

Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner



# Policy on awarding grants

## Good practice advice document

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The Commissioner's good practice advice documents offer practical ideas about how to comply with statutory duties, and promote use of the Welsh language.

The advice documents refer to the requirements of specific statutory duties, but please note:

- Organisations that aren't subject to the specific duties referred to can apply the principles and examples to their own situation
- The advice documents do not legally bind organisations. Organisations must depend on their own legal advice in interpreting and implementing language duties
- The advice documents are not standards codes of practice under section 68 of the Welsh Language Measure, so it is not required to refer to the advice documents when considering the interpretation of the Welsh language standards. [The Commissioner's codes of practice](#) for Welsh language standards regulations are on the website (see section 1 of the codes of practice for the legal status of the codes).

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## Checklist

The ideas and practices within the advice are summarised in this checklist. Remember that some of the points below are requirements in the standards, and others are good practice.

Step	In action?
Produce a policy for considering the Welsh language when awarding grants, which requires the organisation to:	
<ul style="list-style-type: none"><li>○ identify positive and adverse effects in terms of opportunities to use Welsh and not treating Welsh less favourably than English</li></ul>	
<ul style="list-style-type: none"><li>○ consider how to take and implement the decision in a way that increases positive effects on the Welsh language</li></ul>	
<ul style="list-style-type: none"><li>○ consider how to take and implement the decision in a way that minimises adverse effects on the Welsh language</li></ul>	
<ul style="list-style-type: none"><li>○ consider what further information is needed in order to assess the effect on the Welsh language.</li></ul>	
Ensure that the policy includes useful information, for example:	
<ul style="list-style-type: none"><li>○ a list of grants to which the policy will apply</li></ul>	
<ul style="list-style-type: none"><li>○ the organisation's arrangements for assessing the effects in the areas above</li></ul>	
<ul style="list-style-type: none"><li>○ what factors will be considered, including direct and indirect effects, and positive and adverse effects.</li></ul>	
Ensure that the organisation's materials and arrangements, and staff responsibilities, are adapted to facilitate the operation of the policy, for example:	
<ul style="list-style-type: none"><li>○ materials and arrangements for promoting and advertising grants</li></ul>	
<ul style="list-style-type: none"><li>○ materials and arrangements for receiving applications (e.e. forms)</li></ul>	
<ul style="list-style-type: none"><li>○ materials and arrangements for assessing applications, and the staff responsible for doing so</li></ul>	
<ul style="list-style-type: none"><li>○ materials and arrangements for any interviews</li></ul>	
<ul style="list-style-type: none"><li>○ scoring system or criteria for grants</li></ul>	
<ul style="list-style-type: none"><li>○ terms and conditions of grants</li></ul>	
<ul style="list-style-type: none"><li>○ materials and arrangements for monitoring and reporting.</li></ul>	

## 1 Requirements of the standards

### What is the purpose of the standards regarding policies on awarding grants?

- 1.1 Welsh language standards are not just about service delivery. Public organisations make various decisions that have the potential to have far-reaching effects on the Welsh language, whether directly or indirectly – many of the decisions made by organisations have a social and economic impact which in turn has an impact on the Welsh language.
- 1.2 Therefore, alongside requirements which give specific rights to users and staff to use Welsh when dealing with organisations, there are requirements for considering the impact of decisions on the Welsh language.

#### Standards about policy decisions

- 1.3 There is a set of standards about considering the Welsh language in general policy decisions – any policy decision that an organisation makes, including decisions on the content of legislation, the exercise of statutory powers, the content of policy statements, strategies or strategic plans, and internal structures. The Commissioner also has good practice advice on those standards. The standards relating to policy decisions set out specific steps that need to be followed in order to identify the effects of policy decisions on the Welsh language, and then consider how negative effects can be minimised and positive effects maximised. There are also requirements regarding consultation on policy decisions.

