



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Welsh Language Commissioner's Regulatory Framework

May 2026

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1 Background and context

- 1.1 We have decided to publish this Regulatory Framework to explain how we will operate our programme of work regulating the Welsh language Standards and Welsh language schemes, including our approach to promoting, supporting and securing compliance.
- 1.2 Through our regulatory work, we operate a programme of activities designed to enable and improve compliance, by providing clarity, advice and support to organisations, as well as monitoring and assessing compliance with statutory duties and taking further action where appropriate.
- 1.3 Our first Regulatory Framework was published in April 2016, at the time when the first standards were introduced. A revised framework was published in 2021, placing greater emphasis on evaluating the impact of the standards, as well as on the need to support organisations to understand and apply the requirements in practice.
- 1.4 The purpose of this revised Regulatory Framework is to explain the overall approach we adopt to regulating compliance. It sets out how we will prioritise our promoting compliance work, including providing guidance, advice and support, alongside monitoring activity and formal regulatory action.
- 1.5 The Framework also reflects a deliberate shift towards a co-regulatory approach, where the Commissioner and organisations subject to the standards share responsibility for ensuring that statutory duties are understood, embedded and implemented effectively. In this context, the Framework emphasises the importance of ongoing dialogue, clarity of expectations and constructive collaboration to enable sustainable compliance.
- 1.6 Central to this approach is a clear focus on the regulatory outcomes we seek to achieve — namely improved experience and equal access to Welsh language services for users — rather than technical compliance alone.
- 1.7 In line with principles of good regulatory practice, we will use risk assessments to prioritise the use of our time and resources, focusing on activities — including our work in promoting compliance — that are most likely to lead to sustainable improvements in compliance.
- 1.8 Part 5 of the Welsh Language (Wales) Measure 2011¹ confers enforcement powers on the Commissioner. This Framework does not deal directly with our enforcement activity; further details are set out in our Enforcement Policy². The approaches and principles set out in this Framework do not limit or interfere with those enforcement powers but rather explain how they are complemented by a proactive approach to promoting compliance.

¹ <https://www.legislation.gov.uk/mwa/2011/1/part/5>

² <https://www.welshlanguagecommissioner.wales/regulation/enforcement-policy>

2 Our regulatory systems

- 2.1 At present, two regulatory systems exist in relation to language duties in Wales: the Welsh language Standards, and Welsh language schemes approved under previous legislation.
- 2.2 The Welsh language Standards, introduced under the Welsh Language (Wales) Measure 2011, place specific statutory duties on individual organisations, clearly setting out the services and activities that must be provided in Welsh. The standards form part of a regulatory system with clear monitoring, investigation and enforcement mechanisms, and are designed to ensure consistency, transparency and fairness across sectors and organisations.
- 2.3 Welsh language schemes, on the other hand, are based on individual commitments made by organisations to treat Welsh and English on the basis of equality. While many of these schemes have played an important role in developing Welsh-language provision over time, they vary significantly in terms of scope, level of detail and approach, and they are not part of the same statutory regulatory framework as the standards.
- 2.4 In this context, we have consistently expressed our strategic aspiration to move progressively away from reliance on language schemes towards a system where organisations are brought under the Welsh language Standards. We consider that this provides a more robust, consistent and transparent basis for regulating the public's language rights.

Welsh language Standards

- 2.5 The Welsh Language (Wales) Measure 2011 is the legislation that created the Welsh language Standards.
- 2.6 The Welsh language Standards explain how organisations are expected to use Welsh in different situations. The duties arising from the standards mean that organisations should not treat Welsh less favourably than English and should also promote and facilitate the use of Welsh.
- 2.7 Organisations are required to comply with standards in the following areas:
 - Service delivery
 - Policy making
 - Operational activity
 - Promotion
 - Record keeping
- 2.8 The purpose of the standards is to make it clearer which services people can expect to receive in Welsh, and to ensure that those services are consistent.

- 2.9 Compliance notices are the legal documents that set out which standards (i.e. duties) organisations must comply with, and by when. The Commissioner issues compliance notices to organisations, and these are published on the [Commissioner's website](#).

Welsh language Schemes

- 2.10 Public bodies that are not currently operating under the Welsh language Standards continue to operate Welsh language schemes under the Welsh Language Act 1993.
- 2.11 The 1993 Act established the principle that, in the conduct of public business and the administration of justice in Wales, Welsh and English should be treated on the basis that they are equal.
- 2.12 Welsh language schemes set out which services will be provided in Welsh in accordance with that principle, and the Commissioner is responsible for regulating their implementation.

