



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

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

## **Public Bodies: Local Government**

[Ref: 20150529ASCCLI – 1]

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# 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.

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<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 public bodies: Local Government

In accordance with section 62 of the Welsh Language (Wales) Measure 2011, an exploration notice was presented on 31 October 2014 for the attention of persons whom appear to the Commissioner to be members of the following groups of persons:

- Local Health Boards
- Community Health Councils
- National Health Service (NHS) Trusts
- Special Health Authority
- Fire and Rescue Authorities
- Police Authorities.

The relevant persons who fall within the '**Local Health Boards**' group in this standards report are:

- Powys Teaching Health Board
- Aneurin Bevan University Health Board
- Cwm Taf University Health Board
- Abertawe Bro Morgannwg University Health Board
- Betsi Cadwaladr University Health Board
- Cardiff and Vale University Health Board
- Hywel Dda University Health Board.

The relevant persons who fall within the '**Community Health Councils**' group in this standards report are:

- The Board of Community Health Councils in Wales
- Abertawe Bro Morgannwg Community Health Council
- Aneurin Bevan Community Health Council
- Betsi Cadwaladr Community Health Council
- Brecknock and Radnor Community Health Council
- Cardiff and Vale Community Health Council
- Cwm Taf Community Health Council
- Hywel Dda Community Health Council
- Montgomeryshire Community Health Council.

In accordance with The Community Health Councils (Establishment, Transfer of Functions and Abolition) (Wales) (Amendment) Order 2015, Montgomeryshire and Brecknock and Radnor Community Health Councils were abolished on 1 April 2015. Their functions were transferred to a new organization which was established on the same day, namely Powys Community Health Council. However, the Welsh Language Commissioner will come to conclusions for the Community Health Councils group which will include this new organization. The Commissioner will consider these structural changes further when deciding on the contents of compliance notices under section 44 of the Welsh Language (Wales) Measure 2011.

The relevant persons who fall within the '**NHS Trusts**' group in this standards report are:

- Welsh Ambulance Services NHS Trust
- Velindre NHS Trust
- Public Health Wales NHS Trust.

The relevant person who falls within the '**Special Health Authority**' group in this standards report is:

- NHS Business Services Authority

The relevant persons who fall within the '**Fire and Rescue Authorities**' group in this standards report are:

- Mid and West Wales Fire and Rescue Service
- South Wales Fire and Rescue Service
- North Wales Fire and Rescue Service.

The relevant persons who fall within the '**Police Authorities**' group in this standards report are:

- Civil Nuclear Police Authority
- British Transport Police Authority.

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 of this standards investigation was to determine which standards (if any) should be specifically applicable to each relevant person within the groups of 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. 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) the 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 Welsh Language 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.

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

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<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 used to record and analyze the evidence and identify general themes. Regular meetings were held amongst the officers of the Welsh Language Commissioner to analyze the evidence received from relevant persons involved in the standards investigation, along with the current Welsh language scheme commitments of the relevant persons concerned.

In this section an average percentage is given of the relevant persons' Welsh language scheme commitments corresponding to the standards (whether they correspond entirely or partly to the standards' requirements) for each activity.

When analysing current Welsh language scheme commitments against the standards, it should be noted that it was not possible to match a number 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 the relevant persons in question are committed to, or comply with the requirement, but that it is not stated explicitly in their Welsh language schemes.

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

On 31 October 2014, the following relevant person did not have a Welsh language scheme approved under section 14(1) of the Welsh Language Act 1993:

- NHS Business Services Authority.

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



## Local Health Boards

### Service delivery standards

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 92% of commitments corresponded to the standards for correspondence sent by a body.<sup>5</sup>

All of the relevant persons confirmed that a number of the related requirements were already current practice within their organizations. Powys Teaching Health Board stated that they considered that making these standards specifically applicable to them was reasonable and proportionate with another 5 relevant persons agreeing that it would be reasonable and proportionate to make a selection of them specifically applicable to them. Cardiff and Vale University Health Board did not consider that making any of these standards specifically applicable to them was reasonable or proportionate, although they did state that they would be able to comply with a number of them with time.

All of the relevant persons, apart from Powys Teaching Health Board, raised concerns about their ability to comply with standards 2 and 3 and, in particular, the requirement to keep a record of correspondents' language choice. It was noted that there is no integrated IT system which can keep a central record of the information, although such information is maintained on a departmental basis within some organizations. A number of them believed that a significant investment of time and resources would be needed in order to secure compliance.

Although Abertawe Bro Morgannwg and Cwm Taf University Health Boards recognized that some aspects of standards 4 and 5 were current practice, they raised concerns, alongside Aneurin Bevan University Health Board, about their ability to monitor compliance and ensure consistency across their organizations.

Further specific concerns were raised by Betsi Cadwaladr University Health Board regarding their ability to comply with standards 6 and 7. In terms of standard 6, it was noted that the Welsh language was not always treated less favourably than the English since appointment dates are automatically inputted in English only through an electronic administrative system provided nationally across Wales. In terms of standard 7, they state that it would be reasonable and proportionate to implement that, but that it would take time to secure full compliance.

The other general concerns raised included implications relating to financial cost, following timetables and securing constant and consistent compliance.

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<sup>5</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for telephone calls made and received by a body.<sup>6</sup>

All relevant persons confirmed that a number of the requirements were already in operation. Furthermore, Powys Teaching Health Board stated that they considered that making these standards specifically applicable to them would be reasonable and proportionate with another 5 relevant persons stating that they considered that making a selection of them specifically applicable to them would be reasonable and proportionate. Cardiff University Health Board did not consider that making any of these standards specifically applicable to them would be reasonable and proportionate.

Specific concerns were raised by 5 relevant persons regarding their ability to comply with standards 18-20. Although a number of them recognized that aspects of these standards were already current practice within their organizations, there was a consensus that securing and monitoring consistency across their organizations would be challenging as they are large organizations that work with a number of other similar organizations. Some raised concerns regarding the small number of Welsh-speaking staff compared to the high level of calls received.

The same 5 relevant persons emphasised that the requirement to keep a record of persons' language choice in accordance with standard 21 would be difficult to implement at present, mainly due to the absence of a central recording system to capture the relevant information. Aneurin Bevan University Health Board also stated that standard 9 could be irrelevant in some situations, referring in particular to situations where persons are vulnerable.

Amongst the general concerns raised was the need for specialist staff who also possess Welsh language skills in order to deal with calls to helplines and that recruiting such persons had been challenging in the past. Concerns were raised about the possible delay in having to wait for a relevant Welsh speaker to return a call if no-one was available immediately.

**Activity 3: A body holding meetings that aren't open to the general public  
Standards for a body holding meetings that aren't open to the general public [23-29]**

All 7 relevant persons (100%) within the Local Health Boards group said that they undertook the activity in question. Of those, 4 relevant persons (57%) said that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 84% of commitments corresponded to the standards for a body holding meetings that aren't open to the general public.<sup>7</sup>

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<sup>6</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>7</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

The relevant persons did not consider that making these standards specifically applicable to them would be reasonable and proportionate, although a few noted that some of the standards relating to the provision of a translation service would be reasonable and proportionate to implement.

All relevant persons confirmed that they currently try to facilitate the language choice of those wishing to have a meeting in Welsh, if they are informed of such a wish beforehand. However, a number believed that it would be difficult to secure and monitor compliance across their organizations due to the size of their organization, the large number of meetings and appointments held on a daily basis and that only low numbers of staff can speak Welsh.

Similarly, concerns were raised about their ability to provide a translation service in such meetings noting that there would be high costs attached to this and that there would be possible delays in organising the translation. It was also emphasized that a number of urgent meetings and appointments are held within Local Health Boards and in such situations there would be no time to arrange a translator. Hywel Dda University Health Board stated that it would be difficult to find a translator who provides a service from English to Welsh in accordance with the requirements attached to standard 29A.

Hywel Dda University Health Board and Powys Teaching Health Board raised issues involving the definition of these standards in a health-related context, stating that the standards fail to note the difference between a meeting and an appointment in this context. When determining standards in regulations, Welsh Ministers should ensure that they outline the requirement clearly.

Cardiff and Vale University Health Board raised concerns about confidentiality in providing a translation service in meetings/appointments with patients. They also state that it is essential for those members of staff meeting with patients to possess the relevant clinical and professional skills. It was noted that this need would always outweigh the need to conduct the meeting in Welsh, in order to ensure that patient safety was not compromised.

#### **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 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all relevant persons apart from Abertawe Bro Morgannwg University Health Board (86%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.<sup>8</sup>

Abertawe Bro Morgannwg and Hywel Dda University Health Boards confirmed that a number of the requirements attached to these standards are already current practice and that they consider that making them specifically applicable to them would be reasonable and proportionate. Betsi Cadwaladr University Health Board said that they considered that making all these standards, apart from standard 34, specifically applicable to them would be reasonable and proportionate. Although all of the remaining relevant persons stated that a number of the requirements were already current practice, they did not consider that making them specifically applicable to them would be reasonable and proportionate.

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<sup>8</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Powys Teaching Health Board said that they preferred the current arrangements whereby a simultaneous translation service was provided automatically in meetings arranged specifically for public engagement.

Amongst other concerns raised were the need to secure consistency across organizations along with external contractors, the financial costs attached to translation, a third party's ability to produce bilingual materials and the environmental impact of printing relevant material bilingually.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, 5 relevant persons (71%) stated that they undertook the activity in question through the medium of Welsh.

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

Powys Teaching Health Board and Hywel Dda University Health Board confirmed that the requirements were already current practice and that making them specifically applicable to them would be reasonable and proportionate. Although a number of the others acknowledged that aspects of these standards were already current practice, they did not consider that making them specifically applicable to them would be reasonable and proportionate.

A number raised concerns about their ability to monitor and secure compliance across their organizations along with the costs of translating the relevant documents. Several persons said that they would be able to comply with the standards on a broader level in large events but that it would be difficult to comply in smaller events such as coffee mornings and support groups. Cardiff and Vale University Health Board stated that they would not be able to justify removing Welsh speakers from the frontline as that area was a priority for them.

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

All 7 relevant persons (100%) within the Local Health Boards group said that they undertook the activity in question. Of those, all 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 86% of commitments corresponded to the standard for a body's publicity and advertising.<sup>10</sup>

Powys Teaching Health Board and Betsi Cadwaladr, Cardiff and Vale and Hywel Dda University Health Boards said that the requirements attached to this standard are already current practice and that they are reasonable and proportionate in principle.

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<sup>9</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>10</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Although the remaining relevant persons confirmed that aspects of this standard are already current practice, they did not consider that making it specifically applicable to them would be reasonable and proportionate. This was mainly due to the fact that they believed that securing and monitoring consistency and compliance across their organizations, along with contractors and third parties, would be very challenging.

Abertawe Bro Morgannwg University Health Board questioned the exact definition of "publicity and advertising". They referred to their *Twitter* and *Facebook* accounts in this regard and asked whether notices posted here would come under this standard.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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

Powys Teaching Health Board and Cardiff and Vale University Health Board confirmed that these standards were already current practice and that making them specifically applicable to them would be reasonable and proportionate.

A number of the remaining relevant persons also confirmed that aspects of these standards were being implemented by them and that they would be able to be complied with in part but that they did not believe that making them specifically applicable to them would be reasonable and proportionate. The main reason given was that it would be challenging to secure and monitor consistency and compliance across their organizations and with contractors and third parties, especially if they displayed materials produced by others.

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

All 7 relevant persons (100%) within the Local Health Boards group said that they undertook the activity in question. Of those, all 7 relevant persons (100%) said that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for a body producing and publishing documents.<sup>12</sup>

Betsi Cadwaladr University Health Board confirmed that a number of the requirements were already current practice and that making them specifically applicable to them would be reasonable and proportionate. Although all of the remaining relevant persons acknowledged that aspects of these standards were already current practice or that they would be able to comply with them in part, they did not believe that making these standards specifically applicable to them would be reasonable and proportionate.

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<sup>11</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>12</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

In general, concerns were raised about the need to produce all the papers outlined in standard 41 in Welsh, due to the fact that there are so many papers and that sending the work for translation would have a significant impact on resources. Abertawe Bro Morgannwg Health Board suggested that there was a shortage of qualified translators to undertake the work with Cardiff and Vale University Health Board stating that the benefit to the public would be negligible as a number of the papers were aimed at a limited audience. Several also said that monitoring consistency and compliance across their organizations would be very challenging, especially considering documents produced by third parties and contractors.

Powys Teaching Health Board noted that they would be able to comply for the majority of the time but that there would be some circumstances where it would not be reasonable nor proportionate to translate documents before publication. No specific examples were given of such situations.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, each relevant person, apart from Cardiff University Health Board (86%), stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 82% of commitments corresponded to the standards for a body producing and publishing forms.<sup>13</sup>

Betsi Cadwaladr University Health Board believed that making a selection of the standards specifically applicable to them would be reasonable and proportionate. No other relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate.

Amongst the concerns raised were the current limited number of Welsh-speaking staff, the significant implications, both in terms of finances and resources, in translating each form for public use into Welsh, and that it would be difficult to monitor and secure consistency across organizations and by contractors.

Several relevant persons also believed that there was a clinical risk attached to producing bilingual forms. Despite acknowledging that a patient/service user can have a linguistic need to complete a form in Welsh, they identified a clinical risk attached to that if the member of staff analysing the form cannot understand Welsh. Similarly, a number believed that it would be difficult for a non-Welsh speaking member of staff to pre-enter information on a Welsh-language form.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>13</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for a body's websites and on-line services.<sup>14</sup>

Powys Teaching Health Board and Betsi Cadwaladr, Cardiff and Vale and Hywel Dda University Health Boards noted that the requirements were already current practice on the whole and that making them specifically applicable to them would be reasonable and proportionate.

The others confirmed that they already implement some aspects and that they would be able to comply with them in part. However, they did not believe that making these standards specifically applicable to them would be reasonable and proportionate and said that it would be difficult to monitor consistency across their organizations, along with primary care providers. It was noted that it would be difficult to keep up with the regular updates to English-language versions of websites and that there would be significant implications, in terms of finances and resources, attached to translating each page into Welsh.

Abertawe Bro Morgannwg University Health Board highlighted the fact that they had experienced difficulties recruiting full-time in-house translators, stating that they believed there was a shortage of qualified translators to undertake the work.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for signs displayed by a body.<sup>15</sup>

Powys Teaching Health Board and Betsi Cadwaladr University Health Board confirmed that the requirements were already current practice and that making them specifically applicable to them would be reasonable and proportionate.

Although the other 5 relevant persons said that they already displayed bilingual signage, they all believed that it would be difficult to ensure that all temporary signs were bilingual due to a shortage of Welsh-speaking staff and that they would need to wait for a translation to be provided. Concerns were also raised regarding the ability of contractors and primary care providers to comply with the standards, with a number stating that they do not have control over the content of their signage and that therefore monitoring and securing consistency across their organization would be difficult.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>14</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>15</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 86% of commitments corresponded to the standards for receiving visitors at a body's buildings.<sup>16</sup>

Powys Teaching Health Board said that they would be able to comply with these standards as they had sufficient numbers of Welsh-speaking staff to implement them and that therefore making them specifically applicable to them would be reasonable and proportionate.

Aneurin Bevan, Cwm Taf, Abertawe Bro Morgannwg and Hywel Dda University Health Boards believed that making a selection of the standards specifically applicable to them would be reasonable and proportionate. Cardiff and Vale University Health Board did not consider that making any of these standards specifically applicable to them would be reasonable and proportionate.

Amongst the other concerns was a shortage of Welsh-speaking staff to provide a reception service through the medium of Welsh and that it would not be possible therefore to guarantee such a service at all times. In addition, a lack of funding for training was identified along with monitoring and securing consistency across the organizations and primary care providers.

Several relevant persons noted that it would be impractical to ask about the language choice of an individual visiting reception due to the nature of the organizations and the number of receptions.

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

All 7 relevant persons (100%) within the Local Health Boards group said that they undertook the activity in question. Of those, all 7 relevant persons (100%) said that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for a body making official notices.<sup>17</sup>

There was a positive response to these standards with everyone confirming that the requirements were already current practice and that making them specifically applicable to them would be reasonable and proportionate. However, Aneurin Bevan University Health Board and Hywel Dda University Health Board stated that they did not have the authority to secure the compliance of primary care providers.

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

3 of the 7 relevant persons (43%) within the Local Health Boards group, namely Powys Teaching Health Board, Abertawe Bro Morgannwg University Health Board and Hywel Dda University Health Board, stated that they undertook the activity in question. Of those, Powys Teaching Health Board stated that they undertook the activity in question through the medium of Welsh.

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<sup>16</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>17</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.



When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for a body awarding grants.<sup>18</sup>

Powys Teaching Health Board confirmed that they undertook the activity, with Abertawe Bro Morgannwg University Health Board stating that they currently had a service level agreement with the third sector to provide grants on their behalf. They considered that making these standards specifically applicable to them would be reasonable and proportionate. No other relevant person considered that making these standards specifically applicable to them would be reasonable and proportionate.

Although Cwm Taf and Cardiff and Vale University Health Boards said that they did not undertake the activity, they did state that they provide funding to different parties, both third parties and internal departments, but that they do not consider this to correspond to awarding 'grants' as such. Similarly, Hywel Dda University Health Board said that they allocate funding to some parties but that the requirements were not currently implemented by them and that they did not invite grant applications. They believed that there would be financial implications attached to providing a simultaneous translation service in interviews, should they be conducted.

Although Aneurin Bevan University Health Board said that they do not currently undertake the activity, they did note that they would be able to translate the relevant documents if needed as they had access to the translation service provided by the NISCHR, a Welsh Government department.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, none of the relevant persons stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for a body awarding contracts.<sup>19</sup>

Although Betsi Cadwaladr University Health Board said that there would be resource implications in providing and procuring a translation service, they believed that they would be able to comply, given a sufficient amount of time and that making them specifically applicable to them would be reasonable and proportionate. None of the other relevant persons believed that making these standards specifically applicable to them would be reasonable and proportionate, although Cardiff and Vale University Health Board noted that they would be able to comply with standards 74-75A.

Amongst the concerns raised were the significant costs along with the resource implications if it was necessary to translate each relevant document into Welsh, a shortage of Welsh-speaking staff to conduct interviews without the support of a translation service, and that contracts were often bulky and technical in nature with tight deadlines for advertising tenders.

