

Agenda – Culture, Welsh Language and Communications Committee

Meeting Venue:	For further information contact:
Committee Room 3 – Senedd	Steve George
Meeting date: Wednesday, 18 January 2017	Committee Clerk 0300 200 6565
Meeting time: 08.45	SeneddCWLC@assembly.wales

Informal pre-meeting (08:45 – 09:00)

1 Introductions, apologies, substitutions and declarations of interest

**2 The Welsh Language Standards (No. 6) Regulations 2017:
Evidence Session**

(09:00 – 10:00)

(Pages 1 – 141)

Dafydd Trystan, College Registrar, Coleg Cymraeg Cendelaethol
Fflur Elin, President, National Union of Students Wales
Cerith Jones, NUS Wales Staff Member

Break (10:00 – 10:15)

**3 The Welsh Language Standards (No. 6) Regulations 2017: Scrutiny
of the Minister for Lifelong Learning and Welsh Language**

(10:15 – 10:45)

Alun Davies AM, Minister for Lifelong Learning and Welsh Language
Bethan Webb, Deputy Director Welsh Language Division
Alan Jones, Head of Welsh Language Legislation Branch



4 Inquiry into the Welsh Government's new Welsh Language

Strategy: Evidence Session 9

(10:45 – 12:15)

(Pages 142 – 175)

Alun Davies AM, Minister for Lifelong Learning and Welsh Language

Bethan Webb, Deputy Director Welsh Language Division

Iwan Evans, Senior Policy Officer Welsh Language Division

5 Motion under Standing Order 17.42 to resolve to exclude the public for Item 6

6 Private de-brief

(12:15 – 12:30)

Agenda Item 2

Document is Restricted

Draft Regulations laid before the National Assembly for Wales under section 150(2) of the Welsh Language (Wales) Measure 2011, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2017 No. (W.)

WELSH LANGUAGE

**The Welsh Language Standards
(No. 6) Regulations 2017**

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Welsh Language (Wales) Measure 2011 (nawm 1) (“the 2011 Measure”) makes provision for the specification of standards of conduct in relation to the Welsh language (“standards”). These replace the system of Welsh language schemes provided for by the Welsh Language Act 1993 (c. 38).

Section 26 of the 2011 Measure enables the Welsh Ministers to specify standards, and section 39 enables them to provide that a standard is specifically applicable to a person by authorising the Welsh Language Commissioner (“the Commissioner”) to give a notice to that person requiring compliance with the standard (a “compliance notice”).

These Regulations specify standards in relation to the conduct of 27 bodies listed in regulation 3 of the Regulations (which are referred to in the Regulations as “bodies”). These bodies form part of the education sector and are:

- (i) Career Choices Dewis Gyrfa Limited;
- (ii) Further Education institutions (Coleg Ceredigion, Coleg Sir Gâr, Merthyr Tydfil College Limited, the governing body of Saint David’s Catholic College, and WEA YMCA CC Cymru);
- (iii) Further Education corporations (Cardiff and Vale College, Coleg Cambria, Coleg y Cymoedd, Gower College Swansea, Coleg Gwent, Bridgend College, Pembrokeshire College, Grŵp Llandrillo Menai, NPTC Group);

- (iv) Higher Education institutions (Aberystwyth University, Bangor University, Cardiff University, the Open University, the Royal Welsh College of Music and Drama Limited, Swansea University, the University of Wales, and University of Wales: Trinity St David);
- (v) Higher Education Corporations (Cardiff Metropolitan University, Glyndŵr University, and the University of South Wales);
- (vi) The Higher Education Funding Council for Wales.

The Regulations also authorise (subject to certain exceptions set out in regulation 3) the Commissioner to give a compliance notice to those bodies, in relation to standards specified by the Regulations.

In accordance with section 44 of the 2011 Measure, the Commissioner may (by way of a compliance notice) require a body to comply with one or more standards that are specifically applicable to it. To reflect that, the standards specified by the Regulations are expressed in the second person narrative, meaning that they are in “you must” form (where “you” means the relevant body in each case).

Using the flexibility provided by section 44 of the 2011 Measure the Commissioner may (if it is reasonable and proportionate, and the Commissioner wishes to do so) require a body to comply with one standard in some circumstances and another standard in other circumstances. For example, if a standard is specifically applicable to a body the Commissioner may require the body to comply with the standard in some circumstances but not others, or require it to comply with the standard only in some areas. Similarly if two or more standards relate to a specific conduct (for example, standards 8 to 11 in relation to answering telephone calls), the Commissioner may (by way of a compliance notice) require a body to comply with one of those standards only, or with different standards at different times, in different circumstances, or in different areas; as is appropriate for the body. The Commissioner is not, therefore, obliged to require every body to comply with every standard.

In accordance with section 46 of the 2011 Measure, the compliance notice given to a body must state the imposition day, or imposition days; meaning the day or days upon which the body becomes required to comply with a standard (or comply with a standard in a specific way). Using the flexibility provided for by section 46, the Commissioner may set an early imposition day for a body to comply with a standard (provided this is at least 6 months after the date on which the body was given the related compliance

notice), or set an imposition day further in the future (for example in relation to more challenging standards).

Where a standard specified in these Regulations requires written material to be displayed or provided in Welsh, or for a service to be provided in Welsh, this does not mean that the material must be displayed or provided in Welsh only, or that the service must only be provided in Welsh (unless that is specifically stated).

Schedule 1 to the Regulations specifies **service delivery standards**. Section 28 of the 2011 Measure provides that 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. A “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.

The service delivery standards only apply to the extent that the activity undertaken or the service provided relates to the matters listed in paragraph 31 of Schedule 1. This does not include courses (including on-line courses) or course materials.

Schedule 2 to the Regulations specifies **policy making standards**. Section 29 of the 2011 Measure provides that a “policy making standard” means a standard that relates to a policy decision, and is intended to secure, or to contribute to securing, that the person making the policy decision considers one or more of the following—

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

Schedule 3 to the Regulations specifies **operational standards**. Section 30 of the 2011 Measure provides

that an “operational standard” means a standard that relates to the functions, or a business or other undertaking (“relevant activities”) of a person (“A”), that is intended to promote or facilitate the use of the Welsh language—

- (a) by A in carrying out A’s relevant activities,
- (b) by A and another person in dealings between them in connection with A’s relevant activities, or
- (c) by a person other than A in carrying out activities for the purposes of, or in connection with, A’s relevant activities.

Schedule 4 to the Regulations specifies **record keeping standards**. Section 32 of the 2011 Measure provides that a “record keeping standard” is a standard relating to the keeping of records about other specified standards, records about complaints concerning compliance with other specified standards, or records about other complaints concerning the Welsh language.

Schedule 5 to the Regulations specifies **standards that deal with supplementary matters**. These are specific forms of service delivery standards, policy making standards, operational standards and record keeping standards that deal with the matters referred to in section 27(4) of the 2011 Measure (which are supplementary to the matters dealt with in Schedules 1 to 4).

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Language Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

Draft Regulations laid before the National Assembly for Wales under section 150(2) of the Welsh Language (Wales) Measure 2011, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2017 No. (W.)

WELSH LANGUAGE

**The Welsh Language Standards
(No. 6) Regulations 2017**

Made

Coming into force

7 February 2017

The Welsh Ministers, in exercise of the powers conferred upon them by sections 26, 27, 39 and 150(5) of the Welsh Language (Wales) Measure 2011⁽¹⁾, having received the approval of the National Assembly for Wales in accordance with section 150(2) of that Measure, make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Welsh Language Standards (No. 6) Regulations 2017.

(2) These Regulations come into force on 7 February 2017.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations—

a “body” (“*corff*”) means a person referred to in regulation 3;

an “individual” (“*unigolyn*”) means a member of the public or a student;

a “member of staff” (“*aelod o staff*”) means an employee of a body or an individual working for a body (and “staff” (“*staff*”) must be construed accordingly).

(5) In these Regulations—

(1) 2011 nawm 1.

- (a) references to any activity being carried out by a body, or to any service being provided by a body, are to be read as including a reference to that activity being carried out on the body's behalf or to that service being provided on the body's behalf by a third party under arrangements made between the third party and the body;
- (b) accordingly, unless a compliance notice provides to the contrary, a body will have failed to comply with a standard in respect of an activity or service it has arranged to be carried out or provided by a third party if that activity or service has not been carried out or provided in accordance with the standard.

(6) Nothing in these Regulations requires a body to comply with a standard in respect of an activity carried out by it or a service provided by it where it is carrying out that activity or providing that service on behalf of a third party under arrangements made between it and the third party.

Standards specified

2.—(1) In Schedule 1—

- (a) Part 1 specifies service delivery standards;
- (b) Part 2 provides that—
 - (i) a compliance notice must require a body to comply with certain standards specified in Part 1 if it has required the body to comply with certain other standards, and
 - (ii) a compliance notice must not require a body to comply with certain standards specified in Part 1 in certain circumstances if it has required the body to comply with certain other standards;
- (c) Part 3 defines a number of words and expressions.

(2) In Schedule 2—

- (a) Part 1 specifies policy making standards;
- (b) Part 2 defines a number of words and expressions.

(3) In Schedule 3—

- (a) Part 1 specifies operational standards;
- (b) Part 2 provides that a compliance notice must require a body to comply with certain standards specified in Part 1 if it has required the body to comply with certain other standards;
- (c) Part 3 defines a number of words and expressions.

(4) In Schedule 4—

- (a) Part 1 specifies record keeping standards;
- (b) Part 2 defines a number of words and expressions.

(5) Schedule 5 specifies standards that deal with matters which are supplementary to the matters dealt with in the standards specified in Schedules 1 to 4 and, in particular—

- (a) Part 1 specifies service delivery standards that deal with supplementary matters;
- (b) Part 2 specifies policy making standards that deal with supplementary matters;
- (c) Part 3 specifies operational standards that deal with supplementary matters;
- (ch) Part 4 specifies record keeping standards that deal with supplementary matters;
- (d) Part 5 makes provision about interpreting the supplementary standards;
- (dd) Part 6 makes supplementary provision.

Standards that are specifically applicable

3. The Welsh Ministers authorise the Welsh Language Commissioner to give a compliance notice to—

(1) Career Choices Dewis Gyrfa Limited requiring it to comply with the following standards specified under regulation 2 and the Schedules—

- (a) 94 to 162;
- (b) 169 to 182;

(2) Coleg Ceredigion, Coleg Sir Gâr, Further Education Corporations in Wales, Merthyr Tydfil College Limited, the governing body of Saint David's Catholic College and WEA YMCA CC Cymru requiring them to comply with the following standards specified under regulation 2 and the Schedules—

- (a) 1 to 136;
- (b) 138 to 182;

(3) Aberystwyth University, Bangor University, Cardiff University, Higher Education Corporations in Wales, the Open University, the Royal Welsh College of Music and Drama Limited, Swansea University, the University of Wales and the University of Wales: Trinity St David requiring them to comply with the standards specified under regulation 2 and the Schedules;

(4) The Higher Education Funding Council for Wales requiring it to comply with the following standards specified under regulation 2 and the Schedules—

- (a) 1 to 24B;

- (b) 27 to 27D;
- (c) 30 to 59;
- (ch) 61 to 91;
- (d) 94 to 103;
- (dd) 105 to 136;
- (e) 138 to 182.

Name

Minister for Lifelong Learning and Welsh Language,
under authority of the Cabinet Secretary for Education,
one of the Welsh Ministers

Date

SCHEDULE 1 Regulation 2(1)
Service Delivery Standards

PART 1

THE STANDARDS

1 Standards relating to correspondence sent by a body

(1) When a body replies to correspondence

Standard 1: If you receive correspondence from a person in Welsh you must reply in Welsh (if an answer is required), unless the person has indicated that there is no need to reply in Welsh.

(2) When a body initiates correspondence

(a) When a body corresponds with an individual

Standard 2: When you correspond with an individual (“A”) for the first time, you must ask A whether A wishes to receive correspondence from you in Welsh, and if A responds to say that A wishes to receive correspondence in Welsh you must—

- (a) keep a record of A’s wish,
- (b) correspond with A in Welsh when corresponding with A from then onwards, and
- (c) send any forms you send to A from then onwards in Welsh.

(b) When a body corresponds with more than one member of the same household

Standard 3: When you send correspondence addressed to two individuals who are members of the same household (for example, the

parents of a child) for the first time, you must ask them whether they wish to receive correspondence from you in Welsh; and if —

- (a) both individuals respond to say that they wish to receive correspondence in Welsh, you must keep a record of that wish and correspond in Welsh from then onwards when sending correspondence addressed to both of those individuals;
- (b) one (but not both) of the individuals responds to say that he or she wishes to receive correspondence in Welsh, you must keep a record of that wish and provide a Welsh language version of correspondence from then onwards when sending correspondence addressed to both of those individuals.

(c) When a body corresponds with several persons (for example, when it sends a circular, or sends the same letter to a number of homes)

Standard 4: When you send the same correspondence to several persons, you must send a Welsh language version of the correspondence at the same time as you send any English language version.

(3) General standards relating to correspondence

Standard 5: If you don't know whether a person wishes to receive correspondence from you in Welsh, when you correspond with that person you must provide a Welsh language version of the correspondence.

Standard 6: If you produce a Welsh language version and a corresponding English language version of correspondence, you must not treat the Welsh language version less

favourably than the English language version (for example, if the English version is signed, or if contact details are provided on the English version, then the Welsh version must be treated in the same way).

Standard 7: You must state —

- (a) in correspondence, and
- (b) in publications and notices that invite persons to respond to you or to correspond with you,

that you welcome receiving correspondence in Welsh, that you will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay.

2 Standards relating to telephone calls made and received by a body

(1) Telephone calls made to a body's main contact number and to any helplines or call centres

Standard 8: When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must greet the person in Welsh.

Standard 9: When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must inform the person that a Welsh language service is available.

Standard 10: When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must deal with the call in Welsh in its entirety if that is the person's wish (where necessary by transferring the call to a member of staff who is able to deal with the call in Welsh).

Standard 11: When a person contacts you on

your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must deal with the call in Welsh if that is the person's wish until such point as —

- (a) it is necessary to transfer the call to a member of staff who does not speak Welsh who can provide a service on a specific subject matter; and
- (b) no Welsh speaking member of staff is available to provide a service on that specific subject matter.

Standard 12: When you advertise telephone numbers, helpline numbers or call centre services, you must not treat the Welsh language less favourably than the English language.

Standard 13: If you offer a Welsh language service on your main telephone number (or numbers), on any helpline numbers or call centre numbers, the telephone number for the Welsh language service must be the same as for the corresponding English language service.

