



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

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

Public Bodies: General (1)

[Ref: 20150529ASCCC(1) - 1]

Contents

1	Background and context	1
2	Standards investigation in relation to Public Bodies: General	2
3	Reasonableness and proportionality	4
4	Evidence received from relevant persons	6
5	Evidence received from members of the public	64
6	Evidence received by the Welsh Language Commissioner's Advisory Panel	72
7	Conclusions of the standards investigation	74
8	The next steps	87
	Appendix A – General comments received from members of the public in relation to round 2 of the standards investigations	88
	Appendix B - List of respondents to the standards investigation	93

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'.¹ 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. Organizations 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.*²

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

The Welsh Language Standards (No. 1) Regulations 2015³ came into force on 31 March 2015, following a debate and vote at a Plenary Meeting of the National Assembly for Wales.

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

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

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

2 Standards investigation in relation to public bodies: general

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:

- Further Education Corporations
- Higher Education Corporations
- Providers of Career Services

The relevant persons who fall within the '**Further Education Corporations**' group in this standards report are:

- Cardiff and Vale College
- Coleg Cambria
- Coleg y Cymoedd
- St David's Catholic College
- Gower College Swansea
- Coleg Gwent
- Bridgend College
- Pembrokeshire College
- Grŵp Llandrillo Menai
- NPTC Group

The relevant persons who fall within the '**Higher Education Corporations**' group in this standards report are:

- Swansea University
- Aberystwyth University
- Bangor University
- Cardiff University
- The University of Wales
- The University of Wales: Trinity Saint David
- The University of South Wales
- Glyndŵr University
- Cardiff Metropolitan University
- The Open University

The relevant person who falls within the '**Providers of Career Services**' group in this standards report is:

- Career Choices Dewis Gyrfa

An exploration notice was presented for the attention of the relevant persons on 31 October 2014. An exploration notice is a written notice: It states the Welsh Language Commissioner's intention to carry out a standards investigation and 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 (whether or not the standards are already specified by the Welsh Ministers under section 26(1)).

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

As part of this standards investigation, information was collected from each relevant person identified in this section. This was done 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.

Notices 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 authorized to give a compliance notice to a person.

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

- (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 relevant person liable to be required to comply with standards – does the relevant 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 relevant person?
- Does the relevant person carry out the activity in question? ⁴
- Has the relevant person already undertaken to provide the activity or action in question, in part or in full, via its Welsh language scheme?
- Does the relevant person already provide the service in Welsh (whether this corresponds exactly to the requirements included in the standard or not), or 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 relevant person?

⁴ 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 standards report. This evidence included responses to 190 questions within a questionnaire, and also further evidence provided following further enquiries.

Each response was read individually and software was also 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 schemes 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 requirements, for each activity.

When analysing current Welsh language schemes' commitments against the standards, it should be noted that it was not possible to match many of the standards in relation to service delivery activities, due to the detailed nature of the regulations published by the Welsh Government. In some circumstances, it is possible that 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 can comply with the standards.

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

Further Education Corporations

Service delivery standards

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, all 10 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 relevant persons in question, on average, 100% of commitments corresponded to the standards for correspondence.⁵

Four of the 10 (40%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate, namely the NPTC Group, Pembrokeshire College, Coleg Gwent and Coleg Cambria.

Grŵp Llandrillo Menai stated that they already complied with standard 2 in implementing the College's Welsh language scheme. As a result, they did not consider that standards 4 and 5 were relevant.

Concerns were raised about providing all correspondence in both English and Welsh by Coleg y Cymoedd, Bridgend College, Gower College Swansea and St David's Catholic College. Coleg y Cymoedd referred specifically to the fact that they corresponded with students and their parents bilingually, but that not all correspondence was provided in both English and Welsh. Resources were the source of concern raised by these persons; be that financial or a significant increase in the workload of translation staff.

Bridgend College believed that standard 3 would be difficult to implement, considering the continual turnover of students. Similarly, Cardiff and Vale College raised concerns about standard 2. They believed that it was unreasonable and disproportionate to keep a record of the language choice of all contacts, due to the number of people the College contacts.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, all 10 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 relevant persons in question, on average, 59% of commitments corresponded to the standards for telephone calls made and received by a body.⁶

Two of the 10 (20%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate, namely Pembrokeshire College and Coleg Cambria. Pembrokeshire College noted, in relation to standards 10, 19 and 21, that they anticipated that it would be very difficult to provide a service through the medium of Welsh in the case of a phone call which was technical in nature and where there were no Welsh speaking members of staff in that department.

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

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

A number of persons referred to potential difficulties providing a service through the medium of Welsh due to the numbers of staff with Welsh language skills within their organizations. This was identified as a reason for reaching the conclusion that these standards were not reasonable and proportionate in the case of:

- Gower College Swansea (standards 18–21);
- Bridgend College (standards 18–21);
- NPTC Group (standards 18–21);
- Coleg y Cymoedd (standards 18–21 once again, with reference to standard 22 as well, which they believe to be impractical for an organization of their size);
- Coleg Gwent (standards 9–11, 17–19, 21).

St David's Catholic College anticipated difficulties with standards 10, 18, 19 and 20 due to staff's language skills. With regard to standard 14, it was explained that no statement is made welcoming calls through the medium of Welsh, but that the College's switchboard does offer a language choice before continuing with the call.

Cardiff and Vale College referred to the Welsh language skills of staff in relation to standard 10. It was also noted that there are no performance indicators in place for implementing standard 15, which was also an issue raised by Coleg Gwent. Cardiff and Vale College believed that standard 17 was unreasonable beyond the normal hours of the main office, and that standard 21 was unreasonable and disproportionate. It should be noted that Cardiff and Vale College have expressed their willingness to examine good practice elsewhere with the aim of examining how this standard could be put in place.

Continuing with the theme of staff language skills, Grŵp Llandrillo Menai explained that they could not see how they could comply with standards 10, 11, 18 and 19 as the Group offered a wide range of services, some of which were specialist in nature, and that it was not possible to ensure that Welsh speakers were available at all times. They also referred to standard 9 and the fact that they answered calls in Welsh. Grŵp Llandrillo Menai believed that this in itself highlighted the fact that a Welsh language service was available. Concerns were raised about standard 21 where it was stated that it was not possible for non-Welsh speaking members of staff to comply with the standard, whilst the Group believed that it was a very unnatural way for Welsh speakers to make phone calls.

Activity 3: Meetings arranged by a body that aren't open to the general public Standards for meetings arranged by a body that aren't open to the general public [23–29]

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, 7 relevant persons (70%) stated that they undertook the activity in question through the medium of Welsh. Cardiff and Vale College, Gower College Swansea and St David's Catholic College stated that they did not undertake the activity through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 42% of commitments corresponded to the standards for meetings arranged by a body that aren't open to the general public.⁷

Coleg Cambria was the only corporation which considered that making all the standards relating to this activity specifically applicable to them would be reasonable and

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

proportionate.

Coleg y Cymoedd and Gower College Swansea stated that the exact definition of a meeting in relation to these standards was still unclear. Bridgend College stated that the definition of standard 27 was unclear, in their opinion. The cost and practicality of implementing these standards were raised by the colleges mentioned above, considering the extent of their potential coverage.

The NPTC Group stated that there was little demand for such meetings, be that in Welsh or with translation support. As a result, the Group stated that they do not have the resources to provide translation facilities, nor to pay for this service.

Coleg Gwent explained that there was a shortage of staff to provide a service as stated in standards 23–29. Based on cost, it was stated that the College could not comply with standards 23, 25 and 27D.

Some of these standards are of concern to Pembrokeshire College, referring to standards 23 and 27 in particular in their response. Depending on the type of meeting, it was anticipated that holding some meetings without translation could be difficult. It was stated that standard 27 appeared challenging and onerous to implement and monitor.

Similar to Pembrokeshire College, Cardiff and Vale College did not believe that it was possible for them to comply with standard 23 without translation support. Cardiff and Vale College and St David's Catholic College added that they did not anticipate compliance with a number of the standards for the same reason.

Grŵp Llandrillo Menai wished to highlight the fact that they saw a number of implicit assumptions in these standards. It was noted that they seemed to ignore the fact that a number of people live and work bilingually quite naturally and are familiar with dealing with meetings with Welsh and English speakers in attendance. With this in mind, they did not consider that the use of percentages (27A, B and C) was useful. Another assumption, in the opinion of Grŵp Llandrillo Menai, was that translation services could be used at any time without considering the practical and financial implications.

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 10 relevant persons (100%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, 6 relevant persons (60%) stated that they undertook the activity in question through the medium of Welsh. Bridgend College, Coleg y Cymoedd, Pembrokeshire College and St David's Catholic College reported that they did not undertake the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 80% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.⁸

A number of persons explained that the majority of these requirements were already in force through the implementation of Welsh language schemes.

Eight of the 10 (80%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. St David's Catholic

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

College and Coleg Gwent were the ones who did not consider it reasonable and proportionate.

St David's Catholic College referred to standards 31, 32 and 33, stating that there was no provision at present. With regard to standard 31, it was explained that advertisements, rather than invitations, are produced, but that advertisements are prepared in both English and Welsh. For standards 32 and 33, the College did not have the capacity to provide simultaneous translation. However, they were willing to reconsider their position in the future.

Standards 33 and 34 were of concern to Coleg Gwent, for cost reasons, which could, in turn, raise questions regarding the accessibility of some meetings in the College's 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]**

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, 8 relevant persons (80%) stated that they undertook the activity in question through the medium of Welsh. Pembrokeshire College and St David's Catholic College reported that they did not undertake the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 85% of commitments corresponded to the standards for public events organised or funded in their entirety by a body.⁹

Eight of the 10 (80%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. St David's Catholic College and Coleg Gwent were the ones who did not consider it reasonable and proportionate.

Pembrokeshire College explained that standard 35 was in force to a large extent. However, they did accept that work was needed to ensure full compliance with standard 36.

St David's Catholic College stated that they implement standard 35 and are developing provision in accordance with standard 36. However, they did not believe that they could guarantee full compliance with the standard as it was beyond their capabilities. It was noted that not every publication is routinely available bilingually, but that a range of publications are available in Welsh on request. In addition, the College does not believe that they have sufficient numbers of staff with Welsh language skills to be able to provide all types of services in Welsh in every event.

Similarly, Coleg Gwent believed that the cost attached to full compliance with standard 36 was unreasonable.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 100% of commitments corresponded to the standard specified in the draft regulations for a body's publicity and advertising.¹⁰

Eight of the 10 (80%) considered that making the standard relating to this activity specifically applicable to them would be reasonable and proportionate. It was St David's Catholic College and Coleg Gwent who did not consider that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

In general, it was noted that the standard was already being implemented, due to the implementation of Welsh language schemes. However, the cost of securing full compliance with the standard was an issue raised by St David's Catholic College and Coleg Gwent. Coleg Gwent reported that only some advertising and publicity material was currently bilingual. Their assumption was that increased spending on resources, advertising, translation and staffing would be needed in order to comply with the standard in full.

St David's Catholic College agreed that there would be additional costs involved in order to comply with the standard. However, the College further stated that they advertise on buses and on TV in English only, based on cost but also on their target market.

Pembrokeshire College highlighted advertisements and articles in the English language media prepared in English only as an area for consideration.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, 9 relevant persons (90%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 90% of commitments corresponded to the standards for displaying material in public.¹¹

Nine of the 10 (90%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

Coleg Gwent did not agree, based on cost implications and the increased resources which would be required in order to secure full compliance with standard 38.

St David's Catholic College reported that they did not currently undertake the activity through the medium of Welsh, but that provision was being developed.

Grŵp Llandrillo Menai took the opportunity to explain that students' work is displayed in the language in which it is prepared and that it would be impractical to seek to display work in both languages.

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

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

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, all 10 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 relevant persons in question, on average, 90% of commitments corresponded to the standards for a body producing and publishing documents.¹²

Five of the 10 (50%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. St David's Catholic College, Coleg Gwent, Cardiff and Vale College, Gower College Swansea and Pembrokeshire College were the five persons who did not consider that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

Pembrokeshire College anticipated that standards 41 and 44 would be challenging, due to the amount of documentation in question and its frequency. The College believed that they would need to employ an additional resource in order to secure compliance, which would be very difficult for them in the current financial climate. The additional costs involved with these standards were also highlighted by Coleg Gwent, the NPTC Group and Gower College Swansea, although the NPTC Group did ultimately conclude that these standards would be reasonable and proportionate for them.

St David's Catholic College explained that they simply did not have the translation capability to comply with standard 41. They also anticipated instances when they would not be able to secure full compliance with standard 43, due to time-related or budgetary constraints. The College has no provision in place to comply with standard 46; the College explained that they do not produce press releases.

Cardiff and Vale College and Coleg y Cymoedd highlighted the fact that a number of the certificates issued to students are supplied by other organizations who have ownership of a qualification (standard 42). As a result, Cardiff and Vale College did not believe that these standards were reasonable and proportionate.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, 9 relevant persons (90%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 70% of commitments corresponded to the standards for a body producing and publishing forms.¹³

Eight of the 10 (80%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Coleg y Cymoedd and Cardiff and Vale College were the ones who did not consider them to be reasonable and proportionate.

¹² Average percentage of commitments within the Welsh language schemes of the persons in question that correspond to the standards in question, be that partially or completely.

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

Bridgend College stated that they did not undertake the activity in question through the medium of Welsh, mainly due to standard 51. The College stated that centrally produced forms were available bilingually or as separate Welsh and English versions. A number of persons referred to issues relating to compliance with standard 51, such as practical and budgetary considerations.

Two colleges in particular referred to the use of software, or information systems used for registration, stating that these systems are not administered in Welsh or bilingually.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, all 10 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 relevant persons in question, on average, 63% of commitments corresponded to the standards for a body's websites and on-line services.¹⁴

Seven of the 10 (70%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Pembrokeshire College, Coleg Gwent and Cardiff and Vale College were the ones who did not consider that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

Cardiff and Vale College referred to their current commitment, under the College's Welsh language scheme, to introduce a bilingual website by March 2015. The only exception would be the information pages on courses. The College stated that this information is sourced from a central database, which is not available in Welsh, and that it would not be reasonable or proportionate to develop this system. Neither did the College believe that it was reasonable and proportionate to implement standard 57, as they did not consider that an app interface always lent itself to be run in Welsh as well as English. St David's Catholic College stated that apps had been developed by the College, but that they needed to be updated. The College stated that the app would be developed to work in both Welsh and English when the app was developed further.

Coleg Gwent did not see how standards 55 and 56 were relevant as the College had separate Welsh and English websites. Grŵp Llandrillo Menai and Coleg y Cymoedd also believed that standard 55 was unnecessary, especially if the website works effectively. Coleg Gwent also stated that there would be additional translation costs in seeking compliance.

Gower College Swansea referred to practical considerations in seeking to ensure a fully bilingual website, for example news items added to the website. Similarly, the NPTC Group and Pembrokeshire College referred to the significant and regular costs involved in keeping a fully bilingual website.

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

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, all 10 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 relevant persons in question, on average, 77% of commitments corresponded to the standards for signs displayed by a body.¹⁵

Nine of the 10 (90%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Coleg Gwent, for reasons outlined below, was the one who did not agree.

Coleg Gwent did not anticipate that every temporary sign displayed across the College could be in Welsh and English. St David's Catholic College referred to internal signage, stating that these signs would not be bilingual at all times. The College explained that they were working on identifying such cases, and were creating a template for them.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they undertook the activity in question. Of those, 9 relevant persons (90%) stated that they undertook the activity in question through the medium of Welsh. St David's Catholic College reported that they did not undertake the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 29% of commitments corresponded to the standards for receiving visitors at a body's buildings.¹⁶

Five of the 10 (50%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. St David's Catholic College, Coleg Gwent, Cardiff and Vale College, Gower College Swansea and Bridgend College were the five who did not consider them to be reasonable and proportionate.