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<sup>18</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>19</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Several relevant persons said that the website used for advertising contracts was provided by NHS Wales Shared Services Partnership on a national basis across Wales and that it was therefore this organization which would be responsible for securing compliance with that aspect. It was also noted that this organization could be responsible for providing some forms and documents involving contracts. Cardiff and Vale University Health Board also confirmed that responsibility for a number of their procurement activities had been transferred to NHS Wales Shared Services Partnership.

Powys Teaching Health Board stated that they had entered into contracts with a number of other NHS organizations, many of which were based in England, but that they would comply with these in accordance with the standards.

**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 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all relevant persons, apart from Cardiff and Vale University Health Board (86%), stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 64% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.<sup>20</sup>

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

Powys Teaching Health Board and Betsi Cadwaladr University Health Board confirmed that the requirements were already current practice, with Cardiff and Vale University Health Board noting that they were achievable although it would be difficult to secure consistency across the organization. All of these relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate.

Although the others said that they could comply in part or that there were elements of the standards already current practice, they did not consider that making them specifically applicable to them would be reasonable and proportionate. The main concerns raised in this regard were a shortage of staff with the necessary Welsh-language skills along with securing and monitoring compliance across the organizations. Furthermore, a number of the relevant persons believed that it would be unreasonable to expect them to ensure that primary care providers, charities and volunteer groups complied to the same degree.

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

All 7 relevant persons (100%) within the Local Health Boards group stated that they undertook the activity in question. Of those, all 7 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>20</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

There was a positive response from all relevant persons to this standard with everyone confirming that they already implemented it and that making it specifically applicable to them would be reasonable and proportionate.

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

4 of the 7 relevant persons (57%) within the Local Health Boards group, namely Powys Teaching Health Board and Aneurin Bevan, Cwm Taf and Cardiff and Vale University Health Boards, stated that they undertook the activity in question. Of those, none stated that they undertook 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 standards for courses offered by a body.

None of the relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate. Of those relevant persons who said that they undertook the activity, it was noted that there was a lack of Welsh-speaking staff to provide courses through the medium of Welsh and that there would be significant financial implications attached to providing a simultaneous translation service and translating materials into Welsh.

Powys Teaching Health Board believed that providing every course in Welsh was impractical and, despite stating that they would make arrangements to provide a course through the medium of Welsh, should that need be highlighted, they did not believe that it should be compulsory.

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

5 of the 7 relevant persons (71%) within the Local Health Boards group, namely Aneurin Bevan, Cwm Taf, Abertawe Bro Morgannwg, Betsi Cadwaladr and Cardiff and Vale University Health Boards, stated they undertook the activity in question. Of those, none of the relevant persons stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 43% of commitments corresponded to the standards for public address systems used by a body.<sup>22</sup>

None of the relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate. Concerns were raised about the small number of staff with Welsh language skills and therefore that it would not be possible to guarantee compliance at all times. A number also believed that it would be difficult to monitor and secure consistency across their organizations. However, Aneurin Bevan, Cwm Taf, Abertawe Bro Morgannwg, Betsi Cadwaladr and Cardiff and Vale

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<sup>21</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>22</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

University Health Boards noted that they would be able to comply in part if some messages were recorded in advance.

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

All 7 relevant persons (100%) within the Local Health Boards group confirmed that a number of the requirements attached to these standards were already current practice or that they could comply with them in part in future. Furthermore, Powys Teaching Health Board and Betsi Cadwaladr, Aneurin Bevan and Cwm Taf University Health Boards noted that they considered that making these standards specifically applicable to them would be reasonable and proportionate.

However, several said that monitoring compliance across their organizations, together with contractors and primary care providers would be challenging. It was noted that supervising compliance along with collecting relevant information and data had been very challenging under the current process of reporting on the implementation of Welsh language schemes. In terms of standard 159, several relevant persons stated that they did not have the authority to compel primary care providers to follow the same processes as they did in dealing with complaints, only facilitating and monitoring the process when relevant.

Furthermore, Cardiff and Vale University Health Board believed that the requirement to keep copies of relevant documents in every office open to the public placed a great burden on them, considering that they had a number of different sites.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the policy making standards.<sup>23</sup>

All 7 relevant persons confirmed that a number of the requirements attached to the policy making standards were already current practice as they had arrangements in place to ensure that all new or revised policies were subject to an equality impact assessment and that the Welsh Language was a standard area of equality within that process.

Furthermore, all relevant persons, apart from Hywel Dda University Health Board, confirmed that making these standards specifically applicable to them would be reasonable and proportionate. Hywel Dda, Aneurin Bevan and Cwm Taf University Health Boards believed that the policy making standards should only apply to the policies developed by them as an organization and not those developed by contractors and primary care providers. Hywel Dda University Health Board also said that they implemented a number of national policies developed centrally by the Welsh Government.

Cwm Taf, Abertawe Bro Morgannwg and Hywel Dda University Health Boards noted that it would be difficult to guarantee that the impact on the Welsh language and Welsh speakers would be considered at all times in terms of standards 93, 94 and 95.

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

There was a positive response to these standards from the relevant persons with each one stating that they considered that making the standards specifically applicable to them would be reasonable and proportionate. However, it was noted that monitoring compliance had been very challenging in the past and that this could affect their ability to provide

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<sup>23</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.

accurate and comprehensive reports. Cardiff and Vale University Health Board emphasised that they believed that the requirement to provide a copy of relevant documents in each office open to the public was onerous. A number also said that they did not have the authority to compel primary care providers to follow the same processes as they did in dealing with complaints.

## **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, on average, 64% of commitments corresponded to the standards for the use of Welsh within a body's internal administration.<sup>24</sup>

All 7 relevant persons confirmed that they can develop policies on the use of Welsh internally. However, a number believed that they would not be able to comply with all the standards as they relied on working with the NHS Wales Shared Services Partnership's national system. It was also noted that a number of these standards were costly and would be too resource-intensive to implement. Betsi Cadwaladr University Health Board did not believe that developing a policy on the use of Welsh as the organization's day-to-day language of business was reasonable.

All 7 relevant persons said that the requirements attached to standards 97-102 were not currently being implemented by them and concerns were raised in relation to these. Amongst those concerns was their ability to intervene in employment contracts produced by primary care providers along with NHS Wales Shared Services Partnership's national employment contract. Staff's language skills and translation costs were also of concern.

However, Betsi Cadwaladr University Health Board said that they would have to provide some information such as a Welsh-language version of job titles for the NHS Wales Shared Services Partnership in order to comply in full. They also noted that they would need to investigate whether it was possible to keep a record of staff's language choice on their current IT system provided by a UK-wide national system.

Although Cwm Taf, Aneurin Bevan, Abertawe Bro Morgannwg, Hywel Dda and Cardiff and Vale University Health Boards along with Powys Teaching Health Board said that the requirements attached to standards 103-109 were not currently being implemented by them, they believed that they could comply with them although there would be substantial translation costs involved. It was also noted that a number of policies were being developed centrally by NHS Wales.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 94% of commitments corresponded to the standards for complaints by a member of a body's staff.<sup>25</sup>

6 relevant persons (Cwm Taf, Aneurin Bevan, Abertawe Bro Morgannwg, Hywel Dda, Cardiff and Vale and Betsi Cadwaladr University Health Boards) said that the requirements attached to standards 110-113 were not currently being implemented. However, Cwm Taf

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<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.

University Health Board said that they would respond to complaints made by staff through the medium of Welsh and would ensure, as far as possible, that the process was bilingual. Hywel Dda University Health Board said that they would provide a simultaneous translation service in meetings in accordance with standard 112.

Some concerns were raised by Cwm Taf, Aneurin Bevan, Abertawe Bro Morgannwg, Hywel Dda and Betsi Cadwaladr University Health Boards regarding their ability to secure consistency across the organization due to a lack of Welsh-speaking staff and that they could not guarantee funding to provide a translation service. Some further concerns were raised by Cwm Taf and Cardiff and Vale University Health Boards regarding confidentiality in such situations. It was also noted that they cannot influence the internal complaints procedures of primary care providers nor policies developed on a national level.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 97% of commitments corresponded to the standards for a body disciplining staff.<sup>26</sup>

Although Cwm Taf, Abertawe Bro Morgannwg, Hywel Dda and Betsi Cadwaladr University Health Boards said that they allowed every member of staff to respond in Welsh to allegations made against them, the remaining requirements attached to standards 114A-117 were not currently being implemented by them. Hywel Dda University Health Board said that they would provide a simultaneous translation service in meetings in accordance with standard 116.

Cwm Taf, Aneurin Bevan and Hywel Dda University Health Boards said that it would be very difficult for them to conduct meetings through the medium of Welsh but if a member of staff made such a request, they would seek to meet that need. Abertawe Bro Morgannwg and Cardiff and Vale University Health Boards said that it would be very difficult for them to conduct meetings in Welsh due to a shortage of translators and a lack of resources to fund the process.

Betsi Cadwaladr University Health Board reiterated that the standards asked for adaptations to policies developed nationally. They were also concerned that it would not be possible to conduct a meeting without the support of a translation service due to a lack of Welsh language skills amongst staff.

Powys Teaching Health Board stated that they would comply if the standards were made specifically applicable to them.

### **Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 61% of commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet.<sup>27</sup>

All persons confirmed that they are able to comply with a selection of these standards. However, concerns were raised about the need to secure consistency across the

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<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.

organizations and within the primary care sector as well as the costs attached to compliance, indicating that there would be a limited benefit to that.

Betsi Cadwaladr University Health Board explained that their intranet was part of a nationwide service and suggested that NHS Wales Informatics Service could develop a template for everyone. It was also noted that several other sub-sites existed on a national level and that they would not have the resources to translate and edit the intranet on this scale. It was noted that the intranet is used to share information quickly and that having to wait for translations to be returned before publishing information would be impractical.

### **Standards in relation to a body developing Welsh language skills through planning and training its workforce [125-133]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 89% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.<sup>28</sup>

All 7 relevant persons confirmed that a vast number of these standards were already current practice and that they would continue to do so in future. However, Abertawe Bro Morgannwg University Health Board said that standard 127 was not being implemented by them as they were working on the basis that English is the organization's language of business.

A number raised concerns about their ability to comply with standards 128 and 129 in full stating that there were significant implications to this and that it would be challenging in terms of resources. Due to the nature of Local Health Boards' work, with a number of members of staff working night shifts, running clinics etc., several believed that they would not be able to provide all members of staff with equal access to basic Welsh lessons during working hours.

### **Standards for a body recruiting staff [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 82% of commitments corresponded to the standards for recruitment.<sup>29</sup>

3 relevant persons said that they had a Bilingual Skills Strategy in place to assist them in assessing the linguistic needs of new or vacant posts. Although the other relevant persons did not have such a strategy in place, they state that this happens on a more informal level.

They confirmed that their recruitment activities take place through the NHS Wales national website and that they do not have any control over it. Several relevant persons also explained that it is the NHS Wales Shared Services Partnership which is currently responsible for recruitment forms and materials and that they would therefore be responsible for meeting these standards.

Concerns were raised about their ability to conduct interviews through the medium of Welsh without the support of a simultaneous translation service, due to a lack of Welsh-speaking staff. It was noted that there could be a delay involved in arranging a translation service which could affect the appointment process.

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<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.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for signs displayed in a body's workplace.<sup>30</sup>

All 7 relevant persons confirmed that they already displayed Welsh-language signs in their workplace and, of those, each one, apart from Cardiff and Vale University Health Board, noted that they gave the Welsh-language text prominence.

### **Standards for 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 for audio announcements and messages in a body's workplace.

5 relevant persons, namely Betsi Cadwaladr, Cwm Taf, Cardiff and Vale and Abertawe Bro Morgannwg University Health Boards and Powys Teaching Health Board confirmed that they made audio announcements and messages in their workplace. Of those, only Betsi Cadwaladr University Health Board noted that these announcements were in Welsh.

None of the relevant persons considered that making this standard specifically applicable to them would be reasonable and proportionate. The main reason given was a shortage of Welsh-speaking staff and therefore it would not be possible to ensure that this happened consistently across their organizations. However, Abertawe Bro Morgannwg University Health Board said that they would be able to comply in part if some announcements were recorded in advance.

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

All the relevant persons, apart from Powys Teaching Health Board, confirmed that a number of the requirements were already current practice and, where they were not, they could comply with them. However, concerns were raised by a significant number of persons about their ability to monitor compliance amongst primary care providers and that it would be challenging to collect and analyse information from all departments within their organizations.

Cardiff and Vale University Health Board emphasised that they believed that the requirement to provide copies of relevant documents referred to within these standards in every office open to the public was onerous.

Powys Teaching Health Board did not consider that making these standards specifically applicable to them would be reasonable and proportionate as they believed that it is not reasonable to expect every internal aspect of an organization's staff activity to be in Welsh.

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

None of the relevant persons within the Local Health Boards group wished to consent to make promotion standards potentially applicable to them.

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<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.



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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 77% of commitments corresponded to the record keeping standards.  
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All relevant persons confirmed that a number of the requirements were already current practice and that the linguistic skills of staff were recorded on an electronic system. However, no relevant person has formal processes in place to assess the linguistic needs of new or vacant posts.

The practicality of keeping a record of all Welsh-language calls received was questioned, due to the number of calls received on a daily basis. A number believed that it would not be possible to keep a record of compliance amongst primary care providers either.

A number of the relevant persons explained that they did not currently offer in-house training through the medium of Welsh but that it would be possible to keep a record of the number of attendees if that happened in future. Several confirmed that the relevant information referred to in standard 156 was already kept centrally by NHS Wales Shared Services Partnership.

In general, concerns were raised about their ability to keep a record of primary care providers' compliance with standards as they are not obliged to share this information with them.

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

All relevant persons said that they would be able to comply with the standards that deal with supplementary matters in relation to the record keeping standards. Of those, 3 believed that making them specifically applicable to them would be reasonable and proportionate.

The rest did not believe that making them specifically applicable to them would be reasonable and proportionate as they could not commit to meeting all the record keeping standards. Cardiff and Vale University Health Board believed that the requirement to provide a relevant document in accordance with standard 178 was onerous although they would be willing to publish it on their website, providing copies at their main entrances.

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<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.

## Community Health Councils

### Service delivery standards

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

All 9 relevant persons (100%) within the Community Health Councils group said that they undertook the activity in question. Of those, 7 relevant persons (78%) stated that they undertook 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 commitments corresponded to the standards for correspondence sent by a body.<sup>32</sup>

The majority of the relevant persons confirmed that a number of the requirements were already current practice. Hywel Dda, Betsi Cadwaladr, Brecknock and Radnor, Montgomeryshire and Aneurin Bevan Community Health Councils stated that making these standards specifically applicable to them would be reasonable and proportionate. The Board of Community Health Councils in Wales and Cwm Taf Community Health Council said that making a selection of the standards specifically applicable to them would be reasonable and proportionate. However, concerns were raised about their ability to comply with standards 4 and 5.

Similarly, Cwm Taf Community Health Council noted that having to comply with these standards would not be a proportionate use of their resources. In terms of standard 4, they said that it could mean that they produced Welsh-language correspondence for persons who may not wish to receive it. Similarly, they said that they initiate correspondence with persons on a daily basis but that they do not have a way of knowing what their language choice is. They stated that they had limited resources and that having to ensure that all correspondence was bilingual in this respect would not be proportionate.

Although Abertawe Bro Morgannwg Community Health Council acknowledged that they would respond to a request for correspondence in Welsh, they said that they did not currently have the resources to comply with these standards. Neither they nor Cardiff and Vale Community Health Council considered that making any of these standards specifically applicable to them would be reasonable and proportionate.

Cardiff and Vale Community Health Council emphasized that they are a small organization and that they have to use an external translation service and rely on the goodwill of volunteers who can speak Welsh. They believed that the standards were disproportionate, stating that there were 52 languages in use in Cardiff and that the Welsh language was not one of the main languages in demand within the organization. They added that they believed that issues of equality would arise if they had to comply with the standards in this context. It should be noted that the Welsh Language (Wales) Measure 2011 gives the Welsh language official status in Wales.

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<sup>32</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

All 9 relevant persons (100%) within the Community Health Councils group said that they undertook the activity in question. Of those, 5 relevant persons (56%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 65% of commitments corresponded to the standards for telephone calls made and received by a body.<sup>33</sup>

Several confirmed that a number of these requirements were being implemented within their organizations with Aneurin Bevan and Hywel Dda Community Health Councils noting that making them specifically applicable to them would be reasonable and proportionate. The Board of Community Health Councils in Wales and Cwm Taf and Betsi Cadwaladr Community Health Council said that making a selection of these standards specifically applicable to them would be reasonable and proportionate. Cardiff and Vale, Montgomeryshire, Abertawe Bro Morgannwg and Brecknock and Radnor Community Health Councils did not consider that making any of these standards specifically applicable to them would be reasonable and proportionate.

The main barrier identified in terms of their ability to comply with these standards at present was a shortage of fluent Welsh speakers amongst the staff. Abertawe Bro Morgannwg Community Health Council noted that they did not receive any requests for Welsh-language calls very often and therefore they questioned the proportionality of placing these standards on them. Betsi Cadwaladr Community Health Council was concerned about their ability to comply with standard 14 in terms of literature which has already been published. They noted that it would be difficult to recall literature which had already been circulated, but they did recognise that they considered that making this standard specifically applicable to them in terms of new literature would be reasonable and proportionate.

**Activity 3: A body holding meetings that aren't open to the general public**  
**Standards for a body holding meetings that aren't open to the general public [23-29]**

All 9 relevant persons (100%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 2 relevant persons (22%), namely Hywel Dda and Betsi Cadwaladr Community Health Councils, stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 86% of commitments corresponded to the standards for a body holding meetings that aren't open to the general public.<sup>34</sup>

Hywel Dda Community Health Council confirmed that aspects of these standards were already current practice and that making them specifically applicable to them would be reasonable and proportionate. Similarly, Betsi Cadwaladr and Cwm Taf Community Health Councils noted that a number of the standards were already current practice or they could comply with them through the use of an external translation service. The other 6 relevant persons did not consider that making any of these standards specifically applicable to them would be reasonable and proportionate.

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<sup>33</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>34</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

The main concerns raised about their ability to comply, were financial restrictions and staffing resources. Betsi Cadwaladr Community Health Council raised concerns about their ability to comply with some of the standards if relevant members of staff who could conduct a meeting through the medium of Welsh were absent, noting that a simultaneous translation service would have to be provided instead. Similarly, Cwm Taf Community Health Council noted that they would not be able to comply with standards 23 and 28 as they do not currently have staff members who were fluent in Welsh. The Board of Community Health Councils in Wales explained that these standards would be very challenging to implement and despite saying that they would try to provide a translation service in meetings, they did not believe that they would be able to offer meetings through the medium of Welsh only in their entirety as things currently stand. They also said that issues of confidentiality would arise with these standards but they did not elaborate on this.

