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| MEETING: | LANGUAGE COMMITTEE |
| DATE: | OCTOBER 23 2014 |
| TITLE: | WELSH LANGUAGE COMMISSIONER'S ENFORCEMENT POLICY (DRAFT) |
| AUTHOR: | EQUALITY AND LANGUAGE OFFICER |
| PURPOSE OF REPORT: | TO ESTABLISH AND COLLECT THE COMMITTEE'S COMMENTS |

1. BACKGROUND

- 1.1. The draft Policy is presented to the Language Committee in order gather comments to be sent to the Commissioner. Note that the consultation period runs from 15/09/14 to 10/11/14.
- 1.2. The purpose of the document is to give advice and information on the way the Commissioner will undertake her enforcement duties under Part 5 of the Language Measure.
- 1.3. The document is aimed at bodies such as Cyngor Gwynedd who will have to comply with the Language Standards.

2. THE DOCUMENT

- 2.1. The document outlines the proposed principles, processes and criteria in relation to researching any complaint or accusation of failure to comply with the statutory requirements...
- 2.2. It outlines how a complaint can be taken to the Commissioner under Section 93 of the Welsh Language Measure and also how the Commissioner can consider evidence from other sources (e.g. evidence arising from inspection work).
- 2.3. The statutory investigation process is also outlined, along with the options available to the Commissioner: Ranging from finding no failure and taking no further action to enforcing measures following a failure to comply.
- 2.4. Following a failure to comply, the Commissioner may take any one or more of the following actions:
 - Restore compliance (voluntary agreement to restore compliance)
 - Enforce compliance (steps to enforce compliance)
 - Impose civil penalty (up to £5,000)

- 2.5. Where there is failure to comply with an enforcement step or settlement agreement, the document outlines how the Commissioner may make an application to the county court to secure compliance.

3. RECOMMENDATION

- 3.1. The Language Committee is asked to provide any comments on the document to present to the Welsh Language Commissioner as part of the consultation process.