St David's Catholic College confirmed that they did not have provision in place to comply with standards 62 and 65.

Coleg Gwent referred to standard 62A specifically, explaining that they believed that it would be unreasonable for them to comply with the standard due to a current lack of capabilities and the financial implications of employing more staff.

Similar comments were made by Bridgend College, Gower College Swansea and Cardiff and Vale College. They refer to the staffing and budgetary implications of increasing current provision to what would be needed in order to provide a fully bilingual reception service.

Although Pembrokeshire College, the NPTC Group and Coleg y Cymoedd stated that making the standards specifically applicable to them would be reasonable and

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

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

proportionate, they drew attention to the fact that further work was needed in order to secure full compliance. Coleg y Cymoedd added that they believed that standard 62 was not reasonable and proportionate, due to the scale of the activity and the fact that implementing the standard was not practical, in their opinion.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 40% of commitments corresponded to the standards for a body making official notices.¹⁷

Eight of the 10 (80%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. St David's Catholic College and Coleg Gwent were the ones who did not consider it reasonable and proportionate.

On the whole, it was explained that the majority of the activity was already taking place due to the implementation of Welsh language schemes, although some further development work could be necessary in order to secure full compliance.

St David's Catholic College explained that they could not guarantee bilingual official notices in the short term, but that provision was being developed. Therefore, the College was concerned with the timetable for implementation.

Coleg Gwent referred to the use of scheduled notices produced by a third party on behalf of the College. The College reported that the third party used a system not available bilingually and that to seek an alternative would be costly and difficult.

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

Seven of the 10 relevant persons (70%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, 5 relevant persons (71%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 53% of commitments corresponded to the standards for a body awarding grants.¹⁸

Coleg Cambria, Coleg y Cymoedd and the NPTC Group reported that they did not undertake the activity. Of those remaining, Pembrokeshire College and Bridgend College stated that they did not carry out the activity through the medium of Welsh.

Each corporation expressed their views on the reasonable and proportionate nature of the standards. Six of the 10 (60%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Coleg

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

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

Gwent, Cardiff and Vale College, Coleg y Cymoedd and the NPTC Group were the persons who did not consider them to be reasonable and proportionate.

It should be noted that discrepancies in interpreting this standard came to light in the responses. The NPTC Group explained that they did not award grants, but that they offered financial assistance to students. Others stated that they carried out the activity- Cardiff and Vale College and Pembrokeshire College for example - referring to the Financial Reserve, along with other financial assistance grants.

Cardiff and Vale College reported that they could not comply with standard 71 without a translation service. Coleg Gwent believed that this standard was unreasonable due to the cost of employing a new member of staff to provide a service with very little demand. Coleg Gwent added that they believed that standard 72 was also disproportionate, in balancing cost against demand.

Although St David's Catholic College stated that they considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate, it was noted that there was no provision in place to comply with standards 71 and 72 in relation to current scholarship interviews.

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

All 10 relevant persons (100%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, 5 relevant persons (50%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 48% of commitments corresponded to the standards for a body awarding contracts.¹⁹

Three of the 10 (30%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate, namely St David's Catholic College, Grŵp Llandrillo Menai and Coleg Cambria.

Coleg Gwent believed that they could comply with a number of standards. However, they did not believe that standards 76 and 77 were attainable without employing qualified staff, which would incur significant costs. They also noted that the cost of having to comply with standard 77 would be unreasonable.

Cardiff and Vale College explained that they anticipated a delay before a translation was provided, in relation to standard 75A, and it was explained that they would not be able to comply with standard 76 without the support of a translation service.

Coleg y Cymoedd raised the same concern, namely that they would not have the resources to comply with standard 76 without the support of a translation service. The College further raised concerns about the use of translation facilities in relation to tenders and confidentiality considerations arising from the translation of applications, in their opinion. The College also stated that they believed that tenders for small estate jobs should not be included in the standards.

Standard 76 was the obstacle for the NPTC Group. The Group could not anticipate

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

compliance without the words 'without translation' [*sic*] being deleted from the requirement.

Despite stating that they considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate, St David's Catholic College stated that they did not currently have the internal capability to comply with standards 76 and 77.

Pembrokeshire College did not believe that the standards were attainable due to the specialist nature of procurement and the technical, legal details found in such documents.

Bridgend College and Gower College Swansea made general comments on these standards, namely that they believed that significant time, resources and internal language skills were needed in order to secure compliance.

**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 10 relevant persons (100%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, 9 relevant persons (90%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 65% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.²⁰

One general comment made by persons in their responses was that the activity was already being undertaken, or being developed further, through the implementation of Welsh language schemes.

All 10 relevant persons (100%) within the Further Education Corporations group were agreed that making all 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 10 relevant persons (100%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 100% of commitments corresponded to the standard for a body's corporate identity.²¹

All 10 relevant persons within the Further Education Corporations group agreed that making the standard relating to this activity specifically applicable to them would be reasonable and proportionate.

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

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

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

Eight of the 10 relevant persons (80%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, six relevant persons (75%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, the commitments did not correspond to the standards for courses offered by a body.

Two of the 10 (20%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate, namely Coleg Cambria and Coleg Gwent.

It became apparent that there were significant difficulties in interpreting the purpose and coverage of these standards. The general theme emerging from the responses which argued against making these standards specifically applicable to them was the provision of a bilingual national curriculum. Taking this into account, Welsh Ministers should ensure clarification in relation to courses provided by a body in specifying standards within regulations.

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

Two of the 10 relevant persons (20%) within the Further Education Corporations group stated that they carried out the activity in question. Of those, no relevant person stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 20% of commitments corresponded to the standard for public address systems used by a body.²²

Six of the 10 (60%) considered that making the standard relating to this activity specifically applicable to them would be reasonable and proportionate, namely Coleg Cambria, Coleg Gwent, the NPTC Group, Pembrokeshire College, Bridgend College and Grŵp Llandrillo Menai.

Pembrokeshire College reported that the standard is not current practice but, by providing reception staff with specific training, they could seek to implement it. Gower College Swansea were in a similar position. They stated that public address equipment is available on one of its campuses only, but that none of the reception staff have Welsh language skills at present. Training was also offered as a solution, or contacting a Welsh speaking member of staff to provide an announcement.

Supplementary matters

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

Five of the 10 relevant persons (50%) considered that making all the standards relating to the supplementary matters specifically applicable to them would be reasonable and proportionate, namely Coleg Cambria, Coleg Gwent, the NPTC Group, Pembrokeshire

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

College and Grŵp Llandrillo Menai. It was explained that the standards were already current practice, through the implementation of Welsh language schemes, or that they were attainable with some development work.

However, Coleg y Cymoedd stated that they did not operate on a financial year basis. It was noted that keeping records on a financial year basis would be unreasonable and disproportionate.

Gower College Swansea and Bridgend College explained that the standards could be implemented, but they believed that the associated costs and processes would stop them from doing so. The need for support and a realistic timetable for complying with the standards was expressed. Gower College Swansea explained that they anticipated difficulties complying with standard 161 as they were spread out over a number of campuses.

Standard 161 was a cause for concern for them too. The College agreed that it was reasonable for them to produce an annual report, but that some of the standard's requirements were unreasonable.

Grŵp Llandrillo Menai believed that these standards would be onerous, if not impossible, in their opinion.

Policy making standards [86–95]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 29% of commitments corresponded to the policy making standards.²³

Each relevant person confirmed that the requirements attached to the policy making standards were current practice within their organizations and that they did operate in accordance with them through their Welsh language schemes. Each person referred to the impact assessments undertaken by them on the potential impact of any new policies or policy reviews.

Eight of the 10 relevant persons (80%) confirmed that they did consult on policy decisions in accordance with standards 89–91. Coleg y Cymoedd and Bridgend College stated that they did not consult on any policy decisions in relation to these standards.

Four of the 10 relevant persons (40%), namely Cardiff and Vale College, Coleg Gwent, Coleg Cambria and Pembrokeshire College confirmed that they did currently have a grant awarding policy.

Eight of the 10 (80%) considered that making all the standards in relation to policy making specifically applicable to them would be reasonable and proportionate.

Supplementary matters

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

Eight of the 10 relevant persons (80%) considered that making the supplementary matters specifically applicable to them would be reasonable and proportionate. It was stated that

²³ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

the standards were already current practice, through the implementation of Welsh language schemes, or that it was quite possible to secure compliance with some development work on current arrangements.

The only objection made by Coleg y Cymoedd was the reference found in standard 167 to a financial year. It had already been noted that the College did not keep information based on financial year and that any requirement to do so would be unreasonable and disproportionate as a result.

Operational standards [96–141]

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

Six of the 10 relevant persons (60%) stated that they did currently implement a policy on the use of the Welsh language internally. Of those, 4 of the 6 relevant persons (67%) stated that they had published that policy on the intranet. Coleg Gwent, St David's Catholic College and Cardiff and Vale College reported that they anticipated being able to comply with standard 96.

In relation to the documents related to standards 97–102, 3 of the 10 relevant persons (30%) stated that it was current practice for them to offer to provide all the documents related to these standards through the medium of Welsh. Coleg y Cymoedd, Coleg Gwent and Coleg Cambria had a selection of these documents available bilingually.

Despite being able to comply with these standards with additional resources, it was noted that service user material would be the priority for the organization's translation resources. Amongst the 7 persons who stated that employees were not given the option to receive documentation in Welsh, 6 stated that they offered a selection of the documentation in Welsh or bilingually, and once again it was anticipated that they could expand provision.

Three of the 10 relevant persons (30%) stated that it was current practice for them to comply in full or in part with requirements related to standards 103-109. Grŵp Llandrillo Menai already offered the related policies bilingually; Coleg Cambria have a selection available; and Coleg y Cymoedd have started to publish new and revised policies bilingually. Six of the seven persons (86%) stated that these standards were being, or could be, developed further. Some concerns were raised, with Gower College Swansea highlighting the fact that they did not have any Welsh speakers within their HR department.

St David's Catholic College explained that they used the National Joint Council's Teaching Staff in Sixth Form Colleges Conditions of Service Handbook, rather than preparing their own policies. Bridgend College made a specific reference to standard 99 and the fact that they used an online system for personal development. According to the College, the system provider does not offer a Welsh language version of the system. More generally, several persons stated that securing compliance with the standards by providing these policies bilingually would require additional resources, or would incur additional costs.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 6% of commitments corresponded to the standards for complaints by a member of a body's staff.²⁴

²⁴ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

Seven of the 10 relevant persons (70%) confirmed that they allowed all members of staff to make complaints and respond to any complaint in Welsh. Of the 7 relevant persons – Coleg y Cymoedd, Cardiff and Vale College, Pembrokeshire College, Coleg Cambria, Coleg Gwent, Grŵp Llandrillo Menai and St David's Catholic College – only 4 (40%), namely Pembrokeshire College, Coleg Gwent, St David's Catholic College and Grŵp Llandrillo Menai, informed staff of their right to do the above. Gower College Swansea, Bridgend College and the NPTC Group stated that it was not possible for staff to use the Welsh language as part of the internal complaints process at present.

In receiving a complaint from or about a member of staff, and a meeting with that individual being necessary, 3 of the 10 relevant persons (30%), namely Pembrokeshire College, Coleg Cambria and Grŵp Llandrillo Menai, stated that they did offer to conduct the meeting in Welsh, and asked the member of staff whether they wished to speak Welsh during the meeting. Coleg Cambria said that they were currently unable to conduct the meeting without the support of a translation service.

On the whole, there was a willingness to comply with standards 110–113, if this was not done already, as in the case of Grŵp Llandrillo Menai. Seven of the 10 relevant persons (70%) referred to standard 111 and specifically to the need to conduct a meeting without the support of a translation service. This was not a requirement that these 7 could comply with at present. Coleg Gwent believed that cost prohibited them from complying with standard 112, with St David's Catholic College stating that the College did not have the capacity to comply with standards 111 and 112.

Standards for a body disciplining staff [114–117]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 6% of commitments corresponded to the standards for a body disciplining staff.²⁵

Six of the 10 relevant persons (60%) reported that they allowed every member of staff to respond in Welsh to allegations made against them in Welsh, namely Coleg Gwent, Cardiff and Vale College, Coleg y Cymoedd, Gower College Swansea, Coleg Cambria and Grŵp Llandrillo Menai. However, only Gower College Swansea, Coleg y Cymoedd and Grŵp Llandrillo Menai (30%) currently informed staff that they could do so in Welsh.

In arranging a meeting with a member of staff regarding a disciplinary case, 3 of the 10 relevant persons (30%) stated that they currently offered to conduct the meeting in Welsh; all 3 asked a member of staff whether they would like to speak Welsh during the meeting. Of the 3 relevant persons – Grŵp Llandrillo Menai, Coleg Cambria and Coleg y Cymoedd – only Grŵp Llandrillo Menai could conduct the meeting in Welsh, without the support of a translation service. Coleg Cambria and Coleg y Cymoedd could provide a simultaneous translation service.

In general, arrangements were already in place, were being developed, or could be developed for complying with standards 114–117. One obvious concern raised was the ability of a number of further education corporations to conduct meetings without the support of a translation service (standard 115). In addition to this, Coleg Cambria stated that it was not possible to guarantee a disciplinary panel where every member speaks Welsh at all times.

²⁵ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, 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 relevant persons in question, on average, 17% of commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet.²⁶

Eight of the 10 relevant persons (80%) stated that they provided Welsh spellcheck and grammar checking computer software to employees and workers. Coleg Gwent and Bridgend College stated that they did not provide this at present.

Five of the 10 relevant persons (50%) provided Welsh interfaces to staff, namely St David's Catholic College, Coleg Gwent, Pembrokeshire College, Cardiff and Vale College and Grŵp Llandrillo Menai.

Every relevant person (100%) confirmed that they operated an intranet system. Three of the 10 relevant persons (30%) provided intranet pages in Welsh, including the homepage, interface and menus; these were Pembrokeshire College, Coleg Cambria and Grŵp Llandrillo Menai. Coleg y Cymoedd offered a Welsh language homepage and menus and Gower College Swansea offered a Welsh language homepage.

Bridgend College, Pembrokeshire College, Coleg Gwent and the NPTC Group wished to highlight the fact that a bilingual intranet could be provided, but that would require a considerable amount of work and resources. Cardiff and Vale College stated that they believed that the work involved in complying with standards 119-122 would be unreasonable, due to the fact that they would prefer to use their resources to prioritise the curriculum. Coleg y Cymoedd explained that they did not anticipate being able to comply with standard 124 due to the linguistic restrictions of the software used.

Standards for developing Welsh language skills through workforce planning and development [125–133]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 73% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.²⁷

Nine of the 10 relevant persons (90%) confirmed that they assessed the Welsh language skills of their employees, with Pembrokeshire College stating that they only assessed the needs of posts where Welsh language skills were identified as necessary.

In relation to the requirements of standard 126, Grŵp Llandrillo Menai stated that they provided all the training in question bilingually. The NPTC Group offered training on dealing with the public bilingually, with Coleg Cambria offering bilingual induction training. With regard to standard 127, only Grŵp Llandrillo Menai offered this training in Welsh.

Nine of the 10 relevant persons (90%) confirmed that they provided opportunities during working hours for their employees to undertake basic Welsh lessons (standard 128), with St David's Catholic College being the only exception. However, in relation to standard 129, all the relevant persons (100%) confirmed that they provided further training for free so that employees could develop their Welsh language skills.

²⁶ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

²⁷ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

With regard to the requirements of standards 130–131, all the relevant persons (100%) confirmed that it was current practice for them to provide training to their employees in order to increase their awareness of the Welsh language, together with an understanding of their duty to operate in accordance with their Welsh language scheme. Every relevant person (100%) stated that it was current practice for them to provide information in order to increase awareness of the Welsh language, with 8 of the 10 relevant persons (80%) stating that they provided training for employees to gain an understanding of the use of Welsh in the workplace; Coleg Gwent and St David's Catholic College were the only exceptions.