#### Standard about a policy on awarding grants

- 1.4 This document deals with a separate standard which aims to ensure that decisions on awarding grants identify the effects on the Welsh language, and then consider how negative effects can be minimised and positive effects maximised. Unlike the other policy making standards, the requirement of this standard is that organisations formulate and publish a policy setting out how they will consider the Welsh language when making decisions on awarding grants.
- 1.5 This means that organisations can provide details of the grants they decide to award, and what process will be followed, specifying which steps will be taken in the organisation's specific circumstances, considering the grants that it awards.
- 1.6 This document is about the requirements of the standard and Welsh language issues. General arrangements for awarding grants are a matter for the organisation.

#### Standards about grant process

- 1.7 There are other standards relating to service delivery in terms of the administration of grant applications. This advice does not deal with those standards, but your policy on awarding grants may refer to those standards, and how you will enable people to use Welsh when applying for grants.

## What exactly are the requirements of the standards regarding a policy on awarding grants?

- 1.8 The standard requires organisations to have a policy setting out how you will consider specific issues in relation to the effects on the Welsh language when making decisions on awarding a grant.
- 1.9 The wording of the standard in the Welsh language standards regulations nos. 1, 2 and 5 is as follows:

You must produce and publish a policy on awarding grants (or, where appropriate, amend an existing policy) which requires you to take the following matters into account when you make decisions in relation to the awarding of a grant—

(a) what effects, if any (and whether positive or negative), the awarding of a grant would have on—

- (i) opportunities for persons to use the Welsh language, and
- (ii) treating the Welsh language no less favourably than the English language;

(b) how the decision could be taken or implemented (for example, by imposing conditions of grant) so that it would have positive effects, or increased positive effects, on—

- (i) opportunities for persons to use the Welsh language, and
- (ii) treating the Welsh language no less favourably than the English language;

(c) how the decision could be taken or implemented (for example, by imposing conditions of grant) so that it would not have adverse effects, or so that it would have decreased adverse effects on—

- (i) opportunities for persons to use the Welsh language, and
- (ii) treating the Welsh language no less favourably than the English language;

(ch) whether you need to ask the applicant for any additional information in order to assist you in assessing the effects of awarding a grant on—

- (i) opportunities for persons to use the Welsh language, and
- (ii) treating the Welsh language no less favourably than the English language.

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### Welsh language standards (regulations no. 1, 2, 5)

- 1.10 In regulations no. 6 (which apply to colleges and universities), the wording of the standard is the same except that it refers to 'awarding grants **or providing financial assistance**'.
- 1.11 The standard is not included in regulations no. 4 (tribunals in Wales) or no. 7 (health organisations).

## Producing and publishing the grants policy document

- 1.12 Compliance with the standard may be achieved by:
- producing a specific document about considering the Welsh language when awarding grants
  - including information that meets the standard's requirements in a document which deals with the organisation's compliance arrangements generally, **or**
  - including the information in a document which outlines the organisation's other arrangements for awarding grants.
- 1.13 The standard says the document must be 'published'. Although the standard does not specifically say so, the most common approach by organisations will most likely be to publish the document on their websites. You can also make hard copies available at your offices on request.
- 1.14 The duty to produce and publish the document is in force from the imposition day set out in your compliance notice.

## Implementing the policy

- 1.15 The wording of the standard makes it clear that the policy is expected to bind the organisation, and to change how the organisation operates – the policy is intended to **require** organisations to take specific actions stated in the standard.
- 1.16 To ensure that this happens, you can consider:
- formally adopting the policy, for example through a cabinet or management board decision
  - changes to other organisational procedures and documentation
  - ensuring that all staff involved in decisions on awarding grants know what is expected, for example through training and briefings.
- 1.17 It will be helpful if the responsibilities for implementing the policy are clear, with:
- decision-makers acting in accordance with the processes set out in the policy
  - arrangements for having someone with the relevant Welsh language expertise and experience as part of the process – for example the organisation's language officer, or a team specialising in the use of Welsh
  - accountability arrangements for checking that decisions consider the Welsh language effectively.

