taken in terms of publishing information on performance against statutory requirements. The evidence received confirmed this, with the majority of these persons, in general, noting that the record keeping standards, in principle, and operational to a considerable extent, were current practice.

**Conclusion 9:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for record keeping standards to be specifically applicable to all relevant persons within this standards report.

### Promotion standards

The Chief Constable of South Wales Police and the South Wales Police and Crime Commissioner confirmed that they wished to consent for promotion standards to be potentially applicable to them.

**Conclusion 10:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that promotion standards are made potentially and specifically applicable to the Chief Constable of South Wales Police and the South Wales Police and Crime Commissioner.



## Standards which deal with supplementary matters

There are provisions in the Welsh Language (Wales) Measure 2011 regarding monitoring arrangements and reporting requirements for the standards system (Section 27 - Supplementary Provisions). Following the approval of the Welsh Language Standards Regulations (No.1) 2015<sup>99</sup> in the National Assembly for Wales' Plenary Meeting, standards which deal with supplementary matters were specified under section 26 of the Measure.

The Commissioner notes that it is a requirement under Welsh language schemes to determine actions to be taken to publish information on the organization's performance against the statutory requirements.

The Welsh Government policy document 'Inspection, Audit and Regulation'<sup>100</sup>, explains that the role of inspectors is to "investigate independently using professional expertise and legal powers". This is supplemented by the Crerar Report on inspection in Scotland which notes that the role of external inspectors is to provide independent assurance that services are being managed well and are fit for purpose. According to Crerar, the five main principles are public focus, independence, proportionality, transparency and accountability. Crerar's proposals are consistent with the principles of Hampton which note that inspection should take place on the basis of risk; that inspections should not be carried out for any reason and that regulators should be able to provide authoritative and accessible advice. There is also an acknowledgement that it is not possible for inspection bodies to oversee everything service providers do. That is, there is an increasing expectation upon service providers to have robust internal scrutiny and audit arrangements. In addition, self-assessment plays an increasingly important role in external audit arrangements.

**Conclusion 11:** As a result of carrying out this standards investigation, and in consideration of the above, the Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for standards which deal with supplementary matters to be specifically applicable to all relevant persons within this standards report.

---

<sup>99</sup> <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

<sup>100</sup> <http://gov.wales/docs/dpsp/publications/inspectionpolicystatement/090930inspstatementen.pdf>

## Additional standards that should be made specifically applicable to the relevant persons falling within the Schedule 5(1): Public authorities report

The following is noted in section 64 (3) Welsh Language Measure (Wales) 2011:

If -

- (a) the conclusions of the standards investigation are (in whole or in part) that any standards should be specifically applicable to a person, and
- (b) any or all of those standards are not specified by the Welsh Ministers under section 26 (1), the standards report must set out the standards that are not specified.

The Welsh Language Commissioner concludes that additional standards to those published by the Welsh Government on 7 November 2014 should be specified. This view was reached after receiving evidence from the public and from the relevant persons as part of the standards investigation.

### Activities: social media; self-service machines.

Since the standards investigation period came to an end a draft version of the Welsh Language Standards (No.1) Regulations (Wales) 2015 was placed before the Table Office on 3 March 2015. The National Assembly for Wales accepted these regulations during a Plenary Meeting on 24 March 2015. Service delivery standards in relation to a body's use of social media and in relation to self-service machines were included in addition to the range of activities subject to this standards investigation. These standards are 58, 59 and 60 from the Welsh Language Standards (No. 1) Regulations (Wales) 2015<sup>101</sup>.

**Conclusion 12:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to all relevant persons falling within this standards report, should Welsh Ministers be of the opinion that the following activities are ones which the person could be undertaking at present, or in the future:

- a body's use of social media
- self-service machines

### Activity: support service and/or functions for NHS Wales

Providing excellent customer service is at the heart of service delivery to individuals and communities. The structure of the service has now changed with some functions transferred from Boards and Trusts to NHS Wales' Shared Services Partnership (NWSSP).

NHS Wales' Shared Services Partnership is an independent organization 'owned and directed by NHS Wales. [It] supports NHS Wales through the provision of a comprehensive range of ... support functions and services'.<sup>102</sup> Amongst the range of services provided by NWSSP for the NHS are procurement services. It should be noted that the Welsh Language Commissioner's monitoring work has

<sup>101</sup> <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

<sup>102</sup> [www.wales.nhs.uk/sitesplus/955/home](http://www.wales.nhs.uk/sitesplus/955/home)

highlighted challenges in relation to the implementation of the Health Boards and NHS Trusts' Welsh language schemes. In addition to that, there is a risk to the services provided to Welsh speakers if processes within the new structure do not comply with the duties placed on the health bodies.