With regard to standard 132, 8 of the 10 relevant persons (80%) stated that they already provided wording or a logo for employee e-mails to indicate whether they are fluent Welsh speakers or Welsh learners. Bridgend College and Grŵp Llandrillo Menai were the exceptions. Similarly, 6 of the 10 relevant persons (60%) stated that they already complied with the requirements of standard 133 either in full or in part.

Standards for a body recruiting staff [134–138]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 51% of commitments corresponded to the Standards for recruiting by a body.²⁸

Nine of the 10 relevant persons (90%) reported that they assessed the need for Welsh language skills in relation to new posts or vacancies being advertised, with the one exception currently in the process of producing staff guidance on this.

Six of the 10 relevant persons (60%) confirmed that their job advertisements declared that individuals were welcome to apply for a post in Welsh, and that an application submitted in Welsh would not be treated less favourably than an application in English; these were Pembrokeshire College, Coleg y Cymoedd, Cardiff and Vale College, Gower College Swansea and the NPTC Group.

Five of the 10 relevant persons stated that they offered interviews or assessments in Welsh, namely Pembrokeshire College, Coleg Cambria, Coleg y Cymoedd, Gower College Swansea and the NPTC Group. Grŵp Llandrillo Menai referred to the Group's Recruitment Procedure which states that applicants have the right to have their interview conducted in Welsh, adding that all the Group's posts were Welsh essential or desirable. The Group is able to conduct the majority of interviews in Welsh, but they did refer to instances where expertise that was not available in Welsh could be required. In such cases a translation service is used.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 83% of commitments corresponded to the standards for signs displayed in a body's workplace.²⁹

All the relevant persons (100%) confirmed that signs displayed inside the organization's buildings are in Welsh. Of these, St David's Catholic College, Coleg Gwent, Pembrokeshire College, Coleg Cambria and Grŵp Llandrillo Menai (50%) stated that current practice was to give prominence to Welsh text on signs.

²⁸ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

²⁹ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, none of the commitments corresponded to the standard for audio announcements and messages in a body's workplace.³⁰

Two of the 10 relevant persons (20%) stated that audio announcements were currently made in the organization's workplace. Neither of them made these announcements in Welsh.

Supplementary matters

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

Eight of the 10 relevant persons (80%) said that making these standards specifically applicable to them would be reasonable and proportionate. Bridgend College believed that complying with these standards would be unreasonable due to the cost and time involved, whilst Cardiff and Vale College only had a few exceptions to this.

Promotion standards [143–144]

Coleg Cambria, Bridgend College and Pembrokeshire College stated that they consented to making the promotion standards potentially applicable to them, and that they believed that making the promotion standards specifically applicable to them would be reasonable and proportionate. The promotion standards were seen as an extension of work already being undertaken by these persons.

Supplementary matters

Standards that deal with supplementary matters in relation to promotion standards [176–177]

Of those relevant persons who consented to making the promotion standards applicable to them, Coleg Cambria and Pembrokeshire College considered that making the standards specifically applicable to them would be reasonable and proportionate.

Record keeping standards [145–157]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 62% of commitments corresponded to the record keeping standards.³¹

Five of the 10 relevant persons (50%), namely Coleg Cambria, Pembrokeshire College, Gower College Swansea, St David's Catholic College and Cardiff and Vale College, considered that making standards in relation to record keeping standards specifically applicable to them would be reasonable and proportionate. The NPTC Group anticipated very specific difficulties, namely standards 152 and 154. Coleg y Cymoedd once again stated their view that keeping records on a financial year basis would be unreasonable and disproportionate.

³⁰ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

³¹ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

Coleg Gwent and Bridgend College stated that they believed that the cost and administrative burden of these standards were excessive. Grŵp Llandrillo Menai made a similar comment, but they were of the opinion that Welsh was the administrative and operational language of the Group. It was therefore stated that keeping a record of phone calls and meetings would be onerous.

Supplementary matters

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

Six of the 10 relevant persons (60%) considered that making standards relating to the supplementary matters in question specifically applicable to them would be reasonable and proportionate; namely Cardiff and Vale College, St David's Catholic College, Pembrokeshire College, Coleg Cambria and Coleg y Cymoedd.

As stated in relation to the record keeping standards, Grŵp Llandrillo Menai anticipated disproportionality for an organization mainly operating through the medium of Welsh.

Higher Education Corporations

Service delivery standards

Activity 1: Correspondence sent by a body

Standards for correspondence sent by a body [1–7]

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 93% of commitments corresponded to the standards for correspondence sent by a body.³²

Five of the 10 (50%) considered that making all the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Swansea University, Cardiff University, the University of Wales, the University of South Wales and the Open University stated that making a selection of the standards specifically applicable to them would be reasonable and proportionate.

Five of the 10 relevant persons (50%) – Swansea University, Cardiff University, the University of South Wales, Glyndŵr University and the Open University – raised concerns about their current capacity to comply with standard 2, and, specifically, the requirement to keep a record of the language choice of correspondents. Swansea University and the University of South Wales confirmed that they did not have an integrated IT system for keeping a central record of language choice across the whole organization at present. In addition to this, they stated that current practice is to collect information on language choice through individual University departments' CRM systems. As a result, language choice is neither shared nor used by departments in planning communications. They stated that a new integrated IT system would need to be designed in order to comply with this standard and to ensure a seamless approach to identifying language choice across the organization.

Glyndŵr University confirmed that purchasing a new customer relations recording system was being considered. They stated that they hoped that the system would include a language choice recording facility, although similar systems had not been used to their full potential in the past.

Although the Open University does not ask about language choice systematically, should a student or someone making enquiries inform them of their language choice, it was noted that that choice is recorded on their Customer Relationship Management database.

Swansea University stated that some individuals wished to receive correspondence regarding some subjects in Welsh and other subjects in English, and they were concerned that some Welsh speakers would choose not to receive correspondence or communication through the medium of Welsh as a result. They further supported this concern by stating that the appropriateness of sharing personal information such as language choice across the entire organization needed to be considered.

In considering the requirements attached to standard 4, the Open University stated that it

³² For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

was current practice for them to send bilingual versions of correspondence to individuals in Wales. However, concerns were raised about the provision of bilingual forms. In addition, the Open University explained that they were an organization with a global reach and a small office in Wales, and, therefore, many of their forms were in English only. Furthermore, it was explained that it would be costly for all UK-wide correspondence to be bilingual. Cardiff University confirmed that the requirements attached to this standard were current practice in some parts of the University only (e.g. student admissions and recruitment department) and that it was dependent on the nature of that correspondence.

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 77% of commitments corresponded to the standards for telephone calls made and received by a body.³³

Evidence was received from all the relevant persons that confirmed that a number of the requirements attached to these standards were being implemented within their organizations. In addition, 4 of the 10 relevant persons (40%) stated that they believed that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Furthermore, 6 of the 10 relevant persons (60%), namely Swansea University, Cardiff University, the University of Wales: Trinity Saint David, the University of South Wales and the Open University, stated that making a selection of the standards specifically applicable to them would be reasonable and proportionate.

Despite the above, concerns were raised by Swansea University, the University of Wales, Aberystwyth University, Bangor University and the University of South Wales (50%) about their ability to comply with standards relating to direct phone calls made to departments and individual members of staff. There was a consensus that securing compliance at all times would be very challenging due to the lack of Welsh speaking members of staff within colleges and specific departments who could provide expertise over the phone, the size and scale of the organization, along with the international nature of staff. Although Swansea University stated that they had an internal directory of Welsh speaking members of staff on a college and departmental basis, they explained that being able to call upon those Welsh speaking members of staff to deal with a call in Welsh would be dependent on availability, along with the nature of the call in question. The University of Wales reiterated the point that it would be impractical and counterproductive to transfer the caller to a Welsh speaker who did not have sufficient knowledge or expertise in a specific area to assist them.

Swansea University, the University of Wales, Bangor University, Aberystwyth University, the University of Wales: Trinity Saint David and the University of South Wales raised concerns about the requirements attached to standard 21, stating that it would be difficult to comply with them at present. The reasons for this included the availability of Welsh speaking members of staff with expertise in a specific area to assist callers at all times. In addition, although Bangor University were committed to offering a fully bilingual service, they noted that they did not have an automatic system for recording the language choice of callers and, therefore, recording language choice to this level of detail would be a

³³ For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

challenge.

The University of South Wales also stated that they would find it difficult to comply with standard 21 at present, considering that they operated across numerous campuses and as individual organizations to all intents and purposes. The University of Wales: Trinity St David stated that the requirement would be impractical as the requirements would make each call longer. In addition to this, concerns were raised about the practicality of dealing with calls according to language choice recorded centrally, considering the linguistic abilities of various staff members. Although the principle behind standard 21 was to be welcomed, they believed that another mechanism leading to a similar result should be examined.

Amongst the other general concerns raised was the ability to ensure that sufficient numbers of Welsh speaking staff were available outside core office hours, along with the fact that some individuals worked and were based outside Wales.

Activity 3: Meetings arranged by a body that aren't open to the general public **Standards for meetings arranged by a body that aren't open to the general public** **[23–29]**

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 58% of commitments corresponded to the standards for meetings arranged by a body that aren't open to the public.³⁴

With regard to the requirements attached to standards 23–29, Cardiff Metropolitan University, Bangor University and Aberystwyth University believed that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Seven of the 10 (70%) believed that making a selection of the standards specifically applicable to them would be reasonable and proportionate.

Each person confirmed that a number of the requirements attached to these standards were already being implemented within their organizations. However, 9 of the 10 relevant persons (90%) raised concerns about the extent to which they could conduct some meetings in Welsh without translation facilities. Amongst the reasons for this were the specialist nature of some meetings, together with the limited number of staff able to conduct those meetings in Welsh without translation facilities.

The University of Wales: Trinity Saint David stated that it would be difficult to employ the services of a simultaneous translator for a non-Welsh speaking member of staff in the case of evening and weekend meetings or when meetings were arranged at short notice. Similarly, the University of South Wales believed that it would be difficult to comply with the requirements in an emergency or when meetings were arranged at short notice.

Cardiff University believed that confidentiality should be a consideration in providing simultaneous translation at closed meetings.

Amongst the other general concerns raised were the need for further staff training, increasing pressure in terms of managing and providing translation services, together with

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

a lack of qualified translators to meet demand.

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]

Seven of the 10 relevant persons (70%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, seven relevant persons (100%) stated that they carried out the activity in Welsh.

Neither the University of South Wales, the University of Wales nor Cardiff Metropolitan University considered that they carried out the activity in question. However, the evidence provided by the University of Wales and Cardiff Metropolitan University explained that they did undertake the activity in question occasionally and through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 82% of commitments corresponded to the standards for meetings arranged by a body that are open to the public.³⁵

With regard to the requirements attached to standards 30–34, 7 of the 10 relevant persons (70%) believed that making the standards relating to this activity specifically applicable to them would be reasonable and proportionate. Cardiff University stated that making a selection of the standards specifically applicable to them would be reasonable and proportionate. Although the Open University believed that making the standards specifically applicable to them would be unreasonable and disproportionate, it was noted that the requirements attached to the standards were reasonable and proportionate should the requirements relate to their activities in Wales only, or if those meetings were related to Welsh matters specifically. However, Swansea University raised concerns about the availability of translation services when public meetings were held during unsocial hours. Cardiff University stated that it would be unreasonable for them to have to comply with standard 30 should that public meeting take place outside Wales.

In relation to standard 32(a), Cardiff University stated that consideration should be given to the appropriateness of asking those outside Wales whether they would like to speak Welsh in a meeting open to the public. Evidence was presented which raised concerns about cases where a meeting only consisted of international attendees and representatives. In addition, Cardiff University did not believe that they would be able to ensure that simultaneous translation was available at all meetings, due to a shortage of in-house translators, reliance on the availability of external translators and the need to provide enough notice to hire translation equipment.

In considering the requirements attached to standard 34, Cardiff University went on to state that they produced lecture summaries in the language in which the lecture was presented, in order to ensure that translation did not lead the audience to believe that the lecture was delivered in that language. They also believed that this approach contributed to ensuring that they were an eco-friendly organization.

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 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 95% of commitments corresponded to the standards for public events organised or funded in its entirety by a body.³⁶

Six of the 10 relevant persons (60%) confirmed that the requirements attached to these standards were already current practice within their organizations and that making them specifically applicable to them would be reasonable and proportionate. The Open University stated that making the standards in question specifically applicable to them would be reasonable and proportionate in principle, and that they did comply with them in relation to the Open University's activities in Wales at present. In addition, they believed that it would be unreasonable to apply these standards to all parts of the Open University outside Wales. Although Cardiff University, Swansea University and the University of South Wales recognized 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.

Cardiff University explained that current practice involved providing a short, bilingual explanation of lectures, along with their time and location, in the case of public lectures not delivered in Welsh, or of no specific interest to Wales or the Welsh language. They also stated that detailed information, along with supporting documents, were only available in English at present.

Swansea University stated that current practice was to ensure that documents for public events were available bilingually or in Welsh. However, the University did not believe that it would be reasonable to offer simultaneous translation during academic lectures, due to their technical and specialist nature, but that it would be reasonable to offer this service in corporate events and general lectures.

The University of South Wales believed that it was unreasonable, during a public event, to provide discussions on a specific topic, along with the corresponding documentation, in Welsh when it did not provide that provision through the medium of Welsh. They believed that doing so would cause confusion in marketing the University's provision in a public event.

Cardiff Metropolitan University, Bangor University and Cardiff University believed that flexibility was needed in determining the language in which some events were held. Reference was made to events held outside Wales, the specialist and technical nature of the event in question and the linguistic profile of the audience.

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 100% of commitments corresponded to the standard for a body's publicity and advertising.³⁷

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

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

Evidence was received from all the relevant persons which confirmed that a number of the requirements attached to this standard were being implemented within their organizations. With regard to the requirements attached to standard 37, 7 of the 10 relevant persons (70%) believed that making the standard relating to this activity specifically applicable to them would be reasonable and proportionate.

The Open University stated that the requirements attached to the standard were reasonable and proportionate in relation to publicity and advertising in Wales and to Wales specifically. Due to the Open University's reach outside Wales, they did not believe that it would be reasonable or proportionate for all of their publicity and advertising material to be available bilingually. Glyndŵr University reiterated this by confirming that any advertisements outside Wales were in English only at present.

In relation to the requirements attached to standard 37, the University of South Wales and Cardiff University stated that they considered the audience and content of the material before determining in which language(s) to produce publicity material, in order to ensure that publicity material met the needs of the audience.

Cardiff University raised concerns about their ability to advertise in Welsh when using certain websites as an advertising medium. They stated that these websites did not currently allow Welsh language listings. They went on to state that they promoted the University on social media websites and other international social platforms that do not allow either English or Welsh.

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 90% of commitments corresponded to the standards for displaying material in public.³⁸

Eight of the 10 relevant persons (80%) confirmed that these standards were already current practice within their organizations and that making them specifically applicable to them would be reasonable and proportionate.

Cardiff University confirmed that some aspects of these standards were being implemented by them and that they would be able to comply with them in part, but they did not believe that making them specifically applicable to them would be reasonable and proportionate. The Open University stated that it was reasonable for all of its material displayed in public which was produced in Wales and/or used in Wales to be bilingual.

Although they believed that making these standards specifically applicable to them would be reasonable and proportionate, Bangor and Aberystwyth Universities said that specific issues could arise at times in terms of displaying academic material. Cardiff University reiterated this and stated that they believed that it would be unreasonable to provide a Welsh language version of material displayed in public intended for international use only. Similarly, Glyndŵr University stated that it was not current practice to display material in Welsh when an event took place in England.