Abertawe Bro Morgannwg and Aneurin Bevan Community Health Councils noted that they did not receive requests for meetings to be held through the medium of Welsh very often and therefore suggested that there wasn't a demand for these services.

Aneurin Bevan and Cardiff and Vale Community Health Councils noted that a percentage of their meetings are closed and are held between staff members and organization volunteers only. They added that they would not be able to conduct any meetings if these standards were compulsory and therefore they felt that they would not be able to comply with their statutory duties.

**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]**

8 of the 9 relevant persons (89%), namely every relevant person within the Community Health Councils group apart from the Board of Community Health Councils in Wales stated that they undertook the activity in question. Of those, 4 relevant persons (50%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 80% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.<sup>35</sup>

The Board of Community Health Councils in Wales confirmed that they do not currently undertake the activity, but should that change they could comply, and they believed that the requirements were reasonable and proportionate in principle. Cwm Taf, Brecknock and Radnor, Betsi Cadwaladr and Hywel Dda Community Health Councils confirmed that a number of the requirements were already current practice within their organizations or that they could comply with them.

Although Cardiff and Vale Community Health Council said that making these standards specifically applicable to them would not be reasonable and proportionate, they did recognise that they could comply with them if language choice was identified in advance.

Aneurin Bevan, Cwm Taf, Montgomeryshire and Abertawe Bro Morgannwg Community Health Councils all raised concerns about finance and resources if they had to comply with these standards. Aneurin Bevan Community Health Council noted that they did not have the funds to provide a simultaneous translation service and therefore, if the standard was compulsory, they would not be able to continue conducting meetings. Abertawe Bro

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<sup>35</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Morgannwg Community Health Council also said that they did not receive requests to conduct meetings through the medium of Welsh very often.

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

6 of the 9 relevant persons (67%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 5 relevant persons (83%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for public events organised or funded in its entirety by a body.<sup>36</sup>

Abertawe Bro Morgannwg and Aneurin Bevan Community Health Councils and the Board of Community Health Councils in Wales confirmed that they do not currently undertake the activity. Although the Board of Community Health Councils in Wales said that they do not currently undertake the activity, they noted that they would comply if circumstances were to change and therefore that making these standards specifically applicable to them would be reasonable and proportionate. Similarly, Abertawe Bro Morgannwg Community Health Council noted that they considered these standards to be reasonable and proportionate in principle.

Hywel Dda, Betsi Cadwaladr, Brecknock and Radnor, Cwm Taf and Montgomeryshire Community Health Councils confirmed that a number of the requirements were already current practice. Of those, Hywel Dda, Betsi Cadwaladr and Cwm Taf Community Health Councils considered that making them specifically applicable to them would be reasonable and proportionate.

Cardiff and Vale Community Health Council noted that they worked in partnership with key stakeholders when required in order to facilitate the use of Welsh in meetings. Brecknock and Radnor Community Health Council noted that some public events were ones where the public could drop in for a one-to-one discussion. In situations like this, they noted that they would try to provide a Welsh speaker rather than a simultaneous translation service. However, these relevant persons did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

8 of the 9 relevant persons (89%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 8 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for publicity and advertising.<sup>37</sup>

There was a positive response to this standard with each one considering that making it specifically applicable to them would be reasonable and proportionate.

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<sup>36</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>37</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Cwm Taf Community Health Council noted that they had a monthly column in the local paper but, due to limited space, the paper is an English-only publication. Despite recognising that a Welsh translation of the column could be provided on their website, they noted that there would be costs attached to this.

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

8 of the 9 relevant persons (89%) within the Community Health Councils group stated that they undertook the activity in question. Although Brecknock and Radnor Community Health Council noted that they do not undertake the activity they, along with the other 8 relevant persons, stated that they do undertake the activity in question in Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the Standards for displaying material in public.<sup>38</sup>

All of the relevant persons, apart from Cardiff and Vale Community Health Council, confirmed that these requirements were already current practice, that they could comply with them and that making them specifically applicable to them would be reasonable and proportionate. Cwm Taf Community Health Council noted that they also displayed material produced by other agencies, and that they did not have the resources to translate these as well.

Cardiff and Vale Community Health Council did not consider that making these standards specifically applicable to them would be reasonable and proportionate, stating that there was a lack of Welsh-language resources and that they had to pay professional translators to translate everything on the website.

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

All 9 relevant persons (100%) within the Community Health Councils group said that they undertook the activity in question. Of those, 8 relevant persons (89%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 91% of commitments corresponded to the standards for a body producing and publishing documents.<sup>39</sup>

Every relevant person confirmed that a number of these requirements were already current practice. Also, 6 relevant persons (Hywel Dda, Betsi Cadwaladr, Brecknock and Radnor, Abertawe Bro Morgannwg and Montgomeryshire Community Health Councils and the Board of Community Health Councils in Wales) stated that making these standards specifically applicable to them would be reasonable and proportionate. Cwm Taf Community Health Council stated that making a selection of these standards specifically applicable to them would be reasonable and proportionate but they had concerns about standards 40, 41, 44 and 47. Neither Aneurin Bevan nor Cardiff and Vale Community Health Councils considered that making any of these standards specifically applicable to them would be reasonable and proportionate.

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<sup>38</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>39</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Cwm Taf Community Health Council stated that the requirements attached to standard 45 were not clear but they did not elaborate further on that. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

In terms of standards 40, 41, 44 and 47, Cwm Taf Community Health Council noted that they could comply with them but that there would be substantial costs involved in translating every relevant document into Welsh. Similarly, Abertawe Bro Morgannwg Community Health Council noted that they did not currently provide Welsh-language minutes for meetings as they did not believe there had been a demand for them in previous years.

Brecknock and Radnor and Montgomeryshire Community Health Councils noted that they did not believe it reasonable to expect them to translate documents presented to Board meetings by other organizations. Aneurin Bevan and Cardiff and Vale Community Health Councils along with the Board of Community Health Councils in Wales raised concerns about the need to publish every document in relation to Board meetings bilingually, stating that there were financial restrictions and a lack of resources to secure compliance. The Board of Community Health Councils in Wales said that this was likely to lead to publishing fewer documents and that this gave rise to a risk of appearing less transparent.

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

7 of the 9 relevant persons (78%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 6 relevant persons (86%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 78% of commitments corresponded to the standards for a body producing and publishing forms.<sup>40</sup>

6 relevant persons (Montgomeryshire, Cwm Taf, Brecknock and Radnor, Betsi Cadwaladr, Hywel Dda and Aneurin Bevan Community Health Councils) confirmed that a number of the requirements attached to these standards were already current practice. Also, Aneurin Bevan, Betsi Cadwaladr and Hywel Dda Community Health Councils said that they considered that making these standards specifically applicable to them would be reasonable and proportionate. Although the Board of Community Health Councils in Wales stated that they do not currently undertake the activity, they did say that that could change with the proposed changes to their functions and, if so, they would be able to comply with these standards.

Cardiff and Vale Community Health Council confirmed that they do not produce forms but that they have Welsh-language forms which are produced centrally. They also noted that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

Montgomeryshire and Brecknock and Radnor Community Health Councils stated that changes would need to be made to some of their IT systems in order to comply fully. They noted that some databases are only available in English and that substantial investment would be needed in order to upgrade these. In light of that, they did not consider that

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<sup>40</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

making these standards specifically applicable to them would be reasonable and proportionate.

Cwm Taf Community Health Council explained that they used questionnaires and forms for public use, often for small-scale projects. They believed that there would be substantial resource implications attached to translating all of these and therefore they did not consider that making these standards specifically applicable to them would be reasonable and proportionate. Similarly, Abertawe Bro Morgannwg Community Health Council believed that these standards asked too much of a small organization. However, they believed that they should be required to produce a Welsh-language version of a form on request.

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

All 9 relevant persons (100%) within the Community Health Councils group stated that they undertook the activity in question. Of those, all 9 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 80% of commitments corresponded to the standards for a body's websites and on-line services.<sup>41</sup>

All relevant persons confirmed that a number of the requirements attached to these standards were already current practice or they could comply with them. Also, every one, apart from Cwm Taf and Cardiff and Vale Community Health Councils, considered that making these standards specifically applicable to them would be reasonable and proportionate.

Although Cwm Taf Community Health Council noted that these standards were achievable for a number of web pages, they believed that there would be substantial costs, which would exceed the organization's budget, attached to translating documents such as reports and the council's full minutes of meetings. It should be noted that the Welsh language regulations document explains that standards 52-56 do not apply to these documents.<sup>42</sup>

Cardiff and Vale Community Health Council acknowledged that a number of these requirements were already current practice but that they had to pay for the work to be translated. Furthermore, due to a lack of understanding of Welsh amongst their staff, they noted that it was challenging to assign the correct documents to the correct headings. They also questioned the equality of other members of the population in this respect.

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

7 of the 9 relevant persons (78%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 7 relevant persons (100%) said that they undertook the activity in question through the medium of Welsh.

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<sup>41</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>42</sup> See paragraph 32, Part 3, Schedule 1, Welsh Language Standards Regulations (Welsh Ministers, County Councils and County Borough Councils, and National Park Authorities) 2015



When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 89% of commitments corresponded to the standards for signs displayed by a body.<sup>43</sup>

7 relevant persons (Cardiff and Vale, Betsi Cadwaladr, Abertawe Bro Morgannwg, Cwm Taf, Montgomeryshire and Aneurin Bevan Community Health Councils along with the Board of Community Health Councils in Wales) confirmed that the requirements were already current practice within their organizations or that they could comply with them. Of those, every one, apart from Aneurin Bevan Community Health Council, considered that making these standards specifically applicable to them would be reasonable and proportionate.

Aneurin Bevan Community Health Council stated that a number of the requirements were already current practice but that the English text was given prominence at present. Despite noting that they believed that making these standards specifically applicable to them would be unreasonable, they did note that they would give the Welsh prominence on signage if that needed to be replaced in future.

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

7 of the 9 relevant persons (78%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 4 relevant persons (57%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 22% of commitments corresponded to the standards for receiving visitors at a body's buildings.<sup>44</sup>

Betsi Cadwaladr and Hywel Dda Community Health Councils confirmed that the requirements in question were already current practice and that making them specifically applicable to them would be reasonable and proportionate. Cwm Taf Community Health Council said that they would be able to comply with a number of these standards. However, they did not believe that they could guarantee full compliance with standards 63-65 as they did not have any staff members currently fluent in Welsh and therefore they did not consider that making all the standards specifically applicable to them would be reasonable and proportionate.

None of the other relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate. The main reason for that was a shortage of Welsh-speaking staff. Although a number said that they would be able to comply in part, they did not think they were in a position to guarantee that the service would always be available. In addition, Abertawe Bro Morgannwg Community Health Council believed that the standards would require significant resources from a small organization and therefore that proportionality should be relevant in all cases.

Montgomeryshire and Brecknock and Radnor Community Health Councils stated that their offices were located on Welsh Government and County Council premises and that it was those organizations who were responsible for main reception staffing arrangements.

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<sup>43</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>44</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Aneurin Bevan Community Health Council noted that members of the public cannot access the office as and when they choose, but by appointment only or a previously arranged meeting. It was explained that language choice is determined at that time and that a translation service is provided accordingly if Welsh is chosen.

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

8 of the 9 relevant persons (89%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 8 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for a body making official notices.<sup>45</sup>

Every relevant person, apart from Cardiff and Vale Community Health Council, confirmed that the requirements attached to the standards were already current practice. Of those, every one, apart from Aneurin Bevan Community Health Council, considered that making these standards specifically applicable to them would be reasonable and proportionate. Aneurin Bevan Community Health Council did not provide evidence in relation to the above.

Cardiff and Vale Community Health Council said that they were working towards these standards but that they did not consider 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]**

None of the 9 relevant persons (0%) within the Community Health Councils group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 54% of commitments corresponded to the standards for a body awarding grants.<sup>46</sup>

Every relevant person confirmed that they did not undertake the activity in question.

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

1 of the 9 relevant persons (11%) within the Community Health Councils group stated that they undertook the activity in question. Of those, no relevant persons (0%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 54% of commitments corresponded to the standards for a body awarding contracts.<sup>47</sup>

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<sup>45</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>46</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>47</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

The Board of Community Health Councils in Wales was the only relevant person to note that they undertook the activity in question. However, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate, raising concerns about the size of the organization. They noted that a number of contracts were of low value and that they did not require any kind of formal tendering process. If they were to look at awarding larger contracts, they stated that they would follow the NHS procurement rules under the supervision of Powys Teaching Health Board, which is their hosted organization.

**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 9 relevant persons (44%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 4 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 44% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.<sup>48</sup>

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

Betsi Cadwaladr, Brecknock and Radnor, Montgomeryshire and Aneurin Bevan Community Health Councils confirmed that these standards were already current practice more or less and they considered that making them specifically applicable to them would be reasonable and proportionate. Although Abertawe Bro Morgannwg Community Health Council said that they did not currently undertake the activity in question, they believed that making the standards specifically applicable to them would be reasonable and proportionate.

The Board of Community Health Councils in Wales and Cardiff and Vale Community Health Council confirmed that they did not currently undertake the activity in question and that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate as a result.

Cwm Taf Community Health Council believed that these standards were unclear and appeared to duplicate other standards. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

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

8 of the 9 relevant persons (89%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 8 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for a body's corporate identity.<sup>49</sup>

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<sup>48</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Every relevant person, apart from Cardiff and Vale Community Health Council, confirmed that they already had a bilingual corporate identity and they believed that making this standard specifically applicable to them would be reasonable and proportionate. Cardiff and Vale Community Health Council said that they did not currently undertake the activity as they were not a corporate organization. As a result, they did not consider that making this standard specifically applicable to them would be reasonable and proportionate.

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

None of the 9 relevant persons (0%) within the Community Health Councils group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standards for courses offered by a body.

Every relevant person confirmed that they did not undertake the activity in question.

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

1 of the 9 relevant persons (11%) within the Community Health Councils group stated that they undertook the activity in question. Of those, 1 relevant person (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 11% of commitments corresponded to the standard for public address systems used by a body.<sup>50</sup>

Cwm Taf Community Health Council was the only relevant person to note that they undertook this activity and did so through the medium of Welsh. However, they believed that the standard had been defined poorly and that there needed to be a better definition of a public address system. They noted that the organization chaired a number of public meetings which sometimes require the use of an address system or microphone. Although the relevant person explained that bilingual greetings are provided through these, they do not currently have Welsh-speaking staff and therefore they noted that they would have to use a translator in order to ensure compliance which would be costly. They confirmed that they do not have a public address system in their office and they did not consider that making this standard specifically applicable to them would be reasonable and proportionate as a result.

Abertawe Bro Morgannwg Community Health Council considered that making this standard specifically applicable to them would be reasonable and proportionate.

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

From the evidence received, it appears that a number of relevant persons have misinterpreted these standards. Several said that responsibility for producing service delivery standards was part of the Board of Community Health Councils in Wales' remit.

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<sup>49</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>50</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Cwm Taf Community Health Council explained that better clarification was needed and that it is not clear from these standards whether they only refer to service delivery standards in relation to the Welsh language or service delivery standards across the community health councils' responsibilities. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

Cwm Taf Community Health Council also noted that the requirements attached to the content of community health council annual reports were set out in paragraph 25 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010. They noted that aspects of standard 161 seemed to conflict with the requirements in those regulations. They believed that it would be inappropriate for them to have to report on two separate regulatory schedules as well as two different sets of requirements.

Aneurin Bevan Community Health Council noted that they already spent approximately £11,990 on the Welsh language and that spending more on translation services would have to be drawn from their statutory duties. In light of that, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the policy making standards.<sup>51</sup>

Cwm Taf Community Health Council confirmed that they already used an equality impact assessment tool for policy decisions, although they acknowledged that they needed to make more use of it. In light of that, they noted that they considered that making these standards specifically applicable to them would be reasonable and proportionate. Similarly, Hywel Dda Community Health Council said that all the relevant information was in their Welsh language scheme and that they consider that making these standards specifically applicable to them would be reasonable and proportionate.

Cardiff and Vale, Aneurin Bevan, Montgomeryshire, Brecknock and Radnor, Betsi Cadwaladr and Abertawe Bro Morgannwg Community Health Councils stated they were not policy making organizations. It was noted that their policies are produced by the Board of Community Health Councils in Wales and Powys Teaching Health Board and they believed that these standards would only apply to them. They did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

However, the Board of Community Health Councils in Wales stated that they are not a policy making organization either. They said that they have a role in consulting with the public on issues relating to NHS services and that the proposed changes to their functions meant that they would have a policy making function in due course. Despite recognising that they would seek to comply with these standards, they noted that they faced staffing and budgetary restrictions, and therefore they did not consider that making them specifically applicable to them would be reasonable and proportionate.

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<sup>51</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 the service delivery standards [164-169]**

Hywel Dda Community Health Council and the Board of Community Health Councils in Wales said that they considered that making these standards specifically applicable to them would be reasonable and proportionate.

The other relevant persons did not consider that making these standards specifically applicable to them would be reasonable and proportionate, with Montgomeryshire, Brecknock and Radnor and Betsi Cadwaladr Community Health Councils noting that the Board of Community Health Councils in Wales and Powys Teaching Health Board were responsible for policy making. Abertawe Bro Morgannwg Community Health Council said that, as a small organization, they did not have the resources nor funding to comply.

Cwm Taf Community Health Council emphasised that better clarification of these standards was needed and that they were unclear as to whether they only refer to policy making standards in relation to the Welsh language or policy making standards across the community health councils' responsibilities. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

Furthermore, Cwm Taf Community Health Council stated that the requirements attached to the content of the community health councils' annual reports were set out in paragraph 25 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010. They stated that aspects of standard 167 seemed to conflict with the requirements in those regulations. They believed that it would be inappropriate for them to have to report on two separate regulatory schedules as well as two different sets of requirements.

**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, on average, 7% of commitments corresponded to the standards for the use of Welsh within a body's internal administration.<sup>52</sup>

Several relevant persons stated that they did not believe that these standards (either in their entirety or a selection) applied to them, noting that they were of the understanding that responsibility for their implementation lay with the Board of Community Health Councils in Wales and Powys Teaching Health Board, as their employer. Betsi Cadwaladr Community Health Council stated that they would welcome working towards the standards but that the relevant documents needed to be provided bilingually at a national level.