**Conclusion 13:** The Welsh Language Commissioner concludes that Welsh Ministers should specify standard(s) in relation to the below matter, and make them specifically applicable to NHS Wales' Shared Services Partnership:

1. When providing any relevant support service and/or functions for NHS Wales or any other persons, it must be ensured that the Welsh language is treated no less favourably than the English language.

### Primary care services

The Welsh Language Commissioner published the report 'My Language, My Health: the Welsh Language Commissioner's Inquiry into the Welsh Language in Primary Care' in June 2014 which focused on the use of Welsh within primary care services in Wales. That report contained 33 recommendations to Welsh Ministers and policymakers in order to improve patients' experiences in Wales. Those recommendations included asking Welsh Ministers to take specific action to ensure that proposed legislation and subordinate legislation reflect the need to promote the Welsh language within primary care services.

Reference has already been made to the Welsh Language Standards (No. 1) (Wales) Regulations 2015 which were received by the National Assembly for Wales on 24 March 2015. That document contains the following reference:

*In these Regulations-*

- (a) *reference to any activity being carried out by a body, or to any service being provided by a body, are to be read as including a reference to that activity being carried out on the body's behalf or to that service being provided on the body's behalf by a third party under arrangements made between the third party and the body;*
- (b) *accordingly, unless a compliance notice provides to the contrary, a body will have failed to comply with a standard in respect of an activity or service it has arranged to be carried out or provided by a third party if that activity or service has not been carried out or provided in accordance with the standard.*

**Conclusion 14:** As primary care is the first point of contact for the majority of the public in terms of the health service, the Welsh Language Commissioner believes that it is essential to ensure consistency in terms of linguistic behaviour across the health service in Wales in its entirety. As a result, primary care services providers must be subject to the Welsh language standards under the same statutory framework as the health organizations that were subject to this standards investigation. Therefore, the Commissioner concludes that additional standards are needed to enable this to happen.

## 8 The next steps

In preparing this standards report, the Welsh Language Commissioner has considered all the responses submitted to the standards investigation. This report will be submitted to the following in accordance with section 64(4) of the Welsh Language (Wales) Measure 2011:

- all relevant persons
- Advisory Panel to the Welsh Language Commissioner
- all persons who participated in the Commissioner's consultation in accordance with section 63
- Welsh Ministers.

Alongside the standards investigations of the Welsh Language Commissioner, Welsh Ministers are expected to carry out regulatory impact assessments in respect of relevant secondary legislation they intend to create, using their own secondary legislation powers.

The Government of Wales Act 2006 notes that a regulatory impact assessment is as follows:

A regulatory impact assessment is an assessment as to the likely costs and benefits of complying with relevant Welsh subordinate legislation.<sup>103</sup>

In this respect, a regulatory impact assessment may be considered:

- a process to help Welsh Ministers to consider the effect of the proposed regulation on the interests of individuals, groups, organizations etc
- a means of enabling Welsh Ministers to weigh up the costs and benefits of all options available to them before implementing a policy; and
- a means of submitting the relevant evidence on the positive and negative effects of such interventions for the purposes of scrutinising that evidence.<sup>104</sup>

Welsh Ministers will be expected to consider the evidence they collected for the purposes of the regulatory impact assessment, alongside the Welsh Language Commissioner's conclusions in a standards report in deciding whether or not to exercise the powers granted to them under Part 4 Welsh Language (Wales) Measure 2011.

The Rt Hon. Carwyn Jones AM, First Minister of Wales confirmed in a statement on 24 March 2015 that it is currently foreseen that the process of introducing regulations for all relevant persons noted within this report will begin by the end of 2015, with a debate and vote on approval of regulations at a Plenary Meeting of the National Assembly for Wales.

---

<sup>103</sup> Section 76 (2) (a), The Government of Wales Act 2006.

<sup>104</sup> <http://wales.gov.uk/docs/legislation/guidance/091020riacodeen.doc>

## Appendix A - General comments received from members of the public in relation to round 2 of the standards investigations

The responses received were generally supportive of the concept of specifying standards, to ensure that Welsh speakers have clear rights in relation to the Welsh language services provided by all organizations in round 2.

