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Welsh Government

## Consultation Document

# Proposed standards relating to the Welsh language

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# Proposed standards relating to the Welsh language

- Audience** This document is aimed at county borough councils and county councils in Wales, national park authorities and Welsh Ministers. The document will also be of interest to users of services provided by these organisations.
- Overview** These proposed standards have been developed to enable the Welsh Language Commissioner to impose duties on county borough councils and county councils in Wales, national park authorities and Welsh Ministers.
- Action required** This document will form the basis for the Welsh Language Commissioner's standards investigation and the Welsh Government's exercise to collect evidence to prepare a Regulatory Impact Assessment.
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- Additional copies** This document can be accessed from the Welsh Government's website at [www.wales.gov.uk/welshlanguage](http://www.wales.gov.uk/welshlanguage)

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## Introduction

The Welsh Language (Wales) Measure 2011 modernises the legal framework regarding the use of the Welsh language in the delivery of public services.

The first set of standards proposed in this document are focused on county borough councils and county councils in Wales, national park authorities and the Welsh Ministers.

The Welsh Language (Wales) Measure 2011 enables the Welsh Ministers to specify standards of conduct relating to the Welsh language. Standards will gradually replace the existing system of Welsh language schemes provided for by the Welsh Language Act 1993.

The Welsh Ministers can, by regulations, specify five types of standards.

- A **service delivery standard** will be a type of duty imposed to promote or facilitate the use of the Welsh language or to ensure that the Welsh language is treated no less favourably than English in the following circumstances: when persons that are subject to the standard deliver services to others, or when they deal with others in connection with the delivery of those services.
- A **policy making standard** will be a type of duty which will require persons to consider the effect of their policy decisions upon opportunities for other persons to use the Welsh language, or upon treating the Welsh language no less favourably than English.
- An **operational standard** will be a type of duty imposed to promote and facilitate the use of the Welsh language in relation to the carrying out by a person of their functions, business or other undertaking.
- A **promotion standard** will be a type of duty imposed in respect of taking steps to promote and facilitate the use of the Welsh language more widely.
- A **record keeping standard** will be a duty imposed in respect of keeping and maintaining details regarding compliance with the other four standards as well as any other complaints concerning the language.

The standards have been prepared with the principles which guided the development of the Welsh Language (Wales) Measure 2011 in mind. They included:

- to see clear rights established for Welsh speakers, with regard to Welsh language services. In this context we have developed standards that are clear and precise
- to ensure that the standards are as clear as possible about what organisations will need to do on a practical level to ensure they comply, so that persons are as clear as possible about what to expect with regard to Welsh language services
- to ensure more consistency between organisations, especially within the same sectors, with regard to the provision of Welsh-language services
- to ensure that any duties imposed on organisations in accordance with Welsh language standards are reasonable and proportionate
- to ensure effective enforcement of standards.

The standards have been drafted with the principles of reasonableness and proportionality in mind. With regards to some services, we have developed a selection of standards that vary in terms of the level of provision that must be provided.

The Welsh Language Commissioner will carry out a standards investigation in relation to county borough councils and county councils in Wales, national park authorities and Welsh Ministers. In accordance with the requirements of the Welsh Language (Wales) Measure 2011, the Welsh Language Commissioner will issue an exploration notice to relevant organisations at least 14 days before beginning the investigation. This notice will state that the Welsh Language Commissioner is proposing to carry out a standards investigation, as well as specify the subject matter of the standards investigation.

# Service delivery standards

## Introduction

1. In accordance with the Section 28 of the Welsh Language (Wales) Measure 2011 a 'service delivery standard' means a standard that:
  - relates to a service delivery activity, and
  - is intended to promote or facilitate the use of the Welsh language, or to work towards ensuring that the Welsh language is treated no less favourably than the English language, when that activity is carried out.
2. In the Welsh Language (Wales) Measure 2011, 'service delivery activity' means a person:
  - delivering services to another person, or
  - dealing with any other person in connection with delivering services:
    - to that other person, or
    - to a third person.
3. Service delivery standards are intended to promote or facilitate the use of Welsh, or to work towards ensuring that the Welsh language is treated no less favourably than the English language.
4. When the Welsh Ministers make a service delivery standard specifically applicable to a person, they must provide that all service delivery standards relating to the activities in Schedule 9 that (and to the extent that) the person carries out must be made specifically applicable to that person. The Schedule 9 activities are:
  - correspondence
  - telephone calls
  - helplines and call centres
  - personal meetings
  - public meetings
  - publicity and advertising
  - public exhibitions
  - publications
  - forms
  - websites and online services
  - signage
  - reception of visitors
  - official notices
  - awarding grants
  - awarding contracts
  - raising awareness of Welsh-language services that are available.
5. In preparing this document, we have assumed that all of the activities listed in Schedule 9 are activities which are undertaken by the Welsh local authorities, the

Welsh national parks and the Welsh Ministers. We have therefore proposed standards for each of those activities. We have also included standards for services in addition to those listed in Schedule 9 that are provided by these organisations. Those services are:

- public events
- corporate identity and branding
- courses
- public address systems
- databases.

