

Relevant person	Investigation	Date decision notice was given	Commissioner's findings and determinations
<u>Newport City Council</u>	<p><b>CS1326</b> The complainant did not receive a Welsh language service after calling the Council. This was a failure to comply with standard 11.</p> <p>Parts of the Council's automated messages were in English only. This was a failure to comply with standard 8.</p> <p>There was uncertainty about the Council's process of offering a call back to customers on the Welsh line only. The investigation finds that this does not breach the standards as the customers are keeping their place in the queue.</p>	11/11/2025	<p><b>Commissioner's Findings</b>  Standard 8 – Failure  Standard 11 – Failure  Standard 17 – No failure</p> <p><b>Further Action</b>  Enforcement action in accordance with section 77 of the Welsh Language (Wales) Measure 2011  1. The Council must modify its call back process so that officers do not record that the matter is closed until a reasonable effort has been made to get hold of the customer. This may mean trying to call the customer back more than once when they have arrived at the front of the queue.</p> <p>Timescale: Within 3 months of the date of publication of the final determination.</p> <p>Advice under section 4 of the Welsh Language (Wales) Measure 2011:  The organisation should consider adding to the automated message in order to give an estimate of the time the customer might wait for the call back. As the Council has data showing the average waiting time, this should be communicated to the customer to help them decide whether to stay on the line or get a call back.</p>

Isle of Anglesey  
County Council

**CS1328** It is acknowledged that there is a lack of use of the Welsh language in a fitness class at a specific leisure centre on Anglesey. It is alleged that the tutor conducts the classes in English, although the majority of those who attend the class, according to the complainant, speak Welsh.

04/11/2025

### **Commissioner's Findings**

Following the investigation, the information submitted by the complainant and the Council was considered. Based on the evidence, we concluded that the Council has not complied with Standard 36. Specifically, the Council failed to ensure that the Welsh language was not treated less favourably than the English language in a public event – namely the fitness classes in question.

Standard 36 – Failure

### **Further Action**

Requirement to prepare an action plan in accordance with section 77 of the Welsh Language (Wales) Measure 2011

I require the Isle of Anglesey County Council to prepare a draft action plan for the purpose of ensuring that it complies with the requirements of standard 36, in particular fitness classes open to the public in the Leisure centre concerned.

The plan must include the following:

- A description of each of the steps the Council will take to ensure that it offers fitness classes in Welsh.
- Who will be responsible and accountable for taking each of the actions (including any milestones)
- The resources (e.g. finance / staff) needed to carry out each of the actions.

The plan should also include action to ensure the Council:

**CS1318** A complaint was received against the Isle of Anglesey County Council alleging that the Council did not conform with Policy-making Standards 91, 92 and 93 when publishing documents relating to the reorganisation of post-16 education provision in the county. Although the Council had noted that the process was an initial consultation step, the documents published contained specific options for changing the provision, and sought public opinion on these options.

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- Conduct an exercise to identify which classes are held in English only, or where English is the main language of provision.
- Consider aspects such as staff training, personal development plans, reviewing job descriptions and person specifications, and recruitment and selection arrangements.
- Fully comply with the requirements of standard 36 within 12 months of the date of approval of the action plan.

Timetable: The Isle of Anglesey County Council must produce a first draft of the action plan and provide that draft to the Commissioner within 6 months from the date of publication of the Commissioner's final determination.

### **Commissioner's Findings**

Although the Council alleged that the process was an 'engagement' process, not a 'consultation', the Policy-making Standards (91-93) apply to any consultation documents relating to a policy decision. The report emphasises that the term 'that relates to' extends the definition, including any process that has the potential to influence policy decision, even if the decision has not yet been made.

In this case, the Council was considering options that could significantly change the structure of post-16 education provision. Ultimately, one of the options presented in the process was chosen, namely developing a closer working relationship between providers.

Although the Council had used the term “engagement”, the nature of the process, the document content, and the use made of the feedback corresponded to a consultation process. As a result, the Council was expected to comply with Standards 91, 92 and 93, including providing a detailed consideration of the impact of the options on the Welsh language.

The response form contained a specific question regarding the impact of the proposals on the Welsh language, including opportunities to use the language and the principle of treating the Welsh language no less favourably than the English language. However, the investigation came to the conclusion that the Council had not provided sufficient analysis of the possible impacts on the Welsh language. There was no information on the current Welsh language provision; for example, there was no information on the numbers of learners studying through the medium of Welsh, the nature of the subjects on offer, nor the effect of each option on the linguistic situation – the types of issues that could possibly have helped the Council to conscientiously consider the impacts of the proposals on the Welsh language. Although the Council later published a Welsh Language Impact Assessment, this was very general, providing stock answers regarding carrying out a more comprehensive impact assessment in due course, and avoiding consideration of the specific effects of the options presented.