Standard 14: When you publish your main telephone number, or any helpline numbers or call centre service numbers, you must state (in Welsh) that you welcome calls in Welsh.

Standard 15: If you have performance indicators for dealing with telephone calls, you must ensure that those performance indicators do not treat telephone calls made in Welsh any less favourably than calls made in English.

Standard 16: Your main telephone call answering service (or services) must inform persons calling, in Welsh, that they can leave a message in Welsh.

Standard 17: When there is no Welsh language service available on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must inform persons calling in Welsh (by way of an automated message or otherwise), when a Welsh language service will be available.

(2) Telephone calls made to departments and to members of a body's staff

Standard 18: If a person contacts one of your departments on a direct line telephone number (including on staff members' direct line numbers), and that person wishes to receive a service in Welsh, you must deal with the call in Welsh in its entirety (if necessary by transferring the call to a member of staff who is able to deal with the call in Welsh).

Standard 19: If a person contacts one of your departments on a direct line telephone number (including on staff members' direct line numbers), and that person wishes to receive a service in Welsh, you must deal with the call in Welsh until such point as —

- (a) it is necessary to transfer the call to a member of staff who does not speak Welsh who can provide a service on a specific subject matter; and
- (b) no Welsh speaking member of staff is available to provide a service on that specific subject matter.

Standard 20: When a person contacts you on a direct line number (whether on a department's direct line number or on the direct line number of a member of staff), you must ensure that, when greeting the person, the Welsh language is not treated less favourably than the English language.

(3) Telephone calls made by a body

Standard 21: When you telephone an individual (“A”) for the first time you must ask A whether A wishes to receive telephone calls from you in Welsh, and if A responds to say that A wishes to receive telephone calls in Welsh you must keep a record of that wish, and conduct telephone calls made to A from then onwards in Welsh.

(4) A body dealing with telephone calls using an automated system

Standard 22: Any automated telephone systems that you have must provide the complete automated service in Welsh.

3 Standards relating to a body holding meetings that are not open to the general public or to students within a particular cohort

(1) Meetings between a body and one other invited person

Standard 23: If you invite one person only (“P”) to a meeting, you must offer to conduct the meeting in Welsh; and if P informs you that P wishes for the meeting to be conducted in Welsh, you must conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 24: If you invite one person only (“P”) to a meeting you must ask P whether P wishes to use the Welsh language at the meeting, and inform P that you will, if necessary, provide a translation service from Welsh to English for that purpose.

Standard 24A: If you have invited one person only (“P”) to a meeting and P has informed you that P wishes to use the Welsh language at the meeting, you must arrange for a simultaneous translation service

from Welsh to English to be available at the meeting (unless you conduct the meeting in Welsh without the assistance of a translation service).

Standard 24B: If you have invited one person only (“P”) to a meeting and P has informed you that P wishes to use the Welsh language at the meeting, you must arrange for a consecutive translation service from Welsh to English to be available at the meeting (unless you conduct the meeting in Welsh without the assistance of a translation service).

(2) Meetings with one person relating to complaints, disciplinary proceedings or student support

Standard 25: If you invite an individual (“A”) to a meeting, and

- (a) the meeting relates to a complaint about A or made by A;
- (b) the meeting relates to disciplinary proceedings regarding A; or
- (c) the purpose of the meeting is to provide student support to A,

you must—

- (i) ask A whether A wishes for the meeting to be conducted in Welsh, and
- (ii) if A informs you that A wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 26: If you invite an individual (“A”) to a meeting, and

- (a) the meeting relates to a complaint about A or

- made by A;
- (b) the meeting relates to disciplinary proceedings regarding A; or
- (c) the purpose of the meeting is to provide student support to A,

you must—

- (i) ask A whether A wishes to use the Welsh language at the meeting, and
- (ii) inform A that you will, if necessary, provide a translation service from Welsh to English and from English to Welsh for that purpose.

Standard 26A: You must arrange for a simultaneous translation service from Welsh to English and from English to Welsh to be available at a meeting—

- (a) if—
 - (i) the meeting relates to a complaint about the invited individual (“A”) or made by A;
 - (ii) the meeting relates to disciplinary proceedings regarding A; or
 - (iii) the purpose of the meeting is to provide student support to A; and
- (b) if A has informed you that A wishes to use the Welsh language at the meeting;

unless you conduct the meeting in Welsh without the assistance of a translation service.

Standard 26B: You must arrange for a consecutive translation service from Welsh to English and from English to Welsh to be available at a meeting—

- (a) if—
 - (i) the meeting relates to a complaint about the

- invited individual (“A”) or made by A;
 - (ii) the meeting relates to disciplinary proceedings regarding A; or
 - (iii) the purpose of the meeting is to provide student support to A; and
- (b) if A has informed you that A wishes to use the Welsh language at the meeting; unless you conduct the meeting in Welsh without the assistance of a translation service.

(3) Meetings between a body and more than one invited person

Standard 27: If you invite more than one person to a meeting, you must ask each person whether they wish to use the Welsh language at the meeting.

Standard 27A: If you have invited more than one person to a meeting, and at least 10% (but less than 100%) of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.

Standard 27B: If you have invited more than one person to a meeting, and at least 20% (but less than 100%) of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.

Standard 27C: If you have invited more than one person to a meeting, and at least 30% (but less than 100%) of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to

English to be available at the meeting.

Standard 27CH:

If you have invited more than one person to a meeting, and all of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 27D:

If you have invited more than one person to a meeting, and all of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting (unless you conduct the meeting in Welsh without the assistance of a translation service).

(4) Meetings with more than one person relating to complaints, disciplinary proceedings or student support

Standard 28:

If you invite more than one person to a meeting, and

- (a) the meeting relates to a complaint made by or about one or more of the individuals invited;
- (b) the meeting relates to disciplinary proceedings regarding one or more of the individuals invited; or
- (c) the purpose of that meeting is to provide student support to one or more of the individuals invited;

you must—

- (i) ask that individual or each of those individuals whether he or she wishes for the meeting to be conducted in Welsh; and
- (ii) if that individual, or if each of those

individuals, informs you that he or she wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 29: If you invite more than one person to a meeting, and

- (a) the meeting relates to a complaint made by or about one of the individuals invited;
- (b) the meeting relates to disciplinary proceedings regarding one or more of the individuals invited; or
- (c) the purpose of that meeting is to provide student support to one or more of the individuals invited;

you must—

- (i) ask that individual or each of those individuals whether he or she wishes to use the Welsh language at the meeting; and
- (ii) inform that individual (or those individuals) that, if necessary, you will provide a translation service from Welsh to English and from English to Welsh for that purpose.

Standard 29A: You must provide a simultaneous translation service from Welsh to English and from English to Welsh at a meeting—

- (a) if you have invited more than one person to the meeting;
- (b) if—
 - (i) the meeting relates to

a complaint made by or about one or more of the individuals invited;

(ii) the meeting relates to disciplinary proceedings regarding one or more of the individuals invited; or

(iii) the purpose of the meeting is to provide student support to one or more of the individuals invited; and

(c) if at least one of those individuals has informed you that he or she wishes to use the Welsh language at the meeting;

unless you conduct the meeting in Welsh without the assistance of a translation service.

Standard 29B: You must provide a consecutive translation service from Welsh to English and from English to Welsh at a meeting—

(a) if you have invited more than one person to the meeting;

(b) if—

(i) the meeting relates to a complaint made by or about one or more of the individuals invited;

(ii) the meeting relates to disciplinary proceedings regarding one or more of the individuals invited; or

(iii) the purpose of the meeting is to provide student support to one or more of the individuals invited; and

(c) if at least one of those individuals has informed

you that he or she wishes to use the Welsh language at the meeting;

unless you conduct the meeting in Welsh without the assistance of a translation service.

4 Standards relating to meetings arranged by a body that are open to the public or to students within a particular cohort

Standard 30: If you arrange a meeting that is open to—

- (a) the public, or
- (b) students who are within a particular cohort,

you must state on any material advertising it, and on any invitation to it, that anyone attending is welcome to use the Welsh language at the meeting.

Standard 31: When you send invitations to a meeting that you arrange which is open to—

- (a) the public, or
- (b) students who are within a particular cohort,

you must send the invitations in Welsh.

Standard 32: If you invite persons to speak at a meeting that you arrange which is open to—

- (a) the public, or
- (b) students who are within a particular cohort,

you must —

- (i) ask each person invited to speak whether he or she wishes to use the Welsh language, and
- (ii) if that person (or at least one of those persons) has informed you that he or she wishes to use the Welsh language at the meeting, provide a

simultaneous translation service from Welsh to English for that purpose (unless you conduct the meeting in Welsh without a translation service).

Standard 33: If you arrange a meeting that is open to—

- (a) the public, or
- (b) students who are within a particular cohort,

you must ensure that a simultaneous translation service from Welsh to English is available at the meeting, and you must orally inform those present in Welsh —

- (i) that they are welcome to use the Welsh language, and
- (ii) that a simultaneous translation service is available.

Standard 34: If you display any written material at a meeting that you arrange which is open to—

- (a) the public, or
- (b) students who are within a particular cohort,

you must ensure that the material is displayed in Welsh, and you must not treat any Welsh language text less favourably than the English language text.

5 Standards relating to public events organised or funded by a body

Standard 35: If you organise a public event, or fund at least 50% of a public event, you must ensure that, in promoting the event, the Welsh language is treated no less favourably than the English language (for example, in the way the event is advertised or publicised).

Standard 36: If you organise a public event, or fund at least 50% of a public event,

you must ensure that the Welsh language is treated no less favourably than the English language at the event (for example, in relation to services offered to persons attending the event, in relation to signs displayed at the event and in relation to audio announcements made at the event).

6 Standard relating to a body's publicity and advertising

Standard 37: Any publicity or advertising material that you produce must be produced in Welsh, and if you produce the material in Welsh and in English, you must not treat the Welsh language version less favourably than you treat the English language version.

7 Standards relating to a body displaying material in public

Standard 38: Any material that you display in public must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than the English language version.

Standard 39: Any material that you display at a public exhibition organised by you must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than you treat an English language version.

8 Standards relating to public lectures

Standard 40: If you arrange a public lecture you must ensure that a simultaneous translation service from Welsh to English is available for the purpose of any questions asked by the audience during or after the lecture where—

- (a) the subject matter of the public lecture suggests that such a service should be provided, or
- (b) the anticipated audience

and their expectation suggests that such a service should be provided.

Standard 40A: If you arrange a public lecture and you provide a simultaneous translation service you must orally inform those present in Welsh that they are welcome to use the Welsh language.

9 Graduation and award ceremonies

Standard 41: If you arrange a graduation or award ceremony you must ensure that the Welsh language is treated no less favourably than the English language in relation to material or signs displayed by you at the venue and in relation to any information provided regarding the order of events at the ceremony (whether in an electronic, written or oral form).

Standard 42: If you invite persons to speak at a graduation or award ceremony you must —

- (a) ask each person invited to speak whether he or she wishes to use the Welsh language, and
- (b) if a person (or at least one of those persons) has informed you that he or she wishes to use the Welsh language at the ceremony, either
 - (i) provide a simultaneous translation service from Welsh to English for that purpose, or
 - (ii) provide a written English translation at the ceremony.

10 Standards relating to a body producing and publishing documents

Standard 43: Any documents that you produce

for public use or for students' use must be produced in Welsh.

Standard 44: If you produce the following documents you must produce them in Welsh—

- (a) agendas, minutes and other papers that are available to the public or to students, which relate to Board or Council meetings;
- (b) agendas, minutes and other papers for meetings, conferences or seminars that are open to the public or to students.

Standard 45: Any licence, permit or certificate you produce must be produced in Welsh.

Standard 46: Any brochure, prospectus, leaflet, pamphlet or card that you produce in order to provide information to the public or to students must be produced in Welsh.

Standard 47: If you produce the following documents, and they are available to the public or to students, you must produce them in Welsh —

- (a) policies, strategies, annual reports and corporate plans;
- (b) guidelines and codes of practice;
- (c) consultation papers.

Standard 48: Any rules that you publish that apply to the public must be published in Welsh.

Standard 49: When you issue any statement to the press you must issue it in Welsh and, if there is a Welsh language version and an English language version of a statement, you must issue both versions at the same time.

Standard 50: If you produce a document which is available to the public or to students, and no other standard has

required you to produce the document in Welsh, you must produce it in Welsh —

- (a) if the subject matter of the document suggests that it should be produced in Welsh, or
- (b) if the anticipated audience, and their expectations, suggests that the document should be produced in Welsh.

Standard 51: If you produce a document in Welsh and in English (whether separate versions or not), you must not treat any Welsh language version less favourably than you treat the English language version.

Standard 52: If you produce a Welsh language version and a separate English language version of a document, you must ensure that the English language version clearly states that the document is also available in Welsh.

11 Standards relating to a body producing and publishing forms

Standard 53: Any form that you make available to the public or students must be produced in Welsh.

Standard 53A: If you produce a Welsh language version and a separate English language version of a form, you must ensure that the English language version clearly states that the form is also available in Welsh.

Standard 53B: If you produce a form in Welsh and in English (whether separate versions or not), you must ensure that the Welsh language version is treated no less favourably than the English language version, and you must not differentiate between the Welsh and English versions in relation to any requirements that are relevant to the form (for example in relation to any deadline for submitting the form, or in relation to the time allowed to respond to the content of the form).

Standard 54: If you pre-enter information on a Welsh language version of a form (for example, before sending it to a member of the public in order for him or her to check the content or to fill in the remainder of the form), you must ensure that the information that you pre-enter is in Welsh.

12 Standards relating to a body's websites and on-line services

(1) Websites published by a body

Standard 55: You must ensure that —

- (a) the text of each page of your website is available in Welsh,
- (b) every Welsh language page on your website is fully functional, and
- (c) the Welsh language is not treated less favourably than the English language on your website.

Standard 56: You must ensure that —

- (a) the text of the homepage of your website is available in Welsh,
- (b) any Welsh language text on your homepage (or, where relevant, your Welsh language homepage) is fully functional, and
- (c) the Welsh language is treated no less favourably than the English language in relation to the homepage of your website.

Standard 57: You must ensure that when you publish a new page on your website or amend a page —

- (a) the text of that page is available in Welsh,
- (b) any Welsh language version of that page is fully functional, and

- (c) the Welsh language is treated no less favourably than the English language in relation to that page.

Standard 58: If you have a Welsh language web page that corresponds to an English language web page, you must state clearly on the English language web page that the page is also available in Welsh, and you must provide a direct link to the Welsh page on the corresponding English page.

Standard 59: You must provide the interface and menus on every page of your website in Welsh.