6. The service delivery standards proposed in this document will apply only in relation to an organisation's service delivery activities. For the purpose of proposed standards within this standards investigation document, the word 'organisation' will be used for the 'person' that is delivering services. Those who are receiving services will be called 'person' or 'persons'.

## **Proposed standards for correspondence**

*Commentary:* For the purposes of these standards, 'correspondence' includes correspondence by letter, text message, e-mail, or by text using social media. Where enclosures are created by the organisation to which these standards apply and are included in correspondence, they should be issued in accordance with any standards relating to 'publications' that apply to the organisation. Enclosures which have not been created or generated by the organisation will not be covered by the standards for 'correspondence' nor by any standards that apply to the organisation for 'publications'.

### **a) Replying to correspondence**

*Proposed standard:*

**[1]** Any correspondence received by the organisation, which is written in Welsh must be answered in Welsh if an answer is required, unless the person has indicated that they would prefer not to receive a reply in Welsh.

### **b) Initiating correspondence**

(i) Corresponding with one person:

**First scenario:** to cover circumstances where the organisation has been required to comply with the standards **[84]** and **[85]** [a standard requiring the organisation to keep a record of persons who have indicated that they wish to receive services in Welsh] and the records maintained to comply with that standard show that the person wishes to receive correspondence in Welsh or that includes a Welsh version.

*Proposed standards:*

[2] The correspondence must be issued in Welsh where the person has indicated that he or she wishes to receive correspondence in Welsh.

[3] The correspondence must be issued in a form which includes a Welsh version where a person has indicated that he or she wishes to receive correspondence that includes a Welsh version.

**Second scenario:** to cover circumstances where the organisation has not been required to comply with the standards [84] and [85] [a standard requiring the organisation to keep a record of persons who have indicated that they wish to receive services in Welsh] and therefore the organisation may not know whether or not the person wishes to receive correspondence in Welsh or that includes a Welsh version:

*Proposed standard:*

[4] Where the person has not indicated that he or she wishes to receive correspondence in Welsh, when correspondence is issued in English, the organisation must ensure that it is also issued, at the same time, in Welsh.

(ii) Corresponding with several persons (e.g. issuing a circular letter)

*Proposed standard:*

[5] Where correspondence is issued in English it must also be issued, at the same time, in Welsh.

### **c) General standards relating to correspondence**

*Proposed standards:*

[6] The Welsh version of the letter must be signed.

[7] Where an e-mail is issued and it contains an electronic signature, that signature must be in Welsh.

[8] The organisation must state that it welcomes Welsh language correspondence and will correspond through the medium of Welsh. It must state that writing to it in Welsh will not, of itself, lead to a delay in dealing with the correspondence. This wording must be displayed on:

- the website homepage
- correspondence and forms
- signage in reception areas
- official notices and publications that invite responses from persons.



## **Proposed standards for telephone calls**

*Commentary:* The following standards relate to calls made to an organisation's switchboard or reception area, and/or calls made directly to an employee or worker not working on a switchboard or reception area.

### **a) Incoming calls to an organisation's main switchboard**

*Proposed standards:*

**[9]** Incoming calls must be dealt with in Welsh by the switchboard when the service is open.

**[10]** The organisation must provide a switchboard that will deal with incoming calls in Welsh.

**[11]** All answering services must enable persons to leave a message in Welsh.

### **b) Direct incoming calls to staff members**

*Proposed standards:*

**[12]** The organisation must prepare and implement a plan outlining how employees and workers will deal with incoming calls in Welsh.

**[13]** The organisation must provide a switchboard that will deal with incoming calls in Welsh.

### **c) Referring incoming calls to staff members**

*Proposed standards:*

**[14]** The organisation must prepare and implement a plan outlining how the switchboard and other employees and workers will refer callers that wish to receive a Welsh language service, ensuring that the Welsh language is treated no less favourably than the English language.