## What can go wrong?

- 1.18 In monitoring the provision of organisations, and through receiving complaints and conducting investigations, we learn how organisations are complying with the standards. Over recent years, we have seen some shortcomings in the way in which organisations implement this standard. This includes:
- organisations not having produced and published a policy even though they are under a duty to do so
  - an organisation having developed a policy, but the policy not addressing all the issues required in the standard
  - an organisation having developed a policy but associated guidance or procedures not ensuring that the Welsh language is considered when making relevant decisions
  - an organisation not considering that some transfers of funds are grants for the purposes of the standards – in other words, interpreting the standard too narrowly.

## 2 When the policy on awarding grants will be implemented

### List of relevant grants

- 2.1 The policy can set out the circumstances in which you will act in accordance with the policy. This usually takes the form of a list of the grants you award.
- 2.2 The standard applies to every single decision you make with regard to awarding grants. This is also the case for grants you decide upon but which are the responsibility of (or are administered by) another organisation. The policy can include these grants and identify, if relevant, what specific action you will take with them, if this is different.

### Definition and examples of grants

- 2.3 A 'grant' is usually a permanent transfer of money to a person, that does not need to be repaid nor returned. The term 'grant' includes any financial support which a body provides to a person for a specific project or purpose. A grant will usually only cover part of the total costs. Grants are usually used in accordance with specific terms and conditions. The term may include financial support or a benefit, but does not include a sum of money that is given to a person through a procurement process, for example services that are commissioned.
- 2.4 We have seen examples of organisations interpreting the standard too narrowly – for example, only considering things they call 'grants', although the definition of a grant includes other types of financial transfers. In each case the Commissioner will refer to the above definition.
- 2.5 The amount of money is irrelevant – the standard covers small and large grants.
- 2.6 Examples of grants include financial support:
  - to arrange a small or large event, for example a festival, competition, course or conference
  - to run a project
  - to produce or publish something, for example a record, book, leaflet or artwork, signage
  - for the construction, alteration, rental or purchase of property or other resource
  - to employ staff
  - to provide a service
  - to contribute to a particular person's living costs, for example a maintenance grant or student scholarship
  - to run an organisation, business or body for a specified period of time.

#### Example

[The National Lottery Community Fund's policy is here.](#)



### 3 Changes to processes and materials

- 3.1 Some processes or materials may need to be changed to achieve the commitments set out in the policy. The policy can outline what will happen in order to achieve this.
- 3.2 Ideally, the policy, processes and associated materials will mean that anyone who follows them is likely to reach a similar conclusion to what a colleague would determine.

#### **Responsibilities and timeframe**

- 3.3 It is crucial that whoever considers the effect on the Welsh language within the decision making process has the knowledge and expertise to do so effectively. This can be achieved either by upskilling and training the staff who would carry out the work anyway, or by bringing in an expert (e.g. the organisation's language officer).
- 3.4 Again, it is up to you at what point the Welsh language is considered. However, as the example process below shows, a number of stages throughout the process can facilitate consideration of the Welsh language. In addition, we would like to see the effect on the Welsh language being considered soon enough so as to have a real impact on the decision and on how it will be implemented.

#### **Example process and materials**

- 3.5 Below is an example of a process for considering the effect of awarding a grant on the Welsh language, which refers to specific materials that may need to be provided or changed.
- 3.6 The sections that follow in this advice document provide suggestions on how to implement some of the points below.

## Example process for awarding a grant – how Welsh language considerations can be integrated

### Advertising the grant

**Information material** regarding the grant to state that the organisation will be considering the effects on the Welsh language when awarding the grant and trying to increase the positive effects and decrease the adverse effects.

### Receiving grant applications

Grant **application form** to contain questions on:

- what effects the activity will have on the Welsh language, and are they positive or adverse
- what steps the applicant will take to increase positive effects and decrease adverse effects.

### Assessing grant applications

You will probably have **internal templates or forms** for the consideration of grant applications. You can add questions regarding the Welsh language to the main forms, or have a separate form for considering the Welsh language. The organisation's form for considering grant applications can include space to state:

- what will be the effects of awarding the grant on the Welsh language, and whether they are positive or adverse
- how the decision can be made or implemented in order to increase positive effects and decrease adverse effects
- whether any additional information is required in order to take account of the effects on the Welsh language.