However, the Board of Community Health Councils in Wales said that they were an organization administered by Powys Teaching Health Board and, therefore, it would be necessary to follow the same standards as those imposed on them in this regard.

Cwm Taf Community Health Council stated that they do not have a duty to promote the Welsh language but that they were, however, keen to support the use of Welsh within their organization. They stated that they could comply with standard 98 but that they would need translation support. Similarly, Cardiff and Vale Community Health Council noted that they already complied in part with standards 97 and 98 but they did not believe that

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<sup>52</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 97-102 were reasonable and proportionate as they do not currently have Welsh-speaking members of staff.

Hywel Dda Community Health Council said that the requirements attached to these standards were already current practice and that all the information could be found in their Welsh language scheme.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, none of commitments corresponded to the standards for complaints by a member of a body's staff.

The majority of the relevant persons confirmed that a number of the requirements attached to these standards were already current practice but that they were provided nationally by the Board of Community Health Councils in Wales led by Powys Teaching Health Board. However, the Board of Community Health Councils in Wales stated that none of the operational standards applied to them as they were subject to the processes of Powys Teaching Health Board.

Hywel Dda Community Health Council stated that these standards were already current practice and noted that all the information could be found in their Welsh language scheme.

In addition, Abertawe Bro Morgannwg, Cardiff and Vale and Cwm Taf Community Health Councils noted that they did not have any Welsh-speaking members of staff and that no member of staff had shown an interest in receiving a service in accordance with the standards yet. Cwm Taf Community Health Council noted that they would have to use a translation service for this purpose.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standards for a body disciplining staff.

Hywel Dda Community Health Council confirmed that the requirements attached to these standards were already current practice and that all the information could be found in their Welsh language scheme. Cwm Taf Community Health Council stated that some of the requirements were already current practice but that they did not have any Welsh-speaking members of staff and that no member of staff had shown an interest in receiving a service in accordance with these standards yet. They said that they would have to use a translation service for this purpose. They confirmed that they would be able to comply with standard 110A.

All of the remaining community health councils stated that they were not involved in staff complaints processes and that responsibility for implementing these standards, in this regard, lay with the Board of Community Health Councils in Wales and Powys Teaching Health Board. However, the Board of Community Health Councils in Wales said that they were an organization administered by Powys Teaching Health Board and, therefore, it would be necessary to follow the same standards as those imposed on them in this regard.

**Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 14% of commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet.<sup>53</sup>

Aneurin Bevan, Hywel Dda and Betsi Cadwaladr Community Health Councils said that standard 118 was already current practice more or less.

Cwm Taf Community Health Council stated that, if an intranet system were developed, that would happen at a national level led by the Board of Community Health Councils in Wales.

Cardiff and Vale Community Health Council stated that these standards were not currently being implemented by them and that they did not have facilities in place for them. However, they did note that they would be transferring to the NHS Wales Informatics Service shortly and that this might be examined then. No further information was provided on this.

The Board of Community Health Councils in Wales said that they were an organization administered by Powys Teaching Health Board and, therefore, it would be necessary to follow the same standards as those imposed on them in this regard.

**Standards in relation to a body developing Welsh language skills through planning and training its workforce [125-133]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 78% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.<sup>54</sup>

Hywel Dda Community Health Council said that these standards were already current practice and that all the information could be found in their Welsh language scheme. Cwm Taf, Cardiff and Vale, Aneurin Bevan and Betsi Cadwaladr Community Health Councils confirmed that a number of the standards were being implemented by them more or less.

Montgomeryshire, Brecknock and Radnor and Abertawe Bro Morgannwg Community Health Councils believed that it was the responsibility of the Board of Community Health Councils in Wales and Powys Teaching Health Board, as their employer, to implement these standards. However, the Board of Community Health Councils in Wales said that they were an organization administered by Powys Teaching Health Board and, therefore, it would be necessary to follow the same standards as those imposed on them in this regard.

**Standards for a body recruiting staff [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 59% of commitments corresponded to the standards for a body recruiting staff.<sup>55</sup>

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<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.

<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.



Hywel Dda Community Health Council confirmed that the requirements attached to these standards were already current practice and that the relevant information could be found in their Welsh language scheme.

Although a few relevant persons noted that some aspects of these standards were being implemented, 7 other relevant persons (Cwm Taf, Cardiff and Vale, Aneurin Bevan, Montgomeryshire, Brecknock and Radnor, Abertawe Bro Morgannwg and Betsi Cadwaladr Community Health Councils) said that recruitment was the responsibility of the Board of Community Health Councils in Wales and Powys Teaching Health Board as their employer. Of those, several said that job advertisements were prepared by NHS Wales. The Board of Community Health Councils in Wales had already noted that they did not believe that any of the standards applied to them as they were subject to the processes undertaken by Powys Teaching Health Board, its administering organization.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 92% of commitments corresponded to the standards for signs displayed in a body's workplace.<sup>56</sup>

Cardiff and Vale, Aneurin Bevan, Montgomeryshire, Brecknock and Radnor, Abertawe Bro Morgannwg and Betsi Cadwaladr Community Health Councils confirmed that they already displayed Welsh-language signs inside their organization's buildings. Each one, apart from Aneurin Bevan and Abertawe Bro Morgannwg Community Health Councils, noted that the Welsh text was given prominence. Cwm Taf Community Health Council noted that the majority of their signs were in Welsh but that there were some inconsistencies at present.

Hywel Dda Community Health Council stated that they did not currently display any Welsh signage within the workplace. The Board of Community Health Councils in Wales did not provide any evidence in relation to the above although they had already noted that they did not consider that any of the operational standards applied to them as they were subject to the processes undertaken by Powys Teaching Health Board.

### **Standards for 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 standards for audio announcements and messages in a body's workplace.

Every relevant person, apart from the Board of Community Health Councils in Wales, confirmed that they did not undertake the activity in question. However, the Board of Community Health Councils in Wales did not consider that any of the operational standards applied to them as they were subject to the processes of Powys Teaching Health Board.

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

Neither Cardiff and Vale nor the Board of Community Health Councils in Wales provided any evidence in this respect. Betsi Cadwaladr, Hywel Dda, Brecknock and Radnor and Montgomeryshire Community Health Councils said that they considered that making these standards specifically applicable to them was reasonable and proportionate.

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<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.

Abertawe Bro Morgannwg, Aneurin Bevan and Cwm Taf Community Health Councils did not consider that making these standards specifically applicable to them was reasonable and proportionate. Abertawe Bro Morgannwg Community Health Council questioned the proportionality of the requirements but no further information was provided to support that view. Aneurin Bevan Community Health Council did not believe that they would be able to comply due to financial restrictions. Cwm Taf Community Health Council explained that better clarification was needed and that it is not clear from these standards whether they only refer to operational standards in relation to the Welsh language or operational standards across all the community health councils' responsibilities. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

Furthermore, Cwm Taf Community Health Council noted that the requirements attached to the content of the community health councils' annual reports were set out in paragraph 25 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010. They noted that aspects of standard 173 seemed to conflict with the requirements in those regulations. They believed that it would be inappropriate for them to have to report on two separate regulatory schedules as well as two different sets of requirements.

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

Hywel Dda Community Health Council confirmed that they wished to consent to make the promotion standards potentially applicable to them along with the standards dealing with supplementary matters in this respect and that making these standards specifically applicable to them would be reasonable and proportionate.

None of the other relevant persons wished to consent to make the promotion standards potentially applicable to them.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 77% of commitments corresponded to the record keeping standards.<sup>57</sup>

Several of the relevant persons confirmed that a number of the requirements were already current practice. 6 relevant persons (Cwm Taf, Aneurin Bevan, Montgomeryshire, Brecknock and Radnor, Hywel Dda and Betsi Cadwaladr Community Health Councils) considered that making these standards specifically applicable to them would be reasonable and proportionate. However, Cwm Taf Community Health Council stated that standard 147 was unclear to them in whether the standard referred to Welsh-language standards only. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

Although Cardiff and Vale and Abertawe Bro Morgannwg Community Health Councils stated that some of these standards were already current practice, they did not consider that making them specifically applicable was reasonable and proportionate. A shortage of Welsh-speaking staff was mentioned along with the level of demand for these services in Welsh.

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<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.

The Board of Community Health Councils in Wales said that they were administered by Powys Teaching Health Board and that it would be necessary to comply with the same standards as them in this respect.

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

Montgomeryshire, Brecknock and Radnor, Hywel Dda and Betsi Cadwaladr Community Health Councils considered that making these standards specifically applicable to them would be reasonable and proportionate. However, Montgomeryshire and Brecknock and Radnor Community Health Councils noted that compliance would have financial and resource implications as they only had a small team of staff.

Cardiff and Vale, Cwm Taf, Aneurin Bevan and Abertawe Bro Morgannwg Community Health Councils said that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate. No specific reasons were given for that, although Abertawe Bro Morgannwg Community Health Council did refer to previous comments on proportionality and resources.

Again, Cwm Taf Community Health Council referred to the requirements attached to the content of the community health councils' annual reports set out in paragraph 25 of the Community Health Councils (Constitution, Membership and Procedures) (Wales) Regulations 2010. They noted that aspects of standard 178 seemed to conflict with the requirements in those regulations. They believed that it would be inappropriate for them to have to report on two separate regulatory schedules as well as two different sets of requirements. However, they acknowledged that a requirement to produce a "Welsh Standards Annual Report" appeared to be prudent.

## NHS Trusts

### Service delivery standards

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 91% of commitments corresponded to the standards for correspondence sent by a body.<sup>58</sup>

Following a response from the Welsh Government, Public Health Wales NHS Trust stated that the term "persons" in the draft regulations did not include corporate and non-corporate organizations. In light of that, the questionnaire was completed with regards to the public only. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

In terms of standards 2 and 3, every relevant person said that they did not currently keep a formal record of a person's desire to receive correspondence in Welsh. However, Velindre and the Welsh Ambulance Services NHS Trusts noted that that happened informally within some departments but that there were inconsistencies across the entire organization. Public Health Wales NHS Trust said that they currently provide all public-facing correspondence in a bilingual format, whatever the language choice. Despite recognising that it would be technically possible to undertake the necessary changes to their IT systems in order to ensure compliance with this requirement, it was noted that significant investment would be needed in terms of time and resources to achieve this.

The Welsh Ambulance Services NHS Trust said that, currently, there were inconsistencies in implementing standards 4 and 5 and that securing consistency could be difficult considering that they did not have any in-house translators and that translation work had to be outsourced.

Similarly, Public Health Wales NHS Trust raised concerns about the practicality of meeting standard 7 in some situations. It was noted that there would be significant financial implications to adapting existing letter templates to include the relevant statement, especially when such letters were limited to one page and that space was minimal.

Velindre NHS Trust noted that they considered that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate. The other two relevant persons said that they considered that making a selection of the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

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<sup>58</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, Velindre and the Welsh Ambulance Services NHS Trusts stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 58% of commitments corresponded to the standards for telephone calls made and received by a body.<sup>59</sup>

Velindre NHS Trust stated that there were inconsistencies within different departments and organizations hosted by them and that their ability to answer telephone calls varied depending on the availability of on-duty Welsh-speaking members of staff. However, they note that they consider that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

The other two relevant persons stated that they considered that making a selection of the standards relating to this activity specifically applicable to them would be reasonable and proportionate. The Welsh Ambulance Services and Public Health Wales NHS Trusts said that it would be difficult to guarantee a service through the medium of Welsh at all times and that their ability to comply with some of the requirements in future would depend on their ability to recruit qualified staff with the relevant Welsh language skills.

The Welsh Ambulance Services NHS Trust raised further concerns regarding their ability to comply with these standards in terms of emergency calls, mainly due to their urgent nature, as well as the number of staff with the relevant Welsh language skills able to deal with these immediately.

Similarly, Public Health Wales NHS Trust said that it would be difficult to comply with standard 17 as they would need to replace or reconfigure their telephony system in order to comply.

**Activity 3: A body holding meetings that aren't open to the general public**  
**Standards for a body holding meetings that aren't open to the general public [23-29]**

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, two relevant persons (67%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 82% of commitments corresponded to the standards for a body holding meetings that aren't open to the general public.<sup>60</sup>

None of the relevant persons noted that they considered that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate and questioned the current practicality of implementing them considering the number of staff they have who possess Welsh language skills. All 3 relevant persons said that their ability to comply with standards in the future would depend on their ability to recruit or procure qualified staff with the relevant Welsh language skills.

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<sup>59</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>60</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Some further concerns were raised regarding the provision of translation services in meetings of this kind, highlighting the significant financial implications of outsourcing the work as they do not have in-house translators and that it could be difficult to procure qualified translators to meet demand. Public Health Wales NHS Trust also said that providing a translation service in some meetings could be inappropriate, explaining that patient consent would need to be sought first.

In addition, Public Health Wales NHS Trust noted that they did not understand the logic behind the use of percentages in standards 27A-27C and wished to have further guidance in this respect. It should be noted that it is the Commissioner who will decide which standards to impose on each person by means of a compliance notice. The Regulations determine the range of standards that may be imposed on a person. The Commissioner does not have to require each person to comply with each standard.

**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 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, Velindre and the Welsh Ambulance Services NHS Trusts stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 93% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.<sup>61</sup>

Public Health Wales NHS Trust confirmed that standards 30 and 34 were already current practice. Although that was not the case in terms of standards 31-33, they believed that they could comply with them and that they were reasonable and proportionate in principle.

Similarly, Velindre NHS Trust said that making a selection of the standards relating to this activity specifically applicable to them would be reasonable and proportionate but their ability to comply with standard 34 would depend on departmental funding resources and that there would be additional costs attached to providing a translation service in such meetings.

Velindre and Public Health Wales NHS Trusts raised further concerns about their ability to comply if the standard included written material produced by another organization, and that there was no Welsh language version available.

The Welsh Ambulance Services NHS Trust said that they could comply with standards 30-33 for the Trust's Board meetings but not in terms of every public meeting arranged by them. The main reason given for that was that they do not currently have the ability to provide a translation service in every public meeting that currently takes place, due to a lack of an in-house translation service.

Similarly, they did not consider that making standard 34 specifically applicable to them was reasonable and proportionate, due to the costs attached to translating written documents. Despite explaining that Board meeting agendas and minutes are currently translated into Welsh, they note that they do not have the ability or financial resources to translate every document for every public meeting.

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<sup>61</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for public events organised or funded in its entirety.<sup>62</sup>

All 3 relevant persons (100%) confirmed that the requirements attached to these standards were already current practice on the whole. However, Velindre NHS Trust said that there were some inconsistencies in terms of provision within different departments and organizations currently hosted by them. In addition, Public Health Wales NHS Trust noted that they would not be able to guarantee full compliance with standard 36 at present due to the linguistic profile of their current workforce.

Every relevant person considered that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for publicity and advertising.<sup>63</sup>

All 3 relevant persons noted that the requirements attached to this standard were already current practice, although Velindre NHS Trust said that there were some inconsistencies between different departments and organizations hosted by them. Every relevant person considered that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for displaying material in public.<sup>64</sup>

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<sup>62</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>63</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>64</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Public Health Wales NHS Trust confirmed that the requirements attached to these standards were already current practice and that they believed that it would be reasonable and proportionate for them to comply.

However, the Welsh Ambulance Services NHS Trust considered that making a selection of the standards specifically applicable to them would be reasonable and proportionate, due to the fact that they do not have an in-house translation service nor the ability, both financially and in terms of resources, to translate all the relevant documentation.

Velindre NHS Trust did not consider that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate although they noted that they could comply in part. They note that ensuring all material displayed in public across the different departments and organizations hosted by them would be very challenging.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the Welsh Ambulance Services and Public Health Wales NHS Trusts stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 97% of commitments corresponded to the standards for a body producing and publishing documents.<sup>65</sup>

Public Health Wales NHS Trust confirmed that a number of the requirements attached to the standards were already current practice and that making a selection of them specifically applicable to them would be reasonable and proportionate.

However, they did not consider that making standards 41(a)<sup>66</sup>, 44 nor 46 specifically applicable to them would be reasonable and proportionate. They note that it would be very difficult for the organization to comply with the requirement to produce all the papers available to the public in terms of standard 41(a). The reasons for that included that such papers are produced to tight deadlines and they are often lengthy with some technical detail, along with the fact that a number of papers have been presented by third parties. Similarly, it was noted that it would be difficult to comply with standard 46 in an emergency where a press release needed to be published immediately.

Although Velindre NHS Trust noted that a number of the standards were already current practice, they do not consider that applying the requirements attached to standard 41 to them would be reasonable and proportionate. This was due to the fact that so many of them exist, that they include documents from third parties and that a number of papers are in draft form. They note that the translation work would have to be outsourced and they believed that this would be impractical, costly and counterproductive.

The Welsh Ambulance Services NHS Trust noted that they considered that making a selection of the standards relating to this activity specifically applicable to them would be reasonable and proportionate, noting that there would be significant costs attached to translating all the relevant documents.

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<sup>65</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>66</sup> Please note that this refers to a clause within standard 41 rather than a separate standard.



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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for a body producing and publishing forms.<sup>67</sup>

The Welsh Ambulance Services and Public Health Wales NHS Trusts confirmed that the requirements attached to the standards were already current practice and that making them specifically applicable to the organization would be reasonable and proportionate.

However, Public Health Wales NHS Trust did not consider that making standard 51 specifically applicable to them would be reasonable and proportionate. They state that English-language addresses are inputted on Welsh screening invitations as the information is taken from the Welsh Demographic Service's system (provided in partnership by NHS Wales and the NHS Wales Informatics Service) which only retains English addresses. They explain that this system is beyond the Trust's control and therefore they would not be able to comply with the standard in terms of inputting addresses to forms.

Although Velindre NHS Trust acknowledged that a number of the requirements attached were already current practice, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate. They believed that consideration needed to be given to the clinical risk attached to producing bilingual forms in situations where the Trust's staff responsible for completing or analysing Welsh forms do not have the relevant Welsh language skills to do so.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 94% of commitments corresponded to the standards for a body's websites and on-line services.<sup>68</sup>

All 3 relevant persons confirmed that a large proportion of their websites are available bilingually with Velindre NHS Trust noting that all their websites and apps are available bilingually. Velindre NHS Trust also considered that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

Public Health Wales NHS Trust said that they considered that making the standards specifically applicable in terms of public-facing websites would be reasonable and proportionate but not in terms of websites aimed at health professionals. They note that

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<sup>67</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>68</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

such websites are very technical in nature and that the cost of maintaining them would be enormous, in terms of staff time and costs and in terms of translation costs.