**[15]** The organisation must provide a switchboard that will deal with incoming calls in Welsh.

### **ch) General standards relating to incoming calls**

*Proposed standard:*

**[16]** The organisation must state that persons are able to use Welsh when contacting the organisation by telephone. This wording must be displayed on:

- the website homepage
- correspondence and forms
- signage in reception areas

- official notices and publications that invite persons to contact the organisation by telephone.

#### **d) Outgoing calls**

*Proposed standard:*

**[17]** Phone calls to persons must be conducted in Welsh where the language preference of the person has been recorded to show that they wish to receive services in Welsh.

#### **dd) Automated response to telephone calls**

*Commentary:* This standard deals with systems established by the organisation to deal with telephone calls by using an automated system to guide the person through a set procedure, where the person is asked by a recorded message to, for instance, press different numbers on a keypad in order to choose different options.

*Proposed standard:*

**[18]** The organisation's automated telephone response systems must provide the complete service in Welsh.

### **Proposed standards for helplines and call centres**

#### **a) Hours of service**

*Proposed standards:*

**[19]** Incoming calls to helplines and call centres must be dealt with in Welsh when the service is open.

**[20]** The organisation must prepare and implement a plan outlining how helplines and call centres provide a Welsh-language service.

**[21]** Helplines and call centres must ensure that the first message persons hear on contacting the helpline or call centre is a message in Welsh explaining the hours that the Welsh-language service is operational.

#### **b) General standards relating to helplines and call centres**

*Proposed standards:*

**[22]** References to Welsh-language helplines or call centre services must be included wherever the organisation advertises its helplines or call centre services.

**[23]** The Welsh-language service must share the same number as the English-language service.

[24] The Welsh-language service must have the same performance indicators as the equivalent English-language service.

### **c) Automated response to telephone calls**

*Commentary:* This standard deals with systems established to deal with telephone calls by using an automated system to guide persons through a set procedure where a person is asked by a recorded message to, for instance, press different numbers on a keypad in order to choose different options.

*Proposed standard:*

[25] The organisation's automated telephone response systems must provide a complete service in Welsh.

## **Proposed standards for personal meetings**

Personal meetings are defined, for the purpose of these standards, as meetings that take place between the organisation and a person.

### **a) Standards relevant to meetings**

*Proposed standards:*

[26] The organisation must make it clear that it welcomes the use of Welsh in meetings. This wording must be displayed on:

- website homepage
- correspondence and forms
- signage in reception areas
- invites and publicity materials for meetings.

[27] Where the person has indicated that they want a personal meeting in Welsh, the organisation must conduct that meeting in Welsh.

[28] Where the person has indicated that they want a personal meeting in Welsh, the organisation must arrange simultaneous translation from English to Welsh and Welsh to English.

[29] Where the person has indicated that they want a personal meeting in Welsh, the organisation must arrange consecutive translation from English to Welsh and Welsh to English.

## **Proposed standards for public meetings**

### **a) Meetings to which specific persons are invited**

*Commentary:* For the purposes of the standards, these are meetings to which persons are invited and asked to indicate if they will attend.

*Proposed standards:*

**[30]** Invitations to attend public meetings, where persons will have an opportunity to contribute to the meeting, must ask if they wish to use Welsh.

**[31]** Any persons who will contribute to the meeting must be asked if they wish to use Welsh.

**[32]** Simultaneous translation must be provided at meetings where the persons that wish to use Welsh will attend.

**[33]** Simultaneous translation must be provided at meetings if any of the following conditions are met:

- more than five persons have indicated that they wish to use Welsh
- more than five per cent of persons proposing to attend have indicated that they wish to use Welsh
- Welsh will be used by any person making a presentation, or giving a speech, at the meeting, or chairing or hosting the meeting.

#### **b) Meetings which are open to persons**

*Commentary:* For the purposes of the standards, these are meetings that have been publicised locally. Persons are not required to let the organisers know beforehand if they propose to attend.

*Proposed standards:*

**[34]** All meeting publicity published by the organisation must make it clear that the use of Welsh will be welcomed and facilitated.

**[35]** Any persons who will be asked beforehand to contribute to the meeting, must be asked if they wish to address the meeting in Welsh.

**[36]** Simultaneous translation must be provided at the meeting.

#### **c) General issues relating to public meetings**

*Proposed standards:*

**[37]** Any invitations to attend public meetings must be issued in Welsh.

**[38]** Any text displayed by the organisation at the meeting must be displayed in Welsh.

#### **Proposed standards for public events**

*Commentary:* These standards are applicable to events that are arranged and funded solely by the organisation which these standards apply. The standards are

not applicable for events arranged by another party or sponsored partly by the organisation.

*Proposed standards:*

**[39]** The organisation must treat Welsh no less favourably than English in relation to publicity, signage and audio announcements for public events arranged by it.