Standard 60: You must provide computer software for checking spelling and grammar in Welsh on your student intranet, your virtual learning sites and your learning portal sites.

(2) Apps published by a body

Standard 61: All apps that you publish must function fully in Welsh, and the Welsh language must be treated no less favourably than the English language in relation to that app.

13 Standards relating to a body's use of social media

Standard 62: When you use social media you must not treat the Welsh language less favourably than the English language.

Standard 63: If a person contacts you by social media in Welsh, you must reply in Welsh (if an answer is required).

14 Standard relating to self service machines

Standard 64: You must ensure that any self service machines that you have function fully in Welsh, and the Welsh language must be treated no less favourably than the English language in relation to that machine.

15 Standards relating to signs displayed by a body

Standard 65: When you erect a new sign or renew a sign (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as you display corresponding English language text or on a separate sign); and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.

Standard 66: When you erect a new sign or renew a sign (including temporary signs) which conveys the same information in Welsh and in English, the Welsh-language text must be positioned so that it is likely to be read first.

Standard 67: You must ensure that the Welsh language text on signs is accurate in terms of meaning and expression.

16 Standards relating to a body receiving visitors at its buildings

Standard 68: Any reception service you make available in English must also be available in Welsh, and any person who requires a Welsh language reception service must not be treated less favourably than a person who requires an English language reception service.

Standard 69: If you arrange a visit or appointment in advance for a person (“P”) which will mean that P will come to your reception, you must ask P whether P wishes to receive a Welsh language reception service (unless you already know whether P wishes to receive that service in Welsh).

Standard 69A: You must provide a face to face Welsh language reception service for a person (“P”) at your reception if you have arranged a visit or

appointment for P in advance and—

- (a) P has informed you in advance that P wishes to receive the service in Welsh, or
- (b) you are already aware that P wishes to receive the service in Welsh.

Standard 70: If you have no face to face Welsh language reception service available, you must ensure that a Welsh language reception service is available over a phone in your reception.

Standard 71: You must display a sign in your reception which states (in Welsh) that persons are welcome to use the Welsh language at the reception.

Standard 72: You must ensure that staff at the reception who are able to provide a Welsh language reception service wear a badge to convey that.

17 Standards relating to notices made by a body

Standard 73: Any notice that you publish or display must be published or displayed in Welsh, and you must not treat any Welsh language version of a notice less favourably than an English language version.

Standard 74: When you publish or display a notice that contains Welsh language text as well as English language text, the Welsh language text must be positioned so that it is likely to be read first.

18 Standards relating to a body awarding grants or providing financial assistance

Standard 75: Any documents that you publish which relate to applications for a grant or financial assistance must be published in Welsh, and you must not treat a Welsh language version of such documents less

favourably than an English language version.

Standard 76: When you invite applications for a grant or financial assistance, you must state in the invitation that applications may be submitted in Welsh and that any application submitted in Welsh will be treated no less favourably than an application submitted in English.

Standard 76A: You must not treat applications for a grant or financial assistance submitted in Welsh less favourably than applications submitted in English (including, amongst other matters, in relation to the closing date for receiving applications and in relation to the timescale for informing applicants of decisions).

Standard 77: If you receive an application for a grant or financial assistance in Welsh and it is necessary to interview an applicant as part of your assessment of the application, you must offer to conduct that interview in Welsh and, if the applicant so wishes, you must conduct the interview in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 78: If you receive an application for a grant or financial assistance in Welsh and it is necessary to interview the applicant as part of your assessment of the application you must —

- (a) offer to provide a translation service from Welsh to English to enable the applicant to use the Welsh language at the interview, and
- (b) if the applicant wishes to use the Welsh language at the interview, provide a simultaneous translation service for that purpose (unless you conduct the interview in Welsh without a translation service).

Standard 79: When you inform an applicant of your decision in relation to an application for a grant or financial assistance, you must do so in Welsh if the application was submitted in Welsh.

19 Standards relating to a body awarding contracts

Standard 80: Any invitations to tender for a contract that you publish must be published in Welsh, and you must not treat a Welsh language version of any invitation less favourably than an English language version.

Standard 81: When you publish invitations to tender for a contract, you must state in the invitation that tenders may be submitted in Welsh, and that a tender submitted in Welsh will be treated no less favourably than a tender submitted in English.

Standard 81A: You must not treat a tender for a contract submitted in Welsh less favourably than a tender submitted in English (including, amongst other matters, in relation to the closing date for receiving tenders, and in relation to the timescale for informing tenderers of decisions).

Standard 82: If you receive a tender in Welsh and it is necessary to interview a tenderer as part of your assessment of the tender, you must offer to conduct that interview in Welsh and, if the tenderer so wishes, you must conduct the interview in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 83: If you receive a tender in Welsh and it is necessary to interview the tenderer as part of your assessment of the tender you must—

- (a) offer to provide a translation service from Welsh to English to enable the tenderer to use the Welsh language at the interview, and

- (b) if the tenderer wishes to use the Welsh language at the interview, provide a simultaneous translation service for that purpose (unless you conduct the interview in Welsh without a translation service).

Standard 84: When you inform a tenderer of your decision in relation to a tender, you must do so in Welsh if the tender was submitted in Welsh.

20 Standards for raising awareness about Welsh language services provided by a body

Standard 85: You must promote any Welsh language service that you provide, and advertise that service in Welsh.

Standard 86: If you provide a service in Welsh that corresponds to a service you provide in English, any publicity or document that you produce, or website that you publish, which refers to the English service must also state that a corresponding service is available in Welsh.

21 Standard relating to a body's corporate identity

Standard 87: When you form, revise or present your corporate identity, you must not treat the Welsh language less favourably than the English language.

22 Standards relating to learning opportunities offered by a body

Standard 88: If you offer a learning opportunity that is open to the public, you must offer it in Welsh.

Standard 89: If you develop a learning opportunity that is to be offered to the public, you must assess the need for that opportunity to be offered in Welsh; and you must ensure that the assessment is

published on your website.

23 Standards relating to submitting written work in Welsh

Standard 90: You must inform your students that any written work submitted to you as part of an assessment or examination may be submitted in Welsh, and that work submitted to you in Welsh will be treated no less favourably than written work submitted to you in English as part of that assessment or examination.

Standard 90A: You must not treat any written work submitted to you in Welsh as part of an assessment or examination less favourably than written work submitted to you in English as part of that assessment or examination.

24 Standard relating to public address systems used by a body

Standard 91: When you announce a message over a public address system, you must make that announcement in Welsh and, if the announcement is made in Welsh and in English, the announcement must be made in Welsh first.

25 Standards relating to student accommodation

Standard 92: When students or prospective students apply to you for residential accommodation you must allow those students to express a preference for accommodation (or part of an accommodation) that will be reserved for Welsh speakers.

Standard 92A: You must promote to your students and prospective students the ability for them to express a preference for accommodation (or part of an accommodation) that will be reserved for Welsh speakers.

26 Standard relating to allocating a personal tutor

- Standard 93:** If you allocate a personal tutor to a student (“A”) you must—
- (a) ask A whether A wishes to have a Welsh speaking personal tutor, and
 - (b) if A informs you that A wishes to have a Welsh speaking personal tutor, allocate a Welsh speaking personal tutor to A.

PART 2

STANDARDS THAT RELATE TO OTHER STANDARDS – SPECIAL CONDITIONS

27 When a compliance notice requires a body to comply with one of the standards listed on a specific row in column 1 of Table 1, that compliance notice must also require that body to comply (in whatever way the Welsh Language Commissioner considers appropriate) with the standard or standards listed in column 2 of that row (or with one or more of those standards where that is stated).

TABLE 1

<i>Row</i>	Column 1 <i>Main standard</i>	Column 2 <i>Reliant standard</i>
(1)	Replying to correspondence Standard 1	Standard 7
(2)	Corresponding with members of the same household Standard 3	Standard 6
(3)	Corresponding with several persons Standard 4	Standard 6 Standard 7
	General standards relating to correspondence	

(4)	Standard 5	Standard 6 Standard 7
(5)	Raising awareness about corresponding in Welsh Standard 7	Standard 1
(6)	Receiving telephone calls Standard 9	One or more of the following: Standard 10 Standard 11
(7)	Receiving telephone calls Standard 10 or 11	Standard 9 Standard 14
(8)	Raising awareness about telephone services in Welsh Standard 14	One or more of the following: Standard 10 Standard 11 and also Standard 16, and Standard 17
(9)	Meetings with one person Standard 24	One or more of the following: Standard 24A Standard 24B
(10)	Meetings with one person Standard 24A or 24B	Standard 24
(11)	Meetings with one person Standard 26	One or more of the following:

		Standard 26A Standard 26B
(12)	Meetings with one person Standard 26A or 26B	Standard 26
(13)	Meetings with more than one person Standard 27	One or more of the following: Standard 27A Standard 27B Standard 27C and also one of more of the following: Standard 27CH Standard 27D
(14)	Meetings with more than one person Standard 27A, 27B, 27C, 27CH or 27D	Standard 27
(15)	Meetings with more than one person Standard 29	One or more of the following: Standard 29A Standard 29B
(16)	Meetings with more than one person Standard 29A or 29B	Standard 29
(17)	Public meetings Standard 30	Standard 33
(18)	Public meetings Standard 33	Standard 30
(19)	Public lectures Standard 40	Standard 40A
(20)	Public lectures Standard 40A	Standard 40

	Documents	
(21)	Standard 43, 44, 45, 46, 47, 48 or 50	Standard 51 Standard 52
	Forms	
(22)	Standard 53	Standard 53A Standard 53B
	Websites	
(23)	Standard 55, 56 or 57	Standard 58
	Signs	
(24)	Standard 65 or 66	Standard 67
	Reception	
(25)	Standard 68	Standard 71 Standard 72
	Reception	
(26)	Standard 69	Standard 69A
	Reception	
(27)	Standard 70	Standard 71
	Raising awareness of Welsh-language services in a reception	
(28)	Standard 71	One or more of the following: Standard 68 Standard 70
	Grants and financial assistance	
(29)	Standard 76	Standard 76A Standard 79
	Grants and financial assistance	
(30)	Standard 77 or 78	Standard 76 Standard 76A
	Contracts	
(31)	Standard 81	Standard 81A Standard 84
	Contracts	

(32)	Standard 82 or 83	Standard 81 Standard 81A
	Written work in Welsh	
(33)	Standard 90	Standard 90A
	Written work in Welsh	
(34)	Standard 90A	Standard 90
	Student accommodation	
(35)	Standard 92	Standard 92A
	Student accommodation	
(36)	Standard 92A	Standard 92

28

(1) Paragraph 28(2) applies if a compliance notice requires a body to comply with one or more of the standards listed on a specific row in column 1 of Table 2 and with one or more of the standards listed on the same row in column 2.

(2) If the compliance notice requires the body to comply with a standard listed in column 2 in respect of a meeting (or in respect of a meeting of a particular kind) the compliance notice must not require the body to comply with a standard listed on the same row in column 1 in respect of that meeting (or in respect of a meeting of that kind).

TABLE 2

<i>Row</i>	Column 1	Column 2
	Meetings with one person	Meetings with one person relating to complaints, disciplinary proceedings or student support
(1)	Standard 23, 24, 24A or 24B	Standard 25, 26, 26A or 26B

	Meetings with more than one person	Meetings with more than one person relating to complaints, disciplinary proceedings or student support
(2)	Standard 27, 27A, 27B, 27C, 27CH or 27D	Standard 28, 29, 29A or 29B

PART 3

INTERPRETING THE STANDARDS

- 29** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 30** The standards only apply to the extent that a body —
- (a) delivers services to a person, or
 - (b) deals with any other person in connection with delivering services—
 - (i) to that other person, or
 - (ii) to a third person.
- 31** The standards only apply to the extent that the activity undertaken or the service provided relates to —
- (a) the admission and selection of students;
 - (b) information provided to students and prospective students about the body;
 - (c) the welfare of students;
 - (ch) complaints;
 - (d) disciplinary proceedings in respect of a student;
 - (dd) careers service;
 - (e) student intranet, virtual learning sites and learning portal sites;
 - (f) graduation and award ceremonies;
 - (ff) the assessment or

- examination of a student;
- (g) the awarding of grants and the provision of financial assistance;
- (ng) public lectures;
- (h) learning opportunities⁽¹⁾;
- (i) allocation of a personal tutor⁽²⁾;
- (j) student accommodation, libraries and arts centres;
- (l) calls to a main telephone number (or numbers), helpline numbers, call centre numbers and automated telephone systems;
- (ll) signs on the body's buildings.

32 A body is not required to produce, to display or to send material in Welsh to the extent that another enactment has specified the wording of a document, a sign or a form which would run contrary to that requirement.

33 For the purposes of the standards —

- (a) a requirement to produce, to send, to publish, to display, to make available or to issue any written material in Welsh does not mean that the material should be produced, sent, published, displayed, made available or issued in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is specifically stated in the standard);
- (b) a requirement to provide a service in Welsh does not mean that that service should only be provided in Welsh (unless that is specifically stated in the standard).

(1) See paragraph 63.

(2) See paragraph 66.

(1) A body is not required to translate into Welsh any text that it has not produced (“text A”).

(2) A body will not be treating the Welsh language less favourably if it does not translate text A into Welsh but see sub-paragraph (3).

(3) A body must use the Welsh version of text A if another person has produced text A in Welsh in accordance with —

- (a) its Welsh Language Scheme;
- (b) a duty to comply with standards;
- (c) Standing Orders of the Assembly;
- (ch) section 35(1C) of the 2006 Act; or
- (d) the Assembly Commission’s Official Languages Scheme.

(4) In this paragraph—

- (a) “Welsh Language Scheme” means a Welsh language scheme produced in accordance with Part 2 of the Welsh Language Act 1993(1);
- (b) “a duty to comply with standards” means a duty to comply with a standard under section 25 of the Welsh Language (Wales) Measure 2011;
- (c) “the 2006 Act” means the Government of Wales Act 2006(2);
- (ch) “Standing Orders of the Assembly” means standing orders made under section 31 of the 2006 Act;
- (d) “the Assembly Commission’s Official Languages Scheme” means the Scheme adopted and published under paragraph 8 of Schedule 2 to the 2006 Act.

(1) 1993 c.38.

(2) 2006 c.32.