Similarly, the Welsh Ambulance Services NHS Trust did not consider that making the standards specifically applicable to all their websites would be reasonable and proportionate. They refer to the fact that they do not employ in-house translators and that no resources have been assigned to support the translation of all web pages.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for signs displayed by a body.<sup>69</sup>

There was a positive response to the standards for signs displayed by a body, with all 3 relevant persons (100%) confirming that the requirements were already current practice, and that they were reasonable and proportionate in principle.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, the Welsh Ambulance Services NHS Trust stated that they undertook 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 commitments corresponded to the standards for receiving visitors at a body's buildings.<sup>70</sup>

The Welsh Ambulance Services and Public Health Wales NHS Trusts said that they considered that making a selection of the standards specifically applicable to them would be reasonable and proportionate. Velindre NHS Trust did not consider that making the standards for this activity specifically applicable to them would be reasonable and proportionate.

The main concern raised about their ability to comply with the standards was the number of staff who have Welsh language skills. Public Health Wales NHS Trust said that every member of staff working on reception would need to be able to speak Welsh in order to comply with standards 61, 62 and 62A and that this was not currently the case. Similarly, Velindre and the Welsh Ambulance Services NHS Trusts said that it would be difficult to ensure that Welsh speakers were available, even if they were notified in advance, as the number of staff with Welsh language skills is so low.

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<sup>69</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>70</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

2 of the 3 relevant persons (67%) within the NHS Trusts group, namely Velindre and the Welsh Ambulance Services NHS Trusts, stated that they undertook the activity in question and did so through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for a body making official notices.<sup>71</sup>

All 3 relevant persons said that they considered that making the standards specifically applicable to them would be reasonable and proportionate.

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

1 of the 3 relevant persons (33%) within the NHS Trusts group, namely Public Health Wales NHS Trust, stated that they undertook the activity in question but not through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for a body awarding grants.<sup>72</sup>

Public Health Wales NHS Trust said that they considered that making a selection of the standards for this activity specifically applicable to them would be reasonable and proportionate. However, concerns were raised about their ability to comply with standard 71 as they could not guarantee that a Welsh speaker with relevant understanding of the subject in question could be available to conduct the meeting in Welsh.

Velindre and the Welsh Ambulance Services NHS Trusts confirmed that they did not undertake the activity in question and therefore did not consider that making the standards for this activity specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, no relevant persons stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for a body awarding contracts.<sup>73</sup>

None of the 3 relevant persons said that they considered that making the standards specifically applicable to them would be reasonable and proportionate. Each relevant person said that there would be substantial costs attached to translating the relevant documents and could also lead to a delay in the tendering process.

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<sup>71</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>72</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>73</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

Evidence was provided by the Welsh Ambulance Services and Public Health Wales NHS Trusts which confirmed that their procurement activities took place under the NHS Wales Shared Services Partnership and that they would rely on this organization to comply with these standards.

**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]**

2 of the 3 relevant persons (67%) within the NHS Trusts group, namely Velindre and the Welsh Ambulance Services NHS Trusts, stated that they undertook the activity in question and did so through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.<sup>74</sup>

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

All 3 relevant persons (100%) stated that they considered that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for a body's corporate identity.<sup>75</sup>

There was a positive response to the standard for a body's corporate identity with the 3 relevant persons confirming that the requirements were already current practice and that they believed that making the standard specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the NHS Trusts group stated that they undertook the activity in question. Of those, no relevant persons stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 33% of commitments corresponded to the standards for courses offered by a body.<sup>76</sup>

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<sup>74</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>75</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

None of the 3 relevant persons said that they considered that making the standards specifically applicable to them would be reasonable and proportionate. All 3 relevant persons believed that it would be challenging, if not impossible, in some instances to comply with the requirements at present as they only have a small number of staff, if at all, with the required Welsh language skills to be able to provide courses through the medium of Welsh.

Further concerns were raised by Velindre NHS Trust regarding their ability to comply, stating that they did not have the capacity to translate written material for courses without causing delay and that they did not have the budget to provide a simultaneous translation service either.

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

1 of the 3 relevant persons (33%) within the NHS Trusts group, namely Velindre NHS Trust, stated that they undertook the activity in question. No relevant person stated that they undertook 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.

Despite noting that they did not undertake the activity, Public Health Wales NHS Trust said that they believed that making the standards for this activity specifically applicable to them would be reasonable and proportionate.

The Welsh Ambulance Services NHS Trust did not consider that making the standards specifically applicable to them would be reasonable and proportionate, as they did not undertake the activity.

Velindre NHS Trust did not believe that making the standards specifically applicable to them was reasonable and proportionate, due to the lack of Welsh language skills amongst their staff to be able to announce a message in Welsh. However, they note that it could be possible for the Trust to announce some messages bilingually if they were recorded in advance.

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

Evidence was provided by Velindre and Public Health Wales NHS Trusts which confirmed that a number of the requirements in question were already current practice and, where they were not, they would make arrangements to comply with them in due course. They also state that they consider that making the standards relating to supplementary matters in relation to the service delivery standards specifically applicable to them would be reasonable and proportionate.

Similarly, Public Health Wales NHS Trust stated that they consider that making a selection of these standards specifically applicable to them would be reasonable and proportionate. However, concerns were raised about their ability to comply with aspects of standard 161 namely clauses 161(2)(a)-(c)<sup>77</sup> noting that it would be difficult to monitor compliance

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<sup>76</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>77</sup> Please note that this refers to clauses within standard 161 rather than separate standards.

across the organization and that there would be a risk that information found in the annual report would be unreliable.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the policy making standards.<sup>78</sup>

Evidence was provided by all 3 relevant persons which confirmed that a number of the requirements attached to the policy making standards were already current practice. It was noted that arrangements are in place to develop and approve policies and that they conduct an equality impact assessment for each one, which includes the possible impacts on the Welsh language.

Despite acknowledging that the current tool used to comply with the requirements attached to the policy making standards would need to be adjusted, all 3 relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate.

It should also be noted that Velindre NHS Trust stated that they currently find it difficult to ensure that independent contractor and third party policies comply with the requirements of their Welsh language scheme. The Welsh Ambulance Services NHS Trust said that national policies across Wales were being developed and assessed jointly via the Wales Partnership Forum sponsored by the Welsh Government.

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

All 3 relevant persons confirmed that a number of the requirements attached to these standards are already current practice and that, where they were not, they would be making arrangements to comply with them in due course. They also believed that making the standards specifically applicable to them would be reasonable and proportionate.

### **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, on average, 50% of commitments corresponded to the standards for the use of Welsh within a body's internal administration.<sup>79</sup>

The Welsh Ambulance Services and Public Health Wales NHS Trusts confirmed that they do not currently implement a policy on the internal use of Welsh as outlined in standard 96 but that they would, however, be able to develop one accordingly. Velindre NHS Trust noted that they considered that their existing Welsh language scheme complied with this requirement and that the scheme had been posted on the intranet.

In considering the requirements attached to standards 97-103, each person noted that they were not current practices within their organizations. Evidence was received from all 3 relevant persons which confirmed that a number of the documents attached to these

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<sup>78</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>79</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 were provided on a national level by NHS Wales Shared Services Partnership and although some aspects of the work were the trust's responsibility, such as providing job titles for job descriptions, they would be reliant on this organization to secure compliance.

Some further concerns were raised in terms of their ability to comply with these standards, such as the additional costs attached to translating the documents in question and that matters of confidentiality could arise should a third party be required to translate an employment contract of a legal nature.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for complaints by a member of a body's staff.<sup>80</sup>

Velindre NHS Trust stated that no standards regarding complaints were currently being implemented. However, they note that they could comply in due course although there could be a delay in arranging for Welsh-speaking members of staff to be available or arranging a simultaneous translation service in such meetings.

Although the Welsh Ambulance Services and Public Health Wales NHS Trusts noted that standards 110-113 were not currently being implemented, they did acknowledge that they could comply with them in due course although there would be additional costs attached to this.

Public Health Wales NHS Trust raised concerns about their ability to comply with standard 111(b)<sup>81</sup> as the number of staff with Welsh language skills is low and therefore it would be very unusual to have a meeting where every member of staff in attendance could speak Welsh.

The Welsh Ambulance Services NHS Trust stated that some policies involving disciplinary matters and complaints were being developed at a national level across the NHS in Wales and that these would have to be adapted centrally.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for a body disciplining staff.<sup>82</sup>

The Welsh Ambulance Services NHS Trust said that additional costs would be attached to implementing standards 115-117 as there is no in-house translation service. Public Health Wales NHS Trust believed that all members of staff would need to speak Welsh in order to comply with standard 115 and that this was not currently the case. Concerns were raised about translating sensitive documents, noting that a high level of confidentiality would be attached to providing a simultaneous translation service in such meetings.

Velindre NHS Trust said that these standards were not currently being implemented but that they could comply with them in due course. However, it was noted that there would be

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<sup>80</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>81</sup> Please note that this refers to a clause within standard 111 rather than a separate standard.

<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..

a delay in arranging for a Welsh-speaking member of staff to be available in such meetings.

### **Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 24% of commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet.<sup>83</sup>

All 3 relevant persons confirmed that standard 118 was already current practice within their organizations and that they were in partial compliance with some aspects of standards 119-124. However, a number of concerns were raised by 2 of those persons regarding their ability to comply with standards 119-124, with Public Health Wales NHS Trust noting that they believed that a new intranet would have to be created with all current material translated in order to comply. Similarly, the Welsh Ambulance Services NHS Trust said that there would be substantial costs attached to translating all the current material on the intranet.

### **Standards in relation to a body developing Welsh language skills through planning and training its workforce [125-133]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 89% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.<sup>84</sup>

Velindre and the Welsh Ambulance Services NHS Trusts confirmed that they did assess the Welsh language skills of employees in accordance with the requirement in standard 125. Despite standards 126-127 not being currently implemented by either organization, Velindre NHS Trust believed that they could comply with them in due course. However, the Welsh Ambulance Services NHS Trust did not consider that making these standards specifically applicable to them would be reasonable and proportionate. Elements of standards 128-133 were already current practice by the two relevant persons and despite Velindre NHS Trust noting that they cannot comply with standard 129 at present due to a lack of resources; no particular issues were highlighted regarding their ability to comply.

Public Health Wales NHS Trust said that none of the requirements attached to standards 125-129 were currently being implemented within their organization although aspects of standards 130-133 were already current practice. They believed that making a selection of them specifically applicable to them would be reasonable and proportionate due to the fact that some of the training provided to their employees was provided by in-house staff and that not all those staff members could speak Welsh.

### **Standards for a body recruiting staff [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 71% of commitments corresponded to the standards for a body recruiting staff.<sup>85</sup>

Evidence was provided by Public Health Wales NHS Trust which confirmed that they do not have a formal internal process for deciding on the inclusion of essential Welsh

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<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.



language skills' needs when advertising a vacancy or new post. Similarly, it was noted that the requirements attached to standards 136-138 were already current practice, although aspects of standards 135-135B were already current practice under the responsibility of NHS Wales Shared Services Partnership.

Velindre and the Welsh Ambulance Services NHS Trusts confirmed that standard 134 was already current practice and that making it specifically applicable to them would be reasonable and proportionate, although there would be costs attached to that. The Welsh Ambulance Services NHS Trust believed that making standard 138 specifically applicable to them would be reasonable and proportionate.

In terms of standards 135-136, all 3 relevant persons noted that job advertisements were placed through NHS Wales Shared Services Partnership's Employment Services. Despite aspects of these standards already being current practice, they note that their ability to comply with the standards would depend on the compliance of this organization.

The Welsh Ambulance Services NHS Trust did not consider that making standard 137 specifically applicable to them would be reasonable and proportionate as some assessments were not available in Welsh.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for signs displayed in a body's workplace.<sup>86</sup>

Velindre and the Welsh Ambulance Services NHS Trusts confirmed that they display Welsh language signs inside the organization's buildings and the Welsh Ambulance Services NHS Trust gives the Welsh language prominence in this respect.

Public Health Wales NHS Trust confirmed that they do not display Welsh language signs inside the organization's buildings but that they do consider that making the standards specifically applicable to them would be reasonable and proportionate.

#### **Standards for 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 for audio announcements and messages in a body's workplace.

The Welsh Ambulance Services and Public Health Wales NHS Trusts confirmed that they do not make audio announcements and messages within their workplace. However, Public Health Wales NHS Trust did consider that making the standard specifically applicable to them would be reasonable and proportionate.

Velindre NHS Trust did not consider that making this standard specifically applicable to them would be reasonable and proportionate as they would not be able to comply at present due to the shortage of Welsh-speaking members of staff.

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

Velindre and the Welsh Ambulance Services NHS Trusts confirmed that a number of the requirements attached to these standards were already current practice within their

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<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.

organizations and, where they were not, they could comply with them in due course. However, Velindre noted that there may be some delay in arranging some translations and that standard 174 would require collaboration with NHS Wales Shared Services Partnership and others in order to secure compliance.

Public Health Wales NHS Trust said that they believed that making all of the standards, apart from 171(1)<sup>87</sup> within this category specifically applicable to them would be reasonable and proportionate. In terms of standard 171(a)<sup>88</sup> they note that it would be the Welsh Government's duty to ensure that the complaints procedure reflected the requirements of the standard as they were responsible for the current policy in operation across Wales.

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

None of the 3 relevant persons (100%) within the NHS Trusts group wished to consent to make promotion standards potentially applicable to them.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 77% of commitments corresponded to the record keeping standards.<sup>89</sup>

Velindre NHS Trust confirmed that a number of the requirements were already current practice and, where they were not, they could comply with them in due course. They also believed that making the standards specifically applicable to them would be reasonable and proportionate.

However, the Welsh Ambulance Services and Public Health Wales NHS Trusts raised concerns about their ability to comply with a selection of them with the Welsh Ambulance Services NHS Trust also raising concerns about their ability to comply with standard 157 too.

Public Health Wales NHS Trust noted that they would make arrangements to record the information in accordance with the standards, but that monitoring compliance across the organization would be difficult. This was due to the risk that the information and data found in the annual report would be inaccurate and unreliable. They also note that it would depend on NHS Wales Shared Services Partnership providing some of the relevant information and data in order to comply.

The Welsh Ambulance Services NHS Trust noted that they did not consider that implementing standards 150 and 152-154 would be reasonable in terms of emergency calls in the same way as the standards for telephone calls.

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

All 3 relevant persons confirmed that they considered that making the standards dealing with supplementary matters in relation to the record keeping standards specifically applicable to them would be reasonable and proportionate.

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<sup>87</sup> Please note that this refers to a clause within standard 171 rather than a separate standard.

<sup>88</sup> Please note that this refers to a clause within standard 171 rather than a separate standard.

<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.

## Special Health Authority

### Service delivery standards

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

The NHS Business Services Authority noted that it carried out the activity in question, and did so through the medium of Welsh.

Although the NHS Business Services Authority noted that they already implemented a number of these standards, they also noted that this mainly happened by using a translation service. They believed that the demand for Welsh language services was very low considering the number of requests made during the past year and therefore they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

The NHS Business Services Authority noted that it carried out the activity in question, and did so through the medium of Welsh.

The NHS Business Services Authority explained that every telephone call handled by their contact centre is dealt with in English first and that a third party translation service is used to provide a Welsh translation as well as other languages, when relevant. They believed that the demand for Welsh language services over the phone was very low as they do not receive such requests often. As a result, they noted that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

They also noted that they believed that a different telephone number would need to be introduced for Welsh speakers and promoted on materials distributed in Wales and that this would be a significant undertaking in itself and would require significant changes in their processes. They also noted that they would have to consider recruiting Welsh speakers.

#### **Activity 3: A body holding meetings that aren't open to the general public Standards for a body holding meetings that aren't open to the general public [23-29]**

The NHS Business Services Authority stated that they carried out the activity in question, but did not do so through the medium of Welsh.

The NHS Business Services Authority stated that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate, noting that they do not have offices in Wales and therefore did not consider that these standards were suitable. They referred to the NHS Pensions service, which forms part of their organization, and that meetings are held by them with groups which include Welsh-speaking employees. Despite noting that requests for meetings through the medium of Welsh are not made often, they noted that it would be possible to provide translation services for this purpose.

Similarly, meetings are held by Dental Services, another service within their organization, with the Welsh Government and Local Health Boards, and that no request for a meeting through the medium of Welsh had been made to date. However, they did note that they

would provide a translation service if such a request was made.

**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 Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

The NHS Business Services Authority explained that only one public-facing annual meeting is held by them, namely the Board meeting, which takes place at their headquarters in Newcastle upon Tyne. They noted that no request to conduct this meeting through the medium of Welsh had ever been made and, therefore, they did not believe that making these standards specifically applicable to them would be reasonable and proportionate.

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

The NHS Business Services Authority said that they do not undertake the activity in question and, therefore, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

Although the NHS Business Services Authority noted that material produced for patients in Wales by Dental Services is produced bilingually, and that some leaflets for other aspects of the organization's work are produced in Welsh by the Welsh Government, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

Some concerns were raised about the exact definition of 'publicity and advertising', noting that there was potential for a large number of translation requests which would lead to substantial funding implications. The relevant person believed that producing some specific material in Welsh would raise expectations around other aspects of their services.

They also noted that HMRC are responsible for tax credit exemption applications, suggesting that it was therefore their responsibility to comply with this aspect.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

Although the NHS Business Services Authority noted that the documents referenced in standards 41, 44 and 46 are only produced in English at present, they did note that they could do so if a request was made. They also explained that the documents referenced in

standards 42, 43 and 45 are produced in Welsh but that it was NHS Wales who were responsible for this. Similarly, they explained that much of the material produced for patients in Wales was already produced bilingually.

It was noted that there had been no requests to provide any documentation produced by NHS Pensions in Welsh to date. The relevant person noted that they believed that such demand was very low and therefore that making such a requirement specifically applicable to them would not be reasonable and proportionate.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

It was confirmed that a number of materials produced for patients in Wales by Dental Services is already produced in Welsh. The NHS Business Services Authority explained that Low Income Scheme forms were produced in Welsh but that this was the responsibility of NHS Wales. Similarly, it was noted that there was a Welsh version of an application form for an European Health Insurance Card, but that it was the Government's Health Department who were responsible for that.

They believed that a large number of forms would come under these standards and that there would be significant financial implications to translating them all into Welsh. They also noted that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate. However, they did note that they would provide Welsh language forms on request.

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

The NHS Business Services Authority noted that it carried out the activity in question, and did so through the medium of Welsh.