The public once again expressed considerable desire to ensure that the specified standards are clear, robust and coherent for ordinary people. It was added that the rights of Welsh speakers will only be secured in this way.

Outlined below are the main themes of the responses received in favour of making the standards specifically applicable:

- The need to ensure that the standards specified fully reflect the recommendations of the Welsh Language Commissioner's Health Inquiry.
- The need to ensure that the standards ensure Welsh language services provision by default, ensuring that the concept of active offer is consistent across the board.
- Ensure that the process of awarding or dealing with tenders or contracts does not disregard the need to specify Welsh language conditions on the grants/contracts awarded by organizations included in round 2.
- The need to ensure that standards in relation to a face-to-face service goes beyond the main reception areas and personal meetings arranged in advance.
- The need to ensure clarity that the definition of personal meetings includes all face-to-face meetings.
- The need to specify a standard which sets clear requirements on organizations' recruitment policies.

Some responses were received from members of the public, expressing general objection to language duties.

Outlined below are the main themes of the responses received against making the standards specifically applicable:

- The need to consider the current economic climate, and how public money is spent on the Welsh language.
- Prioritising other policy areas over the Welsh language.
- The relevance of the Welsh language in Wales.
- Disagreement with the requirement that Welsh should appear or be published first.

### Service delivery standards

Comments were received from members of the public calling for the need to ensure that specific standards are specified for health bodies which reflect the findings of the Welsh Language Commissioner's report 'My Language, My Health: the Welsh Language Commissioner's Inquiry into the Welsh Language in Primary Care'. Statements added that standards relating to national GP and primary care provider contracts should be specified.

Comments were received that noted that there were inadvertent weaknesses, in their view, in the draft regulations, because the standards in relation to receiving a Welsh language service face-to-face did not go beyond personal meetings organised beforehand and services in the main reception areas. Similarly, it was noted that it is essential for regulations concerning health bodies to specify standards for personal meetings which involve appointments, consultations and all other face-to-face contact.

The importance of personal meetings in health, education and justice was emphasised, and comments drew attention to the fact that they were not of the opinion that the draft regulations would secure a face-to-face Welsh language provision beyond personal meetings and in reception areas. It was added that the definition should be extended to other various contexts.

A number of responses were received which supported the standards relating to meetings that aren't open to the general public, bearing in mind that a number of organizations in the justice sector are included in round 2. Although the standards referred to personal interest or wellbeing, some were concerned that it was not entirely clear whether that would include a person's right to be interviewed in Welsh in the aforementioned context.

In the context of signs, some respondents were of the view that electronic signs and audio exhibitions in places such as museums should be encompassed within the definition of this activity. Similarly, it was noted that surtitles and subtitles in plays and performances should also fall under the definition of signs, with a view to placing standards on persons such as National Theatre Wales and Welsh National Opera.

In relation to the standards relating to courses, many respondents emphasised the importance of professional training in health as well as other sectors, and the need to specify standards that would guarantee Welsh medium professional development courses. Also, concern was expressed regarding the clarity of the definition of courses, with a risk that courses that are open to the public could be seen only as those for members of the bodies or that are managed by the bodies. One respondent highlighted the importance of these standards in relation to the WCVA.

In responding to the standards in relation to awarding grants, many individuals referred to the importance of specifying standards that would ensure that Welsh language conditions are specified for the grants allocated by the organizations in round 2. Emphasis was placed on bodies such as Sport Wales, Arts Council and Big Lottery Fund, noting that they were organizations where the awarding of grants is crucial in terms of increasing the use and provision of the Welsh language.

To that same end, some respondents said that an additional standard should be specified in relation to awarding contracts, with a view to ensuring that independent production companies who are responsible for supplying services on behalf of S4C also fall under the duty to move towards internal use of Welsh as part of their contracted activities with the channel.

A number of members of the public expressed concern that a standard hadn't been specified in the draft regulations for public appointments. It was added that the former Local Government Minister had said that standards would relate to public appointments in

order to set thresholds for the number of Welsh speakers.

In considering the standards in relation to official notices, many respondents noted that it should be ensured that those standards are made specifically applicable to every organization included in this round. One respondent noted that prescriptions should be encompassed within the definition of this activity. However, some comments were received which questioned the propriety of issuing notices on specialist subjects in both languages, going on to question the need to publish an official notice at all in those cases.