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

Swansea University confirmed that additional translation resources would be required in order to secure full compliance with these standards.

Activity 8: A body producing and publishing documents

Standards for a body producing and publishing documents [40–49]

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 89% of commitments corresponded to the standards for a body producing and publishing documents.³⁹

Five of the 10 relevant persons (50%), namely Glyndŵr University, the University of Wales Trinity Saint David, Cardiff Metropolitan University, Bangor University and Aberystwyth University, stated that these standards were already current practice within their organizations on the whole and that making them specifically applicable to them would be reasonable and proportionate.

Although accepting that many aspects of these standards were already current practice amongst them, the relevant other persons did not consider that making these standards specifically applicable to them would be reasonable and proportionate.

Despite the above, the Open University considered that making these standards specifically applicable to them would be reasonable should the documents and material originate from the Open University in Wales, or when documents and material were produced centrally for specific use in Wales and Wales only.

Bangor and Aberystwyth Universities stated that specific issues could arise at times in terms of producing and publishing academic documents e.g. papers and handouts distributed in seminars and lectures open to the public. Although Bangor University welcomed the principle that the English version should clearly state that the document was also available in Welsh, they did not believe that it should mean that the Welsh version is simply a translation every time. They stated that it was important to protect the principle that both Welsh and English versions were different at times, depending on the needs of particular audiences.

The University of South Wales raised concerns about instances where online versions of documents were provided via supplier software (e.g. 'Higher Education Achievement Record'), due to systems' inability to produce Welsh language versions. It was noted that the University of South Wales would welcome further guidance on the most effective way of producing Welsh language documents from such systems.

In considering the requirements attached to standard 43, Swansea and Cardiff Universities raised concerns about complying with the standard in particular circumstances, e.g. producing material for international use or for international students only, and also when the content was specialist in nature. In addition to this, Swansea University considered that it would be better to prioritize producing Welsh language versions of main publications, publications of more general relevance to the public, as well as course-related information booklets for students.

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

Cardiff University did not believe that it was reasonable to produce and publish rules in Welsh at events with an international audience. In considering the requirements attached to standard 45, Cardiff University believed that it was important for the English (or/and the main language of the country in question) to be given prominence, in order to show that rules relating to health and safety were conveyed clearly to that audience.

Swansea and Cardiff Universities raised concerns about the extent to which they could secure full compliance with standard 46. Due to the need to respond at short notice in some cases, Swansea University stated that it would be difficult to secure full compliance with standard 46 without causing delay in publishing press releases. Despite this, they stated that they could comply with the standard in the case of public releases on the University's website. Cardiff University did not consider it proportionate to provide press releases in Welsh to individuals or organizations not based in Wales.

Cardiff University raised concerns about the extent to which it would be reasonable for the University's registry to comply with these standards, as they dealt with foreign centres and students on a daily basis.

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 85% of commitments corresponded to the standards for a body producing and publishing forms.⁴⁰

Nine of the 10 relevant persons (90%) stated that these standards were already current practice within their organizations and that making them specifically applicable to them would be reasonable and proportionate.

Swansea University believed that it would be reasonable to comply with the standards but that there would be significant implications for translation resources.

The Open University believed that aspects of these standards were unreasonable and disproportionate. They stated that a large number of different online forms are produced and managed by their central campus in Milton Keynes for a UK-wide and international audience. As a result, they did not believe that it was neither reasonable nor proportionate to offer a bilingual form across the board. They also stated that the system's IT infrastructure which populates data to the University's online forms would need to be restructured, which would require significant investment in order to comply with the standards in question. They did not believe that the cost involved with that would be proportionate.

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

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 83% of commitments corresponded to the standards for a body's websites and online services.⁴¹

Glyndŵr and Bangor Universities stated that these standards were already current practice within their organizations on the whole and that making them specifically applicable to them would be reasonable and proportionate. Although the other persons recognized 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.

Six relevant persons raised concerns about their ability to ensure that they had a fully bilingual website, due to the significant financial and resource implications, in their opinion. Furthermore, Swansea University raised concerns about the specialist nature of some pages on their website, as well as the appropriateness of translating outdated pages.

Neither Bangor nor Aberystwyth Universities considered that it would be appropriate to provide bilingual versions of academic centre pages, together with websites and apps targeting international students. The University of Wales: Trinity Saint David did not consider it reasonable for them to provide bilingual web pages when they described programmes provided through the medium of English only. They further stated that using one language only in this manner would avoid confusion regarding the language in which these programmes were provided.

Swansea University considered the requirement to produce a Welsh version of each app to be unreasonable, due to time-related implications and the specialist resources required to do so.

A number of comments were made regarding restrictions and difficulties arising from IT issues. Some relevant persons stated that there was a shortage of Welsh language interfaces and packages for the online tools and software used by them (e.g. EventBrite and Quercus) which would cause difficulties in providing fully bilingual online services.

The Open University raised concerns about their ability to secure full compliance with the standards, considering the huge presence of the Open University across the UK and online internationally, as well as the extent to which the Open University's web content is controlled from the central campus in Milton Keynes.

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

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 70% of commitments corresponded to the standards for signs displayed by a body.⁴²

Eight of the 10 relevant persons (80%) stated that these standards were already current practice within their organizations and that making them specifically applicable to them would be reasonable and proportionate. However, the Open University and the University of Wales Trinity Saint David explained that these standards were already current practice on the whole and that they would be able to comply with them in part.

Swansea and Cardiff Universities raised concerns about giving prominence to the Welsh language on signage, considering the potential difficulties faced by international students in reading such signs.

The Open University believed that the standards should only apply to their buildings in Wales. Furthermore, the University of Wales: Trinity Saint David and Glyndŵr University stated that it would be difficult to ensure that every temporary sign was bilingual. A shortage of staff able to undertake translation work at a moment's notice was given as a reason for this.

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, nine relevant persons (90%) stated that they carried out the activity in Welsh. Cardiff University stated that they did not carry out the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 67% of commitments corresponded to the standards for receiving visitors at a body's buildings.⁴³

Seven of the 10 relevant persons (70%) stated that these standards were already current practice within their organizations and that making them specifically applicable to them would be reasonable and proportionate. However, Cardiff University, the Open University and Swansea University stated that some aspects of these standards were already current practice and that they would be able to comply with them in part. The Open University also stated that the standards would be reasonable if applied in Wales.

Cardiff and Swansea Universities stated that there was a shortage of Welsh speaking members of staff available to provide a reception service through the medium of Welsh and, therefore, they could not guarantee that this could be provided at all times at present. However, they did state that the new student services hub could address this by standardizing face-to-face student services in a central location.

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

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

Bangor University did not believe it reasonable to ask a person in advance about receiving a reception service through the medium of Welsh as such a service should be the default.

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

Eight of the 10 relevant persons (80%) within the Higher Education Corporations 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. Swansea University and the University of Wales stated that they did not undertake the activity in question.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 50% of commitments corresponded to the standards for a body making official notices.⁴⁴

Seven of the 10 relevant persons (70%) stated that making these standards specifically applicable to them would be reasonable and proportionate. The Open University considered that making the standards specifically applicable to them in Wales would be reasonable and proportionate.

Swansea University stated that making these standards specifically applicable to them would not be reasonable and proportionate, as they did not consider that they were relevant to their activities at present.

Cardiff University raised concerns about the reasonableness of complying with these standards in cases where important information needed to be shared urgently (e.g. health and safety risks). They also stated that the University's international community should be considered in reaching conclusions on the reasonable and proportionate nature of setting these standards.

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

Nine of the 10 relevant persons (90%) within the Higher Education Corporations 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. The University of Wales: Trinity Saint David stated that they did not undertake the activity in question.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 62% of commitments corresponded to the standards for a body awarding grants.⁴⁵

Of those who stated that they undertook the activity, 6 of the 9 (67%) relevant persons confirmed that making the standards specifically applicable to them would be reasonable and proportionate, as the requirements were already current practice.

The Open University stated that they were currently in the process of a gradual transfer of grant award and financial assistance responsibilities to Student Finance Wales and the Student Loans Company. As a result, it was noted that, from the 2014/15 academic year,

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

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

new students would not be assessed by the Open University. With this in mind, they did not believe that the standards in question would apply to the Open University.

The University of Wales stated that they already undertook the activity in question, but that responsibility for it would be transferred to an independent trust in 2015 and, therefore, making the standards specifically applicable to them would neither be reasonable nor proportionate.

In considering the requirements attached to the standards, the University of South Wales raised concerns about their ability to comply with standard 71 in cases where the chair could not speak Welsh. They stated that they would not be able to interview candidates without simultaneous translation resources in such cases, which could impact the quality of that discussion in their opinion.

It should be noted that a number of relevant persons, as part of their response, presented evidence regarding the allocation of financial assistance, scholarships, awards and bursaries to students and prospective students in considering the requirements attached to standards 69–73. Welsh Ministers should ensure clarification in terms of the coverage of these standards and their relevance to the above activities in determining standards in regulations.

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they undertook the activity in question. Of those, 5 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 relevant persons in question, on average, 62% of commitments corresponded to the standards for a body awarding contracts.⁴⁶

The University of Wales and Aberystwyth University confirmed that making the standards specifically applicable to them would be reasonable and proportionate as the requirements were already current practice. The other relevant persons stated that making a selection of these standards specifically applicable to them would be reasonable and proportionate.

Amongst the concerns raised were the cost and resource implications should every relevant document have to be translated into Welsh, a shortage of Welsh-speaking members of staff, together with the fact that contracts are often bulky and technical documents with tight deadlines for advertising tenders.

Swansea University believed that it would be unreasonable to comply with standard 74 due to the University's various tender requirements, which are often for specialist equipment not available from companies in Wales. They did not therefore believe that ensuring that all tender documents were available in Welsh was reasonable and proportionate.

Furthermore, the University of South Wales and Glyndŵr University raised concerns about the practicality of conducting interviews using simultaneous translation services. Amongst the concerns relating to this matter were the potential compromising of the quality of the interview and the extent to which it would be reasonable to use two different interview

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

panels, depending on the language medium of the interview.

The Open University stated that all service contracts are arranged on a UK-wide level. Therefore, they did not consider that producing UK-wide bilingual contracts was reasonable and proportionate. However, should a tender be needed for a Wales-specific contract, arrangements could be made for this to be bilingual.

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]

Nine of the 10 relevant persons (90%) within the Higher Education Corporations 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. Glyndŵr University stated that they did not undertake the activity in question.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 75% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.⁴⁷

Each relevant person confirmed that making all the standards specifically applicable to them would be reasonable and proportionate, and that the standards were already current practice.

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

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

All 10 relevant persons (100%) within the Higher Education Corporations group stated that they carried out the activity in question. Of those, all 10 relevant persons (100%) stated that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 100% of commitments corresponded to the standard for a body's corporate identity.⁴⁸

Eight of the 10 relevant persons (80%) confirmed that making the standards specifically applicable to them would be reasonable and proportionate as the requirements were already current practice.

Although Cardiff University currently used a bilingual identity, they stated that ensuring that the Welsh language was treated no less favourably than the English language in accordance with the requirements of standard 81 would be unreasonable and disproportionate, highlighting the importance of identifying prospective students, along with business partners internationally to the University. As a result, they believed that giving prominence to a language not understood outside Wales above English could dilute and harm their current bilingual brand.

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

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

Although the Open University in Wales has a bilingual corporate identity, they did not believe that it would be reasonable for the Open University brand on a UK-wide and global level to have to comply with the requirements in question.

Activity 18: Courses offered by a body
Standards for courses provided by a body [82–84]

Five of the 10 relevant persons (50%) within the Higher Education Corporations group, namely Glyndŵr University, Swansea University, Bangor University, Cardiff University and Aberystwyth University, stated that they undertook the activity in question. Of those, 3 relevant persons (60%) stated that they undertook the activity in question through the medium of Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 10% of commitments corresponded to the standards for courses offered by a body.⁴⁹

Five of the 10 relevant persons (50%) stated that making the standards specifically applicable to them would be reasonable and proportionate. Swansea and Bangor Universities stated that making a selection of the standards specifically applicable to them would be reasonable and proportionate.

Cardiff University stated that these standards could perhaps be relevant to the University's MOOCS courses, but they believed that the standards were disproportionate considering the wide range of content and the numbers registering on the course at an international level.

Amongst the concerns raised were the number and range of courses available, a shortage of staff with the expertise to provide those courses through the medium of Welsh, and the logistics attached to offering and providing courses through the medium of Welsh.

The University of South Wales came to the conclusion that these standards were not relevant to them. However, it was explained that the Glamorgan Welsh for Adults Centre, part of the University, operated fully bilingually.

Cardiff University asked about the exact definition of 'education course' found in the Welsh Government's 'Welsh Language Standards Regulations 2015',⁵⁰ considering the educational functions of higher education corporations. Welsh Ministers should ensure clarification in relation to the above when determining standards in regulations.

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

Seven of the 10 relevant persons (70%) 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. Cardiff University, the University of Wales: Trinity Saint David and the University of Wales stated that they did not undertake the activity in question.

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

⁵⁰ <http://wales.gov.uk/docs/dcells/consultation/141106-regulations-welsh-language-standards-en.pdf>

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 10% of commitments corresponded to the standards for public address systems used by a body⁵¹.

Eight of the 10 relevant persons (80%) stated that making these standards specifically applicable to them would be reasonable and proportionate. Cardiff University and the Open University considered that making aspects of the standards specifically applicable to them would be reasonable and proportionate.

Cardiff University stated that they only used public address systems in an emergency and, considering the international profile of students, they believed that it would be more reasonable to announce messages in English first. The Open University confirmed that it would be reasonable to comply with the standards in question in Wales but it would be unreasonable to apply them to the Open University as a whole.

Swansea University believed that it would be difficult to ensure that Welsh speakers were always available in an emergency or in unforeseeable circumstances.

Supplementary matters

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

Five of the 10 relevant persons (50%), namely Cardiff University, Glyndŵr University, the Open University, the University of Wales and Cardiff Metropolitan University, confirmed that making the standards specifically applicable to them would be reasonable and proportionate. The other relevant persons stated that making a selection of the standards specifically applicable to them would be reasonable and proportionate.

Swansea University stated that the requirements attached to standards 158, 159, 160 and 163 were reasonable on the whole, and a significant number of documents and arrangements would need to be developed in order to raise staff awareness and secure compliance. In addition, it was noted that more administrative resources would be needed in order to undertake the work of recording information.

In terms of standard 161, Swansea University went on to state that some systems for recording the demand for services through the medium of Welsh were already in place. However, concerns were raised about their ability to collect relevant information and data from all departments and to ensure that the information given in an annual report was complete.

The University of South Wales stated that the requirement to keep copies of relevant documents in each one of their offices open to the public was very costly, considering that they had a number of different sites.

Bangor University, the University of Wales Trinity Saint David and Aberystwyth University raised concerns about the extent to which clauses 2a, 2b and 2c of standard 161 undermined the principle that a Welsh medium service was offered as a default language.

A number of the relevant persons stated that the proposed publication date referred to in these standards was inappropriate to higher education corporations. It was noted that

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

current practice was for higher education corporations to publish annual reports in line with the academic year. To that end, 30 October was suggested as a more suitable date for the sector.

Policy making standards [86–95]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 99% of commitments corresponded to the policy making standards⁵².

Each relevant person confirmed that a number of the requirements attached to the policy making standards were current practice within their organizations in principle and that they did operate in accordance with them through their Welsh language schemes. Each relevant person, to a different degree, stated that they had arrangements in place to ensure that new and revised policies considered the impact on the Welsh language.

Seven of the 10 relevant persons (70%) believed that making these standards specifically applicable to them would be reasonable and proportionate. Although Cardiff University, the University of Wales and Swansea University considered that making these standards specifically applicable to them would be unreasonable and disproportionate, they also considered that several aspects of the standards were already current practice in accordance with their Welsh language schemes.