**[40]** The organisation must treat Welsh no less favourably than English in information and assistance they provide for persons at a public event, whether verbally or in writing.

## **Proposed standard for publicity and advertising**

*Commentary:* For the purposes of this standard, activities are defined as follows.

- 'Publicity' means activities (apart from activities covered by standards relating to publications) undertaken to disseminate information to gain interest and/or provide information through the means of broadcast media, print media and social media.
- 'Advertising' means activities undertaken to draw attention to, for instance, a product, service or campaign, usually by means of paid advertisements or announcements placed in newspapers or magazines, on the radio or television, or on billboards or other advertising media.

*Proposed standard:*

**[41]** Any publicity or advertising material must be in Welsh. The Welsh version must be treated no less favourably than the English version.

## **Proposed standard for public exhibitions**

*Commentary:* For the purposes of this standard a 'public exhibition' means an organised presentation and/or display, designed to inform persons about matters related to the work of the organisation.

*Proposed standard:*

**[42]** Any exhibition material must be displayed in Welsh. The Welsh version must be no less prominent or accessible than the English version, and treated no less favourably than the English version.

## **Proposed standards for publications**

*Commentary:* For the purposes of these standards 'publications' means documents produced by the organisation that are made available to other persons, by the organisation. They include consultation documents, guidance documents, booklets, leaflets and posters. They can be published as hard copy documents, or as electronic documents. They do not include correspondence, forms, signage, or materials covered by standards relating to publicity and advertising.

These standards are not applicable to notices and licenses where there is a prescribed form of the English and Welsh notice. This would exceed the powers in the Welsh Language (Wales) Measure 2011 for the Welsh Ministers, which are framed by the National Assembly's legislative competence under Part 3 of the Government of Wales Act 2006.

*Proposed standards:*

**[43]** All publications produced by the organisation from the categories below must be made available in Welsh:

- cabinet papers
- agendas, minutes and other papers, for meetings, conferences or seminars which are open to persons
- licences
- certificates
- bills (e.g. council tax)
- brochures
- leaflets
- pamphlets
- documents to be distributed to, or at, schools
- policies
- strategies
- plans
- press releases.

**[44]** If the publication is outside the scope of the above list, the organisation must apply the following criteria in assessing whether a Welsh version of the publication is required.

- Does the subject mean that a Welsh publication is required?
- Does the anticipated audience, and their expectations, mean that a Welsh publication is required?

**[45]** The Welsh publication must be treated no less favourably than the English with regards to font, format, colour, size, legibility and prominence.

## **Proposed standards for forms**

A 'form' is a document (whether in hard copy or electronic) that requires persons to submit information in relation to accessing services. Forms are mostly used to:

- make a payment
- submit an application or an order
- inform the organisation
- submit a complaint or a point of view to the organisation
- register for access to a service.

A form includes any explanatory material printed on the form to help persons completing the form understand how to do so. However, any separately published explanatory material accompanying a form must be dealt with under the standards dealing with publications.

These standards are not applicable to forms where there is a prescribed form of English and Welsh. This would exceed the powers in the Welsh Language (Wales) Measure 2011 for the Welsh Ministers, which are framed by the National Assembly's legislative competence under Part 3 of the Government of Wales Act 2006.

Due to being covered by other standards, these standards do not apply in relation to:

- forms related to recruitment (which will be covered in operational standards)
- forms used by persons applying for a contract (those forms are covered by standards [70] and [71])
- forms used by persons to apply for grant support (those forms are covered by standards [66] and [67]).

*Proposed standards:*

**[46]** Any form published applicable to the following categories must be made available in Welsh:

- make a payment
- submit an application or an order
- inform the organisation
- submit a complaint or a point of view to the organisation
- register for access to a service.

**[47]** If the form is outside the scope of the above list, the organisation must apply the following criteria in assessing whether a Welsh version of the form is required.

- Does the subject mean that a Welsh form is required?
- Does the anticipated audience, and their expectations, mean that a Welsh form is required?

**[48]** The Welsh version must be treated no less favourably than the English version with regards to timing of publication, deadline of submitting the form, time of response if necessary, font, format, colour, size, and legibility.

**[49]** When information is pre-entered by an organisation on a Welsh language version of a form that is sent by post or e-mail to a person, the information must be entered in Welsh.

## **Proposed standards for websites and online services**

*Commentary:* These standards do not apply to material provided, posted or submitted to an organisation's website or online service by any third parties.

For the purpose of this standard, 'website' means a set of interconnected web pages prepared and maintained by an organisation, as a collection of information for use by

persons. 'Website' includes 'interactive pages' as defined below.