One respondent noted that the standards in relation to education corporations (further and higher) should require them to commit to a Welsh medium of bilingual educational provision, using their own resources, as well as the resources received via external streams. It was added that the bodies in question should also stimulate student demand, as well as respond to it. The 'Welsh Language Regulations 2015'<sup>105</sup> state:

For the purposes of standards 84, 85 and 86 (courses), an “education course” means any seminar, training, workshop or similar provision which is provided in order to educate members of the public or to improve the skills of members of the public; but does not include activities or courses provided as part of the curriculum in accordance with any enactment.

Welsh Ministers should ensure clarity regarding the above when specifying standards, and make them specifically applicable in regulations to higher and further education corporations.

### **Policy making standards**

One respondent referred to the importance of imposing the above standards on each body in round 2, bearing in mind that their policies form the basis of all their activities. Another respondent referred specifically to organizations such as Police and Crime Commissioners, Sport Wales, the Millennium Centre and the Commission for Equality and Human Rights, noting that they should give more consideration to the Welsh language in making policy decisions.

To the same end, one respondent referred to the importance of making the policy making standards specifically applicable to the Commissioners identified in round 2, saying that they had a number of reports which do not mention the Welsh language at all, in areas where language rights are constantly ignored.

Specific comments were received in relation to Ofcom, noting that they had a crucial role in awarding radio and TV licences. With that in mind, the respondents in question believed that a standard should be set making licences subject to language conditions under the policy making standards or the contract awarding standards.

Based on evidence received from the public, references were made to a number of profession regulators in round 2, noting that action should be taken to ensure that standards were set for them leading to better workforce planning for a bilingual Wales.

One respondent expressed concern regarding the limited effectiveness of the proposed policy making standards. It was added that not many policies exist on a local level only,

---

<sup>105</sup> Paragraph 37, Part 3, Schedule 1, Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015

and that they should be part of a wider context, often on a national level.

### **Operational standards**

One respondent emphasised the important role played by organizations such as the National Museum of Wales, Wales Millennium Centre, S4C, Natural Resources Wales, National Library of Wales and the Welsh Books Council in terms of contributing to the Welsh language as a workplace language. They noted that the organizations in question, amongst others, should work towards undertaking their internal administration in Welsh. As a result, they were of the opinion that operational standards should be specified in addition to those in the draft regulations, that would allow organizations to work towards that goal.

Similarly, many were of the opinion that higher tier standards should be specified in relation to recruitment, requiring those organizations that conduct their internal administration in Welsh to recruit Welsh speaking staff only.

A number of responses were received from the public asking for standards which would place duties on universities to provide opportunities for students in Welsh (and for non-Welsh speakers to become fluent), as well as a standard which would ensure that they had a duty to train the future workforce.

In their comments on the Local Democracy and Boundary Commission for Wales, one respondent said that a standard should be specified which would ensure that a proportion of those appointed to the Commission can speak Welsh, in order to reflect what was expressed during the revision of that legislation. A number of comments were received which highlighted the importance of specifying such a standard across the organizations in question, in order to ensure that organizations can operate and comply with the requirements in full. Similarly, one respondent noted that it should be ensured that a standard is specified to impose a duty on organizations to offer intensive Welsh learning programmes.

Some comments were received, expressing the view that organizational offices outside Wales should be exempt from operational standards.

### **Record keeping standards**

Many responses were received which were of the firm opinion that organizations should have to keep records, to ensure public accountability and transparency in relation to compliance with the requirements.

However, some respondents emphasised that the record keeping duty should be proportional, and improving the range and quality of their Welsh medium services would be a better investment for organizations. It was added that it was the Welsh Language Commissioner's responsibility to determine that appropriate balance.

### **Students' unions of higher and further education corporations**

In responding to the standards investigation carried out in relation to higher and further education corporations, many comments were received which noted the need to make the standards potentially applicable and specifically applicable to the students' unions. One respondent emphasised the essential part of the students' union in providing services to



the students along with the corporations in question, and referred specifically to the support and academic representation as well as protecting the welfare and interests of the students.

The respondent in question referred to the direct and far-reaching influence the unions have on student experience, together with the fact that they receive substantial amounts of money from the corporations in question. It was also added that the current Welsh language scheme of one corporation acknowledges the relationship between it and the union, and the responsibility it has in this respect.

Many examples were submitted of students' unions operating bilingually during the past academic year. However, bearing in mind the requirements associated with the draft regulations, one respondent emphasised that it was fragmented, and often following pressure from students. With this in view, concern was expressed regarding the lack of strategic and central planning for developing the Welsh language within students' unions, leading to the unions treating the Welsh language less favourably than the English.