Nine of the 10 relevant persons (90%) confirmed that they did consult on policy decisions in accordance with standards 89–91. Glyndŵr University stated that they did not consult on any policy decisions in relation to these standards. The University of Wales confirmed that they did not currently publish consultation documents regarding policy decisions, but in principle they would comply with these standards if needed.

Swansea University raised concerns about complying with the standards, due to the additional resources required in order to do so. It was noted that appropriate guidance and checklists would need to be developed in order to incorporate them into internal processes.

Four of the 10 relevant persons (40%), namely Cardiff University, the University of South Wales, the Open University and Aberystwyth University, confirmed that they currently had grant awarding policies. Although Cardiff University is not a grant awarding body, they confirmed that they had awarded grants to students at a donor's behest, as well as allocating bequests as part of their current function. However, it was underlined that this function would transfer to a new trust from June 2015 onwards.

Cardiff University considered that it would be unreasonable and disproportionate to make the standards specifically applicable to them, considering the size and nature of the organization along with the number of decisions made by them. This was supported by stating that the current arrangements, where only the policy decisions relevant to the Welsh language are given due regard, should continue.

It should be noted that the governing bodies of the University of Wales, Swansea Metropolitan University and the University of Wales Trinity Saint David pledged to merge in October 2011. As a result, there are plans in place to establish a unified organization under the 1828 Charter of the University of Wales: Trinity Saint David in due course. With

⁵² Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

that in mind and as they integrate back office functions during the pre merger period, the University of Wales stated that discussions would need to take place with the University of Wales: Trinity Saint David on current policies and the integration of further policies

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

In responding to the standards relating to supplementary matters in terms of the policy making standards, each relevant person, apart from Swansea University and the University of South Wales (80%), confirmed that they considered that making the supplementary standards in question specifically applicable to them would be reasonable and proportionate.

Despite agreeing that standards 164 and 165 were reasonable, Swansea University stated that they believed that the need to comply with standards 166–169 would be disproportionate. They considered that the requirements would involve developing new structures and resources for collecting information. Furthermore, it was noted that the standards would place added pressure on the organization's translation resources and that additional administrative support would be needed in order to produce and publish information on their websites and as part of their annual report.

The University of South Wales believed that keeping copies of relevant documents in each one of their offices open to the public would be very costly, considering that they had a number of different sites.

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 relevant persons in question, on average, 69% of commitments corresponded to the standards for the use of Welsh within a body's internal administration.⁵³

In relation to the requirements associated with standard 96, each relevant person, apart from Glyndŵr University, Swansea University and Cardiff Metropolitan University (70%), confirmed that they currently implemented a policy on the use of Welsh internally. Of those, 6 of the 7 relevant persons (86%) stated that they had published that policy on the intranet.

Although Swansea University did not have a current policy on the internal use of Welsh, it was noted that their current Welsh language scheme made specific reference to the different approaches to promoting the organization's bilingual ethos. Swansea University explained that the organization's ability to comply with the standard depended on the commitments made in the policy and the support needed to enable it.

Although Cardiff Metropolitan University did not have a policy on the internal use of Welsh at present, they did note that they would be aiming to secure full compliance with standard 96. Glyndŵr University did not raise any concerns in relation to complying with standard 96 should it be placed upon them.

Bangor University, Aberystwyth University, Swansea University, Cardiff Metropolitan

⁵³ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

University, the University of Wales: Trinity Saint David and the University of Wales (60%) stated that they currently provided all the documents relating to standards 97–102. The other relevant persons provided a selection of the documents in question at present. Cardiff University raised concerns about their current ability to create online forms in Welsh due to the technical constraints of the online system used. Similarly, Swansea University stated that no Welsh language version of the system interface used for recording flexi-hours is currently available. In addition to this, it was noted that there would be resource implications in terms of translating documents as well as monitoring and supervising the procedure across the organization.

The Open University stated that it would be unreasonable and disproportionate for them to comply with standard 102 as the University's IT system which manages annual leave, absences and flexible working is produced and operated on a UK-wide basis. This was supported by noting that the costs involved in securing compliance would be disproportionate.

Cardiff Metropolitan University raised concerns about changes to content meaning and intent within contracts when translated into Welsh. Considering that the documents contained complex legal speak, it was noted that the change could cause a contractual and commercial risk to the University should there be any anomalies with the English language contract.

Six of the 10 relevant persons (60%) stated that it was current practice for them to comply in full or in part with requirements related to standards 103–109. Cardiff Metropolitan University and Swansea University raised concerns about the significant translation costs, as well as resource implications, of complying with the standards in question.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 66% of commitments corresponded to the standards for complaints by a member of a body's staff.⁵⁴

Each relevant person (100%) confirmed that they allowed all members of staff to make complaints and respond to any complaints made against them in Welsh. However, only Aberystwyth University, Bangor University, the University of Wales and Cardiff University (40%) stated that they currently informed staff of their right to do so.

In receiving a complaint from a member of staff or about a member of staff, resulting in the need for a meeting with them, 4 of the 10 relevant persons (40%) stated that they currently offered to conduct the meeting in Welsh. Of those, 3 of the 4 relevant persons (75%) confirmed that they asked a member of staff whether they wished to speak Welsh in the meeting.

Four of the 10 relevant persons (40%) stated that it was current practice to conduct a meeting through the medium of Welsh (without the support of a translation service), with 7 of the 10 relevant persons (70%) able to provide a translation service.

Six of the 10 relevant persons (60%) stated that making standards 110–113 specifically applicable to them would be reasonable and proportionate. The remaining relevant persons stated that it would be difficult to ensure that Welsh speaking members of staff were available to conduct meetings in Welsh at all times. As a result, they stated that

⁵⁴ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

simultaneous translation would have to be provided in the majority of meetings in question. Concerns were raised about the additional costs involved in providing such a service.

Standards for a body disciplining staff [114–117]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 68% of commitments corresponded to the standards for a body disciplining staff.⁵⁵

Each relevant person (100%) confirmed that they allowed all members of staff to respond in Welsh to allegations made against them in Welsh. However, only Aberystwyth University, Bangor University and the University of Wales (30%) currently inform staff of their right to do so.

In arranging a meeting with a member of staff regarding a disciplinary case against them, 4 of the 10 relevant persons (40%) stated that they currently offered to conduct the meeting in Welsh. Of those, 3 of the 4 relevant persons (75%) ask a member of staff whether they wish to speak Welsh in the meeting. The University of Wales reiterated that it was current practice for them to offer to conduct a disciplinary meeting with staff in Welsh if they are aware that Welsh is their chosen language in advance. However, they did not proactively offer the service across the board at present.

Four of the 10 relevant persons (40%) stated that it was current practice for them to conduct the meeting in Welsh (without the support of a translation service), and 5 of the 10 relevant persons (70%) could provide a simultaneous translation service in the meeting if it was not possible to conduct the meeting in Welsh.

Six of the 10 relevant persons (60%) stated that making standards 114–117 specifically applicable to them would be reasonable and proportionate. The remaining relevant persons stated that it would be difficult to ensure that Welsh speaking members of staff were available to conduct meetings in Welsh at all times. As a result, they stated that simultaneous translation would have to be provided in the majority of meetings. Concerns were raised about the additional costs involved in providing such a service.

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 relevant persons in question, on average, 29% of commitments corresponded to the standards for information technology and support material provided by a body, and in relation to the intranet⁵⁶

Each relevant person (100%) stated that they provided Welsh spellcheck and grammar checking computer software to employees and workers. In addition, each relevant person, apart from Glyndŵr University, the Open University and Cardiff Metropolitan University (70%), stated that they provided Welsh language interfaces to staff.

Each relevant person, apart from Aberystwyth University (90%), confirmed that they operated an intranet system. Of those, 4 of the 9 relevant persons (44%) stated that intranet pages were available in Welsh, including the homepage, interface and menus.

⁵⁵ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

⁵⁶ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

In considering the requirements attached to standard 118, Swansea University raised concerns about the significant cost of translating the software tool interfaces used into Welsh, together with extending the University's licence in order to allow students to use spellcheck and grammar checking software on their personal devices.

Neither Cardiff University, the Open University nor Swansea University believed that they could comply with standards 121–122, due to the high costs of translating all the content on their intranet. Neither did they believe that they could keep up with the constant updates made to the English language version due to a shortage of translation resources and the wide range of content.

Swansea University stated that further clarification was needed regarding the use of the terms 'intranet', 'website' and 'online services' in Appendix 3. More specifically, they stated that it was not currently clear whether the software devices used by them (such as *Internet.swan* and *abw.swan*) were relevant in terms of the standards in Appendix 3.

Similarly, a number of the relevant persons provided evidence regarding the intranet systems for students (e.g. Blackboard) in considering the requirements attached to standards 118–124. Welsh Ministers should ensure that the definition of 'intranet' is clear in relation to the above when determining standards in regulations and making them specifically applicable to education corporations.

Standards for developing Welsh language skills through workforce planning and development [125–133]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 89% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce.⁵⁷

Seven of the 10 relevant persons (70%) confirmed that they assessed the Welsh language skills of employees.

In responding to the requirements attached to standard 126, 6 of the 10 relevant persons (60%) stated that they did not currently provide training to staff in the areas in question in Welsh. To the contrary, the University of Wales and Bangor University stated that they do provide training for staff in Welsh in all the areas in question, and Aberystwyth University and the University of Wales: Trinity Saint David provide training in Welsh in all areas, bar one specific area.

In relation to standards 128 and 129, all of the relevant persons (100%) confirmed that they provided opportunities during working hours for their employees to attend basic Welsh lessons, along with further free training in order to develop their Welsh language skills.

With regard to the requirements of standards 130–131, all of the relevant persons (100%) confirmed that it was current practice for them to provide training for their employees to increase their awareness of the Welsh language, together with an understanding of their duty to operate in accordance with their Welsh language scheme. Each relevant person (100%) stated that it was current practice for them to provide information to raise awareness about the Welsh language for new employees and/or workers. In addition, each relevant person, apart from Glyndŵr University (90%), stated that they provided training so that employees could gain an understanding of how the Welsh language could

⁵⁷ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

be used in the workplace.

With regard to standard 132, 8 of the 10 relevant persons (80%) stated that they already provided wording or a logo for employee e-mails to indicate whether they are fluent Welsh speakers or Welsh learners. Similarly, 8 of the 10 relevant persons (80%) ensured that they already complied with standard 133.

Standards for a body recruiting staff [134–138]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 76% of commitments corresponded to the standards for a body recruiting staff.⁵⁸

Each relevant person (100%) stated that they assessed the need for Welsh language skills in relation to new posts or vacancies being advertised. In conducting the assessment, the organization's business needs are considered, together with the requirements of the current Welsh language scheme. Although not every relevant person had a bilingual skills strategy in place at present, they state that this happens on a more informal basis internally.

Eight of the 10 relevant persons (80%) confirmed that it was current practice or reasonable for them to state in a job advertisement that individuals were welcome to apply for a post in Welsh, and that an application submitted in Welsh would not be treated less favourably than an application in English.

Bangor University, Aberystwyth University, Cardiff University, the University of Wales, the University of Wales: Trinity Saint David and the University of South Wales (60%) confirmed that they would be able to conduct an interview or an assessment in Welsh without the support of translation services, should the candidate desire this. Furthermore, the above persons, along with the Open University (70%), stated that they would provide a simultaneous translation service in the interview or assessment if it was not possible to conduct it in Welsh. Glyndŵr University confirmed that interviews are conducted in Welsh in full or in part, but only for posts where Welsh is essential or desirable.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 78% of commitments corresponded to the standards for signs displayed in a body's workplace⁵⁹.

All the relevant persons (100%) confirmed that signs displayed inside the organization's buildings are in Welsh. Of those, Glyndŵr University, the University of Wales Trinity Saint David, the University of Wales, Bangor University and Aberystwyth University (50%) stated that current practice involved giving prominence to the Welsh language on signage.

⁵⁸ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

⁵⁹ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

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

When analysing the current Welsh language scheme commitments of all relevant persons in question, the commitments did not correspond to the standards for audio announcements and messages in a body's workplace⁶⁰.

Four of the 10 relevant persons (40%) stated that audio announcements and messages were currently made in the organization's workplace. Of those, four relevant persons (100%) stated that they made these announcements in Welsh.

All ten higher education corporations, apart from Cardiff University and the Open University (80%), stated that making the standards specifically applicable to them would be reasonable and proportionate.

Supplementary matters

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

Each relevant person, apart from Swansea University and the University of South Wales (80%), stated that making the standards specifically applicable to them would be reasonable and proportionate.

However, Swansea University considered that the requirements attached to standards 172-174 would involve developing new information collection structures and resources. Furthermore, it was noted that the standards would place added pressure on the organization's translation resources and that additional administrative support would be needed in order to produce and publish information on their websites and as part of their annual report.

The University of South Wales believed that keeping copies of relevant documents in each one of their offices open to the public would be very costly, considering that they had a number of different sites.

Promotion standards [143–144]

Glyndŵr University, Bangor University and Aberystwyth University confirmed that they consented to making the promotion standards applicable to them, and that they believed that making the promotion standards specifically applicable to them would be reasonable and proportionate.

Cardiff University stated that they too consented to making the promotion standards applicable to them. However, they also stated that they were not in a position to judge whether making the promotion standards specifically applicable to them would be reasonable and proportionate, due to the fact that they did not have enough information to make this decision at present.

Bangor and Aberystwyth Universities stated that they could comply with all the promotion standards as long as it was recognized that they could not take responsibility for an increase or decline in the number of Welsh speakers in the area.

⁶⁰ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

Supplementary matters

Standards that deal with supplementary matters in relation to promotion standards [176-177]

Of those relevant persons who consented to making the promotion standards applicable to them, Glyndŵr, Bangor and Aberystwyth Universities considered that making the standards specifically applicable to them would be reasonable and proportionate.

Record keeping standards [145–157]

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 92% of commitments corresponded to the record keeping standards.⁶¹

Four of the 10 relevant persons (40%), namely Cardiff University, Glyndŵr University, the Open University and Cardiff Metropolitan University, considered that making the standards in relation to record keeping specifically applicable to them would be reasonable and proportionate. The remaining relevant persons confirmed that a number of the requirements attached to the record keeping standards were already current practice within the organization and, if not, they could comply in due course. It was further noted that it would be reasonable and proportionate to make a selection of them specifically applicable to them.

Bangor and Aberystwyth Universities stated that some of the requirements identified in standards 145–157 were disproportionate. It was noted that there was a risk that the standards in their current form could place unattainable demands on them and did not consider the fact that the Welsh language was a default language within their organizations. This was supported by stating that some specific standards (namely 150 and 152–154) were unreasonable, considering that they did not keep corresponding records in the English language; in their opinion, this meant that the Welsh language was treated less favourably than the English language.

Similar comments were made by the University of Wales: Trinity Saint David and the University of Wales. Amongst the reasons given were the number of calls received on a daily basis, as well as the nature of the main switchboard which serves centres across the UK and abroad. As a result, the University of Wales stated that a significant proportion of phone calls received via the main switchboard were from people whose first language was neither Welsh nor English.

Swansea University stated that some of the record keeping standards were too prescriptive in their current form and that it would be very challenging to collect all the information needed to secure compliance.

Supplementary matters

Standards that deal with supplementary matters in relation to record keeping standards [145–157]

Each relevant person, with the exception of Swansea University, the University of Wales: Trinity Saint David and the University of South Wales (70%), considered that making the standards relating to the supplementary matters specifically applicable to them would be

⁶¹ Average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

reasonable and proportionate. The University of Wales: Trinity Saint David stated that it would be reasonable and proportionate for them to comply with standards 145–157, but that would depend on whether they were expected to keep a record of all phone calls received in Welsh.