'Website' does not include documents or other material published on the website (including video and audio clips). Decisions about the language in which documents and other material should be published must be made in accordance with the standards dealing with publications, forms, and publicity and advertising material.

'Interactive page' means a facility which enables persons to submit information electronically to the organisation concerned.

'Website' does not include information submitted by persons via an 'interactive page' which is published on the website, such as a comments section or a discussion forum.

### **a) Websites**

*Proposed standards:*

**[50]** All web pages must be made available in Welsh and the Welsh language must be treated no less favourably than English with regards to the font, format, colour, size, legibility and prominence.

**[51]** All new web pages must be made available in Welsh the Welsh language must be treated no less favourably than English with regards to the font, format, colour, size, legibility and prominence.

### **b) Standard relating to apps**

*Commentary:* For the purpose of this standard an 'app' is a software application designed to undertake a specific task. It is designed to run on electronic devices.

*Proposed standard:*

**[52]** All apps published by the organisation must function fully in Welsh.

## **Proposed standards for signage**

*Commentary:* These standards are relevant to electronic signs as well as other signs.

*Proposed standards:*

**[53]** Any new, replacement, or temporary sign erected must contain the information to be conveyed by the sign in Welsh.

**[54]** Welsh text on signs must be treated no less favourably than the English text with regards to the font, format, colour, size, legibility and prominence.

**[55]** Where a sign in Welsh is erected in circumstances where there is a sign in English conveying the same information, the Welsh-language sign must be the same size as the English-language sign and the information conveyed in the Welsh-language sign must be presented in the same font and font size as the English-language sign.



[56] Where a sign contains the Welsh language as well as the English language, the Welsh language text must be positioned so as to be read first.

[57] All reasonable steps must be taken by the organisation to ensure that Welsh text on signs are treated no less favourably than the English text with regards to the accuracy of the information, linguistic accuracy and terminological consistency.

## **Proposed standard for the reception of visitors**

*Commentary:* For the purpose of these standard 'reception area' means an area in an organisation where persons are received.

*Proposed standards:*

[58] The organisation's reception area must be able to offer a service in Welsh at all times.

[59] The organisation must ascertain the language preference of persons when arranging a visit or appointment which involves attending a reception area.

[60] The organisation's reception area must deal with a person in Welsh if they have made a prior arrangement to attend and have indicated that they would wish to receive a Welsh-language service.

[61] The organisation's reception area must provide a telephone line allowing persons to receive a Welsh-language service.

[62] The organisation must provide an employee or worker to attend the reception area when a person attends and wishes to receive a Welsh-language service.

## **Proposed standards for official notices**

*Commentary:* 'Official notices' means any notice that an organisation publishes as part of its business informing persons about service delivery activities or changes to service delivery activities.

These standards are not applicable to official notices where there is a prescribed form of the English and Welsh notice. This would exceed the powers in the Welsh Language (Wales) Measure 2011 for the Welsh Ministers, which are framed by the National Assembly's legislative competence under Part 3 of the Government of Wales Act 2006.

*Proposed standards:*

[63] An official notice must be published in Welsh, and must be treated no less favourably than the English with regards to font, format, colour, size, legibility and prominence.

[64] Where an official notice contains the Welsh language as well as the English language, the Welsh-language text must be positioned so as to be read first.

[65] Where an official notice in Welsh is published or displayed in circumstances where there is an official notice in English conveying the same information, the Welsh must be treated no less favourably than the English with regards to font, format, colour, size, legibility and prominence.

## **Proposed standards for awarding grants**

*Proposed standards:*

[66] Application forms and associated explanatory material must be published in Welsh.

[67] Persons must be able to apply for grant support in Welsh.

[68] Applications for grants in Welsh must be treated no less favourably than applications made in English with regards to a deadline for receiving applications, and the timing of receiving a decision on the application.

[69] Applications for grants in Welsh must receive a decision regarding the grant application in Welsh.

## **Proposed standards for awarding contracts**

*Commentary:* These standards can only apply where the law does not prescribe which languages could be used for particular contracts.

*Proposed standards:*

[70] Invitations to tender must be published in Welsh.

[71] Tenderers must be able to submit tenders in Welsh.

[72] Tenderers that submit tenders for contracts in Welsh must be treated no less favourably than applications made in English with regards to a deadline for receiving tenders, and the timing of receiving a decision on the tender.

[73] Tenderers for contracts in Welsh must receive a decision regarding the tender application in Welsh.