3 Our approach to co-regulation

- 3.1 We regulate to secure meaningful progress in the opportunities available for people to use Welsh and, in doing so, contribute to our vision of a Wales where people can use Welsh naturally in their everyday lives.
- 3.2 To achieve this aim, we adopt a co-regulatory approach in exercising our regulatory functions, combining the assurance of compliance with statutory requirements with support for continuous improvement and the delivery of meaningful outcomes for Welsh-language service users.
- 3.3 This approach is not limited to securing technical compliance alone. We seek to influence sustainable change in the way organisations subject to the Welsh language Standards, or operating Welsh language schemes, plan, organise and deliver Welsh-language services.
- 3.4 Central to this approach is a clear expectation that senior leadership and appropriate governance arrangements within organisations will support sustainable ownership of language duties, including through the allocation of resources, capacity-building and performance monitoring.
- 3.5 Organisations are expected to take clear ownership of their language duties, embedding relevant requirements within their governance, planning and operational arrangements. This includes being proactive in identifying and sharing challenges, risks or potential failures, and seeking to drive continuous improvement.
- 3.6 At the same time, the Commissioner is committed to providing clarity, consistency and appropriate support to enable organisations to understand and apply their duties in practice. This includes offering guidance and advice, facilitating constructive dialogue, and using regulatory interventions in a proportionate, timely and targeted manner.
- 3.7 Through this co-regulatory approach, our aim is to prevent avoidable failures and support continuous improvement, while retaining the ability to use enforcement powers where necessary and appropriate, to protect the interests of Welsh-language service users.

4 Regulatory outcomes

4.1 We regulate with a clear strategic purpose and are explicit about what we seek to achieve when making regulatory decisions. Consistent with our commitment to a co-regulatory approach, we have defined and published the following regulatory outcomes:



Outcome 1: Organisations with the capacity to deliver high-quality Welsh language services at all times



Outcome 2: Welsh language users have an understanding and awareness of the Welsh language services available to them



Outcome 3: Organisations give due regard to the potential impacts of their policy decisions on the Welsh language



Outcome 4: Organisations increase the use of Welsh in their workplace, enabling staff to work in Welsh on a day-to-day basis



Outcome 5: Organisations promote the Welsh language so that people can use the language naturally in their daily lives



Outcome 6: Organisations protect and promote the interests of Welsh language users by having effective governance and complaints arrangements



4.2 Our intention in introducing these regulatory outcomes is, among other things, to:

- place the Welsh language Standards and our regulatory work within the wider national vision of increasing both the number of Welsh speakers and the use of the Welsh language
- provide transparent public statements of what we aim to achieve, and how we will be able to demonstrate achievement
- ensure that our regulatory activities are focused on outcomes for Welsh-language users and have the greatest impact on opportunities to use Welsh

- mitigate the risk of organisations focusing on narrow compliance rather than positive outcomes for Welsh-language users.
- 4.3 We want these outcomes to represent shared goals and objectives of organisations, Welsh-language users and ourselves as the Welsh Language Commissioner, and for them to be jointly owned.
- 4.4 The need to achieve these outcomes will guide our regulatory approach and decision-making, and we will target our resources where the risks to achieving those outcomes are greatest.
- 4.5 The following section sets out the principles that guide how we apply this co-regulatory approach and outcomes focus when regulating Welsh language Standards and Welsh language schemes.

5 Our regulatory principles

- 5.1 In exercising our regulatory functions, we are guided by a clear set of principles that support sustainable compliance, improve the experience of Welsh-language service users, and ensure that our work is proportionate, consistent and effective.
- 5.2 We adopt a **risk-based** regulatory approach, prioritising our resources and interventions where risks to the interests of Welsh-language users are greatest, or where there is the greatest potential to improve regulatory outcomes.
- 5.3 We seek to **prevent avoidable failures** through clarity of expectations, early engagement and appropriate guidance. However, where this does not lead to sufficient improvement, we will intervene in a robust and proportionate manner.
- 5.4 We act **fairly and consistently**, ensuring that organisations in similar circumstances are treated in similar ways, while continuing to consider specific context, impact and risk when making regulatory decisions.
- 5.5 **Transparency and accountability** are central to our approach. We will explain the basis for our regulatory decisions and seek to ensure that organisations and the public understand how and why regulatory interventions are selected.
- 5.6 These principles should be read alongside the sections on co-regulation and regulatory outcomes, as together they provide the interpretative framework for the regulatory regime described in this document.