Swansea University considered that the requirements attached to the record keeping standards were too prescriptive and that complying with them would be unreasonable and disproportionate. In addition, they believed that it would be reasonable and proportionate to make the standards relating to the supplementary matters specifically applicable to them.

The University of South Wales believed that keeping copies of relevant documents in each one of their offices open to the public would be very costly, considering that they had a number of different sites.

Providers of Career Services

Service delivery standards

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

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 100% of commitments corresponded to the standard for correspondence sent by a body.⁶²

In responding to the requirements attached to the standards relating to correspondence sent by a body, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of requirements as they were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standard in relation to this activity 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]**

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 93% of commitments corresponded to the standards for telephone calls made and received by a body.⁶³

In responding to the requirements attached to the standards relating to telephone calls made by a body, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

Activity 3: Meetings arranged by a body that aren't open to the general public **Standards for meetings arranged by a body that aren't open to the general public [23–29]**

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 94% of commitments corresponded to the standards for meetings arranged by a body that aren't open to the public.⁶⁴

⁶² For each activity the average percentage of commitments found in Welsh language schemes of persons in question, which correspond to the standards, be that partially or fully.

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

In responding to the requirements attached to the standards relating to meetings arranged by a body that aren't open to the public, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations on the whole corresponded to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity 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]

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for meetings arranged by a body that aren't open to the public.⁶⁵

In responding to the requirements attached to the standards relating to meetings arranged by a body that are open to the public, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to meetings arranged by a body that are open to the public 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 their entirety by a body [35–36]

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for public events organised or funded in their entirety by a body.⁶⁶

In responding to the requirements attached to the standards relating to public events organised or funded in their entirety by a body, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme on the whole.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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

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

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

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

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for telephone calls made and received by a body.⁶⁷

In responding to the requirements attached to the standards relating to a body's publicity and advertising, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation 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]

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for telephone calls made and received by a body.⁶⁸

In responding to the requirements attached to the standards relating to displaying material in public, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity 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]

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for a body producing and publishing documents.⁶⁹

In responding to the requirements attached to the standards relating to a body producing and publishing documents, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was

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

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

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

supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for a body producing and publishing forms.⁷⁰

There was a positive response to the standards for a body producing and publishing forms. The evidence given regarding the extent to which the organization could comply with the standards stated that forms relevant to the services are provided to the public in Welsh.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity 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]

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for a body's websites and on-line services.⁷¹

Career Choices Dewis Gyrfa considered that making the majority of the standards for a body's websites and online services specifically applicable to them would be reasonable and proportionate. They explained that standard 55 is not currently part of their language scheme. However, the organization did state that the language of all pages on their website could be changed by clicking on Cymraeg or English.

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

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for correspondence sent by a body.⁷²

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

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

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

In responding to the requirements attached to the standards relating to signs displayed by a body, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity 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]

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 71% of commitments corresponded to the standards for a body receiving visitors at its buildings.⁷³

Career Choices Dewis Gyrfa considered that making a selection of the standards for a body receiving visitors at its buildings specifically applicable to them would be reasonable and proportionate. It was explained that standard 64 is not currently part of Career Choices Dewis Gyrfa's language scheme. However, when practical within current staffing resources, they stated that they would ensure that speakers were available in their centres to deal with enquiries made in Welsh and that details about this would be provided to the public.

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

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 50% of commitments corresponded to the standards for official notices made by a body⁷⁴.

No aspects of the standards which appeared unreasonable or disproportionate in their opinion were noted.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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

Career Choices Dewis Gyrfa stated that they did not carry out the activity in question.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 67% of commitments corresponded to the standards for a body awarding grants.⁷⁵

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

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

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

No aspects of the standards which appeared unreasonable or disproportionate in their opinion were noted.

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

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of all relevant persons in question, on average, 67% of commitments corresponded to the standards for a body awarding contracts.⁷⁶

In responding to the requirements attached to the standards relating to a body awarding contracts, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity 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]**

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for raising awareness of Welsh language services provided by a body.⁷⁷

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

In responding to the requirements attached to the standards relating to raising awareness about Welsh language services provided by a body, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation 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]**

Career Choices Dewis Gyrfa noted that they carried out the activity in question, and did so in Welsh.

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

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

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for a body's corporate identity.⁷⁸

In responding to the requirements attached to the standards relating to a body's corporate identity, Career Choices Dewis Gyrfa confirmed that they could comply with the majority of standards as the requirements were already current practice. This was supported by stating that the standards' expectations corresponded on the whole to the commitments found in their statutory language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

Activity 18: Courses offered by a body
Standards for courses provided by a body [82–84]

Career Choices Dewis Gyrfa stated that they did not carry out the activity in question. As a result, the organization did not state that they carried out the activity in Welsh.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, none of the commitments corresponded to the standards for courses provided by a body.⁷⁹

Career Choices Dewis Gyrfa stated that their educational courses were provided in order to fulfil Welsh Ministers' legal duty to provide career-based information, guidance and support to all those of school age, including those in further education. Career Choices Dewis Gyrfa stated that this duty was in accordance with section 8 of the Employment and Training Act 1973 and they did not consider that they undertook the activity in question.⁸⁰ Welsh Ministers, in specifying standards in regulations, should provide clarification as to whether the types of duties fulfilled by Career Choices Dewis Gyrfa are in accordance with section 8 of the Employment and Training Act 1973, subject to the standards for courses.

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

Career Choices Dewis Gyrfa stated that they did not carry out the activity in question.

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, none of the commitments corresponded to the standard for public address systems used by a body.

It was explained that Career Choices Dewis Gyrfa's language scheme states, where public announcements are generated by manufacturers, e.g. lifts, and are not within their control, they will assess the appropriateness and viability of translating within available resources and agreed timeframes.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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

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

⁸⁰ <http://www.legislation.gov.uk/cy/ukpga/1973/50>

Supplementary matters

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

Career Choices Dewis Gyrfa confirmed that making a selection of the standards relating to supplementary matters specifically applicable to them would be reasonable and proportionate.

Concerns were raised about the different approaches to publishing information relating to supplementary matters in the context of service delivery standards. Career Choices Dewis Gyrfa stated that it was uncommon for them to record and publish information as outlined in standard 158 on their website or in offices open to the public. Contrary to the above, in responding to the requirements attached to standard 159, they explained that they already published documents in relation to their complaints procedure on their website and in their public offices, in accordance with their policy on the internal use of Welsh and their Welsh language scheme.

In addition, they stated that the publication of an annual report on compliance with their Welsh language scheme was already current practice.

In relation to the specific timetable provided in clause 3 of standard 161, the organization stated that it would be difficult to comply with that timetable unless it was aligned to their internal organization and their contractual obligations with the Welsh Government.

Policy making standards [86–95]

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for a body's corporate identity.⁸¹

Career Choices Dewis Gyrfa stated that the policy making standards were current practice in principle and that they did operate in accordance with them, to varying degrees, through their Welsh language scheme. The organization's Welsh language scheme contains commitments to assess the potential linguistic impact of any new proposals presented for the organization's approval.

However, Career Choices Dewis Gyrfa stated that, due to the merger of the seven former Careers Wales companies under Career Choices Dewis Gyrfa, all the terms and conditions along with the organization's policies and procedures could change. It was explained that the change process will be a continuous one and will depend on consulting with staff and Unions. They went on to explain that Career Choices Dewis Gyrfa's new processes and policies would be subject to an equality impact assessment and, therefore, the Welsh language requirements would need to be considered.

However, Career Choices Dewis Gyrfa considered that making a selection of the standards relating to policy making specifically applicable to them would be reasonable and proportionate. It was confirmed that the organization does not have a grant awarding policy, as they do not undertake this activity. As a result, it was stated that standards 92–94, which refer to the awarding of grants, are not relevant to the organization's remit.

⁸¹ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

Supplementary matters

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

In responding to the standards relating to supplementary matters in terms of the policy making standards, Career Choices Dewis Gyrfa considered that making a selection of the standards relating to this activity specifically applicable to them would be reasonable and proportionate.

In terms of the standard relating to publicizing policy making standards, the organization stated that they could comply with this standard but that they do not currently publish hard copies of any policies in their offices.

In relation to publishing a complaints procedure, Career Choices Dewis Gyrfa stated that the aspect involving publishing and providing such documentation to the public in offices or on their website was not part of their current procedure.

In relation to the specific timetable provided in clause 3 of standard 167, the organization stated that it would be difficult to comply with that timetable unless it was aligned to their internal organization and their contractual obligations with the Welsh Government. It was noted that the production of an annual report was already current practice, but that it only appears on their website at present. It was therefore explained that they did not ensure that up-to-date copies were available to the public in each of their public offices.

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 Career Choices Dewis Gyrfa, on average, 93% of commitments corresponded to the standards for the use of Welsh within a body's internal administration.⁸²

In terms of the requirements attached to standard 96, Career Choices Dewis Gyrfa confirmed that they did implement an internal policy on the use of Welsh, which had been published on the intranet. Career Choices Dewis Gyrfa also stated that they had an internal language policy and a Welsh language scheme, along with internal implementation guidance to help staff use the Welsh language internally.

Career Choices Dewis Gyrfa confirmed that they provided all the documentation identified in standards 97–102, apart from service contracts and the forms for recording and authorizing leave and absences. However, it was noted that staff may record their language of communication choice with Career Choices Dewis Gyrfa's HR Department, which would cover contracts. In addition to this, it was noted that staff absences and leave are recorded electronically and, therefore, no forms are produced in relation to these matters; it was confirmed that this staff absence management system was in English only at present, but Career Choices Dewis Gyrfa would examine any other potential/reasonable developments which could be made to this database in order to facilitate the use of Welsh.

⁸² Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

Welsh Language Commissioner's Standards Report – Public Bodies: General (1) – Section 64 Welsh Language (Wales) Measure 2011

In relation to the requirements attached to standards 103–109, Career Choices Dewis Gyrfa confirmed that all the policies in question were published bilingually on their intranet.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 60% of commitments corresponded to the standards for complaints made by a member of a body's staff.⁸³

Career Choices Dewis Gyrfa confirmed that they did allow all members of staff to complain to the organization, as well as respond to any complaints made against them, in Welsh. In addition, the organization states that they inform all members of staff of their right to do so.

It was noted that a meeting regarding a complaint could be conducted in Welsh, should the member of staff responsible for investigating the complaint have the necessary Welsh language skills. If this was not the case, it was proposed that a simultaneous translation service should be provided. In addition to this, it was noted that the organization informed members of staff in Welsh of the outcome of a complaint.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

Standards for a body disciplining staff [114–117]

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for official notices made by a body.⁸⁴

In considering the requirements attached to standards 114–117, Career Choices Dewis Gyrfa stated that they allowed members of staff to respond in Welsh to allegations made against them via the internal disciplinary process. However, the organization stated that they do not inform all members of staff of their right to do so.

They confirmed that they offer to conduct any meeting arranged in relation to an allegation through the medium of Welsh, and do so without the support of translation services, where possible. Where there is no member of staff available with the necessary Welsh language skills to conduct the meeting, it was confirmed that a simultaneous translation service is provided. In addition to that, it was noted that the organization informed members of staff in Welsh of the outcome of a disciplinary case against them.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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 Career Choices Dewis Gyrfa, on average, 100% of commitments corresponded to the standards for

⁸³ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

⁸⁴ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

information technology and support material provided by a body, and in relation to the intranet.⁸⁵

Career Choices Dewis Gyrfa stated that they provide Welsh spellcheck and grammar checking computer software for employees and workers. In addition to this, they confirmed that they provide Welsh language interfaces, along with a bilingual intranet system.

No concerns were raised in relation to complying with standards 118–124. However, they did state that their intranet was being developed and, therefore, not all aspects were currently available in Welsh.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

Standards for developing Welsh language skills through workforce planning and development [125–133]

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 89% of commitments corresponded to the standards in relation to a body developing Welsh language skills through planning and training its workforce⁸⁶.

Career Choices Dewis Gyrfa confirmed that they assess the Welsh language skills of employees.

In responding to the requirements attached to standard 126, Career Choices Dewis Gyrfa stated that staff training is only provided in relation to recruitment and interviews. They stated that they only provided that training in English.

In considering the requirements attached to standard 127, Career Choices Dewis Gyrfa stated that they already assessed and identified the need for necessary training on the development of language skills, so that employees could fulfil their duties efficiently.

In terms of the requirements attached to standards 128–129, the organization stated that they already undertook these aspects in accordance with their language scheme. It was explained that they were committed to encouraging staff members to improve their Welsh language skills. It was confirmed that they ensure that appropriate training is provided in relation to Welsh language skills and is identified in their training plan, as well as in regional plans.

In relation to standard 130, it was noted that they provided training to employees and/or workers in order to increase understanding of the requirement for the organization to implement their Welsh language scheme, together with the way in which the Welsh language can be used in the workplace. They stated that they did not provide specific training in order to increase awareness of the Welsh language. However, it was explained that they use information packs provided by the Welsh Government to increase awareness of the Welsh language amongst members of staff. Reference was made to the fact that Career Choices Dewis Gyrfa refer to Welsh language policies, schemes and relevant resources during induction sessions.

⁸⁵ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

⁸⁶ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

Career Choices Dewis Gyrfa confirmed that they provide wording or a logo for employee and/or worker e-mails so that they can identify themselves as fluent Welsh speakers or learners. In addition to this, it was noted that e-mail contact details are in Welsh.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

Standards for a body recruiting staff [134–138]

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 71% of commitments corresponded to the standards for a body recruiting staff.⁸⁷

Career Choices Dewis Gyrfa stated that they assessed the need for Welsh language skills in relation to every new post or vacancy advertised in accordance with their Welsh language scheme. In undertaking the assessment, the organization's business needs are examined along with the requirements found in the current Welsh language scheme in order to support the aim of providing a bilingual service.

In addition to this, it was noted that linguistic requirements are identified in job advertisements. They also confirmed that they advertise posts in Welsh. It was explained that they do not currently state that applications are welcomed in Welsh.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

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

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 50% of commitments corresponded to the standards for signs displayed in a body's workplace.⁸⁸

Career Choices Dewis Gyrfa confirmed that they display Welsh language signs in the organization's buildings, and that the Welsh language is given prominence.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity 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 Career Choices Dewis Gyrfa, none of the commitments corresponded to the standard for audio announcements and messages in a body's workplace.⁸⁹

Career Choices Dewis Gyrfa stated that audio announcements were not made in the organization's workplace at present.

⁸⁷ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

⁸⁸ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

⁸⁹ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

However, Career Choices Dewis Gyrfa considered that making the standard in relation to this activity specifically applicable to them would be reasonable and proportionate.

Supplementary matters

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

Career Choices Dewis Gyrfa considered that making a selection of the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

Concerns were raised about the different approaches to publishing information in accordance with the requirements. It was noted that it is uncommon for them to record and publish information as outlined in standard 170 on their website or in offices open to the public. However, in responding to the requirements attached to standard 171, it was explained that they already published documents relating to their complaints procedure on their website and in public offices, in accordance with their internal Welsh language policy and Welsh language scheme.

In addition, they stated that the publication of an annual report on compliance with their Welsh language scheme was already current practice. In relation to the specific timetable provided in clause 3 of standard 173, the organization stated that it would be difficult to comply with this timetable unless it was aligned to their internal organization and their contractual obligations with the Welsh Government.

Promotion standards [143–144]

Career Choices Dewis Gyrfa confirmed that they did not consent for promotion standards to be potentially applicable to them.

Record keeping standards [145–157]

When analysing the current Welsh language scheme commitments of Career Choices Dewis Gyrfa, on average, 92% of commitments corresponded to the record keeping standards.⁹⁰

In providing information on the organization's current corporate arrangements in relation to record keeping, Career Choices Dewis Gyrfa stated that they already operated in accordance with the majority of the standards in monitoring and measuring the implementation of their Welsh language scheme.