This contravened the principles set out by the Welsh Language Tribunal, which requires the need for a conscientious consideration in the initial steps of any process relating to policy decision.

As a result, we have concluded that the Council failed to comply with Standards 91, 92 and 93. Following the judgement, we require the Council to amend its procedures and guidelines with regard to consultation and engagement, in order to ensure that conscientious consideration is given to the Welsh language in the initial steps of any such process.

The nature of the Council's process, the content of the documents, and the use of feedback corresponded to a consultation process. The different options could have had a potentially considerable impact on post-16 education and on the Welsh language in the County, and therefore it was reasonable to expect that the Language Standards would apply.

This investigation has reinforced once again how vital it is to consider the impact on the Welsh language as soon as possible in policy planning. The Council's process had the potential to limit the options that would be available to future users in the key area of post-16 education. If the Council had chosen one particular option before raising issues relating to the Welsh language, it would be too late for those users to be able to fully consider the implications.

Although this was an early stage in the policy-making process in the county, it was vital that the Council gave due consideration to the impacts of the proposals in question on the Welsh language at that early stage and ensured that the public was aware of these considerations. The Standards exist to ensure that organisations consult appropriately with the public regarding the impacts on the Welsh language, clearly noting which impacts have been considered as part of the process, and also giving the public the opportunity to consider or express an opinion on these impacts.

Standard 91 – Failure

Standard 92 – Failure

Standard 93 – Failure

### **Further Action**

Requirement to take action in accordance with section 77 of the Welsh Language (Wales) Measure 2011

1. The Isle of Anglesey Council is required to revise its procedures and staff guidance regarding consultation/engagement processes in order to ensure that conscientious consideration is given to the Welsh language at the initial stages of any consultation or engagement process.

Timescale: Within 3 months of the date of publication of the final determination.

Cardiff Council

**CS1278** The complainant's complaint related to the Rent Smart Wales telephone service hosted by Cardiff Council (the Council). The complainant submitted a complaint that Rent Smart Wales do not deliver a Welsh language telephone service that complies with the Welsh Language Standards on every occasion. The complainant said that sometimes, after choosing the Welsh language service, calls are forwarded to an answering machine if no one is available to answer them. On other occasions, the calls ring through to non-Welsh speakers who do not apologise or acknowledge the attempt to contact them in Welsh.

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### **Commissioner's Findings**

The information provided, along with my officer's experience of trying to use the Rent Smart Wales telephone line, raised suspicions in relation to the service's compliance with the Welsh Language Standards on every occasion.

In its original evidence, the Council stated that they had taken steps to improve the situation in the call centre to include recruiting more staff to the call-handling team. The Council explained that they had also has procedures in place to check for and identify gaps in its Welsh language services. However, in response to the Draft Report of the inquiry, the Council said that the situation had changed due to illness and an unsuccessful probationary period. It was noted that this reflects the ongoing challenge in terms of staff recruitment and retention.

After considering the evidence provided by the Council, the complainant and my officer's experience, I have found that the Council has failed to comply with Standard 10. I have not been convinced that the Council has provided a Welsh language telephone service on every occasion on the Rent Smart Wales line nor that the Council or that they can, at present, do so consistently.

I am satisfied, however, that the telephone service complies with Standards 8 and 9 and that Standard 17 does not apply in this case.

I am keen to ensure that the Council has an adequate procedure in place to answer Welsh language calls to this service on every occasion without relying regularly on answering machine messages, even when recruitment issues arise.

Standard 8 – No failure  
Standard 9 – No failure  
Standard 10 – Failure  
Standard 17 – No failure

### **Further Action**

Requirement to prepare an action plan in accordance with section 77 of the Welsh Language (Wales) Measure 2011

Any Action Plan is expected to be prepared and completed in accordance with the guidance set out in the Inquiry Report, the general guidance contained in the supplementary Advice Document and in accordance with the Template Action Plan which is also attached.

1. Cardiff Council must prepare a comprehensive action plan to ensure compliance with Standard 10, including adequate staffing arrangements, procedures and resources to provide Rent Smart Wales's Welsh language telephone service without reliance on answering machine messages during working hours.