Considerations when regulating

- 5.7 The Welsh Language (Wales) Measure 2011 establishes the official status of the Welsh language in Wales and makes provision for:
 - promoting and facilitating the use of Welsh and ensuring that Welsh is treated no less favourably than English;
 - imposing Welsh language Standards, including duties to comply with those standards and the rights arising from enforceability;
 - investigating interference with individuals' freedom to use Welsh.
- 5.8 In regulating, we give particular consideration to the impact of our interventions on the experiences of Welsh-language users. This consideration is central to our work and informs how we seek to increase opportunities to use Welsh-language services.
- 5.9 To achieve this, it is important to understand and record the language experiences of users, including identifying barriers that prevent them from using Welsh. This includes analysing information about organisational compliance and forming professional judgements based on evidence.
- 5.10 In forming professional judgements, we will place emphasis on understanding trends and patterns over time, as well as considering individual cases, in order to identify

systemic weaknesses and target interventions likely to lead to sustainable improvement.

5.11 We will act on these findings by using a range of regulatory methods and powers, targeting our resources where need and risk to regulatory outcomes are greatest.

5.12 When regulating organisational performance and compliance, our primary objectives are to:

- promote and secure compliance
- address information gaps and improve our understanding of risks and weaknesses
- encourage self-regulation and organisational ownership
- address failings in a proportionate and timely manner.

5.13 To meet these objectives, we will use a combination of regulatory methods, including:

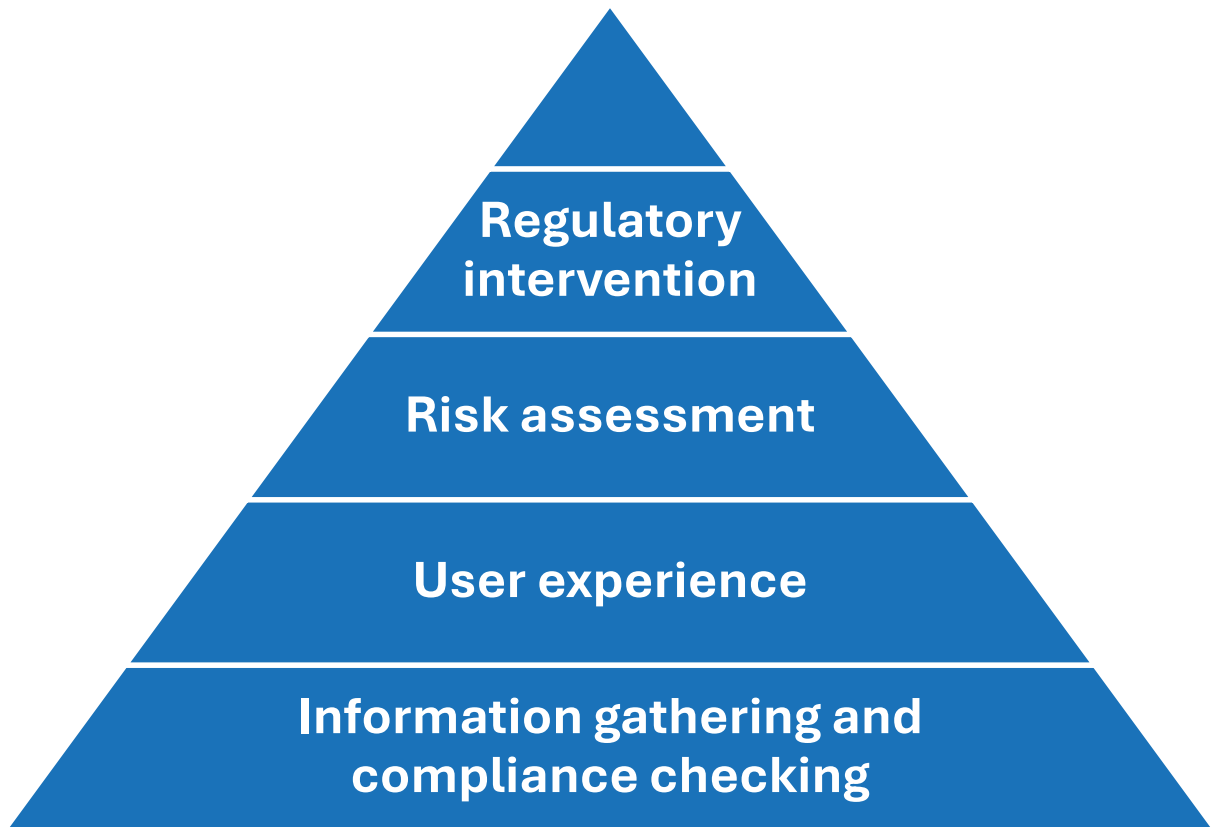
- direct checking and monitoring
- requesting written evidence
- meetings and engagement with organisations
- engagement with service users
- carrying out investigations where there are suspicions of failure;
- collecting and sharing good practice
- delivering educational activities
- providing advice and guidance.