- 35** A body is not required to comply with these standards in relation to material published in journals or books.
- 36** For the purposes of standards 2, 3 and 21, a body corresponds with an individual or makes a telephone call to an individual for the first time when it corresponds or makes a telephone call for the first time after the date on which a compliance notice has required the body to comply with the standard.
- 37** For the purposes of standards 18 to 20 (telephone calls) “department” means a department that deals wholly or mainly with the matters listed in paragraph 31(a) to (l).
- 38** In standard 22 an “automated” telephone system means a system that answers telephone calls and guides persons through a set procedure with a recorded message which, for example, asks a person to press different keys in order to choose different options.
- 39** For the purposes of standards 25 to 26B and 28 to 29B (meetings relating to student support) providing ‘student support’ means providing counselling or support in relation to mental health issues.
- 40** Standards 23 to 29B (meetings) do not apply to medical examinations.
- 41** For the purposes of standards 30 to 34 (public meetings) “cohort” means a group of students sharing one or more statistical or demographic features (for example, students born in a particular year, all students or all third year students studying geography).
- 42** Standard 36 (public events) does not apply to—
- (a) performances of music;
 - (b) artistic or dramatic productions;

(c) seminars or oral presentations relating to the performance or production;

(ch) any recording of the performance, production, seminar or oral presentation.

43 Standards 36 and 91 do not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.

44 Standards 30 to 34 (public meetings) and 35 and 36 (public events) do not apply to public lectures or graduation ceremonies (see standards 40 to 42).

45 Standards 38 and 39 (displaying material) do not apply to graduation ceremonies (see standards 41 to 42).

46 Where a standard refers to material that is to be produced in Welsh (with the exception of standards 41 (graduation ceremonies), 55 to 61 (websites and apps), 62 and 63 (social media), 80 (invitations to tender) and 90 (submitting written work in Welsh)), references to treating the Welsh language no less favourably than the English language, or to treating a Welsh language version no less favourably than an English language version, include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards —

(a) the visual presentation of material (for example in relation to the colour or font of any text);

(b) the size of the material;

(c) the position and prominence of the material in any public place;

(ch) when and how the material is published, provided or exhibited;

- (d) the publication format of material.

47

For the purposes of standard 41 (graduation and award ceremonies), references to treating the Welsh language no less favourably than the English language include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards —

- (a) the visual presentation of material (for example in relation to the colour or font of any text);
- (b) the size of the material;
- (c) the position and prominence of the material in any public place;
- (ch) when and how the material is published, provided or exhibited;
- (d) the publication format of material

but a body will not be treating the Welsh language less favourably than the English language by providing the information in written or electronic format in Welsh when the information is provided orally in English.

48

For the purposes of standards 43, 44, 47, 50 and 53 references to documents or other materials being available to the public or to students or to being produced for public use or for students use do not include documents or materials that are only available to the public or to students by virtue of the Freedom of Information Act 2000⁽¹⁾.

49

(1) Standards 53, 53A and 53B do not apply to the forms listed in sub-paragraph (3).

(2) For the purposes of standard 2, a body is not required to send a Welsh language version of the forms listed in sub-paragraph (3).

(1) 2000 c.36

- (3) The forms are —
- (a) forms used by a body to recruit employees (see standards 146A, 147 and 148 in relation to recruitment);
 - (b) forms used when applying for grant or financial assistance from a body (see standards 75 to 79 in relation to applications for grants and financial assistance);
 - (c) forms used when submitting a tender to enter into a contract with a body (see standards 80 to 84 in relation to tendering for a contract).

50 Standards 43, 48, 50, 51 and 52 do not apply to an enactment made by a body or to a draft enactment prepared by a body.

51 Standards 43, 46, 47 and 50 do not apply to any advertising material contained in a document, brochure, leaflet, pamphlet or card.

52 Standards 55 to 59 (websites) do not apply to —

- (a) documents to which a link is provided on a website, advertising material on a website, or to video and audio clips on a website (see standards 43 to 52 for specific provision in relation to documents, and standard 37 in relation to advertising material produced by a body);
- (b) information presented by persons (other than the body) on an interactive page published on a body’s website (for example on a section for comments or on a discussion forum).

53 For the purposes of standards 55 to 59 (websites) “website” includes student intranet, virtual learning sites and learning portal sites.

54 (1) For the purposes of standard 61 an ‘app’ is a software application designed to undertake a specific task on an electronic device.

(2) Standard 61 does not apply to any advertising material on an app (see standard 37 in relation to advertising material produced by a body).

55 For the purposes of standards 55 to 60 (websites), standard 61 (apps) and standards 62 and 63 (social media), references to treating the Welsh language no less favourably than the English language include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards —

(a) the visual presentation of the material (for example in relation to the colour, size, font and format of any text), or

(b) when material is published on the website, app or social media;

but it does not mean that Welsh language material must appear on the same page as English language material, or on a page that a person is likely to find before the English language page when searching.

56 (1) Standards 1 to 7 (correspondence) do not apply to correspondence sent by social media (see standards 62 and 63 in relation to social media).

(2) Standards 55 to 59 (websites) and standard 61 (apps) do not apply to social media (see standards 62 and 63 in relation to social media).

57 Standards 62 and 63 (social media) do not apply to —

(a) documents to which a link is provided through social media, or to video and audio clips provided through social media (see

standards 43 to 52 for specific provision in relation to documents, and standard 37 in relation to advertising material produced by a body);

- (b) information presented by persons (other than the body) on a body's social media account (for example on a section for comments).

58 For the purposes of standard 64 (self service machines) reference to treating the Welsh language no less favourably than the English language includes, amongst other matters, treating the Welsh language no less favourably as regards the visual presentation of the material (for example in relation to the colour, size, font and format of any text), but it does not mean that Welsh language material must appear on screen at the same time as English language material.

59 For the purposes of standards 68 to 72 (receiving visitors) —

- (a) “reception” means an area in a body's offices and service locations where staff are made available for the purpose of welcoming persons;
- (b) “reception service” means a service for welcoming persons to the body's offices or service locations by staff who are made available for that purpose;
- (c) “service locations” include libraries, leisure centres, arts centres, advice centres and drop in centres.

60 For the purposes of standards 7, 73 and 74 a “notice” means any notice that a body publishes, but it does not include notices prescribed by an enactment.

61 For the purposes of standard 80 (invitation to tender) —

- (1) A body is not required to

publish an invitation to tender in Welsh in the Official Journal of the European Union.

(2) A reference to treating a Welsh language version no less favourably than an English language version includes, amongst other matters, treating the Welsh language no less favourably as regards—

- (a) the visual presentation of material (for example in relation to the colour or font of any text);
- (b) the size of the material;
- (c) the position and prominence of the material in any public place;
- (ch) when and how the material is published, provided or exhibited;
- (d) the publication format of material;

but a body will not be treating the Welsh language less favourably than the English language by not publishing an invitation to tender in Welsh in the Official Journal of the European Union.

62

(1) For the purposes of standard 87, the reference to a body forming or presenting its “corporate identity” includes, amongst other things, the way a body presents itself by means of visual statements, the name or names used by a body, and a body’s branding and slogans (for example, branding and slogans printed on its stationery).

(2) Standard 87 does not apply to the extent that an enactment requires a body to use a legal name.

63

For the purposes of standards 88 and 89 (learning opportunities) and paragraph 31, “learning opportunities” means any seminar, training, workshop, taster session, or similar provision which is provided in order to educate or to improve the skills of members of the public; but does not include—

- (a) any seminar, training, workshop, taster session or

similar provision provided as part of a course; or

- (b) seminars or oral presentations relating to a performance or production.

64 Standards 90 and 90A (submitting written work in Welsh) do not apply when the body is assessing the proficiency of a student in a language other than Welsh.

65 For the purposes of standard 90 and 90A (submitting written work in Welsh) a reference to treating the Welsh language no less favourably than the English language includes, among other matters, the timescale for informing persons of the outcome of the assessment or examination; but a body will not be treating the Welsh language less favourably than the English language—

- (a) by obtaining a translation of that work in order for it to be assessed, or
- (b) by not translating any comments on that translated work.

66 For the purposes of standard 93 (allocation of a personal tutor) and paragraph 31—

- (a) a “personal tutor” is a member of staff allocated to a student (“A”) whose main role as a personal tutor is to support A in A’s learning or with other matters;
- (b) the allocation of a personal tutor to A does not include providing A with an academic tutor;
- (c) an “academic tutor” is a member of staff provided to A whose role as an academic tutor is to—
 - (i) deliver a lecture or course, or
 - (ii) facilitate tutorials, workshops or practical support to the programme of learning.

67

For the purposes of the standards “enactment” means an enactment (whenever enacted or made) comprised in, or in an instrument made under—

- (a) an Act of Parliament; or
- (b) a Measure or an Act of the National Assembly for Wales.

SCHEDULE 2 Regulation 2(2)

Policy making Standards

PART 1

THE STANDARDS

- 1** **Standards relating to considering the effects of a body's policy decisions on the Welsh language**
- Standard 94:** When you formulate a new policy, or review or revise an existing policy, you must consider what effects, if any (whether positive or adverse), the policy decision would have on —
- (a) opportunities for persons to use the Welsh language, and
 - (b) treating the Welsh language no less favourably than the English language.
- Standard 95:** When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would have positive effects, or increased positive effects, on —
- (a) opportunities for persons to use the Welsh language, and
 - (b) treating the Welsh language no less favourably than the English language.
- Standard 96:** When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would not have adverse effects, or so that it would have decreased adverse effects, on —
- (a) opportunities for persons to use the Welsh language, and

- (b) treating the Welsh language no less favourably than the English language.

Standard 97: When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, the effects (whether positive or adverse) that the policy decision under consideration would have on —

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

Standard 98: When you publish a consultation document which relates to a policy decision the document must consider, and seek views on, how the policy under consideration could be formulated or revised so that it would have positive effects, or increased positive effects, on —

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

Standard 99: When you publish a consultation document which relates to a policy decision the document must consider, and seek views on, how the policy under consideration could be formulated or revised so that it would not have adverse effects, or so that it would have decreased adverse effects, on —

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

Standard 100: 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 or providing financial assistance —

- (a) what effects, if any (and whether positive or negative), the awarding of a grant or providing financial assistance 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) 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) 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 or providing financial assistance on—

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

Standard 101: When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers what effects, if any (and whether positive or adverse), the policy decision under consideration would have on —

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

Standard 102: When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would have a positive effects, or so that it would have increased positive effects, on —

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

Standard 103: When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would not have adverse effects, or so that it would have decreased adverse effects, on —

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

Standard 104: When you develop or revise a course (or any component of a course) you must consider—

- (a) what effects, if any (and whether positive or negative), that course 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 that course 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 that course 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.

PART 2

INTERPRETING THE STANDARDS

2

In Part 1 of this Schedule a “policy decision” means any decision made by a body about the exercise of its functions or about the conduct of its business or other undertaking, in so far as the decision relates to—

- (a) the admission and selection of students;
- (b) information provided to

- students and prospective students about the body;
- (c) the welfare of students;
- (ch) complaints;
- (d) disciplinary proceedings in respect of a student;
- (dd) careers service;
- (e) student intranet, virtual learning sites and learning portal sites;
- (f) graduation and award ceremonies;
- (ff) the assessment or examination of a student;
- (g) the awarding of grants and the provision of financial assistance;
- (ng) public lectures;
- (h) learning opportunities;
- (i) courses;
- (j) signs on the body's buildings;
- (l) student accommodation, libraries and arts centres;
- (ll) allocation of a personal tutor;
- (m) calls to a main telephone number (or numbers), helpline numbers, call centre numbers and automated telephone systems;

and includes, amongst other things (and as appropriate to the body), decisions about —

- (i) the content of legislation;
- (ii) the exercise of statutory powers;
- (iii) the content of policy statements;
- (iv) strategies or strategic plans;
- (v) internal structures;
- (vi) office and building locations;
- (vii) the recruitment or use of volunteers.

- 3** In Part 1 of this Schedule a reference to positive or adverse effects is a reference to such effects whether direct or indirect.
- 4** In this Schedule ‘learning opportunities’ has the same meaning as in paragraph 63 of Schedule 1.
- 5** In this Schedule ‘allocation of a personal tutor’ has the same meaning as in paragraph 66 of Schedule 1.

SCHEDULE 3 Regulation 2(3)

Operational standards

PART 1

THE STANDARDS

1 Standards relating to the use of the Welsh language within a body's internal administration

Standard 105: You must develop a policy on using Welsh internally for the purpose of promoting and facilitating the use of the language, and you must publish that policy on your intranet.

Standard 106: When you offer a new post to an individual, you must ask that individual whether he or she wishes for the contract of employment or contract for services to be provided in Welsh; and if that is the individual's wish you must provide the contract in Welsh.

Standard 107: You must —

- (a) ask each employee whether he or she wishes to receive any paper correspondence that relates to his or her employment, and which is addressed to him or her personally, in Welsh, and
- (b) if an employee so wishes, provide any such correspondence to that employee in Welsh.

Standard 108: You must ask each employee whether he or she wishes to receive any documents that outline his or her training needs or requirements in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.

Standard 109: You must ask each employee whether he or she wishes to receive any documents that outline his or her performance objectives in Welsh;

and if that is the employee's wish you must provide any such documents to him or to her in Welsh.

Standard 110: You must ask each employee whether he or she wishes to receive any documents that outline or record his or her career plan in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.

Standard 111: You must ask each employee whether he or she wishes to receive any forms that record and authorise —

- (a) annual leave,
- (b) absences from work, and
- (c) flexible working hours,

in Welsh; and if that is an employee's wish, you must provide any such forms to him or to her in Welsh.

Standard 112: If you publish a policy relating to behaviour in the workplace, you must publish it in Welsh.

Standard 113: If you publish a policy relating to health and well-being at work, you must publish it in Welsh.

Standard 114: If you publish a policy relating to salaries or workplace benefits, you must publish it in Welsh.

Standard 115: If you publish a policy relating to performance management, you must publish it in Welsh.

Standard 116: If you publish a policy about absence from work, you must publish it in Welsh.

Standard 117: If you publish a policy relating to working conditions, you must publish it in Welsh.

Standard 118: If you publish a policy regarding work patterns, you must publish it in Welsh.

2 Standards relating to complaints made by a member of a body's staff

Standard 119: You must allow each member of staff —

- (a) to make complaints to you in Welsh, and
- (b) to respond in Welsh to any complaint made about him or about her.

Standard 119A: You must state in any document that you have that sets out your procedures for making complaints that each member of staff may —

- (a) make a complaint to you in Welsh, and
- (b) respond to a complaint made about him or about her in Welsh;

and you must also inform each member of staff of that right.

Standard 120: If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must —

- (a) offer to conduct the meeting in Welsh, and
- (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 121: If you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must —

- (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting;
- (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;

and if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without translation services).

Standard 122: When you inform a member of staff of a decision you have reached in relation to a complaint made by him or by her, or in relation to a complaint made about him or about her, you must do so in Welsh if that member of staff—

- (a) made the complaint in Welsh,
- (b) responded in Welsh to a complaint about him or about her,
- (c) asked for a meeting about the complaint to be conducted in Welsh, or
- (ch) asked to use the Welsh language at a meeting about the complaint.