The plan must include:

i) A full review of the existing arrangements for compliance with Standard 10, identifying any gaps or areas for improvement.



ii) Clear Actions setting out how the Council will proceed to restoring compliance, including:

- A specific commitment to categorise relevant jobs as those where Welsh language skills are essential.
- A human resources plan to ensure that sufficient staff are available to provide the service in accordance with the Standard.

iii) Governance and monitoring arrangements, including:

- Name of the officer(s) responsible and accountable for each step
- A specific role for members of the Senior Management Team in scrutinising progress.
- A detailed timetable for the delivery of each step, with all steps to be completed within 3 months of approval of the scheme.
- Updates to be provided to the Welsh Language Commissioner on the Council's progress on the work within the scheme every two months until the end of the scheme's work period.

Timescale: The Council must submit a draft action plan in accordance with the requirements of Section 80 of the Welsh Language Measure within 1 month of receipt of the final decision notice.

Recommendation under section 77 of the Welsh Language (Wales) Measure 2011

1. The Council should ensure that they take advantage of all available Welsh language job advertising platforms, including any that are not already used by them.
2. The Council should reconsider call centre

Carmarthenshire  
County Council

**CS1327** A complaint was received from a member of the public regarding Carmarthenshire County Council's failure to provide a telephone service in Welsh. The complainant telephoned the Carmarthenshire theatre telephone line, and the Council office line and received a response in English. She did not receive an active offer to speak to a person in Welsh.

It was also stated that the following address is not available in Welsh:  
direct@carmarthenshire.gov.uk

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workforce office locations, including more flexible options such as remote working or opening regional offices, incentive schemes to attract and retain staff, skills allowance schemes and planning strategically for the long term.

Timescale: The Council should provide an update on this work within 3 months.

**Commissioner's Findings**

The relevant requirements covered by the investigation are standards 8, 9, 10 and 81.

Having considered the information received from the complainant and the organisation, we are of the view that Carmarthenshire County Council has failed to comply with standards 9, 10 and 81. The basis of the decision is that the Council:

- i) did not inform the caller on the phone that a Welsh service was available
- ii) that the complainant did not receive a telephone service in Welsh when she telephoned the Council's Contact Centre on 12 March 2025
- iii) did not promote and advertise the Welsh language email service by failing to provide a Welsh address to the complainant.

We were of the view that there was no failure to comply with standard 8 on the basis that the complainant was greeted in Welsh on the two occasions that she telephoned the Council.

Welsh Ministers

**CS1313** The complainant alleges that it is not possible to see the Welsh language version of the e-mail title when Transport for Wales' Newsletter reaches his inbox.

23/09/2025

Standard 8 – No failure  
Standard 9 – Failure  
Standard 10 – Failure  
Standard 81 – Failure

### **Further Action**

Requirement to take steps in accordance with section 77 of the Welsh Language (Wales) Measure 2011

1. Carmarthenshire County Council must raise the awareness of all its staff regarding the importance of the Welsh language standards, in particular:

- i) the requirement to inform persons who telephone the Council that a Welsh language service is available.
- ii) The need to promote and advertise all services offered in Welsh.
- iii) Ensure that contact details of staff and the Council are available in Welsh and visible to all

Carmarthenshire County Council must provide written evidence to satisfy the Welsh Language Commissioner that it has completed enforcement action 1.

Timetable: Within 3 months of issuing the final determination.

### **Commissioner's Findings**

The requirements which are relevant to this investigation is standard 6, and an action from investigation CSG1270.

In this case, the correspondence the complainant received treated the Welsh version less favourably than the English version for the reasons stated by the

**CS1276** The complainant contacted the Commissioner as they felt their family was being treated unfairly by the Vale of Glamorgan Council's Department of Social Services as they did not consider their preferred language when the family were referred to the Department.

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complainant in his complaint, and this is contrary to the requirements of standard 6. Welsh Ministers have also failed to complete the actions of CS1270 by failing to ensure that recipients of the newsletter do not need to take additional steps to see the title of the e-mail in Welsh.

Following consultation on the draft report, Welsh Ministers submitted further evidence that they had changed their practices and were now using a new template that puts Welsh first in the title. As the organisation has now taken next steps, there is no need for the Commissioner to take further action.

Standard 6 – Failure  
Enforcement action CS1270 – Failure

#### **Further Action**

We will not take further action in this case as the organisation has taken steps to restore compliance by using a new template that sets the title of the newsletter in Welsh first.

#### **Commissioner's Findings**

The Council provided information confirming that correspondence and appendices were regularly sent in English first because its translation arrangements did not align with the need to send correspondence and documents in order to meet other timeframes that the Council was required to adhere to.

The complainant provided a significant number of examples to illustrate the family's experience in coming into contact with the Department of Social Services. This included examples of correspondence received in English only or English first with the Welsh version to follow and examples of meetings with family members, including the children, without a translation provision or with inadequate translation arrangements.