6 Our model for promoting compliance

- 6.1 Our promoting compliance model provides a clear framework for how we monitor, assess and support compliance with the Welsh language Standards and Welsh language schemes.
- 6.2 The aim of the model is to enable organisations to understand and fulfil their language duties, while ensuring that any regulatory intervention is proportionate, risk-based and focused on impact for Welsh-language service users. The model is guided by the principle of using the least intrusive intervention necessary to achieve the objective, seeking to prevent avoidable failures through clarity, early engagement and support, before moving to more formal action where appropriate.
- 6.3 The model is delivered through a promoting compliance plan, which will include, among other things, a programme of events, engagement sessions and support activities throughout the year. Our [programme for promoting compliance](#) is published on the Commissioner's website and updated regularly during the year.
- 6.4 This model does not rely on a single mechanism, but on collecting and interpreting information from a wide range of sources. We will draw on findings from thematic work, reports, surveys and operational experience to provide guidance, clarify expectations and inform the ongoing evolution of the regulatory framework itself.

Layers of the promoting compliance model

- 6.5 The model operates across four interconnected layers.



Layer 1: Information gathering and compliance checking

6.6 Our promoting compliance work draws on a wide range of methods and information sources, including:

- direct checking, such as accessing services as a real user (e.g. telephone services, reception points), and checking public-facing materials such as websites, social media, documents and online services
- checking compliance with supplementary standards and record-keeping duties (or equivalent duties under language schemes), to assess whether organisations:
 - clearly notify users about their Welsh-language provision;
 - have adequate arrangements to monitor compliance;
 - promote Welsh-language provision; and
 - deal appropriately with complaints;
- requests for written evidence, where organisations are asked to provide relevant information or documentation to demonstrate how they comply.

These methods provide a combination of formal evidence about organisational performance.

Layer 2: Understanding user experience and qualitative evidence

6.7 Where deeper understanding of an organisation's performance is needed, we will use qualitative engagement methods, including:

- focus groups or structured engagement work
- online surveys or collection of feedback from service users.

These methods help us to understand real-world experiences of Welsh-language users, identify barriers, and provide context to other evidence.

Layer 3: Risk assessment and determining the appropriate response

6.8 All information collected is brought together to form a professional judgement on levels of compliance and risk. As part of this process, we will consider:

- the nature and seriousness of any potential failings
- whether issues are isolated or systemic
- the potential impact on the experience of Welsh-language users.

6.9 Where there is not a high level of assurance of compliance, we will consider the most appropriate actions, acting proportionately and progressively.

Layer 4: Regulatory intervention and further action

6.10 Available actions, in line with the principle of least intrusive intervention, may include:

- reminding organisations of the requirements of the standards or language schemes
- providing advice, guidance or signposting to codes of practice
- holding meetings to identify solutions to specific issues
- writing to organisations to invite representations before deciding whether to investigate
- carrying out educational activities or sharing examples of effective practice
- producing guidance documents or undertaking thematic work to address systemic issues
- conducting audits and publishing findings
- publishing reports (including annual reports) on performance findings to support improvement.

6.11 Where these actions do not lead to sufficient improvement, or where the risk to users is significant, we may escalate to a statutory investigation and, where appropriate, use enforcement powers available under Part 5 of the Welsh Language (Wales) Measure 2011.

7 Working with other regulatory and scrutiny bodies

- 7.1 We have a general responsibility to work effectively with other regulatory and scrutiny bodies in Wales, to add value, reduce unnecessary burden on organisations, and contribute to improved services and outcomes for the citizens of Wales.
- 7.2 There are several other regulators and statutory bodies in Wales with specific responsibilities and duties in relation to the Welsh language, or with direct influence on the quality and accessibility of Welsh-language services. These include, for example, Medr, Qualifications Wales and Social Care Wales. Each of these bodies has a distinct remit, and it is important that these roles are understood and respected.
- 7.3 In this context, we will seek to develop constructive working relationships with such bodies, engaging and sharing information in an appropriate and proportionate manner. The aim of this work is to ensure that regulatory activity is coordinated where appropriate, and that gaps or duplication do not arise that could undermine the effectiveness of the system or create confusion for organisations and the public.
- 7.4 While working in this way, the Commissioner will continue to exercise its statutory functions independently, ensuring that any collaborative arrangements support — and do not undermine — its regulatory role. Through joint working with other regulators, the Commissioner aims to contribute to a more coherent, efficient and effective regulatory system that supports the delivery of positive outcomes for Welsh-language users across public services in Wales.