3 Standards relating to a body disciplining staff

Standard 123: You must allow all members of staff to respond in Welsh to allegations made against them in any internal disciplinary process.

Standard 123A: You must —

- (a) state in any document that you have which sets out your arrangements for disciplining staff that any member of staff may respond in Welsh to any allegations made against him or against her, and
- (b) if you commence a disciplinary procedure in relation to a member of staff, inform that member of staff of that right.

Standard 124: If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or to her conduct you must —

- (a) offer to conduct the meeting in Welsh; and
- (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 125: If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or her conduct you must —

- (a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting, and
- (b) explain that you will provide a translation service for that purpose if it is required;

and, if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without a translation service).

Standard 126: When you inform a member of staff of a decision you have reached following a disciplinary process, you must do so in Welsh if that member of staff—

- (a) responded to allegations made against him or her in Welsh,
- (b) asked for a meeting regarding the disciplinary process to be conducted in Welsh, or
- (c) asked to use the Welsh language at a meeting regarding the disciplinary process.

4

Standards relating to a body's information technology and about support material provided by a body, and relating to the intranet

Standard 127: You must provide staff with computer software for checking spelling and grammar in Welsh, and provide Welsh language interfaces for software (where an interface exists).

Standard 128: You must ensure that —

- (a) the text of each page of your intranet is available in Welsh,
- (b) every Welsh language page on your intranet is fully functional, and
- (c) the Welsh language is treated no less favourably than the English language on your intranet.

Standard 129: You must ensure that —

- (a) the text of the homepage of your intranet is available in Welsh,
- (b) any Welsh language text on your intranet's homepage (or, where relevant, your Welsh language intranet homepage) is fully functional, and
- (c) the Welsh language is treated no less favourably than the English language in relation to the homepage of your intranet.

Standard 130: You must ensure that each time you publish a new intranet page or amend a page —

- (a) the text of that page is available in Welsh,
- (b) any Welsh language version of that page is fully functional, and
- (c) the Welsh language is treated no less favourably than the English language in relation to the text of that page.

Standard 131: If you have a Welsh language page on your intranet that corresponds to an English language page, you must state clearly on the English language page that the page is also available

in Welsh, and must provide a direct link to the Welsh language page on the corresponding English language page.

Standard 132: You must designate and maintain a page (or pages) on your intranet which provides services and support material to promote the Welsh language and to assist your staff to use the Welsh language.

Standard 133: You must provide the interface and menus on your intranet pages in Welsh.

5 Standards relating to a body developing Welsh language skills through planning and training its workforce

Standard 134: You must assess the Welsh language skills of your employees.

Standard 135: You must provide training in Welsh in the following areas, if you provide such training in English —

- (a) recruitment and interviewing;
- (b) performance management;
- (c) complaints and disciplinary procedures;
- (ch) induction;
- (d) dealing with the public; and
- (dd) health and safety.

Standard 136: You must provide training (in Welsh) on using Welsh effectively in—

- (a) meetings;
- (b) interviews; and
- (c) complaints and disciplinary procedures.

Standard 137: You must provide training to staff who provide careers advice on the value of Welsh language skills in the employment sector.

Standard 138: You must provide opportunities during working hours—

- (a) for your employees to

receive basic Welsh language lessons, and

- (b) for employees who manage others to receive training on using the Welsh language in their role as managers.

Standard 139: You must provide opportunities for employees who have completed basic Welsh language training to receive further training, free of charge, to develop their language skills.

Standard 140: You must provide training courses so that your employees can develop —

- (a) awareness of the Welsh language (including awareness of its history and its role in Welsh culture);
- (b) an understanding of the duty to operate in accordance with the Welsh language standards;
- (c) an understanding of how the Welsh language can be used in the workplace.

Standard 141: When you provide information to new employees (for example by means of an induction process), you must provide information for the purpose of raising their awareness of the Welsh language.

Standard 142: You must provide wording or a logo for your staff to include in e-mail signatures which will enable them to indicate whether they speak Welsh fluently or whether they are learning the language.

Standard 143: You must provide wording for your employees which will enable them to include a Welsh language version of their contact details in e-mail messages, and to provide a Welsh language version of any message which informs others that they are unavailable to respond to e-mail messages.

Standard 144: You must make available to members of staff who are able to

speaking Welsh a badge for them to wear to convey that.

Standard 144A: You must promote to members of staff the wearing of a badge that conveys that a member of staff is able to speak Welsh.

6 Standards relating to a body recruiting and appointing

Standard 145: When you assess the requirements for a new or vacant post, you must assess the need for Welsh language skills, and categorise it as a post where one or more of the following apply —

- (a) Welsh language skills are essential;
- (b) Welsh language skills need to be learnt when appointed to the post;
- (c) Welsh language skills are desirable; or
- (ch) Welsh language skills are not necessary.

Standard 145A: If you have categorised a post as one where Welsh language skills are essential, desirable or need to be learnt you must —

- (a) specify that when advertising the post, and
- (b) advertise the post in Welsh.

Standard 146: When you advertise a post, you must state that applications may be submitted in Welsh, and that an application submitted in Welsh will not be treated less favourably than an application submitted in English.

Standard 146A: If you publish —

- (a) application forms for posts;
- (b) material that explains your procedure for applying for posts;
- (c) information about your interview process, or about other assessment methods when applying for posts;
- (ch) job descriptions;

you must publish them in Welsh;

and you must ensure that the Welsh language versions of the documents are treated no less favourably than any English language versions of those documents.

Standard 146B: You must not treat an application for a post made in Welsh less favourably than you treat an application made in English (including, amongst other matters, in relation to the closing date you set for receiving applications and in relation to any timescale for informing individuals of decisions).

Standard 147: You must ensure that your application forms for posts provide a space for individuals to indicate that they wish an interview or other method of assessment in Welsh and if an individual so wishes, you must conduct any interview or other method of assessment in Welsh (without the assistance of a simultaneous or consecutive translation service).

Standard 148: You must ensure that your application forms for posts —

- (a) provide a space for individuals to indicate that they wish to use the Welsh language at an interview or at any other method of assessment, and
- (b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;

and, if the individual wishes to use the Welsh language at the interview or assessment, you must provide a simultaneous translation service at the interview or assessment (unless you conduct the interview or assessment in Welsh without that translation service).

Standard 149: When you inform an individual of your decision in relation to an application for a post, you must do so in Welsh if the application was made in Welsh.

7 Standards relating to signs displayed in a body's workplace

Standard 150: When you erect a new sign or renew a sign in your workplace (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as the corresponding English language text or on a separate sign), and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.

Standard 151: When you erect a new sign or renew a sign in your workplace (including temporary signs) which conveys the same information in Welsh and in English, the Welsh language text must be positioned so that it is likely to be read first.

Standard 152: You must ensure that the Welsh language text on signs displayed in your workplace is accurate in terms of meaning and expression.

8 Standard relating to audio announcements and messages in a body's workplace

Standard 153: When you make announcements in the workplace using audio equipment, that announcement must be made in Welsh, and if the announcement is made in Welsh and in English, the announcement must be made in Welsh first.

PART 2

STANDARDS THAT ARE RELIANT ON OTHER STANDARDS – SPECIAL CONDITIONS

9 When a compliance notice requires a body to comply with one of the standards listed on a specific row in column 1 of Table 1, that compliance notice must also require that body to comply (in whatever way the Welsh Language Commissioner considers

appropriate) with the standard or standards listed in column 2 of that row.

TABLE 1

<i>Row</i>	Column 1 <i>Main standard</i>	Column 2 <i>Reliant standard</i>
	Complaints procedures	
(1)	Standard 119	Standard 119A
	Complaints procedures	
(2)	Standard 119A	Standard 119
	Disciplining staff	
(3)	Standard 123	Standard 123A
	Disciplining staff	
(4)	Standard 123A	Standard 123
	Intranet	
(5)	Standard 128, 129 or 130	Standard 131
	Raising awareness of Welsh language badge	
(6)	Standard 144	Standard 144A
	Raising awareness of Welsh language badge	
(7)	Standard 144A	Standard 144
	Recruitment and appointments	
(8)	Standard 145	Standard 145A
	Recruitment	
(9)	Standard 146	Standard 146A Standard 146B Standard 149
	Internal signs	
(10)	Standard 150	Standard 152

PART 3

INTERPRETING THE STANDARDS

- 10** The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 11**
- (1) A body is not required to translate into Welsh any text that it has not produced (“text A”).
- (2) A body will not be treating the Welsh language less favourably if it does not translate text A into Welsh but see sub-paragraph (3).
- (3) A body must use the Welsh version of text A if another person has produced text A in Welsh in accordance with—
- (a) its Welsh Language Scheme;
 - (b) a duty to comply with standards;
 - (c) Standing Orders of the Assembly;
 - (ch) section 35(1C) of the 2006 Act; or
 - (d) the Assembly Commission’s Official Languages Scheme.
- (4) In this paragraph—
- (a) “Welsh Language Scheme” means a Welsh language scheme produced in accordance with Part 2 of the Welsh Language Act 1993;
 - (b) “a duty to comply with standards” means a duty to comply with a standard under section 25 of the Welsh Language (Wales) Measure 2011;
 - (c) “the 2006 Act” means the Government of Wales Act 2006;
 - (ch) “Standing Orders of the Assembly” means standing orders made under section 31 of the 2006 Act;
 - (d) “the Assembly

Commission's Official Languages Scheme" means the Scheme adopted and published under paragraph 8 of Schedule 2 to the 2006 Act.

12

For the purposes of standards 128, 129 and 130 (a body's intranet), references to treating the Welsh language no less favourably than the English language include, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards—

- (a) the visual presentation of the material (for example in relation to the colour, size, font and format of any text);
- (b) when material is published on the intranet;

but it does not mean that the Welsh language material must appear on the same page as the English language material, or on a page that is likely to open before the corresponding English language version of a page.

13

For the purposes of standards 146A (recruitment) and 150 (internal signs), references to treating the Welsh language no less favourably than the English language includes, amongst other matters (and in addition to specific matters referred to in any individual standard), treating the Welsh language no less favourably as regards —

- (a) the visual presentation of the material (for example in relation to the colour or font of any text);
- (b) the size of the material;
- (c) the position and prominence of the material in any public area;
- (ch) when and how material is published, provided or exhibited;
- (d) the publication format of

the material.

- 14** For the purposes of the standards a requirement to publish, provide or display any written material in Welsh does not mean that material should be published, provided or, displayed in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is specifically stated in the standard).
- 15** Standards 128 to 131 (intranet) do not apply to—
- (a) documents to which a link is provided on the intranet, advertising material on the intranet, or to video and audio clips on the intranet (see standards 112 to 118 for specific provision in relation to documents);
 - (b) information presented by persons on an interactive page published on a body's intranet (for example on a section for comments or on a discussion forum).
- 16** For the purposes of standards 145 and 145A only—
- (a) “post” includes a public appointment;
 - (b) “public appointment” means any appointment to a public body or public office.
- 17** Standard 153 does not apply when the message that you announce over a public address system is made during an emergency or an emergency drill.

SCHEDULE 4 Regulation 2(4)
Record Keeping Standards

PART 1
THE STANDARDS

1 Standards relating to a body keeping records

Standard 154: You must keep a record, in relation to each financial year, of the number of complaints you receive relating to your compliance with standards.

Standard 155: You must keep a copy of any written complaint that you receive that relates to your compliance with the standards with which you are under a duty to comply.

Standard 156: You must keep a copy of any written complaint that you receive that relates to the Welsh language (whether or not that complaint relates to the standards with which you are under a duty to comply).

Standard 157: You must keep a record of the steps that you have taken in order to ensure compliance with the policy making standards with which you are under a duty to comply.

Standard 158: You must keep a record (following assessments of your employees' Welsh language skills made in accordance with standard 134), of the number of employees who have Welsh language skills at the end of each financial year and, where you have that information, you must keep a record of the skill level of those employees.

Standard 159: You must keep a record, for each financial year of—

- (a) the number of members of staff who attended training courses provided in Welsh (in accordance with standard 135), and

- (b) if a Welsh version of a course was provided in accordance with standard 135, the percentage of the total number of staff attending the course who attended that version.

Standard 160: You must keep a record of the number of members of staff who wear a badge (made available to them in accordance with standard 144) at the end of each financial year.

Standard 161: You must keep a copy of every assessment that you carry out (in accordance with standard 145) in respect of the Welsh language skills that may be needed in relation to a new or vacant post.

Standard 162: You must keep a record, in relation to each financial year, of the number of new and vacant posts which were categorised (in accordance with standard 145) as posts where—

- (a) Welsh language skills are essential;
- (b) Welsh language skills need to be learnt when appointed to the post;
- (c) Welsh language skills are desirable; or
- (ch) Welsh language skills are not necessary.

PART 2

INTERPRETING THE STANDARDS

- 2 The standards specified in Part 1 of this Schedule must be interpreted as follows.
- 3 For the purposes of standards 154, 158, 159, 160 and 162 “financial year” means the body’s own financial year.

SCHEDULE 5 Regulation 2(5)

Standards which deal with
Supplementary Matters

PART 1

SERVICE DELIVERY STANDARDS

1 A body publicising service delivery standards

Standard 163: You must ensure that a document which records the service delivery standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

2 A body publishing a complaints procedure

Standard 164: You must—

- (a) ensure that you have a complaints procedure that deals with the following matters—
 - (i) how you intend to deal with complaints relating to your compliance with the service delivery standards with which you are under a duty to comply, and
 - (ii) how you will provide training for your staff in relation to dealing with those complaints,
- (b) publish a document that records that procedure on your website, and
- (c) ensure that a copy of that document is available in each of your offices that are open to the public.

3 A body publishing arrangements for oversight, promotion etc.

Standard 165: You must—

- (a) ensure that you have arrangements for—
 - (i) overseeing the way you comply with the service delivery standards with which you are under a duty to comply,
 - (ii) promoting the services that you offer in accordance with those standards, and
 - (iii) facilitating the use of those services,
- (b) publish a document that records those arrangements on your website, and
- (c) ensure that a copy of that document is available in each of your offices that are open to the public.

4 A body producing an annual report regarding service delivery standards

Standard 166:

- (1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the service delivery standards with which you were under a duty to comply during that year.
- (2) The annual report must include the number of complaints that you received during that year which related to your compliance with the service delivery standards with which you were under a duty to comply.
- (3) You must publish the annual report no later than 6 months following the end of the financial year to which the report relates.
- (4) You must publicise the fact that you have published an annual report.
- (5) You must ensure that a current

copy of your annual report is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

5 A body publicising the way it intends to comply with service delivery standards

Standard 167: You must publish a document on your website which explains how you intend to comply with the service delivery standards with which you are under a duty to comply.