## **Proposed standards for raising awareness of Welsh-language services that are available**

*Proposed standards:*

[74] The organisation must state the Welsh-language services that they make available by means of:

- the website homepage
- a link from the homepage to the dedicated webpage

- a dedicated leaflet to be made available in the organisation's publically-accessible buildings
- a poster to be displayed in the organisation's buildings accessible to persons
- a notice to be published in newspapers or newsletters published by the organisation that is made available to the public.

**[75]** The standards that must be complied with must be published on the organisation's website and made available for inspection at any of the organisation's offices which are open to persons.

**[76]** The organisation must make it clear to persons:

- in reception areas
- in correspondence
- on forms
- and when contacting a service user by telephone

that a particular service they require can be delivered in Welsh.

**[77]** The organisation must ask persons if they wish to be:

- greeted in reception areas
- receive correspondence
- receive forms
- contacted by telephone

in Welsh

## **Proposed standard for corporate identity and branding**

*Commentary:* For the purpose of this standard, 'corporate identity' means the way an organisation presents itself to persons by means of visual statements. It is conveyed by the use of devices such as the name used by the organisation (which may not be its legal name), logos, branding, slogans and stationery.

'Brand' includes the name, logo, slogan, design, symbol or any other element that identifies an organisation or activity, which helps to distinguish it from other organisations or activities.

This standard does not apply to circumstances where the law makes provisions requiring the use of an organisation's legal name.

*Proposed standard:*

**[78]** The organisation's corporate identity and/or brand must treat the Welsh language no less favourably than the English.

## **Proposed standards for courses**

*Commentary:* For the purposes of these standards, a 'course' means any seminar, training, workshop or similar provision provided for persons. This includes education courses (e.g. courses to teach additional languages, IT skills), and training courses for children and young people (e.g. swimming lessons and theatre workshops). A 'course' does not include activities provided within the school curriculum as required by relevant statutes.

*Proposed standards:*

**[79]** All education or training courses must be offered in Welsh.

**[80]** Education or training courses must be offered in Welsh if they are aimed specifically at persons aged 18 or under.

**[81]** When an education or training course is arranged by an organisation, they must assess the need to provide it in Welsh.

## **Proposed standards for public address systems**

*Proposed standards:*

**[82]** Any audible messages must be made in Welsh.

**[83]** Any audible messages must be made in Welsh first.

## **Proposed standards relating to a database**

*Proposed standards:*

**[84]** The organisation must ascertain the language preference of persons that wish to use service delivery activities.

**[85]** The organisation must create and maintain a database of persons that are known to the organisation to wish to use service delivery activities in Welsh.

# Policy making standards

## Commentary

Section 29 of the Welsh Language (Wales) Measure 2011 states that ‘policy making standard’ means a standard that relates to a policy decision, and is intended to secure, or to contribute to securing, one or more of the following results:

- that the person making the policy decision considers what effects, if any, (whether positive or adverse) the policy decision would have on:
  - (a) opportunities for other persons to use the Welsh language, or
  - (b) treating the Welsh language no less favourably than the English language.
- that the person making the policy decision considers how the decision could be made so that the decision has positive effects, or increased positive effects, on:
  - (a) opportunities for other persons to use the Welsh language, or
  - (b) treating the Welsh language no less favourably than the English language.
- that the person making the policy decision considers how the decision could be made so that the decision does not have adverse effects, or has decreased adverse effects, on:
  - (a) opportunities for other persons to use the Welsh language, or
  - (b) treating the Welsh language no less favourably than the English language.

It also states that, in section 29, a reference to positive or adverse effects is a reference to such effects whether direct or indirect.

A ‘policy decision’ to which the standard must relate means a decision by a person about the exercise of the person’s functions, or the conduct of the person’s business or other undertaking.

## Proposed standard relating to considering the effects of a policy on the Welsh language

*Proposed standards:*

**[86]** An organisation making a policy decision must assess what effect, if any, whether positive or adverse, a policy decision would have on the opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[87]** An organisation making a policy decision must assess how the policy decision could be made so that the decision has positive effects, or increased positive effects on the opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[88]** An organisation making a policy decision must assess how the policy decision could be made so that the decision does not have adverse, or has decreased

adverse effects on the opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[89]** Consultation documents about a policy decision must discuss, and seek views on, the effects that the policy under consideration would have on opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[90]** Consultation documents about a policy decision must discuss, and seek views on, whether the policy under consideration could be made so that it has positive effects, or increased positive effects, on opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[91]** Consultation documents about a policy decision must discuss, and seek views on, how the policy under consideration could be made so that it does not have adverse effects, or has decreased adverse effects, on opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[92]** The organisation must assess what effects the awarding of a grant would have on opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[93]** The organisation must assess how the awarding of a grant would have positive effects, or increased positive effects, on the opportunities to use the Welsh language, or treating the Welsh language no less favourably than the English language.