In this respect, the respondent was of the opinion that Welsh Ministers should ensure that specific standards are specified and made specifically applicable to education corporations, to acknowledge the all important relationship with the unions, together with the range of services provided by them to students on behalf of the corporations in question. The respondent went on to note that he was of the opinion that not specifying these types of standards would mean that the linguistic rights of students in Wales will not be protected, and from the viewpoint of those students, any attempt to set out standards on a corporate level would be in vain.

## Appendix B - List of respondents to the standards investigation

Below is a list of the relevant person(s) in respect of which a standards investigation was carried out, the Advisory Panel, together with the members of the public who were willing for us to publish their comments.

### Relevant persons

- Chief Constable of South Wales Police
- Chief Constable of Dyfed Powys Police
- Chief Constable of North Wales Police
- Chief Constable of Gwent Police
- Chief Constable of the Transport Police
- South Wales Police and Crime Commissioner
- Dyfed Powys Police and Crime Commissioner
- North Wales Police and Crime Commissioner
- Gwent Police and Crime Commissioner
- The General Pharmaceutical Council
- NHS Wales Shared Services Partnership

### Members of the public

- Alun Jones
- Alun Ceri Jones
- Eifion Jones
- Elin Walker Jones
- Eiliw Alwyn
- Selwyn Lloyd-Jones
- Hywel Wyn Jones
- John Arwel Griffiths
- Lloyd Evans
- Anthony Barry
- Sharon Roberts
- Sion Jobbins
- Owen Saer
- Einir Sion
- Sian Gwenllian
- Lisbeth McLean
- Amanda Evans
- Rhys Glyn
- Anthony Barnard
- Anthony Caradog Evans
- Tim Jones
- Yasmin Morris
- Llinos Jones
- Aled Jones
- Dewi Snelson
- Emrys Wynne
- Curon Wyn Davies

## Welsh Language Commissioner's Standards Report - Schedule 5(1): Public Authorities – Section 64 Welsh Language (Wales) Measure 2011

- Bethan Harvey
- Mair Edwards
- Kathryn
- Helen Thomas
- Geraint Brython Edwards
- Rhodri Williams
- Ruth Evans
- Penri Williams
- Huw Jones
- Emyr Tomos
- Bethan Williams
- Llyr ap Gruffydd
- Robin Farrar
- Robert Jones
- Iago ap Steffan
- Sophie Hughes
- Huw Alun Roberts
- Chris Andrew
- Heledd Gwyndaf
- John Wynn Jones
- Manon James
- Gill Stephen
- Gwyn Williams
- Daron Pierce
- Sian Wyn Jones
- Emma Lloyd
- Neville Evans
- Diane Jones
- Jane Aaron
- Emyr Puw
- Harri Bryn Jones
- Liz Saville Roberts
- Craig ab Iago
- Rhian Davies
- Gwyn Sion Ifan
- Anna Williams
- Dyfan Jones
- Dai Hawkins
- Trefor Jones-Morris
- Dilwyn Morgan
- Rev. Emyr Wyn Thomas
- Bryn Davies
- Dr Ceridwen Lloyd Morgan
- Howard Thomas
- Connor
- Lydia Jones
- Rhodri Jones
- Bob Gaffey
- Angharad

- Ruth Williams
- Nic Daniels
- Jeffrey Jones
- Pablo Dubois
- Gareth Wood
- Llinos Roberts
- Bethan Jones
- Sian Mererid Jones
- Duncan Brown
- B Griffiths
- Awen M G Schiavone
- Osian Wyn Owen
- Robin Owain
- Judith Griffith
- Richard John Griffith
- Clive James
- Sion Williams
- Mathew Rees
- Thomas John Davies
- Ben Screen
- Mari Williams
- Enfys Jones
- Thomas Shaw
- Dafydd Thomas
- Angharad Brown
- John Jones
- Iago Sion
- Dafydd Williams
- Ieuan Parry
- Huw Thomas
- William Schleising
- Huw Roberts

#### **Organizations / Movements**

- Cymdeithas yr Iaith
- Dyfodol i'r Iaith
- Mentrau Iaith Cymru
- Welsh Language Officer, Cardiff University Students Union and the Welsh Society Committee, Cardiff University
- Coleg Cymraeg Cenedlaethol

#### **Advisory Panel to the Welsh Language Commissioner**

- Dr Ian Rees
- Gareth Jones
- Professor Gwynedd Parry
- Bethan Jones Parry
- Carl Cooper