**Contacting applicants** to request additional information if you identify the need to do so.

Any **interviews** can include questions on:

- what effects the activity will have on the Welsh language, and are they positive or adverse
- what steps the applicant will take to increase positive effects and decrease adverse effects.

### Awarding the grant

The effects on the Welsh language are taken into account when making the final decision, e.g. as one of the **criteria** for the grant, or as part of a **scoring system**

Materials for **recording the decision** to indicate:

- what consideration has been given to the Welsh language
- how this has affected the decision.

Grant **terms and conditions** to clearly set out the expectations regarding Welsh

### Monitoring the use of the grant

Any requirements to **report** on the use of the grant to include reporting on:

- what action the recipient took to increase positive effects and decrease adverse effects on the Welsh language
- what positive and adverse effects the grant had on the Welsh language.

## 4 Identifying the effects of decisions to award grants

- 4.1 The policy can set out how you will identify the potential effects of grant decisions on the Welsh language.
- 4.2 You may wish to have a consistent process for identifying the effects of the decision on the Welsh language. One method of doing this is to have a template or form to record the effects, either as a separate form to record the effects on the Welsh language, or included as part of a form you may already have in place for awarding the grant.
- 4.3 The template in appendix 2 provides a method of recording this.

### How grant decisions can affect the Welsh language

- 4.4 Two types of effects on the Welsh language need to be identified. Those effects reflect the two main objectives of the standards:
  - ensuring opportunities for persons to use the Welsh language
  - treating the Welsh language no less favourably than the English language.
- 4.5 The practical meaning of 'treating the Welsh language no less favourably than the English' varies from one situation to another. But in general, it means not putting anyone at a disadvantage if they wish to use the Welsh language, and ensuring that the Welsh language is at least as prominent, accessible and of equal quality as the English at all times.
- 4.6 Indirect effects as well as direct effects are included.
- 4.7 Once potential effects have been identified, it will be necessary to identify whether they are positive or adverse:
  - **positive effects** are those that mean that there is an increase in the use of the Welsh language, that the Welsh language is more visible, or that there are no additional barriers to using Welsh, with outcomes that are at least as favourable
  - **adverse effects** are those that mean that there are fewer opportunities to use Welsh, the Welsh language is less visible, or that people who wish to use Welsh face more barriers or less favourable outcomes than people who use English.
- 4.8 Here are some questions you can ask in order to identify the potential effects of grant making decisions on the Welsh language.

## Factors to consider when identifying effects

### Direct effects

- Will it be possible to use the Welsh language in public elements of the activity, and when communicating with the organisers?
- Will the Welsh language be used in the promotion and advertising of the activity?
- Will materials produced as a result of the activity be available in Welsh?
- Will Welsh be at least as prominent as the English language in terms of materials, signage, logos, audio announcements, etc. associated with the activity?
- Will the activity have an effect on people's understanding and awareness of issues relating to the Welsh language?

### Indirect effects

- Will the activity have an effect on the sustainability of communities where it is important to see growth or stability in the number of Welsh speakers and the use of Welsh, for example as a result of an effect on the economy, planning, education or social opportunities?
- Will the activity have an effect on the number of children receiving Welsh-medium education?
- Will the activity lead to the creation of employment opportunities for Welsh speakers?
- Will the activity lead to enabling and motivating people to use Welsh in the community or in the family?
- Will the activity lead to enabling and motivating people to use Welsh in the community or within the family?

## Information to support the decision

- 4.9 The standard requires that you consider what additional information you need in order to consider the effects on the Welsh language.
- 4.10 You can ask candidates for this information at any point in the process of considering the decision. For instance, you may:
- ask standard questions regarding the effects on the Welsh language as part of the application form
  - request additional information from applicants following receipt of applications
  - ask questions regarding the effects on the Welsh language in any interviews you conduct.
- 4.11 Below are examples of the questions you could ask grant applicants.