**[94]** The organisation must assess how the awarding of a grant would have adverse effects, or has decreased adverse effects, on opportunities for persons to use the Welsh language, or treating the Welsh language no less favourably than the English language.

# Operational standards

## Introduction

Section 30 of the Welsh Language (Wales) Measure 2011 provides that an 'operational standard' means a standard that:

- (1a) relates to the relevant activities of a person (A), and
- (b) 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.
  
- (2a) 'relevant activities' means:
  - (i) functions, or
  - (ii) a business or other undertaking
- (b) a reference to the carrying out of relevant activities is to:
  - (i) the exercise of functions, or
  - (ii) the conduct of a business or other undertaking.

## Proposed standards regarding the use of Welsh in internal administration

*Proposed standards:*

**[95]** The following documents must be provided in Welsh if required by the employee or worker, and organisations must not treat the Welsh language less favourably than English. Documents include contracts, forms, and correspondence regarding the below, but do not include supporting evidence that would be considered at disciplinary or grievance procedures:

- contract of employment
- a worker's contract for services
- documents produced by the organisation setting out an employee's or worker's job description and/or job objectives
- documents outlining an employee's training requirements
- documents outlining an employee's performance objectives for any given period
- documents setting out or recording an employee's career plan
- documents relating to leave policies and application forms for leave
- documents in relation to a grievance procedure brought by, or in relation to, an employee
- documents in relation to a disciplinary procedure brought against an employee or in relation to which the employee is providing evidence.

**[96]** The organisation must publish policies regarding the following in Welsh:

- conduct of employees and/or workers in the workplace
- health and well-being
- pay and benefits
- performance management
- absence from work
- working conditions
- working patterns.

**[97]** Where an employee or worker has indicated that they want a meeting in relation to a grievance procedure brought by, or in relation to, them in Welsh, the organisation must conduct that meeting in Welsh.

**[98]** Where an employee or worker has indicated that they want a meeting in relation to a disciplinary procedure brought against them or in relation to a disciplinary procedure in which they are providing evidence, in Welsh, the organisation must conduct that meeting in Welsh.

**[99]** Where an employee or worker has indicated that they want a meeting in relation to a grievance procedure brought by, or in relation to, them in Welsh, the organisation must offer to provide simultaneous translation from English to Welsh and Welsh to English.

**[100]** Where an employee or worker has indicated that they want a meeting in relation to a disciplinary procedure brought against them or in relation to a disciplinary procedure in which they are providing evidence, in Welsh, the organisation must offer to provide simultaneous translation from English to Welsh and Welsh to English.

## **Proposed standards regarding ICT and support materials**

*Proposed standards:*

**[101]** The organisation must prepare a plan outlining how it will provide employees and workers with resources to facilitate and support the use of Welsh in ICT systems. The plan will include:

- how it will make available Welsh-language spell checkers and grammar checkers;
- how it will make available Welsh-language interfaces for software where such an interface exists.

**[102]** The organisation must provide its intranet pages in Welsh.

**[103]** The organisation must provide all new intranet pages in Welsh.

**[104]** The organisation must provide the interface and menu choices on its intranet pages in Welsh.



## **Proposed standards regarding Welsh language skills – workforce planning and training**

*Proposed standards:*

**[105]** The organisation must prepare a strategy outlining how the organisation will:

- assess the Welsh language skills of employees and workers for the purpose of complying with standards
- assess the need for Welsh language skills before advertising vacant or new posts
- deploy employees and workers to comply with standards made applicable to the organisation
- enable employees and workers to acquire Welsh language skills for the purpose of the organisation complying with standards
- provide training through the medium of Welsh in the following fields:
  - recruitment and interviewing
  - performance management
  - grievance and disciplinary procedures
  - induction training
  - dealing face to face with the public
  - health and safety
- provide training through the medium of Welsh on issues concerning the effective use of Welsh in:
  - meetings
  - interviews
  - grievance and discipline procedures.

**[106]** The organisation must provide opportunities for employees and workers to attend Welsh language training during work hours.

**[107]** The organisation must provide opportunities for employees and workers who have attended Welsh language training during work hours to attend additional training to develop their Welsh language skills.

**[108]** The organisation must provide training courses to allow employees and/or workers to gain:

- an understanding of awareness of the Welsh language
- an understanding of the requirements on the organisation to operate in accordance with Welsh language standards
- an understanding of using Welsh in the workplace.