Career Choices Dewis Gyrfa considered that making the standards in relation to this activity specifically applicable to them would be reasonable and proportionate.

⁹⁰ Average percentage of commitments within the Welsh language scheme of the person in question, which correspond to the standards for each activity, be that partially or fully.

Supplementary matters

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

Career Choices Dewis Gyrfa considered that making a selection of the standards in relation to this activity specifically applicable to them would be reasonable and proportionate. In terms of standard 178, it was noted that they did not currently publish any records as hard copies or online as outlined in the standards.

5 Evidence received from members of the public

Public Bodies: General (1)

A total of 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 the Public Bodies: General report. A total of 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 standards 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 the template supplied by Cymdeithas yr Iaith Gymraeg. 4 responses were received from other organizations or movements.⁹¹ 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 from where the respondents came from according to their group and geographical location.

Figure 1 Number of responses to the standards investigation by location⁹²

Locations	Number	Percentage (%)
Blaenau Gwent	1	0%
Bridgend	3	1%
Caerphilly	5	2%
Cardiff	32	11%
Carmarthenshire	21	7%
Ceredigion	30	10%
Conwy	9	3%
Denbighshire	22	8%
Flintshire	10	3%
Gwynedd	72	25%
Isle of Anglesey	19	7%
Merthyr Tydfil	3	1%
Monmouthshire	2	1%
Neath Port Talbot	2	1%

⁹¹ A list of those movements/organizations has been included within Appendix B of this standards report.

⁹² These statistics include all the responses to the questionnaire, along with Cymdeithas yr Iaith's template.

Newport	0	0%
Pembrokeshire	4	1%
Powys	9	3%
Rhondda Cynon Taf	13	4%
Swansea	16	5%
Torfaen	1	0%
Vale of Glamorgan	7	2%
Wrexham	4	1%
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: General (1)

Service delivery standards

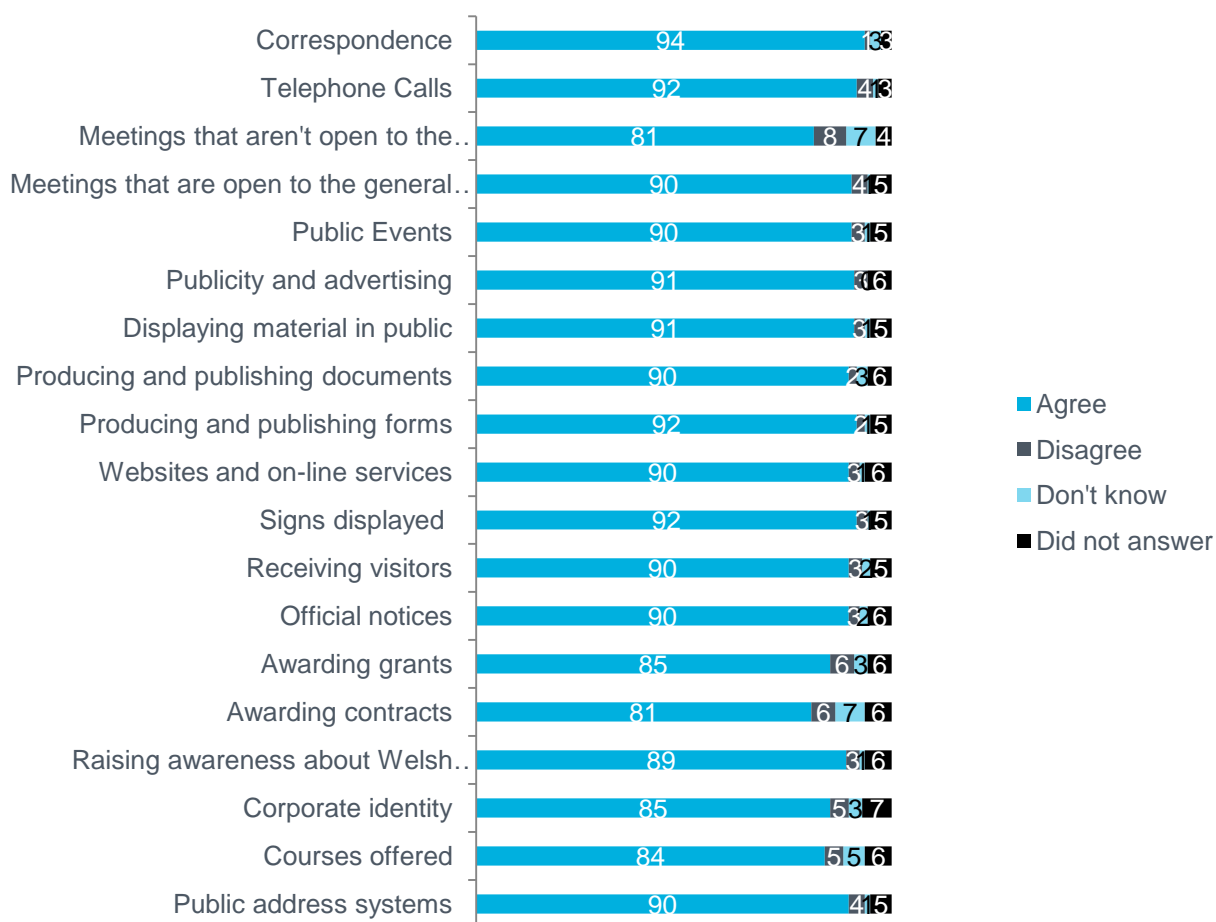
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the service delivery standards, they were asked to respond to the following question for each activity in the questionnaire:

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 various responses received.

Figure 2 Response to question 1 of the questionnaire - Service delivery standards



Policy making standards

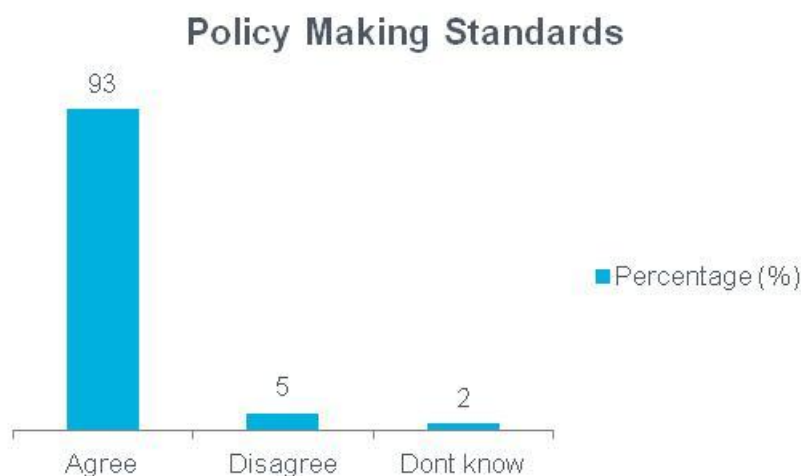
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the policy making standards, they were asked to respond to the following question in the questionnaire:

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 that responded via the questionnaire on the Welsh Language Commissioner's website, 94% (146) had answered this question. Of the 146 that responded, 93% (136) agreed that the relevant persons in question should have to consider their policy decisions, and ensure, or contribute to ensuring improved opportunities for persons to be able to use the Welsh language as well as 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 standards⁹³



Operational standards

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

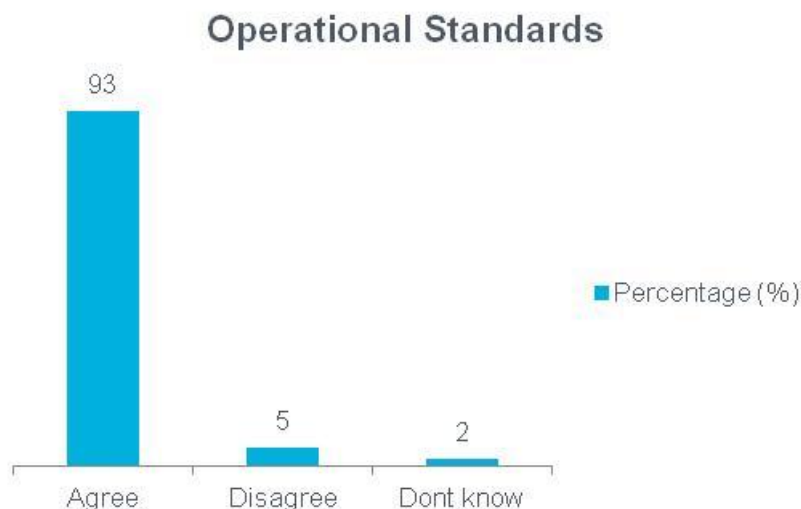
Do you agree or disagree that the organizations in question should have to facilitate the use of the Welsh language in accordance with the operational standards?

Of the 155 that responded via the questionnaire on the Commissioner's website, 94% (146) had answered this question. Of the 146 that responded, 93% (136) 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.

⁹³ It is noted that these statistics involve respondents who had answered this question

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

Figure 4 Response to question 4 of the questionnaire – Operational standards⁹⁴



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:

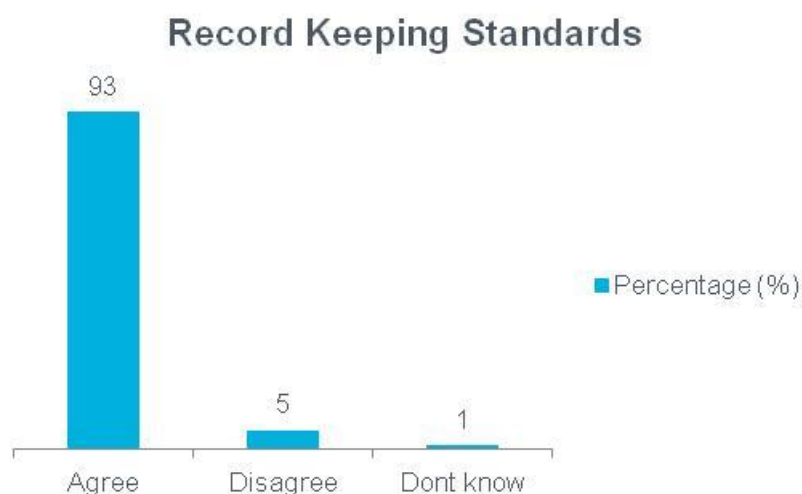
Do you agree or disagree that the organizations in question should keep a record of how they adhere to the Welsh language standards and keep a record of complaints?

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

⁹⁴ It is noted that these statistics involve respondents who had answered this 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 standards⁹⁵



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 that 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



Service delivery standards

Comments were received that stated 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 organized beforehand and services in the main reception areas.

The importance of personal meetings in education was emphasized, and attention was drawn to the fact that they were not of the opinion that the draft regulations would secure a

⁹⁵ It is noted that these statistics involve respondents who had answered this question. The rounding of figures may result in percentages which do not add up to 100% exactly.

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.

In relation to the standards regarding courses, many respondents emphasised the importance of professional training in health as well as the other sectors, and the need to specify standards that would guarantee Welsh medium professional development courses. Concern was also 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 those that are managed by the bodies.

One respondent noted that the standards in relation to education corporations (further and higher) should require them to commit to an educational provision, in Welsh and bilingually, using their own resources, as well as the resources received via external streams. It was added that the body in question should also stimulate student demand, as well as respond to it. The 'Welsh Language Regulations 2015'⁹⁶ 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 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 it specifically applicable in regulations to higher and further education corporations.

Operational standards

A number of responses were received from the public requesting 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.

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 emphasized the essential role of students' unions in providing services to the students jointly with the corporations in question, and referred specifically to support and academic representation as well as protecting the welfare and interests of the students.

The respondents 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 them and the union, and the responsibility it has to that end.

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 emphasized that it was fragmented, and often as a result of 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, causing the unions to treat the Welsh language less favourably than the English.

⁹⁶ <http://www.legislation.gov.uk/cy/wsi/2015/996/made/welsh/data.pdf>

In this respect, the respondent was of the opinion that Welsh Ministers should ensure that specific standards are set out 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 setting out 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.

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

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

The responses received by the Panel indicated supported for the purpose of the regulations, namely to realise the basic 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.

Similarly to what was noted in relation to the persons in respect of which standards investigations were carried out in round 1, the Panel were of the opinion that the reasonableness and proportionality of making the standards specifically applicable to the relevant persons should be considered alongside 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 public engagement; and the difference between setting standards and the timetable for complying with those standards.

This was supported by saying that reasonableness and proportionality may be considered in one of two ways. Different standards could be set for persons in different areas of Wales, reflecting the linguistic nature of the relevant areas, or common standards could be set across Wales, specifying different imposition days when they will be required to comply with the standard(s). For example, where an element of staff training is required to comply with the standard, a person could be given more time to comply with the standard than a person where appropriate staff resources are already available. The Panel were once again of the strong 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 organizations 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 emphasized that any requirements imposed on similar persons note those circumstances where they are expected to comply with the standard(s).

Public Bodies: General (1)

Service delivery standards

The Panel believed that service delivery standards relating to each one of the activities should be specifically applicable to persons falling within the Public Bodies: General (1) report, allowing members of the public to use the Welsh language in the situations in question.

In reaching this conclusion, the Panel stated that they did not find any reason why persons falling within the Public Bodies: General (1) report should not 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 were 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 emphasized that flexibility in exceptional circumstances would be required, drawing particular attention to documents which would be limited in terms of the subject or supposed target audience.

Similarly, the Panel believed that consideration should be given to the location of centres or offices belonging to the persons in question in issuing compliance notices. This was supported by stating that consideration would need to be given as to how reasonable it was for such persons to comply with a selection of the standards when they did not have a presence in Wales. The relevant clauses found in section 44(3) of the Measure were highlighted as a means for the Commissioner to address similar 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 will be conducted in round 2, emphasising the importance of compliance on all levels.

The Panel agreed that the policy decisions of those persons falling within the Public Bodies: General (1) report 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 those persons falling within the Public Bodies: General (1) report should be forced 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 is completely necessary to ensure compliance with the remainder of the standards with which they will be required to comply.

The Panel agreed that those persons falling within the Public Bodies: General (1) report should keep a record of how they adhere to the other designated standards, and keep records of complaints. The conclusion reached was 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 collected 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 is to modernize 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 was noted that section 42 of the Measure imposes a duty on Welsh Ministers to ensure that regulations provide for service delivery standards relating to all of the activities specified in Schedule 9 to be specifically applicable to the relevant persons if, and to the extent that, the persons 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 activity⁹⁷, be that to a greater or lesser degree, the Welsh Language Commissioner comes to the conclusion that all the standards in relation to that activity should be made specifically applicable to them. 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 to reflect this 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.

With this in mind, the Commissioner believes that there should be due regard to the University of Wales's commitment to merge with the University of Wales: Trinity Saint David in reaching a decision on the content of a compliance notice in due course.

⁹⁷ [Service delivery activity as defined in section 28 Welsh Language \(Wales\) Measure 2011](#)

The Welsh Language Commissioner is of the opinion that Welsh Ministers need to provide further guidance on the status of prospective and current students. Some relevant persons belonging to these groups have stated in their Welsh language schemes that they consider students to be members of the public. For clarification purposes, Welsh Ministers should ensure that the status of prospective and current students is clear in specifying standards in regulations.

The Welsh Language Commissioner asks Welsh Ministers for clarification on the status of Career Choices Dewis Gyrfa. As a fully owned subsidiary of the Welsh Government, it could be argued that Career Choices Dewis Gyrfa should be subject to these standards which are specifically applicable to Welsh Ministers and with which Welsh Ministers will have to comply in due course. Providers of career services are identified in Appendix 6 of this Measure. Should the legal status of Career Choices Dewis Gyrfa mean that they are a separate legal entity to Welsh Ministers, the Welsh Language Commissioner draws the following conclusions regarding making standards specifically applicable to them.