6 A body providing information to the Welsh Language Commissioner

Standard 168: You must provide any information requested by the Welsh Language Commissioner which relates to your compliance with the service delivery standards with which you are under a duty to comply.

PART 2
POLICY MAKING STANDARDS

7 **A body publicising policy making standards**

Standard 169: You must ensure that a document which records the policy making standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

8 **A body publishing a complaints procedure**

Standard 170: You must—

- (a) ensure that you have a complaints procedure that deals with the following matters—
 - (i) how you intend to deal with complaints relating to your compliance with the policy making standards with which you are under a duty to comply, and
 - (ii) how you will provide training for your staff in relation to dealing with those complaints,
- (b) publish a document that records that procedure on your website, and
- (c) ensure that a copy of that document is available in each of your offices that are open to the public.

9 **A body publishing arrangements for oversight**

Standard 171: You must—

- (a) ensure that you have

arrangements for overseeing the way you comply with the policy making standards with which you are under a duty to comply,

- (b) publish a document that records those arrangements on your website, and
- (c) ensure that a copy of that document is available in each of your offices that are open to the public.

10

A body producing an annual report regarding policy making standards

Standard 172:

(1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the policy making standards with which you were under a duty to comply during that year.

(2) The annual report must include the number of complaints you received during the year which related to your compliance with the policy making standards with which you were under a duty to comply.

(3) You must publish the annual report no later than 6 months following the end of the financial year to which the report relates.

(4) You must publicise the fact that you have published an annual report.

(5) You must ensure that a current copy of your annual report is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

11

A body publicising the way it intends to comply with policy making standards

Standard 173:

You must publish a document on your website which explains how

you intend to comply with the policy making standards with which you are under a duty to comply.

12 A body providing information to the Welsh Language Commissioner

Standard 174: You must provide any information requested by the Welsh Language Commissioner which relates to compliance with the policy making standards with which you are under a duty to comply.

PART 3

OPERATIONAL STANDARDS

13 A body publicising operational standards

Standard 175: You must ensure that a document which records the operational standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

14 A body publishing a complaints procedure

Standard 176: You must—

- (a) ensure that you have a complaints procedure that deals with the following matters—
 - (i) how you intend to deal with complaints relating to your compliance with the operational standards with which you are under a duty to comply, and
 - (ii) how you will provide training for your staff in relation to dealing with those

complaints, and

- (b) publish a document that records that procedure on your intranet.

15 **A body publishing oversight arrangements, promotion etc.**

Standard 177: You must—

- (a) ensure that you have arrangements for—
 - (i) overseeing the way you comply with the operational standards with which you are under a duty to comply,
 - (ii) promoting the services that you offer in accordance with those standards, and
 - (iii) facilitating the use of those services, and
- (b) publish a document that records that procedure on your intranet.

16 **A body producing an annual report regarding operational standards**

Standard 178: (1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the operational standards with which you were under a duty to comply during that year.

(2) The annual report must include the following information (where relevant, to the extent you are under a duty to comply with the standards referred to)—

- (a) the number of employees who have Welsh language skills at the end of the year in question (on the basis of the records you kept in accordance with standard 158);
- (b) the number of members of

staff who attended training courses you offered in Welsh during the year (on the basis of the records you kept in accordance with standard 159);

- (c) if a Welsh version of a course was offered by you during that year, the percentage of the total number of staff attending the course who attended the Welsh version (on the basis of the records you kept in accordance with standard 159);
- (ch) the number of members of staff who wear a badge at the end of the financial year (on the basis of records you kept in accordance with standard 160);
- (d) the number of new and vacant posts that you advertised during the year which were categorised as posts where—
 - (i) Welsh language skills were essential,
 - (ii) Welsh language skills needed to be learnt when appointed to the post,
 - (iii) Welsh language skills were desirable, or
 - (iv) Welsh language skills were not necessary,(on the basis of the records you kept in accordance with standard 162);
- (dd) the number of complaints that you received during that year which related to your compliance with the operational standards with which you were under a duty to comply.

(3) You must publish the annual report no later than 6 months following the end of the financial year to which the report relates.

(4) You must publicise the fact

that you have published an annual report.

(5) You must ensure that a current copy of your annual report is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

17 A body publicising the way it intends to comply with operational standards

Standard 179: You must publish a document on your website which explains how you intend to comply with the operational standards with which you are under a duty to comply.

18 A body providing information to the Welsh Language Commissioner

Standard 180: You must provide any information requested by the Welsh Language Commissioner which relates to compliance with the operational standards with which you are under a duty to comply.

PART 4

RECORD KEEPING STANDARDS

19 A body publicising record keeping standards

Standard 181: You must ensure that a document which records the record keeping standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available—

- (a) on your website, and
- (b) in each of your offices that are open to the public.

20 A body providing information to the Welsh Language Commissioner

Standard 182 : You must provide any records you have kept in accordance with the record keeping standards with which you are under a duty to comply to the Welsh Language Commissioner, if the Commissioner asks for those records.

PART 5

INTERPRETING THE STANDARDS

- 21** The standards specified in Parts 1 to 4 must be interpreted as follows.
- 22** For the purposes of standards 166, 172 and 178 “financial year” means the body’s own financial year.
- 23** For the purposes of the standards a requirement to produce or publish any written material in Welsh does not mean that material should be produced or published in Welsh only, nor does it mean that the material should be produced in Welsh first (unless that is specifically stated in the standard).

PART 6

SUPPLEMENTARY PROVISION

- 24** **Complaints procedures**
- (1) When a body is under a duty to comply with one or more of the following standards, it may—
- (a) comply with them in one complaints procedure;
 - (b) revise an existing complaints procedure.
- (2) The standards are—
- (a) standard 164;
 - (b) standard 170;
 - (c) standard 176.
- 25** **Supervisory arrangements**

(1) When a body is under a duty to comply with one or more of the following standards, it may comply with them in one set of supervisory arrangements.

(2) The standards are—

- (a) standard 165;
- (b) standard 171;
- (c) standard 177.

26

Annual reports

(1) When a body is under a duty to comply with one or more of the following standards, it may comply with them by including the necessary information in one annual report, to be called “Welsh Language Standards Annual Report”.

(2) The standards are—

- (a) standard 166;
- (b) standard 172;
- (c) standard 178.

27

Publicising the way in which a body intends to comply with standards

(1) When a body is under a duty to comply with one or more of the following standards, it may comply with them in one document.

(2) The standards are—

- (a) standard 167;
- (b) standard 173;
- (c) standard 179.

EXPLANATORY MEMORANDUM TO

The Welsh Language Standards (No. 6) Regulations 2017

This Explanatory Memorandum has been prepared by the Welsh Language Division and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Welsh Language Standards (No. 6) Regulations 2017. I am satisfied that the benefits justify the likely costs.

Alun Davies AM
Minister for Lifelong Learning and the Welsh Language

15 December 2016

Description

The Welsh Language Standards (No. 6) Regulations 2017 ('the Regulations') specify service delivery standards; policy making standards; operational standards; and record keeping standards.

The Regulations also make the standards specifically applicable to the following 27 organisations, enabling the Welsh Language Commissioner ('the Commissioner') to issue Compliance Notices to those organisations in relation to the standards specified:

Coleg Ceredigion	Merthyr Tydfil College Limited
Coleg Sir Gâr	Swansea University
Cardiff and Vale College	Aberystwyth University
Coleg Cambria	Bangor University
Coleg y Cymoedd	Cardiff University
The governing body of St David's Catholic College	Royal Welsh College of Music and Drama Limited
Gower College Swansea	University of Wales
Coleg Gwent	University of Wales: Trinity St David
Bridgend College	University of South Wales
Pembrokeshire College	Glyndŵr University
Grŵp Llandrillo Menai	Cardiff Metropolitan University
NPTC Group	The Open University
WEA YMCA CC Cymru	Higher Education Funding Council for Wales (HEFCW)
Career Choices Dewis Gyrfa Limited	

Matters of special interest to the Constitutional and Legislative Affairs Committee

The Welsh Language Standards (No. 6) Regulations 2017

The Welsh Language Standards (No. 6) Regulations 2017 makes standards applicable to the 27 organisations named above. The Welsh Government laid the Welsh Language Standards (No. 3) Regulations 2016 ("the No 3 Regulations") making standards for these organisations in February 2016. Those regulations were rejected by the previous Assembly on 15 March 2016.

Policy changes between different sets of Regulations

To date, the approach taken by the Welsh Government has been that Regulations specifying standards are prepared so that they are suitable for a specific group of organisations or a sector. This focus can influence the policy approach taken in each set of regulations and result in different standards being prepared for different sectors. In regulations for other sectors, the approach taken was to specify circumstances in which standards did not apply. A different approach has been taken with The Welsh Language

Standards (No 6) Regulations. Paragraph 30 of Schedule 1, part 3 of the Regulations lists the services and activities in relation to which an organisation can be required to comply.

This list of activities and services has been included in the Regulations to ensure that commercial activities such as research and publishing academic materials are not caught by standards and that the Regulations therefore do not interfere with an organisation's ability to raise its own income. This means that, for example, (subject to the body's compliance notice) standards will apply to correspondence which relates to the matters in the list in Paragraph 30 of Schedule 1.

Designated student accommodation for Welsh speakers

Replicating commitments in Welsh language schemes into the legal framework of Welsh language standards can be challenging because of the strict way in which standards have to be drafted to create enforceable duties. One such case is in reference to student accommodation that has been designated to Welsh speakers.

The Welsh language schemes of both Aberystwyth and Cardiff Universities indicate a commitment to provide students with designated student accommodation for Welsh speakers. The Welsh Ministers consider that it is not reasonable and proportionate to specify standards which provide students with an absolute right to accommodation reserved for Welsh speakers. If more students apply for designated accommodation than spaces available, then it is inevitable that a body would fail to comply with such a standard.

New standards have therefore been included in the Welsh Language Standards (No.6) Regulations 2017 which provide students with the right to express a preference for accommodation reserved for Welsh speakers as well as for that right to be promoted by the body.

Name of the Regulations

The title of the Regulations laid is the Welsh Language Standards (No. 6) Regulations 2017. It is intended that all the Regulations made under section 26 of the Welsh Language (Wales) Measure 2011 ("the Measure") will be made in one continuous series, in the same way as commencement orders. It is felt that this approach will make the Regulations easier to deal with and to refer to, particularly when Compliance Notices refer to Regulations. Since the No 3 Regulations were rejected, further regulations have been made, and therefore it is considered appropriate to continue that sequential numbering. It also makes it easier to differentiate between the rejected regulations and these revised Regulations.

Bodies in Regulation 3

Regulation 3 of these Regulations lists the bodies that the Commissioner is authorised to give a compliance notice to in respect of the Standards specified. Section 43 of the Measure provides that regulations may not make standards specifically applicable to a person unless the standard is potentially applicable to them. The majority of the bodies listed are either specified in column 1 of the table in Schedule 6 of the Measure or are within a category of persons specified in that column, and column 2 of their entry sets out which standards are potentially applicable to them (section 36 of the Measure).

Numbers in the Regulations

There has been no change to the policy regarding numbering in Regulations. The Regulations use the Welsh alphabet i.e. (a), (b), (c), (ch) etc. This affects standards 27 A-D and a small number of sub paragraphs within individual Standards (see Standards 99, 121, 134, 144, 145A, 161 and 177) It also affects:

- (1) paragraphs 30, 33, 40, 44, 45, and 59 of Schedule 1, paragraph 2 of Schedule 2, paragraphs 11 and 13 of Schedule 3 and
- (2) regulations 2(5) and 3(4).

This style is different to the usual numbering style adopted in subordinate legislation made by the Welsh Ministers. Usually, the Welsh and English version adopt the English alphabet. In this case, because of the nature and the subject matter of the Regulations, the Welsh alphabet had been used. The Welsh style numbering has been used in the English and Welsh versions to ensure consistency and to remove any possibility of confusion when cross-referring. The same style was adopted within the Welsh Language Standards (No. 1) Regulations 2015 (SI 2015/996), the Welsh Language Standards (No. 2) Regulations 2016, the Welsh Language Standards (No.4) Regulations 2016 and the Welsh Language Standards (No.5) Regulations 2016.

Legislative background

The Regulations are made in exercise of the powers conferred on the Welsh Ministers under sections 26, 27, 39 and 150(5) of the Measure. Section 26 of the Measure enables the Welsh Ministers to specify standards by regulations. Section 27 enables the Welsh Ministers to specify different standards in relation to different conduct. It also enables them, in relation to a particular conduct, to specify one standard or a number of standards.

Before the Commissioner can give a person a compliance notice requiring them to comply with a standard, that standard has to be specifically applicable to the person (section 45). Section 39 provides that a standard is specifically applicable to a person once the Welsh Ministers have authorised the Commissioner to give that person a Compliance Notice in respect of that standard. Section 105(5) provides that any power of the Welsh Ministers to

make regulations includes a power to make such transitional, transitory, consequential, saving incidental and other provision as the Welsh Ministers think necessary or appropriate.

The Regulations, pursuant to section 150(2) of the Measure must be laid before and approved by resolution of the National Assembly for Wales (i.e. the affirmative procedure).

Purpose and intended effect of the legislation

The Measure confirmed the official status of the Welsh language in Wales and created a new legislative framework for the language.

A key step in giving effect to the Measure is specifying standards and authorising the Commissioner to require persons to comply with those Standards.

Section 25 of the Measure provides that a person is required to comply with a standard specified by the Welsh Ministers where certain conditions are met. Those conditions include:

- i. That a standard is specifically applicable to the person (i.e. the Welsh Ministers have authorised the Commissioner to give that person a Compliance Notice in respect of that standard),
- ii. That the Commissioner has given a Compliance Notice to the person,
- iii. The Compliance Notice requires the person to comply with the standard, and
- iv. The Compliance Notice is in force.

The duty to comply with standards will take the place of the Welsh Language Schemes that were developed under the Welsh Language Act 1993 and monitored by the Welsh Language Board until its abolition on 31 March 2012, and the Welsh Language Commissioner since 1 April 2012.

The Regulations have two purposes. The first is to specify standards.

Standards falling into the following categories of standards are specified in the Regulations:

- Service-delivery standards will be imposed in relation to the delivery of services in order to promote or facilitate the use of the Welsh language, or to ensure that it is treated no less favourably than English.
- Policy-making standards will require organisations to consider what effect their policy decisions will have on the ability of persons to use the language and on the principle of treating Welsh no less favourably than English.
- Operational standards deal with the internal use of Welsh by organisations.