The NHS Business Services Authority confirmed that they undertook the activity in question but that this was only in connection to the European Health Insurance Card. They noted that a request could be made for a card through the medium of Welsh and that a choice of Welsh or English was provided at the beginning but that every other webpage was in English only.

The NHS Business Services Authority did not consider that making these standards specifically applicable to them would be reasonable and proportionate, due to the significant financial implications attached to updating and translating all the information on their website into Welsh. They believed that the demand for Welsh medium provision was low in terms of their website and online services and therefore making these standards specifically applicable to them would not be proportionate. They also noted that the future of their website was currently being reviewed and that discussions were underway with the Government's Health Department, the Welsh Government, the Scottish Government and the Isle of Man's Government in relation to this.

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

Although the NHS Business Services Authority noted that they do not undertake the activity in question, they did note that they display signs on their buildings, but that they do

not have any buildings in Wales. They therefore believed that making these standards specifically applicable to them would not be reasonable and proportionate.

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

Although the NHS Business Services Authority noted that they do not undertake the activity in question, they did note that they welcome visitors at their buildings, but that they do not have any buildings in Wales. They therefore believed that making these standards specifically applicable to them would not be reasonable and proportionate.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

The NHS Business Services Authority confirmed that they provide grants but only in England. They explained that NHS Wales operate a separate bursary scheme in Wales, similar to the one operated in England. With that in mind, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

They explained that a paragraph involving the requirements of the Welsh Language Act 1993 was included in every contract for services provided in Wales. It was noted that contracts are awarded through the Crown's commercial framework or the Official Journal of the European Union process. They did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

**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 Business Services Authority noted that it carried out the activity in question, and did so through the medium of Welsh.

It was confirmed that the requirements attached to these standards are already current practice in terms of the European Health Insurance Card and that making these standards specifically applicable in terms of this service would be reasonable and proportionate. They emphasised that NHS Wales are responsible for producing much material for other aspects of their work, suggesting that responsibility for meeting the standards would lie with NHS Wales in this respect.

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

The NHS Business Services Authority noted that they carried out the activity in question,

but did not do so through the medium of Welsh.

Although the relevant person acknowledged that they do not currently have a bilingual corporate identity, they believed that they could do so were there sufficient demand and therefore that making this standard specifically applicable to them would be reasonable and proportionate. However, concerns were raised that producing a bilingual corporate identity could raise expectations concerning other aspects of their services.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

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

The NHS Business Services Authority noted that they carried out the activity in question, but did not do so through the medium of Welsh.

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

The NHS Business Services Authority noted that the requirements attached to these standards were not currently being implemented but should a request for such information be made, they would then consider providing it on a case-by-case basis. However, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate, as they believed that the demand for such information was low with no such request ever having been made in the past.

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

The NHS Business Services Authority explained that the Government's Health Department and the Welsh Government were responsible for producing and consulting on policies, and that they themselves were then responsible for their administration. They also state that they follow a recognised procedure where all internal information is provided in English to staff.

The relevant person noted that they undertake research in order to assess current performance and highlight future needs in terms of service delivery. They state that such research has not highlighted any need for more Welsh medium provision over the last 6 years.

With this in mind, the NHS Business Services Authority noted that they did not consider that making the policy making standards specifically applicable to them would be reasonable and proportionate. It should be noted that a "policy decision" in the Welsh Language Standards Regulations means "any decision made by a body about the exercise of its functions or about the conduct of its business or other undertakings, and it includes, amongst other things (and as appropriate to the body), decisions about-

- (a) the content of legislation;
- (b) the use of statutory powers;
- (c) the content of policy statements;
- (d) strategies or strategic plans;
- (e) internal structures."<sup>90</sup>

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<sup>90</sup> Paragraph 2, Part 2, Schedule 2, Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015

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

The NHS Business Services Authority noted that they already complied with these requirements with regard to the NHS Pensions service and that they produced relevant documents in English on their website. Once again, emphasis was placed on the fact that the Government's Health Department and the Welsh Government are responsible for making policies on their behalf in terms of dental services and that they operate in accordance with those policies.

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

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

The NHS Business Services Authority confirmed that the requirements in question are not currently being implemented within their organization. They stated that they believed that these standards were disproportionate and impractical as they do not have any staff living or working in Wales, and that they were not aware of any staff who can speak Welsh. They also noted that no member of staff has made any requests for employment-related documentation in Welsh.

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

Similarly, none of the requirements in question are currently being implemented by the NHS Business Services Authority. They noted that they believed that having to comply with these standards would be impractical and disproportionate, due to the fact that they do not have any members of staff living or working in Wales and that they were not aware of any member of staff who can speak Welsh.

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

The relevant person emphasised the fact that they do not have any members of staff living or working in Wales and that they were not aware of any member of staff who can speak Welsh. With that in mind, they noted that they considered that making these standards specifically applicable to them would be disproportionate and impractical.

#### **Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet [118-124]**

The NHS Business Services Authority confirmed that they operated an intranet system but that no elements of it were available in Welsh. They confirmed that standard 118 was not currently being implemented by them either. The relevant person noted that they had never received a request for IT and intranet material through the medium of Welsh and that they believed that making these standards specifically applicable to them would be disproportionate and impractical.

#### **Standards in relation to a body developing Welsh language skills through planning and training its workforce [125-133]**

The relevant person stated that they do not currently assess the Welsh language skills of their employees. Despite confirming that a number of the requirements were not currently being implemented by them, they did confirm that aspects of standard 130 were in operation and that staff working at their contact centre were aware of their Welsh language scheme and how to use translation services should a request be made. It should be noted that this Welsh language scheme has not been approved under section 14(1) of the Welsh Language Act 1993.



**Standards for a body recruiting staff [134-138]**

The NHS Business Services Authority explained that they do not currently implement these standards and that they believe that Welsh language skills are not required for any of their posts, as those posts along with their offices are based in England.

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

The relevant person confirmed that no Welsh language signs are currently displayed inside the organization's buildings.

**Standards for audio announcements and messages in a body's workplace [142]**

The relevant person noted that no audio announcements or messages are made within the body's workplace and therefore they believe that making this standard specifically applicable to them would not be reasonable and proportionate.

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

The relevant person noted that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate as they do not consider that making any of the operational standards specifically applicable to them would be reasonable and proportionate.

**Promotion standards [143-144]**

The NHS Business Services Authority confirmed that they did not wish to consent to making the promotion standards potentially applicable to them.

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

The NHS Business Services Authority confirmed that they already keep a record of requests for translations of telephone calls into Welsh. Similarly, they confirmed that patients' individual records contain information regarding any request for correspondence in Welsh. The relevant person also noted that they considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

The relevant person confirmed that that would be able to comply with these standards and that making them specifically applicable to them would be reasonable and proportionate.

## Fire and Rescue Authorities

### Service delivery standards

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

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 95% of commitments corresponded to the standards for correspondence sent by a body.<sup>91</sup>

South Wales Fire and Rescue Service confirmed that the requirements attached to these standards were already current practice and they considered that making them specifically applicable to them would be reasonable and proportionate.

Similarly, North Wales and Mid and West Wales Fire and Rescue Services noted that a number of these standards were already current practice or that they could comply with them with some further work. The two relevant persons also considered that making each one of these standards, apart from standard 3, specifically applicable to them would be reasonable and proportionate.

Both believed that it would be very difficult to comply with standard 3, noting that substantial investment in terms of time and money would be needed and that they did not consider that this would improve services as they already corresponded bilingually at all times. They noted their concerns regarding public safety and that they did not anticipate being able to cope with the constant changes in individuals' addresses.

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

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 69% of commitments corresponded to the standards for telephone calls made and received by a body.<sup>92</sup>

Each relevant person confirmed that a number of the requirements were already current practice or they could comply with them and they considered that making a selection of these standards specifically applicable to them would be reasonable and proportionate.

However, concerns were raised about standard 9 as they do not believe that it is practical to implement with emergency calls. South Wales Fire and Rescue Service said that a short greeting is currently provided so that essential information about the incident can be determined as soon as possible.

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<sup>91</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>92</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

No relevant person considered that standard 17 was applicable to them as telephone calls are answered 24 hours a day, 7 days a week.

South Wales Fire and Rescue Service also had concerns about their ability to comply with standard 20, noting that there would be widespread implications to this which could increase callers' expectations in a misleading way.

**Activity 3: A body holding meetings that aren't open to the general public**  
**Standards for a body holding meetings that aren't open to the general public [23-29]**

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 61% of commitments corresponded to the standards for a body holding meetings that aren't open to the general public.<sup>93</sup>

All 3 relevant persons confirmed that a number of the requirements attached to these standards were already current practice within their organizations and, where they were not, they could comply with them with further work or more resources. They also believed that making the standards specifically applicable to them would be reasonable and proportionate.

**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 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.<sup>94</sup>

All 3 relevant persons confirmed that a number of the requirements attached to the standards were already current practice and, where they were not, they could comply with them. North Wales and Mid and West Wales Fire and Rescue Services also said that they considered that making them specifically applicable to them would be reasonable and proportionate.

Similarly, South Wales Fire and Rescue Service noted that making these standards, apart from standard 34, specifically applicable to them would be reasonable and proportionate. Concerns were raised about their ability to comply with this standard, noting that the organization's committee papers, agendas and minutes are only published in English at present. They noted that some of these papers could be hundreds of pages long and that they had to be published a fortnight in advance. Despite recognising that they could be translated, they believed that allowing extra time to do so would create operational and governance-related difficulties and that the cost attached to that could impact their ability to provide a frontline service.

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<sup>93</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>94</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for events organised or funded in its entirety by a body.<sup>95</sup>

The relevant persons said that these standards were already current practice or that they could comply with them and that making them specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for publicity and advertising.<sup>96</sup>

The relevant persons confirmed that the standard was already current practice and that it was reasonable and proportionate. However, Mid and West Wales Fire and Rescue Service said that they had further work to do in order to secure compliance with social networks in this respect.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for displaying material in public.<sup>97</sup>

The relevant persons noted that the requirements attached to these standards were already current practice and that making them specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>95</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>96</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>97</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 93% of commitments corresponded to the standards for a body producing and publishing documents.<sup>98</sup>

All 3 relevant persons noted that a number of the requirements attached to these standards were already current practice or they could comply with them in due course. North Wales Fire and Rescue Service considered that making all of these standards specifically applicable to them would be reasonable and proportionate, with South Wales and Mid and West Wales Fire and Rescue Services considering that doing so for a selection of them would be reasonable and proportionate.

South Wales and Mid and West Wales Fire and Rescue Services raised concerns about their ability to comply with standard 41, explaining that these documents are only published in English at present. South Wales and Mid and West Wales Fire and Rescue Service said that the additional expenditure needed to comply would be unreasonable compared to the numbers likely to read the Welsh versions.

Although South Wales Fire and Rescue Service said that they already complied with standard 46 in part, they explained that there is an opt-out clause in their current Welsh language scheme which states "where deadlines permit". In light of that, they did not believe that it would be possible to publish that information bilingually at all times referring specifically to emergencies.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 75% of commitments corresponded to the standards for a body producing and publishing forms.<sup>99</sup>

All 3 relevant persons confirmed that standards 50-50B were already current practice or that they could comply with them in due course and therefore making them specifically applicable to them would be reasonable and proportionate. However, they did not believe that standard 51 applied to them as they do not follow the practice of inputting forms in advance.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for a body's websites and on-line services.<sup>100</sup>

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<sup>98</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>99</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>100</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

The relevant persons said that these standards were already current practice and that making them specifically applicable to them would be reasonable and proportionate.

However, South Wales Fire and Rescue Service said that, in terms of standards 52-54, it would not be possible for them to publish the relevant information bilingually immediately at all times, referring specifically to emergencies. With that in mind, they only considered that making these standards specifically applicable to them would be reasonable and proportionate as long as the current opt-out in their existing Welsh language scheme was maintained.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 78% of commitments corresponded to the standards for signs displayed by a body.<sup>101</sup>

There was a positive response to these standards with every relevant person noting that they were already current practice or that they could comply with them and that making them specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 33% of commitments corresponded to the standards for receiving visitors at a body's buildings.<sup>102</sup>

There was a positive response to these standards with all 3 relevant persons noting that the standards were already current practice or that they could comply with them in due course. They also believed that making the standards specifically applicable to them would be reasonable and proportionate. It should be noted that South Wales Fire and Rescue Service did not believe that standards 63 and 64 applied to them as they provided a reception service at all times during office hours.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>101</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>102</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for a body making official notices.<sup>103</sup>

The relevant persons confirmed that these standards were already current practice or they could comply with them in due course. They also believed that making the standards specifically applicable to them would be reasonable and proportionate.

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

None of the 3 relevant persons (0%) within the Fire and Rescue Authorities group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 56% of commitments corresponded to the standards for a body awarding grants.<sup>104</sup>

All 3 relevant persons confirmed that they did not undertake the activity in question.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, two relevant persons (66%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 56% of commitments corresponded to the standards for a body awarding contracts.<sup>105</sup>

The relevant persons noted that some of the standards were already current practice and that they could comply with the rest of them in time with some financial and resource implications. North Wales and Mid and West Wales Fire and Rescue Services believed that making these standards specifically applicable to them would be reasonable and proportionate. South Wales Fire and Rescue Service also considered that making a selection of these standards specifically applicable to them would be reasonable and proportionate but they noted that only a limited amount of funds would be available each financial year to undertake additional translation work arising from standard 74 and that it would not therefore be possible to guarantee continued compliance after those resources ran out.

**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 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>103</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>104</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>105</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.<sup>106</sup>

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

There was a positive response to these standards with all 3 relevant persons noting that the standards were either already current practice or that they could comply with them. They also believed that making the standards specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for a body's corporate identity.<sup>107</sup>

All 3 relevant persons said that they had a bilingual corporate identity already and that therefore making this standard specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, the 3 relevant persons (100%) stated that they undertook 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 standards for courses offered by a body.

South Wales and Mid and West Wales Fire and Rescue Services said that some of the requirements attached to these standards were already current practice and both of them, along with North Wales Fire and Rescue Service, said that they could comply with the rest, although more resources would be needed in order to do so. They all believed that making the standards specifically applicable to them would be reasonable and proportionate.

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

2 of the 3 relevant persons (100%) within the Fire and Rescue Authorities group stated that they undertook the activity in question. Of those, both relevant persons (100%) stated that they undertook the activity in question through the medium of Welsh.

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<sup>106</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>107</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.



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.

North Wales and Mid and West Wales Fire and Rescue Services confirmed that the standard was already current practice or that they could comply with it and that making this standard specifically applicable to them would be reasonable and proportionate. South Wales Fire and Rescue Service confirmed that they did not undertake the activity.

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

All 3 relevant persons noted that a number of the standards were already current practice, or were similar to current arrangements under their Welsh language scheme and, where they were not, they could comply with them. The 3 also believed that making the standards specifically applicable to them would be reasonable and proportionate.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 30% of commitments corresponded to the policy making standards.<sup>108</sup>

The relevant persons noted that every new policy or procedure was subject to an equality impact assessment which included Welsh language requirements. It was also noted that different officers and forums within their organizations scrutinised these policies further ensuring that the Welsh language was given further consideration.

South Wales Fire and Rescue Service stated that they considered that making each one of these standards specifically applicable to them would be reasonable and proportionate with North Wales and Mid and West Wales Fire and Rescue Services stating that they considered that making each standard, apart from standard 92, specifically applicable to them would be reasonable and proportionate. The relevant persons did not believe that standard 92 was relevant to them as they do not award grants at present.

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

All 3 relevant persons believed that these standards were reasonable and proportionate in principle as a number of the requirements were already current practice and, where they were not, it was noted that they could comply with them in due course.

### **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, none of the commitments corresponded to the standards for the use of Welsh within a body's internal administration.

There were mixed responses to these standards with South Wales Fire and Rescue Service noting that they do not currently comply with the requirements attached to these standards. Despite recognising that they could comply with them, they believed that

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<sup>108</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 99-101 would be very difficult to comply with as staff training needs and career plans were currently kept on an electronic system which is not currently available in Welsh.

North Wales Fire and Rescue Service acknowledged that a number of the requirements were already current practice and that they could comply with them in full in due course. However, they noted that they would have to increase their resources in order to comply with standards 97-101, and in terms of standards 99-101, they did not believe that doing so was reasonable.

Mid and West Wales Fire Service said that standard 96 was already current practice within their organization. Despite recognising that a number of the documents referenced in the remaining standards were available in Welsh on request, they did not believe that there was a demand for them and that there would be significant funding and resource implications in order to comply with them.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standards for complaints by a member of a body's staff.

North Wales Fire and Rescue Service stated that a number of the requirements attached to these standards were already current practice and that they could fully comply with them with some further work.

South Wales and Mid and West Wales Fire and Rescue Services stated that they did not currently comply with any of these standards but South Wales Fire and Rescue Service believed that they could all be complied with. Mid and West Wales Fire and Rescue Service said that they could comply with standards 110 and 113 but that there would be resource implications to having to comply with the remainder.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standards for a body disciplining staff.

North Wales Fire and Rescue Service noted that a number of the requirements attached to these standards were already current practice and that they could fully comply with them with some further work.

South Wales Fire and Rescue Service explained that these requirements are not currently being implemented but that they did believe that they could comply with them. Mid and West Wales Fire and Rescue Service said that complying with these standards would involve significant financial and resource implications and, in terms of standard 115, they did not consider that to be reasonable.

### **Standards in relation to a body's information technology and about support material provided by a body, and in relation to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 33% of commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet.<sup>109</sup>

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<sup>109</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.

All 3 relevant persons confirmed that a number of the requirements were already current practice and that they could comply with a number of them.

However, South Wales Fire and Rescue Service said that they would not be able to comply with a number of the standards at present as their current intranet did not support multiple languages although there were some Welsh language pages available. They noted that they intended to upgrade the intranet in the future in order to include more Welsh language material but that there was no set date for that and that there would be financial and resource implications.

North Wales and Mid and West Wales Fire and Rescue Services both raised similar concerns, noting that substantial increases in resources and costs would be required in order to comply, which they did not consider reasonable.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 78% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.<sup>110</sup>

All 3 relevant persons confirmed that each standard was already current practice more or less; apart from South Wales Fire and Rescue Service who stated that they do not currently provide the training referred to in standards 126, 127 and 129. They noted that a definition of "basic" in relation to standard 128 would be useful as they believed that the wording was currently open to interpretation. Similarly, it was noted that a definition of the term "working hours" would be beneficial considering that they employed staff on a variety of shift patterns. When determining standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.