**[109]** The organisation must provide information to raise awareness of the Welsh language to employees and/or workers in all induction courses for new employees and/or workers.

**[110]** The organisation must provide Welsh-speaking employees and/or workers, with a wording to be included in e-mail signatures which will enable others to identify them as Welsh speakers or Welsh learners.

## **Proposed standards regarding recruitment**

*Proposed standards:*

[111] The organisation must include the Welsh language skills required when advertising any new or vacant post.

[112] Information conveyed in the following documents must be provided in Welsh, and organisations must not treat the Welsh language less favourably than English with regards to:

- application forms
- job descriptions
- explanatory material regarding the application process
- information on the recruitment process
- information regarding interviews or other means of assessment.

[113] The organisation must ensure that application forms allow the candidate to indicate that they would require an interview through the medium of Welsh.

[114] The organisation must conduct the interview in Welsh if the candidate has indicated in their application form that they require an interview in Welsh.

[115] Where the candidate has indicated that they require an interview in Welsh, the organisation must offer to arrange simultaneous translation from English to Welsh and Welsh to English.

## **Proposed standards regarding signage**

*Proposed standards:*

[116] Any new or replacement sign erected must contain the information to be conveyed by the sign in Welsh.

[117] Welsh text on signs must be treated no less favourably than the English text with regards to the font, format, colour, size, legibility and prominence.

[118] Where a sign in Welsh is erected in circumstances where there is a sign in English conveying the same information, the Welsh-language sign must be the same size as the English-language sign and the information conveyed in the Welsh-language sign must be presented in the same font and font size as the English-language sign.

[119] Where a sign contains the Welsh language as well as the English language, the Welsh-language text must be positioned so as to be read first.

## **Proposed standards regarding audible announcements and messages**

*Proposed standard:*

[120] Any audible messages must be made in Welsh first.

## Promotion standards

Section 31 of the Welsh Language (Wales) Measure 2011 states that ‘promotion standard’ means a standard (relating to any activity) that is intended to promote or facilitate the use of the Welsh language more widely.

*Proposed standards:*

**[121]** The organisation must assess the demographic profile of the Welsh language within the communities it serves.

**[122]** The organisation must assess the opportunities currently available to use Welsh, and whether more opportunities to use Welsh need to be provided and supported.

**[123]** The organisation must assess the need to fund activities designed to promote and facilitate the use of Welsh.

**[124]** The organisation must prepare, and publish on the organisation’s website, a strategy setting out how it proposes to promote and facilitate the use of the Welsh language more widely.

**[125]** The organisation must revise the strategy and publish a revised strategy within five years of the publication date of the previous strategy.

## Record keeping standards

*Proposed standards:*

**[126]** The organisation must keep a record, of actions that are being implemented to ensure compliance with standards that have been made specifically applicable to the organisation in relation to:

- correspondence
- telephone calls
- helplines and call centres
- personal meetings
- public meetings
- publicity and advertising
- public exhibitions
- publications
- forms
- websites and online services
- signage
- reception of visitors
- official notices
- awarding grants
- awarding contracts
- raising awareness of Welsh language services that are available;
- corporate identity and branding
- courses
- public address systems
- database.

**[127]** The organisation must keep a record of:

- Welsh language skills of employees and workers
- assessments of the Welsh language skills requirements of vacant and new posts
- actions taken to plan the workforce according to the Welsh language skills of employees and workers in order to comply with standards
- training offered through the medium of Welsh, and the numbers attending those courses.

**[128]** The organisation must keep a record of actions that are being implemented to ensure compliance with standards that have been made specifically applicable to the organisation in relation to policy making standards.

**[129]** The organisation must keep a record of actions that are being implemented to ensure compliance with standards that have been made specifically applicable to the organisation in relation to operational standards.

**[130]** The organisation must keep a record of actions that are being implemented to ensure compliance with standards that have been made specifically applicable to the organisation in relation to promotion standards.

**[131]** The organisation must keep a record of written complaints (hard copy or electronic) it receives regarding its compliance with service delivery standards that have been made specifically applicable to the organisation.

**[132]** The organisation must keep a record of written complaints (hard copy or electronic) it receives regarding its compliance with policy making standards that have been made specifically applicable to the organisation.

**[133]** The organisation must keep a record of written complaints (hard copy or electronic) it receives regarding its compliance with operational standards that have been made specifically applicable to the organisation.

**[134]** The organisation must keep a record of written complaints (hard copy or electronic) it receives regarding its compliance with promotion standards that have been made specifically applicable to the organisation.