- Record-keeping standards will make it necessary to keep records about some of the other standards, and about any complaints received by an organisation. These records will assist the Commissioner in regulating the organisation's compliance with standards.

The standards have been drafted with the aim of:

- Improving the services Welsh-speakers can expect to receive from organisations in Welsh
- Increasing the use people make of Welsh-language services
- Making it clear to organisations what they need to do in terms of the Welsh language
- Ensuring that there is an appropriate degree of consistency in terms of the duties placed on organisations in the same sectors.

Some standards are dependent on each other. The Regulations therefore contain tables (in Part 2 of Schedules 1 and 3) to accompany the Service-delivery standards and Operational standards, detailing which other standards will also need to be imposed when a particular standard is included in a Compliance Notice. Part 2 of Schedule 1 to the Regulations also contains a table which provides that the Commissioner may not require a body to comply with a particular standard when another particular standard is included in a compliance notice.

The second purpose of the Regulations is to authorise the Commissioner to give Compliance Notices to the organisations listed above requiring them to comply with the standards specified.

The Regulations, when they come into force, will not have a direct effect on organisations and they will not, by themselves, create rights for Welsh language users. That will only happen when all the conditions in section 25 have been met. However, the Regulations are a crucial step in the Measure's framework, and enable the Commissioner to require organisations to comply with the standards.

It will be for the Commissioner to choose which standards to impose on each organisation by way of a Compliance Notice. The Regulations set the range of standards which could be imposed on an organisation. There is no requirement on the Commissioner to require every organisation to comply with every standard. The organisation may have to comply with the standard only in some circumstances and not in others – depending on what is stated in their Compliance Notice. The Compliance Notice will also set the date by which the organisation is required to comply with a standard.

Means of appeal

Any organisation will be able to challenge the requirements to comply with a particular standard on the grounds of whether it is reasonable and proportionate to require them to do so.

In the first place, an organisation will be able to present a challenge to the Commissioner. If they are unable to resolve the dispute, there is a route of

appeal available to the Welsh Language Tribunal, and thereafter to the High Court.

Sanctions

The Commissioner will be responsible for enforcing compliance with standards. In cases where the Commissioner determines that an organisation has failed to comply with a standard, the Commissioner may take enforcement action. Enforcement action under the Measure can vary from the making of recommendations or giving advice to an organisation, to the imposition of a civil penalty not exceeding £5,000.

Risks if Regulations are not made

If the proposed Regulations are not made, the following risks will be realised:

- Welsh Language Schemes introduced under the Welsh Language Act 1993 will remain in place for the organisations listed above.
- If Welsh Language Schemes remain there will be no enforcement mechanism if an organisation breaches their Scheme.
- Currently, Welsh Language Schemes vary from organisation to organisation, and the commitments in some Schemes are not specific. This leads to a situation where the public are unsure about which services they can expect to receive in Welsh. This uncertainty will continue if the Regulations are not made. Although there may still be some variation between organisations, the standards are specific in their nature and will therefore reduce the public's uncertainty.
- Uncertainty on the part of organisations concerning their Welsh language provisions, due to the fact that they have been under the impression that their Schemes will be replaced by standards. Many organisations have started to prepare for the onset of standards and the new monitoring and enforcement regime.
- No improvement as far as organisations' internal use of Welsh is concerned. An organisation's internal use of Welsh would continue to depend on the goodwill of that organisation, with no monitoring system in place.
- A key component of the Measure will not be implemented.

More detailed information about the risks and benefits of implementing the standards can be found in the Regulatory Impact Assessment (RIA) below, with the risks of not introducing standards highlighted in the 'Option 1: do nothing' section of the benefits.

Consultation

The Commissioner conducted a standards investigation with the organisations who can be required to comply with the standards specified in the Regulations between November 2014 and February 2015. The Welsh Ministers gave due regard to the conclusions the Commissioner presented in the standards reports. These reports can be found on the Commissioner's website.

The Welsh Ministers decided not to hold a full public consultation on a draft version of these Regulations. However, the organisations in the Commissioner's second investigation have had opportunities to engage in the process of making Standards. All the organisations responded to the Commissioner's standards investigation; of these most already have a Welsh language scheme and experience of developing a Welsh language provision. Commitments made in the bodies' Welsh language schemes were also considered.

In addition, specific matters relating to the Regulations have been discussed with sector representatives, namely Colegau Cymru, NUS Wales, Universities Wales and Coleg Cymraeg Cenedlaethol, in order to gather more information about the nature of their work.

Competition assessment

A competition Filter Test has been undertaken – the Regulations are unlikely to have a significant detrimental effect on competition. In order for the Regulations to fulfil the policy aim of not applying to commercial activities, a list specifying in relation to which matters the standards could apply is included in the Regulations. See paragraph 30 of Schedule 1 and paragraph 2 of Schedule 2 (Service Delivery Standards and Policy Making Standards).

Equalities Impact Assessment

An Equalities Impact Assessment has been undertaken. Some standards in the No. 6 Regulations under the 'meetings' heading (standards 25- 26B and 28 – 29B relating to student support meetings as well as complaints and disciplinary procedures) make specific provisions to accommodate the language use of vulnerable individuals. The student support element of these meeting standards will only come into play when the focus of the meeting relates to the individuals' counselling or mental health needs. They do not cover issues relating to support given to individuals with physical or sensory impairments.

The difference between the new complaints, disciplinary and student support meetings standards and the other meetings standards is the level of Welsh medium provision (or level of translation) provided at the meeting. In the complaints, disciplinary and student support standards, two way translation would be provided – from Welsh to English as well as from English to Welsh. For individuals in a vulnerable position or in a fragile state of mind, the procedure of switching language during a meeting could cause increased levels of stress so the offer of two way translations puts the individuals' needs first. The focus here is the avoidance of undue stress caused to an individual already under mental strain. Therefore, advancing equality of opportunity having due regard to the need to remove or minimise disadvantages suffered

by persons who share a protected characteristic that are connected to that characteristic.

Meetings involving individuals with physical or sensory impairments, have been accounted for in the other meetings standards so that those meetings can take place in Welsh. If the physical issue leads to the individual suffering from stress or other mental health issues, then the 'student support' standards would apply. At each point, a student with or without a form of physical or sensory impairment would be offered to have meetings conducted through the medium of Welsh via the meetings standards. It is, of course, a matter for the Welsh Language Commissioner to determine which standards a body has to comply with, and in which circumstances or areas.

We are content that specific provisions in the No 6 Regulations are compatible with the Welsh Ministers' equality duties.

Post-implementation review

The Measure provides many opportunities for the Commissioner to bring the suitability of the standards specified in the Regulations to the Welsh Ministers' attention. For example:

- The Commissioner may make recommendations or provide advice to the Welsh Ministers (section 4 of the Measure) which could directly recommend amending the Regulations if she sees fit to do so. Advice given by her could also lead to the Welsh Ministers determining that it would be appropriate to review the standards. The Welsh Ministers must have due regard to any written recommendations or advice that the Commissioner makes or gives when exercising the function to which the recommendation or advice relates.
- Section 18 of the Measure requires the Commissioner to produce an annual report which must include a review of issues relevant to the Welsh language (among other matters) and could also include any other matters the Commissioner think it is appropriate to include.
- The Commissioner also has the power to undertake Standards Investigations (sections 61 and 62 of the Measure) which can consider which standards should be, or should continue to be, specifically applicable to a person, whether or not the standards are already specified by the Welsh Ministers. After a Standards Investigation the Commissioner must produce a Standards Report, a copy of which must be provided to the Welsh Ministers. The Welsh Ministers must have due regard to such report in accordance with section 66 of the Measure.

Subject to their Compliance Notices, organisations will publish Annual Reports which deal with how they have complied with the standards imposed on them (see standards 166, 172 and 178). These Annual Reports could also raise issues regarding the suitability of the standards specified.

PART 2 – REGULATORY IMPACT ASSESSMENT

Background

1. The organisations subject to the Welsh Language Commissioner's ('the Commissioner') second standards investigation were asked to take part in a Welsh Government Regulatory Impact Assessment (RIA). The RIA questionnaire was distributed with the Commissioner's Standards Investigation documentation. The Commissioner's investigation was conducted between 7 November 2014 and 9 February 2015, and organisations were asked to submit their RIA responses directly to the Welsh Government.
2. 73 of the 119 organisations in the Commissioner's second investigation responded to the RIA questionnaire, giving a response rate of 61%. The responding organisations included a good cross-section of the different sectors, and covered organisations with a varying range of Welsh language provisions. The majority of the respondents provided detailed information about the costs and benefits of implementing the standards within their organisations.
3. In May and early June 2015, the Commissioner presented her official Standards Investigation response to the Welsh Government in the form of nine standards reports issued under section 64 of the Measure. The Welsh Ministers must have due regard (i) to the Commissioner's Standards Reports in deciding whether and how to exercise the powers in Part 4 of the Measure (which includes the power to specify standards), and (ii) to any advice issued by the Commissioner in writing.

Summary of Responses

4. 15 of the 27 organisations (56%) that will be subject to the No 6 Regulations have provided information on the cost of their current Welsh Language Scheme and an estimate of the cost of complying with the Welsh Language Standards. These organisations were Coleg Sir Gâr, Cardiff and the Vale College, Coleg y Cymoedd, Coleg Gwent, Grwp Llandrillo Menai, NPTC Group, Swansea University, Bangor University, Cardiff University, The University of Wales: Trinity St David, Cardiff Metropolitan University, University of South Wales, The Open University, Career Choices Dewis Gyrfa and HEFCW.

Accuracy and Usefulness of Data

5. We have concerns around the data received from organisations and whether it is suitable to produce a robust and accurate RIA. The Commissioner based her second investigation on the draft Regulations prepared for bodies in set 1 that were subject to a Welsh Government

consultation in November 2014. The RIA responses were therefore also based on these Regulations. Some organisations were reluctant to base their RIA responses on draft regulations due to their potential to change, and due to the fact that they had been prepared specifically for the Welsh Ministers, local authorities and National Park Authorities.

6. To enable an assessment to be made of the additional cost incurred in complying with the Welsh Language Standards, an organisation would have to provide a figure for the cost of delivering their current Welsh Language Scheme and an estimate of what it would cost them to comply with Standards. However, in a number of cases organisations were unable to provide either figure or could only provide one of the figures.
7. Even where estimated costs have been provided, many organisations stressed the difficulties of providing accurate data when they did not know which of the draft standards they would be expected to comply with. Some organisations have seemingly provided estimated costs for complying with every single standard. However, it is unlikely that every standard will be imposed on any single organisation – this will be a decision for the Commissioner when she issues compliance notices under section 45 of the Welsh Language Measure.
8. Organisations have also interpreted the questions in different ways. There are a number of examples of organisations indicating that their costs will increase in order to employ multiple additional members of staff to deal with implementing different categories of standards when their evidence suggests that only one person would potentially be needed to do that work. This has greatly increased the estimates provided by these organisations. There were also some examples of organisations including the cost of employing staff that are employed to deliver services as cost of complying with their current Welsh language scheme. The evidence indicated that these staff members were employed to deliver the organisation's services, and sometimes not exclusively through the medium of Welsh.
9. A number of organisations have provided estimates for compliance that are many times higher than other, similar organisations.
10. With these issues in mind, this RIA focuses on the economic, social and linguistic impacts on organisations as well as covering the financial impact as far as possible. If the Regulations are passed by the Assembly, further information will be collected from organisations when the Commissioner issues Compliance Notices and organisations are in a position to provide more accurate costs.

Options

11. This Regulatory Impact Assessment considers two options:

- Option 1: Do nothing – Organisations would continue to operate their existing Welsh Language Schemes under The Welsh Language Act 1993.
- Option 2: Introduce Welsh Language Standards for the 27 organisations listed above.

12. The following analysis considers the costs and benefits associated with each of these options in turn.

Costs and benefits

Costs

Option 1: Do Nothing

13. There are no additional costs under this option. The organisations would not be required to comply with new Welsh Language Standards but they would be expected to continue to deliver the existing Welsh Language Schemes.

14. Table 1 summarises the information received from the organisations about the cost of complying with the existing Welsh Language Schemes. The range in costs is likely to reflect differences in the size and scope of the organisations involved as well as probable differences in the interpretation of the questions in the questionnaire.

Table 1 - Range of costs for delivering existing Welsh Language Schemes

	Responses	Minimum (£)	Maximum (£)
Bodies in the (No. 6) Regulations	15	0	629,000

Option 2: Introduce Welsh Language Standards for the 27 organisations listed above.

15. While it has not yet known which of the standards will apply to each organisation, it is considered likely that there will be additional one-off and recurrent costs incurred by the organisations to comply with the standards.

16. The main recurring cost is expected to be staffing, in particular staff with expertise in the fields of translation, marketing and policy. Organisations are likely to need to expand translation facilities, either by recruiting more internal translators or more commonly by outsourcing translation work to external providers.

17. In addition, there are likely to be one-off and recurrent training costs incurred. The one-off training costs are expected to relate to internal administration and training regarding the implementation of standards, with

the recurring training costs focusing to a greater degree on the possible need to provide more statutory staff training through the medium of Welsh and training for staff to improve their Welsh language skills,

18. As noted above, the organisations involved were contacted and asked to provide cost data to inform this RIA. Our concerns about the data collected are outlined above.
19. To demonstrate the variation in responses, the minimum and maximum identified additional costs for these organisations are set out in the table below. While the maximum cost estimate is an outlier, there were other organisations that identified a significant increase in compliance costs. At the opposite end of the range, it is not clear how realistic it is to suggest (prior to knowing which standards will apply) that complying with the standards will impose no additional costs on an organisation.

Table 2 - Range of additional costs identified by organisations (£)

	Responses	Minimum (£)	Maximum (£)
Bodies in the (No. 6) Regulations	15	0	10,000,000

20. Due to the above concerns, the data is considered incomplete and potentially inconsistent. Following discussions with Government Economists and Statisticians, it has been agreed that the data collected is not sufficiently robust for use in a Regulatory Impact Assessment. Given the ranges in the submitted data and the current uncertainty around which of the Standards will apply to each organisation, even taking an average of costs is considered unlikely to be an accurate reflection of the cost of complying with the Welsh Language Standards.
21. A further round of data gathering was considered but it was decided that the outcome was likely be the similar and that it would not be possible to collect the data needed to produce a robust assessment of the cost implications until there is further information available on which standards will apply to each organisation.
22. In addition to the compliance costs incurred by the organisations, there are also likely to be costs incurred by the Welsh Language Commissioner and the Welsh Language Tribunal for monitoring and enforcing compliance with the standards. Finally, there will be an appeals process established whereby, if an organisation believes that the standards imposed on it are unreasonable and disproportionate, there will be means to appeal to the Commissioner in the first instance, and thereafter to the newly established Welsh Language Tribunal. The costs associated with these processes are not known at this stage.