### **Standards for a body recruiting staff [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 33% of commitments corresponded to the standards for a body recruiting staff.<sup>111</sup>

All 3 relevant persons noted that the requirements in question were already current practice and that there were arrangements already in place to decide on the linguistic needs of vacancies and new posts.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 83% of commitments corresponded to the standards for signs displayed in a body's workplace.<sup>112</sup>

North Wales and Mid and West Wales Fire and Rescue Services confirmed that they already displayed Welsh language signs inside their organization's buildings and that the Welsh language text was given prominence.

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<sup>110</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>111</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>112</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.

Although South Wales Fire and Rescue Service acknowledged that this was current practice in terms of public-facing signage, this was not the case with other signs which would require additional costs to secure compliance.

### **Standards for audio announcements and messages in a body's workplace [142]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 33% of commitments corresponded to the standard for signs displayed in a body's workplace.<sup>113</sup>

North Wales and Mid and West Wales Fire and Rescue Services confirmed that they made audio announcements within the workplace and that they were made in Welsh. Both also noted that making these standards specifically applicable to them would be reasonable and proportionate.

South Wales Fire and Rescue Service explained that they do not make announcements in the workplace and that they do not have the facility to do so.

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

All 3 relevant persons explained that a number of the requirements attached to these standards were similar to their current arrangements in terms of their Welsh language schemes and that they would be able to comply with them with some further work. With that in mind, they all considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

None of the relevant persons wished to consent to making the promotion standards potentially applicable to them.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 62% of commitments corresponded to the record keeping standards.<sup>114</sup>

All 3 relevant persons noted that a number of these standards were similar to the current arrangements under their Welsh language schemes. South Wales Fire and Rescue Service said that they could adjust the mechanisms they currently have in place to reflect the requirements attached to the standards. North Wales and Mid and West Wales Fire and Rescue Services believed that they would have to increase their resources in order to comply with standards 152-154. However, all 3 relevant persons believed that making these standards specifically applicable to them would be reasonable and proportionate.

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

All 3 relevant persons confirmed once again that the requirements attached to these standards were very similar to their current arrangements in terms of their Welsh language schemes and they would be able to comply with them with some further work. They all

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<sup>113</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>114</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.

considered that making these standards specifically applicable to them would be reasonable and proportionate.

## Police Authorities

### Service delivery standards

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

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

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Of those, 1 relevant person (50%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 64% of commitments corresponded to the standards for correspondence sent by a body.<sup>115</sup>

Whilst responding to Welsh language correspondence in Welsh is already undertaken by the Civil Nuclear Police Authority, sending such correspondence for translation means that a delay cannot be ruled out. As a result, they did not consider that making standard 7 specifically applicable to them would be reasonable and proportionate.

Whilst the British Transport Police Authority have made a commitment in their Welsh language scheme to respond in Welsh to correspondence which is received in that language, they note that such instances are very rare. As a result, they believed that making a selection of the standards specifically applicable to them would be unreasonable and disproportionate, namely standards 2-5.

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

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

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Of those, none of the relevant persons stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 43% of commitments corresponded to the standards for telephone calls made and received by a body.<sup>116</sup>

The Civil Nuclear Police Authority stated that there were no Welsh speakers available to handle calls through the medium of Welsh at their headquarters in Oxford. However, a member of the public could have a telephone conversation in Welsh with an officer from the Authority's Wylfa Unit, who are able to do so, depending on whether or not they were on duty at the time. As not all their officers can speak Welsh, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

Similarly, the British Transport Police Authority considered it unreasonable and disproportionate to make these standards specifically applicable to them due to the size of the organization (11 staff members and 11 part-time governors who are members of the Authority) and their location in London.

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<sup>115</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>116</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

**Activity 3: A body holding meetings that aren't open to the general public**  
**Standards for a body holding meetings that aren't open to the general public [23-29]**

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Of those, none of the relevant persons stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for a body holding meetings that aren't open to the general public.<sup>117</sup>

Both relevant persons said that they considered that making these standards specifically applicable to them would be unreasonable and disproportionate. They note that English is the operational language within their organizations, even within the Wylfa Unit, according to the Civil Nuclear Police Authority. The British Transport Police Authority did not foresee a situation where they would need to meet with the public. However, they noted that standard 24A was proportionate but unlikely to happen in reality.

**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]**

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Of those, 1 relevant person (50%) said that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 90% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.<sup>118</sup>

The Civil Nuclear Police Authority said that these standards were already current practice in order to ensure that members of the public are able to contribute in Welsh to their public meetings.

The British Transport Police Authority said that public meetings are not regularly conducted in Wales and therefore making standards 30-34 specifically applicable to them would be unreasonable and disproportionate in their opinion.

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

1 of the 2 relevant persons (50%) within the Police Authorities group stated that they undertook the activity in question. The relevant person stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for public events organised or funded in its entirety by a body.<sup>119</sup>

Only the British Transport Police Authority stated that they undertook the activity in question. However, they noted that no public meetings are held in Wales on a regular

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<sup>117</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>118</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>119</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

basis and therefore they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

Neither of the 2 relevant persons within the Police Authorities group said that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standard for publicity and advertising.<sup>120</sup>

Despite both noting that they did not undertake the activity in question, the Civil Nuclear Police Authority said that they had already committed to meeting the requirement as part of the Welsh language scheme. As a result, they noted that they considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the standards for displaying material in public.<sup>121</sup>

The British Transport Police Authority did not consider that making these standards specifically applicable to them would be reasonable and proportionate as they do not currently undertake this activity.

Although the Civil Nuclear Police Authority does not undertake the activity in question, they stated that they believed that making them specifically applicable to them would be reasonable and proportionate.

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

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Both (100%) also stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 90% of commitments corresponded to the standards for a body producing and publishing documents.<sup>122</sup>

Both relevant persons noted that they already comply with these standards as part of their Welsh language schemes and that documents which are relevant to Wales are published in Welsh.

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<sup>120</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>121</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>122</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.



Both said that they considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

1 of the 2 relevant persons (50%) within the Police Authorities group stated that they undertook the activity in question. The relevant person stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 90% of commitments corresponded to the standards for a body producing and publishing forms.<sup>123</sup>

The Civil Nuclear Police Authority, as the relevant person who stated that they undertook the activity, noted that they had already committed to meeting these standards as part of the Welsh language scheme. As a result, they considered that making these standards specifically applicable to them would be 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]**

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Both relevant persons (100%) also stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for a body's websites and on-line services.<sup>124</sup>

Both relevant persons said that their websites contained Welsh text. However, they consider that making these standards specifically applicable to them would be unreasonable and disproportionate as English is the main language of the organization and that translating the whole website would not be proportionate to the work undertaken in Wales. However, the British Transport Police Authority said that they considered that making standard 53 specifically applicable to them would be reasonable and proportionate.

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

1 of the 2 relevant persons (50%) within the Police Authorities group stated that they undertook the activity in question. The relevant person (100%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 67% of commitments corresponded to the standards for signs displayed by a body.<sup>125</sup>

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<sup>123</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>124</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>125</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

As these standards are already current practice by the Civil Nuclear Police Authority as part of their commitments in their Welsh language scheme, they considered that making them specifically applicable to them was reasonable and proportionate.

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

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 57% of commitments corresponded to the standards for receiving visitors at a body's buildings.<sup>126</sup>

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate. The British Transport Police Authority did not share this view, due to the fact that they do not have any offices in Wales.

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

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 75% of commitments corresponded to the standards for a body making official notices.<sup>127</sup>

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 92% of commitments corresponded to the standards for a body awarding grants.<sup>128</sup>

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Of those, no relevant person stated that they undertook the activity in question through the medium of Welsh.

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<sup>126</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>127</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>128</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 83% of commitments corresponded to the standards for a body awarding contracts.<sup>129</sup>

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate.

The British Transport Police Authority said that they were co-signatories to the British Transport Police and therefore were not actually responsible for contract procurement. As a result, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

**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]**

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 25% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.<sup>130</sup>

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

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

Both relevant persons (100%) within the Police Authorities group stated that they undertook the activity in question. Of those, 1 relevant person (50%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 50% of commitments corresponded to the standard for a body's corporate identity.<sup>131</sup>

Both relevant persons considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

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<sup>129</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>130</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

<sup>131</sup> Average percentage of commitments in the relevant persons' Welsh language schemes, which correspond to the standards for each activity, be that partially or fully.

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standards for courses offered by a body.

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

Neither of the 2 relevant persons within the Police Authorities group stated that they undertook the activity in question.

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.

The Civil Nuclear Police Authority considered that making these standards specifically applicable to them would be reasonable and proportionate.

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

The Civil Nuclear Police Authority said that they timed the publication of their main report in accordance with the Energy Act 2004 rather than the timescales identified in the standards. As a result, it did not consider that making the standards dealing with supplementary matters specifically applicable to them would be reasonable and proportionate.

The British Transport Police Authority considered that making the standards dealing with supplementary matters specifically applicable to them would be reasonable and proportionate. However, they noted that they were unable to comply with standard 161 as public engagement is very limited.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, 100% of commitments corresponded to the policy making standards.<sup>132</sup>

The Civil Nuclear Police Authority said that the role of their Culture and Diversity Officer, who is also a member of the Welsh Language Management Group, was to check and approve each impact assessment undertaken. Despite noting that they did not consult on policy decisions nor had a grant awarding policy, they considered that making these standards specifically applicable to them would be reasonable and proportionate.

The British Transport Police Authority stated that they are mainly involved in making internal policies and policies relating to England only. As a result, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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<sup>132</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 the policy making standards [164-169]**

The Civil Nuclear Police Authority did not consider that making these standards specifically applicable to them would be reasonable and proportionate as they are subject to the Energy Act 2004 for producing reports to specific deadlines.

The British Transport Police Authority stated that they are mainly involved in making internal policies and policies relating to England only. As a result, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

### **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, on average, 50% of commitments corresponded to the standards for the use of Welsh within a body's internal administration.<sup>133</sup>

The Civil Nuclear Police Authority said that English was the operational language used at its Wylfa site, but it did consider that standards 97-109 could apply to them. The British Transport Police Authority stated that every internal activity, including those relating to human resources, happened outside Wales and through the medium of English.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 10% of commitments corresponded to the standards for complaints by a member of a body's staff.<sup>134</sup>

The Civil Nuclear Police Authority said that English was the operational language used at its Wylfa site, but that it would allow staff to make complaints, and that the standards could be placed upon them. The British Transport Police Authority noted that every internal activity, including those relating to human resources, happened outside Wales and through the medium of English.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, none of commitments corresponded to the standards for a body disciplining staff.

The Civil Nuclear Police Authority said that English was the operational language used at its Wylfa site, but that it would allow members of staff to respond to accusations made against them in Welsh and that these standards could be placed upon them in their opinion. The British Transport Police Authority noted that every internal activity, including those relating to human resources, happened outside Wales and through the medium of English.

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<sup>133</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>134</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 in relation to a body's information technology and about support material provided by a body, and in relation to the intranet [118-124]**

When analysing the current Welsh language scheme commitments of all the relevant persons, none of the commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet.

Both relevant persons stated that they did not provide spell-check or grammar software nor Welsh language interfaces for their workforce. The Civil Nuclear Police Authority said that bilingual intranet pages were available on the Wylfa Unit intranet site. The British Transport Police Authority noted that every internal activity, including those relating to human resources, happened outside Wales and through the medium of English.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 61% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.<sup>135</sup>

The Civil Nuclear Police Authority said that all members of staff in Wales are offered Welsh lessons. The British Transport Police Authority said that every internal activity, including those relating to human resources, happened outside Wales and through the medium of English.

**Standards for a body recruiting staff [134-138]**

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 71% of commitments corresponded to the standards for a body recruiting staff.<sup>136</sup>

Both relevant persons noted that English was used at all stages of the recruitment process, apart from the job advertisement in the case of the Civil Nuclear Police Authority, who stated that the workplace of the successful candidate was not known to them until after their appointment.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 75% of commitments corresponded to the standards for signs displayed in a body's workplace.<sup>137</sup>

Both relevant persons said that they do not currently display Welsh language signs at their workplaces.

**Standards for 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 standards for audio announcements and messages in a body's workplace.

The Civil Nuclear Police Authority said that they did not make audio announcements or messages in Welsh in order to avoid ambiguity and for safety reasons at their Wylfa site.

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<sup>135</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>136</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>137</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 British Transport Police Authority said that they did not make audio announcements or messages in their workplace and that their offices were outside Wales in any case.

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

The Civil Nuclear Police Authority stated that they did not consider that making these standards specifically applicable to them would be reasonable and proportionate as they were subject to the Energy Act 2004 for publishing reports at designated times.

The British Transport Police Authority stated that they undertook all their internal activities outside Wales. As a result, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

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

Neither relevant person consented to making the promotion standards potentially applicable to them.

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

When analysing the current Welsh language scheme commitments of all the relevant persons, on average, 77% of commitments corresponded to the record keeping standards.<sup>138</sup>

The Civil Nuclear Police Authority stated that they considered that making the standards specifically applicable to them would be reasonable and proportionate as they already recorded matters of compliance in the annual monitoring report for their Welsh language scheme.

The British Transport Police Authority said that they did not collect the information identified in the record keeping standards and that doing so would be onerous. In light of that, and considering the size of the organization, they did not consider that making these standards specifically applicable to them would be reasonable and proportionate. In addition, they did not believe that there was a need for them to provide services through the medium of Welsh.

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

The Civil Nuclear Police Authority said that they considered that making the standards specifically applicable to them would be reasonable and proportionate as they already recorded matters of compliance in the annual monitoring report for their Welsh language scheme, published on their website.

The British Transport Police Authority did not consider that making these standards specifically applicable to them would be reasonable and proportionate as the processes described in standards 178 and 179 were irrelevant to their organization. No further information was provided to support this.

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<sup>138</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.

## 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 the questionnaire provided for them by the Welsh Language Commissioner on the website.

A further 136 responses were received based on a standard response template published by Cymdeithas yr Iaith Gymraeg; in this case all 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>139</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 by location<sup>140</sup>

| Locations         | Number | Percentage (%) |
|-------------------|--------|----------------|
| Swansea           | 16     | 5%             |
| Blaenau Gwent     | 1      | 0%             |
| Vale of Glamorgan | 7      | 2%             |
| Caerphilly        | 5      | 2%             |
| Newport           | 0      | 0%             |
| Neath Port Talbot | 2      | 1%             |
| Ceredigion        | 30     | 10%            |
| Conwy             | 9      | 3%             |
| Cardiff           | 32     | 11%            |
| Gwynedd           | 72     | 25%            |
| Merthyr Tydfil    | 3      | 1%             |
| Bridgend          | 3      | 1%             |
| Powys             | 9      | 3%             |
| Rhondda Cynon Taf | 13     | 4%             |
| Pembrokeshire     | 4      | 1%             |

<sup>139</sup> A list of those movements/organizations has been included within Appendix B of this standards report.

<sup>140</sup> These statistics include all the responses to the questionnaire, along with Cymdeithas yr Iaith's template.



## Welsh Language Commissioner's Standards Report – Public Bodies: Local Government – Section 64 Welsh Language (Wales) Measure 2011

|                  |     |      |
|------------------|-----|------|
| Denbighshire     | 22  | 8%   |
| Monmouthshire    | 2   | 1%   |
| Carmarthenshire  | 21  | 7%   |
| Flintshire       | 10  | 3%   |
| Torfaen          | 1   | 0%   |
| Wrexham          | 4   | 1%   |
| Isle of Anglesey | 19  | 7%   |
| Outside Wales    | 6   | 2%   |
| No information   | 0   | 0%   |
| Total            | 291 | 100% |

### The public's response to the standards investigation carried out in relation to Public Bodies: Local Government

#### Service delivery standards

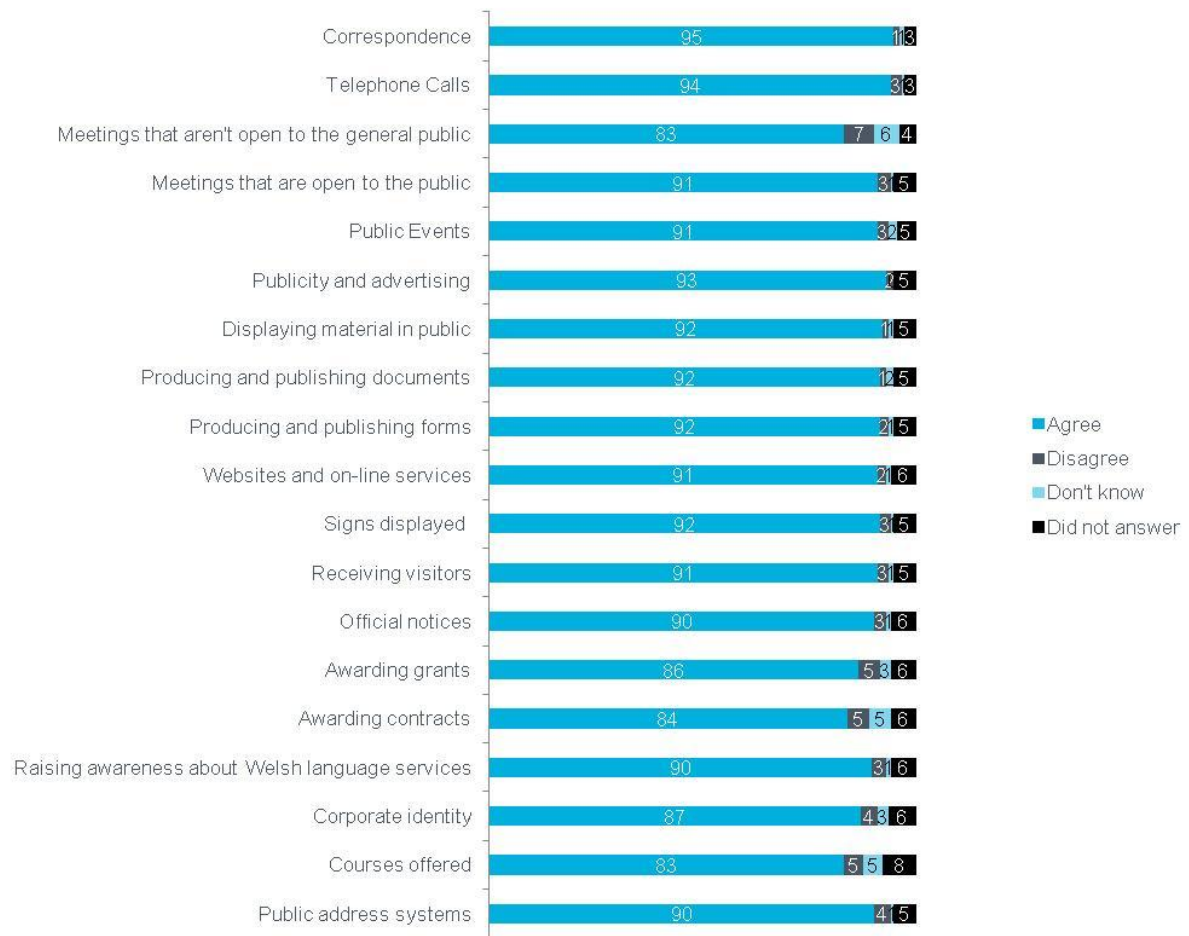
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the service delivery standards, they were asked to respond to the following question in the questionnaire:

Do you agree or disagree that the organizations in question should carry out the 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 per activity within the scope of the service delivery standards.