## Information to request to support the decision

- Have you considered what effects the activity could have on the Welsh language? What will be the positive and adverse effects?
- How will you actively increase positive effects on the Welsh language, and decrease the adverse effects?
- Do you have enough staff or volunteers to enable people to use Welsh?
- Have you arranged for any materials to be available in Welsh?
- Have you included any additional costs for Welsh language provision in your budgets?
- How will you ensure the quality of your Welsh language provision?
- What previous experience have you had of undertaking an activity that has positive effects, and does not have adverse effects, on the Welsh language?
- Do you have any data that shows how your previous activities have affected the Welsh language?

## 5 Taking and implementing grant decisions

- 5.1 The policy can explain how you will consider taking or implementing the decision in order to increase the positive effects on the Welsh language, and decrease the adverse effects.
- 5.2 The reference to 'take or implement' implies that there are two main methods of achieving this aim (both can be done – it doesn't have to be one or the other):
  - **taking the decision** – awarding grants to applications that appear more likely to increase the positive effects on the Welsh language, and reduce the adverse effects
  - **implementing the decision** – taking steps to ensure that grant recipients operate in specific ways in order to increase positive effects and reduce adverse effects.

### Taking the decision

- 5.3 It is not expected that the effects on the Welsh language will be the main, or only, factor taken into consideration in deciding who will receive each grant. It is likely that you will have a number of criteria against which you will measure applications, which relate to matters such as the extent to which the application fits the objectives of the grant, and the extent to which the application provides assurance that the funding will be dealt with appropriately.
- 5.4 You can add the effects on the Welsh language as one of the criteria you use to decide on the award of the grant. If you are using a scoring system for deciding which applications to award grants to, you can add the effects on the Welsh language as one part of that scoring system, giving applications a score based on your consideration of their effects on the Welsh language. It is for you to decide the weighting you attribute to the effects on the Welsh language in such a system.
- 5.5 It is important that you keep an appropriate record of how consideration of the effects on the Welsh language has influenced the final decision on the award of the grant.
- 5.6 In some cases, a grant will exist – in part or in full – to ensure positive effects on the Welsh language. You may consider that the criteria you already have are sufficient to achieve the objective of the policy on awarding grants. If so, you can state this in the policy.

## Implementing the decision

- 5.7 You can also make the awarding of the grant conditional on specific steps being taken to ensure that the positive effects on the Welsh language are increased, and adverse effects decreased. These conditions, and the consequences of failing to adhere to them, would need to be made absolutely clear to grant recipients. One possible approach is to list the requirements in the grant terms and conditions or award letter.
- 5.8 Here are some examples of conditions that could be imposed on grant recipients, depending on the situation of the individual grant. You may wish to develop a set of standard conditions to be imposed on all grant recipients.
- 5.9 As noted below, one effective method of ensuring that businesses or charities develop their use of Welsh is to require them to develop a Welsh language promotion plan. The system creates a plan for a level of Welsh-language provision based on a questionnaire, and gives businesses and charities the opportunity to set targets, supported by the Commissioner's promotion and facilitation officers, to increase their Welsh-language provision.

### Standard conditions that could be imposed for all grants

- Offering specific services in Welsh, e.g. welcoming people, enabling the use of Welsh on the telephone, audio announcements, correspondence in Welsh, offering a course in Welsh
- Publishing materials in Welsh, e.g. website, documents, signage, or creative output from the project
- Targeting Welsh speakers in promoting and advertising the activity
- Ensuring that activity takes place in geographical locations that support the use of Welsh
- Developing and adhering to a [Welsh language promotion plan](#) [businesses and charities]
- Complying with Welsh language standards or schemes [organisations under the relevant duties]
- Ensuring that a suitable human resource capacity or budget is available to enable Welsh language provision
- Providing specific data or evidence on the effects of the grant on the Welsh language (see below)

## Reporting on effects

5.10 You may ask grant recipients to report on how they have used the grant or how they have adhered to the terms and conditions of the grant. For example, some organisations have questionnaires they send to grant recipients that requires them to report back on their use of the money. You can ask for information about the effects on the Welsh language as part of this. Here are examples of data or evidence that could be requested.

