



09/03/2026

Dear colleagues,

As you know, in 2025 the Welsh Language Commissioner commissioned legal advice regarding the legality of considering the ability to speak Welsh as part of local authorities' social housing letting policy. This advice is related to the legal requirements of the Housing Act 1996.

Over the past year we have discussed and clarified the legal opinion we received, and based on that our position on the matter. However, over the past year the Commissioner's name has been mentioned in several statements, letters and news items, in a way that is often incomplete and therefore has the potential for misleading. We fully accept that there is no deliberate attempt to mislead, but to avoid any further misunderstanding we set out our views on the matter below. If there is any reference to the Commissioner's legal advice in this area in the future, it is our wish that it reflects the position below in its entirety:

- The legal opinion we received states that Welsh language skills can be considered as part of social housing letting policy. However, this linguistic consideration cannot override the statutory requirements set out in the Housing Act 1996. The scheme must give reasonable priority to the people listed in section 167(2) of the Act over others.
- While language could therefore be included as one consideration, there are legal limitations to the extent to which this could be done. The legal advice gives an example that it would be possible in principle to amend a housing letting policy to set aside 10% of a Council's social housing stock for people who can speak Welsh. According to the council, such a low percentage should mean that the scheme still gives reasonable priority to the people listed in section 167(2).
- Based on this legal advice it is not clear to us that any language requirements that would be legally required to be included as part of a letting policy would likely make a difference in Gwynedd. Gwynedd already prioritises people with a local connection, and the evidence that exists shows that this requirement already means that a high percentage of social housing tenants speak Welsh. A percentage that is likely to be significantly higher than what could legally be achieved by imposing a language requirement as part of the letting policy.

Comisiynydd y Gymraeg
Siambrau'r Farchnad
5-7 Heol Eglwys Fair
Caerdydd CF10 1AT

0345 6033 221
post@comisiynyddygyymraeg.cymru
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

comisiynyddygyymraeg.cymru

Welsh Language Commissioner
Market Chambers
5-7 St Mary Street
Cardiff CF10 1AT

0345 6033 221
post@welshlanguagecommissioner.wales
Correspondence welcomed in Welsh and English

welshlanguagecommissioner.wales



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Like everyone who has received a copy of this letter, we are concerned about the situation of the Welsh language in areas such as Gwynedd which have a high density of speakers. Analysis of the situation of the Welsh language in these areas is highlighted in our [5 year report](#) which was published on the 3rd of March. In the report we make several specific recommendations as to what should be prioritised to strengthen the position of the Welsh language in these areas. This includes important issues such as the implementation of the Commission for Welsh-speaking Communities' main recommendation to establish areas of higher density linguistic significance. We consider the establishment of these areas as a key first step in developing and introducing policies that would protect the sustainability of Welsh-speaking communities.

We will publish this letter on our website and thereafter we have no intention of commenting further on this matter unless new evidence or additional information comes to light. We will continue our policy influencing work and consider the wide range of issues that influence the viability of Welsh-speaking communities.

Yours sincerely,

Efa Gruffudd Jones

Welsh Language Commissioner

Copi to:

Gwynedd Council
Cyfeillion Llŷn
Dyfodol i'r Iaith