Figure 2 indicates the variation in the responses received.

**Figure 2** Response to question 1 of the questionnaire - Service delivery standards



### Policy making standards

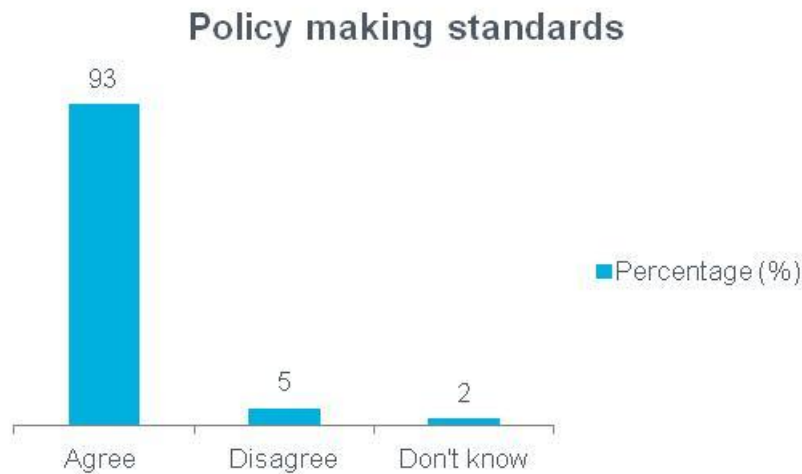
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the policy making standards, they were asked to respond to the following question in the questionnaire:

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 who responded via the questionnaire on the Welsh Language Commissioner's website, 95% (147) had answered this question. Of the 147 who responded, 93% (137) agreed that the relevant persons in question should have to consider the impact of their policy decisions, and ensure, or contribute to ensuring improved 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 of the questionnaire - Policy making standards<sup>141</sup>



### Operational standards

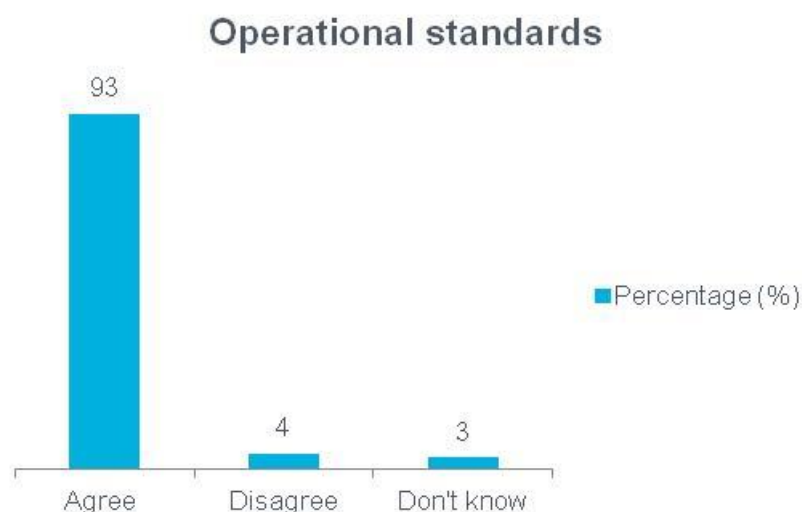
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the operational standards, they were asked to respond to the following question in the questionnaire:

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 who responded via the questionnaire on the Commissioner's website, 95% (147) had answered this question. Of the 147 who 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 of the questionnaire - Operational standards<sup>142</sup>



<sup>141</sup> Please note that these statistics relate to respondents who had answered this question.

<sup>142</sup> Please note that these statistics relate to respondents who had answered this question.

### Record keeping standards

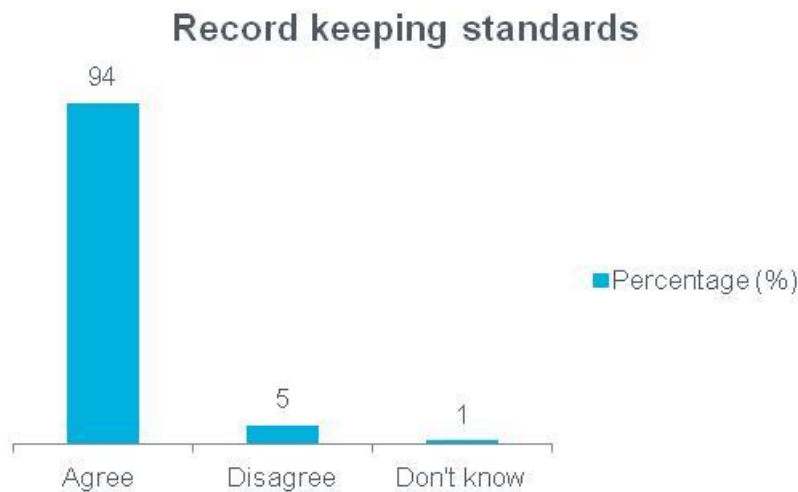
In seeking the public's opinion regarding the reasonableness of the requirements attached to the record keeping standards, they were asked to respond to the following question in the questionnaire:

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

Of the 155 who responded via the questionnaire on the Commissioner's website, 95% (148) had answered this question. Of the 148 who responded, 94% (139) agreed that this duty should be imposed on the 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>143</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, together with any further comments relevant to this standards investigation.

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

**Figure 6** Further comments provided by members of the public



<sup>143</sup> Please note that these statistics relate to respondents who had answered this question.

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'. Statement 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 respondents' views, 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 the comments draw 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. In addition, it was noted 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.

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 stated that standards would relate to public appointments in order to set thresholds for the number of Welsh speakers.

## 6 Evidence received from 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).

## **Public Bodies: Local Government**

### **Service delivery standards**

The Panel believed that service delivery standards relating to each one of the activities should be specifically applicable to the relevant persons, allowing members of the public to use the Welsh language in the situations in question.

In reaching that conclusion, the Panel stated that they did not find any reason why the relevant persons should not be able to undertake and comply with the majority of the activities in question, and in doing so increasingly engage with the public in Welsh. However, the Panel was of the opinion that some flexibility should be allowed in relation to some activities, drawing particular attention to producing and publishing documents, grant applications as well as courses. It was emphasised that exceptional circumstances would require flexibility, drawing particular attention to documents which would be limited in terms of the subject or likely target audience.

Similarly, the Panel was of the opinion that more consideration should be given to the location of the headquarters or offices of the persons in question, when issuing compliance notices. This was reinforced by noting that there would be a need to consider whether it would be reasonable for such persons to comply with a selection of such standards where they had no presence in Wales. The relevant clauses in section 44(3) of the Measure were emphasised as a means of the Commissioner being able to overcome such situations.

### **Policy making standards**

The Panel welcomed the policy making standards specified in the draft regulations. It was added that these standards should be imposed on every person in respect of whom a standards investigation was to be conducted in round 2, emphasising the importance of compliance on all levels.

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

### **Operational standards**

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

### **Record keeping standards**

The Panel was unanimous that making record keeping standards specifically applicable to persons within round 2 was absolutely essential in order to secure compliance with the rest of the standards with which they will be required to comply.

The Panel agreed that the relevant persons should keep a record of how they adhere to the other specified standards, and keep records 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 on the basis of the evidence received by all relevant persons, the public and the Advisory Panel on the subject matter of the standards investigation, in addition to independent evidence gathered by the Welsh Language Commissioner in relation to the relevant persons' Welsh language schemes.

The Explanatory Memorandum accompanying the Welsh Language (Wales) Measure 2011 states 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 secure improved consistency between persons, especially those within 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 a relevant person if, 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 relevant 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 line with the above, if the standards investigation found that a person undertook the activity<sup>144</sup>, whether to a greater or lesser degree, the Welsh Language Commissioner concludes that all the standards in relation to that activity should be made specifically applicable to that person. These conclusions were reached due to the fact that the standards introduced by the Welsh Government are interdependent on each other within the scope of the activity.

It is also noted that the way in which a person delivers a service under an activity can change in the future and that it would be necessary to adapt accordingly 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.

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

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<sup>144</sup> [Service delivery activity as defined in section 28 of the Welsh Language \(Wales\) Measure 2011.](#)

## Standards which should be made specifically applicable to persons falling within the Public Bodies: Local Government 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 falling within the Public Bodies: Local Government 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 a person (what is expected of them) and performance (the extent to which they currently comply with those expectations). Every Welsh language scheme has the full authority of the person in the agreement of its contents. Not specifying standards that are equal, and making them specifically applicable to the persons in question, would be a step back and contravene the intention of the Welsh Language (Wales) Measure 2011.

It is noted that performance, along with the extent to which an organization can comply with a standard within a particular period of time, is a practical matter. That extent may improve, deteriorate or remain the same. The Welsh Language Commissioner is of the opinion that commitments should comply with the needs of the Welsh speakers that they serve, with a reasonable timescale 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 of the Welsh Language (Wales) Measure 2011.

It is acknowledged that the persons have 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 proportionate to the needs of Welsh speakers could be achieved with a reasonable timescale for action and dealing with any challenges.

A number of Local Health Boards raised general concerns that interpreting some of the standards had been difficult in the context of their work as they believed that the standards, in their current form, reflect some public organizations better than others. Similarly, it has already been noted that Public Health Wales NHS Trust believed that some definitions were ambiguous, referring specifically to the term "person". However, Public Health Wales NHS Trust also said that some of the standards were too detailed and that the bureaucracy thus attached was likely to reduce the commitment to the Welsh language, in their opinion.

The fact that persons have noted that they did not carry out each one of the activities in question is also acknowledged. However, in order to secure consistency within sectors, where at least one person within a group has identified that they undertake an activity, the Welsh Language Commissioner concludes that the activity should be made specifically applicable to all persons within that group. The Welsh Language Commissioner will consider those inconsistencies further when determining the contents of compliance notices issued under section 44 of the 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 every relevant person falling within the Public Bodies: Local Government report:

- correspondence sent by a body
- telephone calls made and received by a body
- a body holding meetings that aren't 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.

Every person within the Police Authorities group said that they did not produce publicity or advertising material, nor did they display material in public nor publish and display official notices either. The draft regulations state that an official notice is defined as 'any notice that a body publishes to inform persons about service delivery activities or changes to service delivery activities'<sup>145</sup>. With that in mind, the Commissioner concludes that these may be relevant activities to these persons in future.

Similarly, each person in the Police Authorities group said that they do not raise awareness of Welsh language services provided by them. However, the Welsh Language Commissioner concludes that these persons should be raising awareness of the Welsh language services provided by them.

The Special Health Authority stated that they do display signs and welcome visitors to their office based in England but that this does not happen in Wales as they do not currently have any offices here. They also noted that they do not arrange or fund public events, display material in public, publish or display official notices, provide educational courses to the public nor use public address systems. However, it is not clear from the evidence received if this is because these activities are not undertaken at all, or that they are undertaken in England but not in Wales.

The Welsh Language Commissioner will consider these circumstances further when determining the contents of compliance notices issued under section 44 of the Welsh Language (Wales) Measure 2011 with a view to clarifying that by means of a further consultation under section 47 of the Measure.

**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 every relevant person falling within the Public Bodies: Local Government report:

- public events organised or funded in its entirety by a body
- publicity and advertising
- displaying material in public
- signs displayed by a body
- a body receiving visitors at its buildings
- official notices made by a body
- raising awareness about Welsh language services provided by a body

<sup>145</sup> Paragraph 35, Part 3, Schedule 1, Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015.

○ public address systems used by a body.

Every person within the Community Health Councils and Police Authorities groups said that they do not provide courses for the public. However, it should be noted that Part 3, Schedule 1 of the Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015 refers to education courses and defines them as:

*“...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...”*

In considering the above definition, a wide range of the persons’ activities may be relevant. With that in mind, the Welsh Language Commissioner has reached the conclusion that this activity could be a relevant activity to every relevant person within this report.

**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 every relevant person falling within the Public Bodies: Local Government report:**

○ courses offered by a body.

Every person within the Police Authorities, Fire and Rescue Authorities and Community Health Councils groups confirmed that they do not award grants. However, of those with a Welsh language scheme, every relevant person within this report had commitments that correspond partially or completely to the standards for a body awarding grants.

**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 every relevant person falling within the Public Bodies: Local Government report, to the extent that those persons have the power and function to do so:**

○ a body awarding grants.

### Policy making standards

As a result of carrying out this standards investigation, and based on the evidence received, the Welsh Language Commissioner concludes that policy decisions made by organizations falling within the Public Bodies: Local Government report should enhance opportunities for persons to use the Welsh language and ensure that the Welsh language is treated no less favourably than the English language.

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 them and reviewing them. This was confirmed in the evidence received as part of this standards investigation.

It is acknowledged that matters have come to light concerning the ability of some persons to comply with all the requirements related to the standards. It is also acknowledged that there has been some ambiguity in light of the evidence received from some persons regarding who is responsible for policy making. It should be noted that the policy making standards have been defined extensively and the Welsh Language Standards Regulations document states that the meaning of a "policy decision" is

"any decision made by a body about the exercise of its functions or about the conduct of its business or other undertakings, and it includes, amongst other things (and as appropriate to the body), decisions about-

- (a) the content of legislation;
- (b) the use of statutory powers;
- (c) the content of policy statements;
- (d) strategies or strategic plans;
- (e) internal structures."<sup>146</sup>

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). This guidance notes that organizations should have to specify the measures they intend to take when assessing the impact of new policies, strategies and initiatives and implementing them.

**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 relevant persons falling within the Public Bodies: Local Government 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 persons 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, namely

- NHS Business Services Authority
- British Transport Police Authority

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<sup>146</sup> Paragraph 2, Part 2, Schedule 2, Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015.

On 24 March 2015, the Welsh Language Standards (No.1) Regulations 2015 were passed 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.

The Commissioner comes to the same conclusions for those organizations which note that they do not currently have Welsh speaking staff, so as to enable them to implement the other classes of standards.

**Conclusion 6:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for operational standards in relation to the matters below to be specifically applicable to the NHS Business Services Authority and the British Transport Police Authority:

- 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 NHS Business Services Authority and the British Transport Police Authority:

- 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.

**Conclusion 8:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for operational standards in relation to the matters below to be 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 falling within the Public Bodies: Local Government report should keep records identifying how they adhere to the standards they are expected to comply with, as well as complaints. Welsh language schemes require the organizations in question to identify the actions required to publish information on the organization's performance against the statutory requirements. This was confirmed in the evidence received, with the majority of these persons, on the whole, noting that the record keeping standards were already current practice to a large degree.

**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 falling within the Public Bodies: Local Government report.

### Promotion standards

Hywel Dda Community Health Council was the only person falling within the Public Bodies: Local Government report who wished to consent to making these promotion standards specifically applicable to them.

**Conclusion 10:** The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for promotion standards to be potentially and specifically applicable to Hywel Dda Community Health Council.

## 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>147</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>148</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.**

## Additional standards which should be specified and made specifically applicable to persons falling within the Public Bodies: Local Government report

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

If –

- (a) the conclusions of the 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 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 opinion is based on evidence received from the public and relevant persons as part of the standards investigation.

<sup>147</sup> <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

<sup>148</sup> <http://gov.wales/docs/dpsp/publications/inspectionpolicystatement/090930inspstatementen.pdf>



## Activities: social media; self-service machines

Since the conclusion of the standards investigation, a draft version of the Welsh Language Standards Regulations (No. 1) (Wales) 2015 was tabled on 3 March 2015. The National Assembly for Wales received these Regulations in a Plenary Meeting on 24 March 2015. Service delivery standards regarding a body's use of social media, as well as self-service machines, were added 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>149</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 every relevant person falling within the Public Bodies: Local Government report, should the Welsh Ministers believe that the activities below are ones which the persons could currently undertake, or do so in 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 NHS Business Services Authority is an arm's length body of the Department of Health which provides a range of critical central services to NHS organizations, NHS contractors, patients and the public, be that across the UK as a whole, in England and Wales, or only in England.<sup>150</sup>

**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, to the extent that those functions and powers are relevant to Wales:

- 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-*

<sup>149</sup> <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

<sup>150</sup> <http://www.nhsbsa.nhs.uk/About.aspx>

- (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
- Welsh Language Commissioner's Advisory Panel
- 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>151</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 the options available to them before implementing a policy;
- a means of submitting the relevant evidence on the positive and negative effects of such interventions for the purposes of scrutinizing that evidence.<sup>152</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 of the 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.

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<sup>151</sup> Section 76 (2) (a) The Government of Wales Act 2006.

<sup>152</sup> <http://gov.wales/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>153</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 Equality and 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 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, 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

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<sup>153</sup> Paragraph 37, Part 3, Schedule 1, Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015

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 persons 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

- Powys Teaching Health Board
- Aneurin Bevan Health Board
- Cwm Taf Health Board
- Abertawe Bro Morgannwg University Health Board
- Betsi Cadwaladr University Health Board
- Cardiff and Vale University Health Board
- Hywel Dda University Health Board
- The Board of Community Health Councils in Wales
- Abertawe Bro Morgannwg Community Health Council
- Aneurin Bevan Community Health Council
- Betsi Cadwaladr Community Health Council
- Brecknock and Radnor Community Health Council
- Cardiff and Vale Community Health Council
- Cwm Taf Community Health Council
- Hywel Dda Community Health Council
- Montgomeryshire Community Health Council
- Welsh Ambulance Services NHS Trust
- Velindre NHS Trust
- Public Health Wales NHS Trust
- NHS Business Services Authority
- Mid and West Wales Fire and Rescue Service
- South Wales Fire and Rescue Service
- North Wales Fire and Rescue Service
- Civil Nuclear Police Authority
- British Transport Police Authority

### 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
- 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

**Welsh Language Commissioner's Advisory Panel**

- Dr Ian Rees
- Gareth Jones
- Professor Gwynedd Parry
- Bethan Jones Parry
- Carl Cooper