### Data that could be requested when monitoring a grant

- Number of materials produced in Welsh/copies of materials
- Number of staff or volunteers who could offer a Welsh language service
- Number of Welsh speakers taking part in an activity
- Economic impact of the activity in a specific area
- Number of jobs created as a result of the grant
- Areas where activities took place
- Feedback from users about using the Welsh language



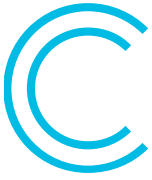
## Annex 1: relevant standards

Standard number (regulations)	Standard wording
94 (1); 90 (2); 91 (5)	<p>You must produce and publish a policy on awarding grants (or, where appropriate, amend an existing policy) which requires you to take the following matters into account when you make decisions in relation to the awarding of a grant—</p> <p>(a) what effects, if any (and whether positive or negative), the awarding of a grant would have on—</p> <ul style="list-style-type: none"> <li>(i) opportunities for persons to use the Welsh language, and</li> <li>(ii) treating the Welsh language no less favourably than the English language;</li> </ul> <p>(b) how the decision could be taken or implemented (for example, by imposing conditions of grant) so that it would have positive effects, or increased positive effects, on—</p> <ul style="list-style-type: none"> <li>(i) opportunities for persons to use the Welsh language, and</li> <li>(ii) treating the Welsh language no less favourably than the English language;</li> </ul> <p>(c) how the decision could be taken or implemented (for example, by imposing conditions of grant) so that it would not have adverse effects, or so that it would have decreased adverse effects on—</p> <ul style="list-style-type: none"> <li>(i) opportunities for persons to use the Welsh language, and</li> <li>(ii) treating the Welsh language no less favourably than the English language;</li> </ul> <p>(ch) whether you need to ask the applicant for any additional information in order to assist you in assessing the effects of awarding a grant on—</p> <ul style="list-style-type: none"> <li>(i) opportunities for persons to use the Welsh language, and</li> <li>(ii) treating the Welsh language no less favourably than the English language.</li> </ul>
100 (6)	<p>You must produce and publish a policy on awarding grants or providing financial assistance (or, where appropriate, amend an existing policy) which requires you to take the following matters into account when you make decisions in relation to the awarding of a grant—</p> <p>(a) what effects, if any (and whether positive or negative), the awarding of a grant or providing financial assistance would have on—</p> <ul style="list-style-type: none"> <li>(i) opportunities for persons to use the Welsh language, and</li> <li>(ii) treating the Welsh language no less favourably than the English language;</li> </ul> <p>(b) how the decision could be taken or implemented (for example, by imposing conditions of grant) so that it would have positive effects, or increased positive effects, on—</p>

	<p>(i) opportunities for persons to use the Welsh language, and</p> <p>(ii) treating the Welsh language no less favourably than the English language;</p> <p>(c) how the decision could be taken or implemented (for example, by imposing conditions of grant) so that it would not have adverse effects, or so that it would have decreased adverse effects on—</p> <p>(i) opportunities for persons to use the Welsh language, and</p> <p>(ii) treating the Welsh language no less favourably than the English language;</p> <p>(ch) whether you need to ask the applicant for any additional information in order to assist you in assessing the effects of awarding a grant on—</p> <p>(i) opportunities for persons to use the Welsh language, and</p> <p>(ii) treating the Welsh language no less favourably than the English language.</p>
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## Annex 2: template for assessing effects

1	Name of grant		
2	Name of applicant		
<b>Part 1: identifying effects on the Welsh language</b>			
		<b>Positive effects</b>	<b>Adverse effects</b>
3	What would be the effects of awarding the grant on opportunities to use the Welsh language?		
4	What would be the effects of the awarding of the grant on treating the Welsh language no less favourably than the English language?		
<b>Part 2: identifying additional information</b>			
5	Is additional information required to assist with the decision?		
<b>Part 3: taking and implementing the decision</b>			
		<b>Taking (e.g. whether to award / sum to award)</b>	<b>Implementing (e.g. setting conditions)</b>
6	How could the decision to increase positive effects on the Welsh language be adapted?		
7	How could the decision be adapted to reduce negative effects on the Welsh language?		



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