The information received from the Council confirmed that its translation arrangements at meetings did not correspond to the requirements of the Welsh language standards.

The information received from the complainant raised doubts as to how the Council assesses the language skills of its staff. The information received from the Council showed that it has not assessed the language skills of all Social Services staff as required for compliance with standard 127.

The family's experience created doubts regarding the Council's arrangements in dealing with complaints regarding compliance with the Welsh language standards. The Council provided a link to a complaints procedure which did not mention the Welsh language standards.

Having considered all the information received from the complainant and the organisation, we are of the view that the organisation has failed to comply with standards 5, 6, 26, 26A, 29, 29A, 127 and 156 and we have imposed enforcement actions in order that it restores compliance and ensures better provision for members of the public in future.

Standard 5 – Failure  
Standard 6 – Failure  
Standard 26 - Failure  
Standard 26A - Failure  
Standard 29 - Failure  
Standard 29A - Failure

Standard 127 – Failure

Standard 156 – Failure

### **Further Action**

Standard 5 – Requirement to take steps in accordance with section 77 of the Welsh Language (Wales) Measure 2011

1. The Vale of Glamorgan Council must establish or modify a procedure to establish in what language or languages service users wish to receive correspondence. The procedure must make clear that if it is unable to establish a service user's language choice, correspondence must be sent in Welsh until it knows that the service user does not wish to receive correspondence in Welsh.
2. The Council must provide training to relevant staff members to raise awareness of the procedure.
3. The Council must review its translation arrangements to enable it to align with other duties.
4. The Council must ensure that appendices in Welsh are sent at the same time as appendices in English when sending correspondence and that correspondence in Welsh is not treated less favourably than correspondence in English.
5. The Council must provide written evidence that satisfies the Welsh Language Commissioner that enforcement actions 1-4 have been completed.  
Timetable: Within 3 months of issuing the final determination.
6. The Council must review its procedures to ensure that individuals who receive an invitation to a meeting relating

to their well-being, are asked in a clear and unambiguous way regarding their wish to use the Welsh language at the meeting and that this wish is recorded.

7. The Council must provide guidance to staff who organise meetings relating to well-being to ensure its compliance with the Welsh language standards.

The guidance must address the following:

- When and how attendees will be asked if they wish to use the Welsh language in a meeting.
- How they will inform attendees that there will be a provision in accordance with that wish.
- How the Council will organise the meeting without the assistance of a translation service.

Or

- How Council staff should arrange a translation service if the meeting cannot be held without translation support.
- When a simultaneous translation service needs to be arranged from Welsh to English and when a simultaneous translation service needs to be arranged from English to Welsh.
- Advice for Chairs on how to hold meetings where a translation service is used.

8. The Council should conduct training to raise the awareness of its staff, with particular emphasis on staff involved in social care and well-being, of the requirements of standards 26, 26A, 29 and 29A and to raise awareness of the new guidance.

Standard 127 – Requirement to take steps in accordance with section 77 of the Welsh Language (Wales) Measure 2011

9. The Council must ensure that it has a procedure in place to assess the Welsh language skills of all its employees and the procedure must ensure that the register is kept up to date.

Standard 156 – Requirement to take steps in accordance with section 77 of the Welsh Language (Wales) Measure 2011

10. The Vale of Glamorgan Council should consider the information in paragraphs 8.1.4 and 8.1.11 of the Welsh Language Commissioner's Code of Practice for the Welsh Language Standards (No.1) Regulations to produce a complaints procedure that deals with complaints regarding the Welsh language standards.

11. The Vale of Glamorgan Council must provide training to relevant staff to ensure the implementation of the Complaints Procedure when a complaint is received regarding the Welsh language standards and establish a regular procedure of reminding staff of the arrangements for dealing with complaints regarding the Welsh language.

12. The Council must provide written evidence that satisfies the Welsh Language Commissioner that enforcement actions 6-11 have been completed.

Timetable: Within 6 months of issuing the final determination.

**Standard 132: Recommendation under Section 76(3) of the Welsh Language (Wales) Measure 2011**



The Council should provide language awareness training to Social Services staff to raise staff awareness of all the issues surrounding the case.

**Advice under Section 4 of the Welsh Language (Wales) Measure 2011**

We advise the Council to have regard to the 'More than Just Words' Framework and Government Guidance on dealing with complaints regarding Social Services in relation to dealing with complaints in Welsh.

**Advice under Section 4 of the Welsh Language (Wales) Measure 2011**

We advise the Council to raise staff awareness, with particular emphasis on staff involved in social care and well-being, of the requirements of the Social Services and Well-being (Wales) Act 2014 in relation to the Welsh language.