Standards which should be made specifically applicable to Public Bodies: General (1)

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: General (1) report should be able to deliver services in relation to the relevant activities.

Once again, the Commissioner wishes to note the importance of clearly differentiating between the commitments of the person (what is expected of them) and performance (the extent to which they currently comply with those expectations). Every Welsh language scheme is fully authorized by the person in agreeing on content. Not specifying standards that are equal, and making them specifically applicable to the persons in question, would be a step backwards and would 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. Those extents 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 users 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 had identified potential challenges and obstacles in terms of ensuring full compliance with some of the service delivery standards. The Commissioner is of the view that commitments proportional to the needs of Welsh users could be achieved with a reasonable timescale for action and dealing with any challenges.

The evidence provided by the relevant persons made it clear that there was uncertainty regarding the definition and coverage of some of the service delivery standards, along with the extent to which these standards are relevant to academic and educational activities undertaken by them.

Some of the higher education corporations stated that the service delivery standards in their current form were not suitable for their academic activities at present. Concerns were raised and ambiguity was identified with regard to the extent to which the standards cover some of the following activities undertaken by the relevant persons:

- providing and undertaking lectures (public)
- providing and undertaking academic conferences
- working with research initiatives
- working with industry
- displaying and publishing academic material

Conclusion 1: The Welsh Language Commissioner concludes that Welsh Ministers should ensure clarity with regard to the activities above, by ensuring that they are included within one or more of the current service delivery activities, when specifying standards in regulations.

From the evidence provided by the relevant persons, different interpretations were found amongst persons regarding awarding grants, with particular regard to financial assistance for students. Some of the relevant persons concluded that they awarded grants, based on financial assistance of this kind. Others concluded that they didn't award grants, although they acknowledged that they offered financial assistance to students who required it.

Similarly, a number of the higher education corporations provided evidence regarding the award of scholarships, awards and bursaries to prospective and current students, in considering the requirements attached to standards 69–73.

Conclusion 2: The Commissioner concludes that Welsh Ministers should ensure that the administration of offering financial assistance to students is included within the activity regarding a body awarding grants, when specifying standards in regulations.

Also, the fact that the persons have noted that they did not carry out each one of the activities in question is 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 this 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.

Furthermore, comments were received from members of the public that the standards in relation to education corporations (further and higher) should require that they commit to educational provision, both through the medium of Welsh and bilingually, using their own resources, as well as external resources received via other streams. This view was backed up by stating that those institutions concerned should also stimulate demand from students, as well as responding to it.

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 this standards report:

- correspondence sent by a body
- telephone calls made and received by a body
- meetings arranged by a body that aren't open to the general public
- meetings arranged by a body that are open to the public
- public events organised or funded in their entirety by a body
- a body's publicity and advertising
- displaying material in public
- a body producing and publishing documents
- a body producing and publishing forms
- a body's websites and on-line services

- signs displayed by a body
- receiving visitors at a body's buildings
- official notices made by a body
- a body awarding contracts
- raising awareness about Welsh language services provided by a body
- a body's corporate identity

Conclusion 4: The Welsh Language Commissioner concludes that Welsh Ministers ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to every relevant person within the higher education corporations and further education corporations groups:

- courses provided by a body
- public address systems used by a body

Cardiff University asked about the exact definition of an 'education course' found in the 'Welsh Language Standards Regulations 2015', in terms of the educational functions of higher education corporations.

Similarly, Career Choices Dewis Gyrfa stated that all of their 'educational courses' were provided in order to fulfil Welsh Ministers' legal duty to provide career-based information, guidance and support to all those of school age, including those in further education. It was noted that that duty was in accordance with section 8 of the Employment and Training Act 1973.

However, it should be noted that 'The Welsh Language Standards (No.1) Regulations 2015'⁹⁸ confirms the following:

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 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.

As a result, Career Choices Dewis Gyrfa did not consider that the standards were relevant to them. This view was expressed by referring to the restriction identified in the definition of 'education course' in relation to the activities and courses provided as part of the curriculum in line with an enactment.⁹⁹

Furthermore, it is unclear whether Career Choices Dewis Gyrfa's functions which are undertaken in line with the above enactment are included within this definition.

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.

⁹⁸ <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

⁹⁹ Paragraphs 37-38, Part 3, Welsh Language Standards Regulations (Welsh Ministers, County Councils and County Borough Councils, and National Park Authorities) 2015

Conclusion 5: The Welsh Language Commissioner concludes that Welsh Ministers should ensure further clarity regarding the definition of 'education course' with regard to the above matters when specifying standards in regulations, and making them specifically applicable to providers of career services.

Conclusion 6: Based on the present definition in the regulations, the Welsh Language Commissioner concludes that Welsh Ministers should ensure that the regulations make provision for service delivery standards in relation to the activities below to be specifically applicable to every relevant person within the 'providers of career services' group:

- courses offered by a body

Each person within the 'providers of career services' group considered that making the standards in relation to public address systems specifically applicable to them would be reasonable and proportionate.

Conclusion 7: 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 providers of career services group:

- public address systems used by a body

The majority of the persons within the higher education and further education corporations group confirmed that they now undertake the activities related to the standards in relation to awarding grants in Welsh, and that it would be reasonable and proportionate to make the standards specifically applicable to them.

However, the Open University confirmed that they were currently in the process of a gradual transfer of grant award responsibilities to Student Finance Wales and the Student Loans Company. The University of Wales reiterated this by stating that responsibility for undertaking the activity related to grant awards was being transferred to an independent trust from 2015 onwards.

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.

Conclusion 8: The Welsh Language Commissioner concludes that it should be ensured that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to every relevant person falling within the higher education corporations and further education corporations group:

- a body awarding grants.

Career Choices Dewis Gyrfa stated that they did not award grants. However, consideration should be given to the extent to which these standards are specifically applicable to the providers of career services as an activity which Career Choices Dewis Gyrfa could undertake in the future.

Conclusion 9: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the following activity should be specifically applicable to each relevant person within the providers of career services group, to the extent in which the relevant person has the power and functions:

- 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 persons falling within the Public Bodies: General (1) report should enhance opportunities for persons to use the Welsh language and ensure that the Welsh language is not treated less favourably than the English language.

The Commissioner's reasons for reaching this 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. All of this was confirmed in the evidence received from them as part of this standards investigation.

Furthermore, the vast majority of persons within each group in the Public Bodies: General (1) report stated that it would be reasonable and proportionate to make the policy making standards specifically applicable to them.

It is recognized that matters have been raised concerning the ability of some persons to comply with all the requirements related to the standards. Career Choices Dewis Gyrfa, along with some of the further education corporations, stated that they did not award grants and therefore aspects of the standards referring to grants were not relevant in the context of the organization's work. The University of Wales reiterated this by stating that responsibility for undertaking the activity related to grant awards was being transferred to an independent trust from 2015 onwards. 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.

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 approved by the UK Parliament on 19 July 1995). The 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 10: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that the regulations provide for making policy making standards

specifically applicable to all relevant persons falling within this standards report.

Operational standards

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

a standard that is intended to promote or facilitate the use of the Welsh language

- (i) by A in carrying out A's relevant activities,*
- (ii) by A and another person in dealings between them in connection with A's relevant activities, or*
- (iii) by a person other than A in carrying out activities for the purposes of or in connection with, A's relevant activities.*

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. In considering this, it may be necessary to ensure more time to ensure full compliance with the requirements.

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 this end, and based on the evidence received, the Commissioner concludes that it is reasonable and proportionate for these persons to allow their employees to undertake their relevant activities through the medium of Welsh.

A number of the higher education corporations provided evidence regarding student intranet systems, in considering the requirements attached to standards 118–124.

Conclusion 11: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that the definition of 'intranet' in relation to the above is clear when specifying standards in regulations.

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 draws the same conclusion for those organizations that have stated that they do not currently have any Welsh-speaking members of staff, in order to allow them to implement the other categories of standards.

Conclusion 12: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for operational standards in relation to the matters below are specifically applicable to all 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: General (1) report should identify how they uphold the standards with which they are expected to comply, as well as complaints. Welsh language schemes require the organizations in question to identify the action required to publish information on the organization's performance against the statutory requirements.

The majority of the relevant persons agreed that it was reasonable and proportionate for the record keeping standards to be specifically applicable to them, or they considered that several aspects of the standards were already in place. It is concluded that the majority of persons could comply with the requirements attached to the record keeping standards in due course.

Conclusion 13: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that the regulations provide for making record keeping standards specifically applicable to all relevant persons falling within this standards report.

Promotion standards

Glyndŵr University, Bangor University, Aberystwyth University and Cardiff University as well as Coleg Cambria, Bridgend College and Pembrokeshire College from within the groups contained within the Public Bodies: General (1) report confirmed that they wished to consent to making promotion standards potentially applicable to them.

Conclusion 14: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that the regulations provide for promotion standards to be specifically applicable to Glyndŵr University, Bangor University, Aberystwyth University, Cardiff University, Coleg Cambria, Bridgend College and Pembrokeshire College.

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) 2015'¹⁰⁰ 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'¹⁰¹, 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 no reason and that regulators should be able to provide authoritative and accessible advice.

Similarly, it is also acknowledged that it is not possible for inspection bodies to supervise everything undertaken by service providers, i.e. there is an increasing expectation for service providers to ensure that they have strong internal scrutiny and auditing procedures. In addition, self-assessment is playing an increasingly important role within external inspection procedures.

Some persons raised the issue of the timetable for a number of standards relating to supplementary matters. Specific reference was made to the use of the financial year as a period of record keeping for reporting on performance. Preference was given to following the pattern of an academic year instead. However, there should be consistency with the reporting schedule set out in 'The Welsh Language Standards Regulations 2015'¹⁰² in respect of the above.

Conclusion 15: 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 making the standards which deal with supplementary matters specifically applicable to all relevant persons falling within this standards report.

¹⁰⁰ <http://www.legislation.gov.uk/en/wsi/2015/996/made/data.pdf>

¹⁰¹ <http://gov.wales/docs/dpsp/publications/inspectionpolicystatement/090930inspstatementen.pdf>

¹⁰² <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

Additional standards which should be made specifically applicable to persons falling within the Public Bodies: General (1) 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 standards should be added to those published by the Welsh Government on 7 November 2014. This opinion is based on evidence received from the public and relevant persons as part of the standards investigation.

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.'¹⁰³

Conclusion 16: 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 this standards 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

It is understood by the Welsh Government that the service delivery standards relating to courses provided by a body (82-84) do not deal with courses provided as part of the curriculum. This means that the standards as published on 7 November 2014 do not deal with the educational provision of relevant person within the Public Bodies: General (1) report.

A range of considerations are associated with achieving the above objectives, and standards that reflect this could be formulated. Consideration must be given to measuring the demand for Welsh medium education provision (or training); together with the workforce's skills and ability to deal with the demand.

¹⁰³ <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

Conclusion 17: The Welsh Language Commissioner concludes that Welsh Ministers should specify standards relating to the following, and making them specifically applicable to further education corporations and higher education corporations:

- measuring the demand for education and/or training provision through the medium of Welsh;
- measuring and recording the need for vocational skills through the medium of Welsh among the workforce and taking appropriate steps to ensure that plans are made to meet that demand as part of the educational and/or training provision that is offered.

Activity: careers guidance

14-19 year old learners have the right to receive specialist guidance regarding their careers. Careers guidance has already been dealt with in the relevant Welsh language schemes.

Conclusion 18: The Welsh Language Commissioner concludes that Welsh Ministers should specify a standard(s) for providing career guidance, in order to outline the benefits of the Welsh language in offering career advice or guidance to learners, and making them specifically applicable to all relevant persons falling within this standards report.

Activity: Students' unions

As was seen when discussing the public's response to the standards investigation, many comments were received regarding the need to make the standards potentially applicable and specifically applicable to the Students' Unions. The view that Students Unions play an important part in providing services to students and contributing to student experience was expressed. Although not fixed practice, there is a precedent of Welsh language schemes acknowledging the relationship between one corporation and the Union, and the corporation's responsibility in this respect.

Conclusion 19: The Welsh Language Commissioner concludes that Welsh Ministers should specify a standard relating to the setting of Welsh language conditions in awarding grants, or providing any other financial assistance to a Students' Union, and making them specifically applicable to further education corporations and higher education corporations:

Activity: Submitting work and sitting exams

A precedent has been set amongst some relevant persons within the higher education corporations group and further education corporations group of ensuring that students are able to submit work through the medium of Welsh. Although this is not fixed practice across the board, examples were seen in Welsh language schemes of persons establishing a student's right to submit work, such as assignments, and to sit exams through the medium of Welsh.

It should be noted that the Welsh Language Commissioner has received complaints in the past regarding the quality of translations of student work.

Conclusion 20: The Welsh Language Commissioner concludes that Welsh Ministers should specify standards in relation to the following, and making them specifically applicable to further education corporations and higher education corporations:

- allowing students to submit work through the medium of Welsh, in the form of assignments or exams, and
- ensuring that translations of students' work does not treat the Welsh language less favourably than the English language.

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
- the 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'.¹⁰⁴

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; and
- a means of submitting the relevant evidence on the positive and negative effects of such interventions for the purposes of scrutinizing that evidence.¹⁰⁵

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 included 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.

¹⁰⁴ Section 76 (2) (a) The Government of Wales Act 2006.

¹⁰⁵ <http://wales.gov.uk/docs/legislation/guidance/091020riacodeen.doc>

Appendix A – General comments received from members of the public in relation to round 2 of the standards investigations

The responses received were generally supportive of the concept of specifying standards, to ensure that Welsh speakers have clear rights in relation to the Welsh languages 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 overall.
- ensure that the process of awarding or dealing with tenders or contracts is not beyond 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 the 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 the Welsh should appear or be announced first

Service delivery standards

Comments were received from members of the public calling for the need to ensure that specific standards are identified 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'. This was supported by stating 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 the draft regulations, because the standards in relation to receiving a Welsh language service face to face did not go beyond personal meetings organized 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 attention was drawn 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, keeping in mind that a number of organizations in the field of justice had included them 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 regarding courses, many respondents emphasized the importance of professional training in health as well as the 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, the 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.

Many 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.

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 an educational provision, in Welsh and bilingually, 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 2015'¹⁰⁶ 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 these policies form the bases 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.

¹⁰⁶ Paragraph 37, Part 3, Schedule 1, Welsh Language Standards (Welsh Ministers, County and County Borough Councils, and National Park Authorities) Regulations 2015

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 constriction of the 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, Wales Millennium Centre, S4C, Natural Resources Wales, the National Library of Wales and the Welsh Books Council in terms of contributing to the Welsh language as a working 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 Welsh administration organizations 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 in revising relevant 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 stated that it should be ensured that a standard is specified to impose a duty on organizations to offer intense Welsh learning programmes.

Some comments were received which expressed the view that organization offices outside Wales should be exempt from operational standards.

Record keeping standards

Many responses were received which were of the strong 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 emphasized the essential part of the students' union in providing services to the students along with the corporations in question, and referred specifically to 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 to that end.

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 emphasized that it was fragmented, and often a result of 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, which meant the unions treated 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 set out 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 setting out these types of standards would mean that the language 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

- Bridgend College
- Cardiff and Vale College
- Coleg Cambria
- Coleg Gwent
- Coleg y Cymoedd
- Gower College Swansea
- Pembrokeshire College
- St David's Catholic College
- Grŵp Llandrillo Menai
- NPTC Group
- Aberystwyth University
- Bangor University
- Cardiff Metropolitan University
- Cardiff University
- Glyndŵr University
- Swansea University
- The Open University
- The University of South Wales
- The University of Wales
- The University of Wales: Trinity Saint David
- Career Choices Dewis Gyrfa

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
- Siân 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 Gymraeg
- 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