Benefits

Option 1: Do Nothing

23. This is the baseline option and there are no additional benefits associated with this option.
24. Doing nothing would maintain the status quo of the Welsh Language Schemes which have been in place since 1993. The regulatory role of the Commissioner would continue along similar lines to that of the Welsh Language Board as would the resource-intensive procedures involved in agreeing and amending schemes, and the current, limited, enforcement system.

Option 2: Introduce Welsh Language Standards for the 27 organisations listed above

25. The purpose of the standards is to improve the level of Welsh language service which members of the public can expect to receive. At this stage (and until the Welsh Language Commissioner issues the compliance notices), it is only possible to outline the expected benefits in general terms.
26. The standards will make clear what organisations need to do in terms of the Welsh language, so that people will know what to expect with regard to Welsh language services. This clarity, both for the public and the organisations, will help ensure that the standards can be effectively enforced and lead to an increase in the use of Welsh language services.
27. 24 of the 27 organisations already operate Welsh Language Schemes and already do many of the things set out in the standards. The standards build on the Schemes and place more rigorous requirements on organisations. However, the Commissioner can only set standards that are reasonable and proportionate for each individual organisation to comply with.
28. On a practical level, the standards will replace sometimes vague commitments in Schemes with specific and enforceable duties.
29. Organisations will now be required to take a more proactive and strategic approach to mainstreaming the Welsh language. Key to this will be the 'proactive offer,' which places the onus on the organisation to offer services in Welsh, rather than on the individual to request them. This will provide a solid foundation to improve services for Welsh speakers.
30. An improved enforcement regime will provide a more effective means of dealing with alleged non-compliance and allow for early and informal resolution of complaints as appropriate.
31. As part of the RIA process, organisations were asked to comment on any linguistic, social or environmental advantages of introducing standards. A variety of responses were noted, from organisations that saw no

advantages to introducing standards to those who viewed the standards as an opportunity in several ways.

32. From an economic or business point of view, some organisations saw the standards as an opportunity to increase the number of Welsh speakers within their workforces – they commented that this could lead to longer term savings on translation and interpretation work that was previously outsourced as well as increasing their capacity to work through the medium of Welsh which would be helpful when working with organisations who operate largely through the medium of Welsh. Several of the higher education organisations commented that the standards could help increase recruitment of Welsh domicile students in general, as well as recruitment of students to Welsh medium courses, and subsequently increase income.
33. Some organisations commented that the standards would help them to improve the services that they offer to a bilingual public and to attract new customers. Providing a better working environment for staff was also mentioned, along with supporting staff to use their Welsh in the workplace.
34. A small number of organisations commented on their social responsibility to promote the Welsh language and felt that the standards would help with normalising the use of Welsh, especially in a business environment. This could increase people's confidence and help them to use Welsh in all aspects of their lives. One organisation felt that the standards would give the Welsh language greater value as a skill in the workplace. One of the universities commented that the standards would help them respond to the increasing demand for Welsh speakers in the medical, optometry, pharmacy, dentistry, social work, health care sciences and law professions.
35. Lastly, some organisations said that compliance with the Standards was likely to broaden their links with their local communities and encourage greater local involvement and engagement in their activities. Increased social inclusion was also mentioned by a number of organisations.

Conclusion

36. The current uncertainty surrounding which of the Standards each organisation will need to comply with means that it is not possible to produce a robust assessment of the costs and benefits associated with the Regulations at this stage.
37. The Welsh Language Commissioner has confirmed that she will consult with the relevant organisations before issuing final compliance notices and factors such as reasonability and proportionality of individual standards are likely to be discussed at this stage, as well as which standards organisations will be expected to comply with and in which circumstances. As part of this process, organisations could present an assessment of the

relative costs and benefits associated with the Standards. This could be considered by the Commissioner as part of the process of coming to a decision on whether the standards are reasonable and proportionate.

PWNC Y PAPUR: Craffu ar Reoliadau Safonau'r Gymraeg (Rhif 6) a chylchoedd Rheoliadau Safonau'r Gymraeg dilynol yn ystod tymor y Pumed Cynulliad

I SYLW: Y Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu

PARATOWYD GAN: Grŵp Hawl, Cymdeithas yr Iaith Gymraeg

DYDDIAD: 6 Ionawr, 2017

1. Cefndir

1.1 Paratwir y Papur hwn mewn ymateb i gais gan y Pwyllgor, drwy law'r Clerc, am sylwadau'r Gymdeithas ar Reoliadau Safonau'r Gymraeg (Rhif 6) a osodwyd yn enw Alun Davies AC ar 15 Rhagfyr 2016.

1.2 Gallu Gweinidogion Cymru i baratoi rheoliadau ar ffurf safonau ymddygiad (neu Safonau'r Gymraeg fel y'i hadnabyddir) i'w gosod ar gyrrff ac i'w rheoleiddio gan Gomisiynydd y Gymraeg, yw un o ddarpariaethau pwysicaf Mesur y Gymraeg 2011.

1.3 Yn ogystal â dwyn sylw aelodau'r Pwyllgor i faterion sy'n benodol i'r cylch hwn o Reoliadau Safonau'r Gymraeg (sef Rhif 6), ystyriwn ei bod yn allweddol amlinellu'r cyd-destun ehangach ynglŷn â pharatoi is-ddeddfwriaeth rheoliadau Safonau'r Gymraeg o safbwynt swyddogaeth craffu'r Cynulliad Cenedlaethol fel deddfwrfa.

1.4 Mae gwneud hynny'n amserol ac yn berthnasol ar sawl cyfrif:

Y rheoliadau hyn sy'n sail i'r gyfundrefn gyfredol o ddeddfwriaeth ym maes y Gymraeg a'r rheoliadau hyn sy'n rhoi hawliau iaith i ddinasyddion Cymru. Chwe blynedd ers i'r Cynulliad basio Mesur y Gymraeg 2011, megis dechrau mae'r gwaith o lunio a gosod yr is-ddeddfwriaeth sy'n rhoi effaith iddo, felly mae llawer o waith i'w wneud yn ystod oes y Cynulliad hwn a'r Pwyllgor hwn i weithredu Mesur 2011. Mae'n ddyletswydd ar y ddeddfwrfa i sicrhau bod yr holl ddeddfwriaeth (cynradd ac eilradd) sy'n cyrraedd y llyfr statud yn ddeddfwriaeth dda, sy'n ateb y galw;

amlygwyd gwendidau yn y ffordd y datblygodd y broses o lunio is-ddeddfwriaeth/rheoliadau Safonau'r Gymraeg yn ystod y Pedwerydd Cynulliad; penllanw hyn oedd penderfyniad Cyfarfod Llawn y Cynulliad i drechu Safonau'r Gymraeg (Rhif 3)¹ ar gyfer prifysgolion a cholegau addysg bellach – a hynny yn bennaf yn sgil: gwanhau'r rheoliadau yn ormodol wrth i'r broses o'u llunio fynd rhagddi; pryderon mai ystyriaethau cyrrff yn llusgo'u traed o ran y Gymraeg oedd yn gyrru gwaith swyddogion Llywodraeth Cymru wrth ddrafftio'r rheoliadau a chan fod cyndynrwydd y Llywodraeth i ymgynghori a rhoi cyfle i Aelodau'r Cynulliad graffu a

¹ Rheoliadau Safonau'r Gymraeg (Rhif 6) yw cynigion diweddaraf Gweinidogion Cymru ar gyfer y sectorau addysg uwch ac addysg bellach, i gymryd lle Rheoliadau Safonau'r Gymraeg (Rhif 3) na ddaeth i rym yn sgil eu gwrthod yn y Cyfarfod Llawn ar 15 Mawrth 2016.

dylanwadu ar gynnwys y rheoliadau yn “rhwystro gwaith y Cynulliad hwn”², yng ngeiriau un Aelod;

mae sefydlu'r Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu yn cynnig cyfle i ddatrys y materion hyn, i sicrhau gwell llywodraethiant a gwell is-ddeddfwriaeth ar y llyfr statud ac i sicrhau hawliau iaith i bobl Cymru, fel y bwriedid gan Fesur y Gymraeg 2011. Croesawn yr ysbryd rhagweithiol y mae'r Pwyllgor hwn eisoes wedi'i fabwysiadu wrth fynd ati i ymgysylltu â dinasyddion ar ei gylch gwaith ac ati. Yn hyn o beth, pwysleisiwn fod sawl ymatebydd i'r ymgynghoriad ar Flaenraglen Waith y Pwyllgor (gan gynnwys Cymdeithas yr Iaith Gymraeg a Chomisiynydd y Gymraeg) wedi tynnu sylw at yr angen i roi sylw dyledus i'r gyfundrefn Safonau a datblygu rheoliadau Safonau'r Gymraeg ym Mlaenraglen Waith y Pwyllgor. Hyderwn y bydd y Papur hwn yn tanlinellu'r angen ymhellach i sicrhau cyfeiriad penodol yn y Flaenraglen Waith i graffu ar reoliadau Safonau'r Gymraeg ac i fanteisio ar y cyfle sydd gan y Pwyllgor i roi sylw o'r newydd iddynt ac i gyfrannu at eu datblygu.

2. Cryondeb: proses llunio a gosod rheoliadau Safonau'r Gymraeg

2.1 Er eglurder, amlinellir y gwahanol gamau yn y broses o lunio a gosod rheoliadau Safonau'r Gymraeg:

Cam 1³: Comisiynydd y Gymraeg yn cynnal Ymchwiliad Safonau ar gasgliad o gyrff neu sector benodol a enwir ym Mesur y Gymraeg 2011; gwahoddiad i sefydliadau, rhanddeiliaid a'r cyhoedd gyfrannu at yr Ymchwiliad Safonau. Y drefn fu defnyddio *Rheoliadau Safonau'r Gymraeg drafft/Rhif 1* y Llywodraeth i lywio'r ymchwiliadau safonau hyd yn hyn.

Cam 2: Y Comisiynydd yn cyflwyno adroddiad Safonau i Weinidog y Gymraeg, gan argymhell pa weithgareddau y dylid eu dal gan Safonau a natur y Safonau i'w gosod ar gyrff – hynny yw, cynnwys y rheoliadau arfaethedig.

Cam 3: Gweinidog y Gymraeg yn gosod rheoliadau i wneud Safonau'r Gymraeg yn 'benodol gymwys' i'r casgliad o gyrff neu sector benodol fu'n destun Ymchwiliad Safonau'r Comisiynydd gerbron y Cynulliad. Defnyddir y weithdrefn Negyddol; cyfeirio'r rheoliadau at y Pwyllgor Cyfansoddiadol a Deddfwriaethol a chynnal pleidlais ar y rheoliadau yng Nghyfarfod Llawn y Cynulliad Cenedlaethol.

Cam 4: Wedi'r rheoliadau gael eu gwneud yn benodol gymwys i'r gyrff penodol dan sylw wrth eu cytuno yng Nghyfarfod Llawn y Cynulliad, gall Comisiynydd y Gymraeg lunio Hysbysiad Cydymffurfio drafft i unrhyw un neu ragor o gyrff penodol, yn manylu ar ba rai o'r rheoliadau neu'r cyfan ohonynt y mae'n rhaid cydymffurfio â nhw ac erbyn pa bryd. Gall gyrff gyflwyno sylwadau ar gynnwys yr Hysbysiad Cydymffurfio drafft, ac yn eithaf aml, fe wneir eithriadau i'r Safonau. Dyroddir Hysbysiad

² <http://www.cynulliad.cymru/cy/bus-home/pages/rop.aspx?meetingid=3545&language=cy&assembly=4&c=Record%20of%20Proceedings#285515>

³ Er gwybodaeth yn unig, mewn ymgais i symleiddio'r camau perthnasol.

Cydymffurfio terfynol ac fe all corff apelio'r Safonau a osodwyd unrhyw adeg cyn y Dyddiad Gosod drwy Dribiwnlys y Gymraeg.

2.2 Adnabyddir diffyg difrifol o ran craffu yng Ngham 3 y broses o fewn strwythurau craffu mewnol y Cynulliad Cenedlaethol, fel y daeth i'r amlwg yn ystod y Pedwerydd Cynulliad.

2.3 Er enghraifft, bu tuedd i'r Llywodraeth wanhau'r Rheoliadau fu'n destun Ymchwiliad Safonau'r Comisiynydd a newid llythyren ac ysbryd proses y bu i randdeiliaid a'r cyhoedd gymryd rhan ynddi mewn ffydd – heb orfod cyfiawnhau'r rhesymeg mewn unrhyw fodd ystyrion. Bu diffyg cyfleoedd digonol i graffu ar benderfyniadau polisi'r Llywodraeth wrth lunio rheoliadau i wneud Safonau'r Gymraeg yn benodol gymwys i gyrff sy'n ymgymryd â gweithgareddau gwahanol iawn i'w gilydd – lle nad yw'r templed drafft yn ddigonol nac yn berthnasol yn aml iawn.

3. Datrysiadau i sicrhau gwell craffu a gwell llywodraethiant

3.1 Cred y Gymdeithas mai hawliau cyffredinol i'r Gymraeg ar wyneb deddfwriaeth gynradd yn unig wnaiff sicrhau hawliau eglur, cadarn a diamwys i bobl Cymru fedru defnyddio'r Gymraeg ym mhob agwedd ar eu bywydau. Dylai'r Rheoliadau – Safonau'r Gymraeg – fanylu ar yr hawliau hynny, fel cig ar esgryn fel petai.

3.2 Serch hynny, mae'r modd y ceir hawliau iaith wrth ymwneud â chyrrff penodol ac mewn sefyllfaoedd cyfyngedig yn sgil llunio is-ddeddfwriaeth neu reoliadau ac yna gosod Safonau'r Gymraeg drwy Hysbysiadau Cydymffurfio - yn absenoldeb hawliau iaith cyffredinol ar wyneb deddf - yn gyfystyr â gweithredu cyfundrefn heb gig ar yr esgryn yn gyrru'r gwaith. Heb yr hawliau cyffredinol ar wyneb y Mesur a fyddai'n gosod fframwaith gadarn ar gyfer y Safonau, mae'n neilltuoel bwysig bod hawliau iaith - sy'n deillio o'r rheoliadau a gytunir gan y Cynulliad - mor eglur â phosibl i bobl eu deall a'u bod nhw'n ateb anghenion ieithyddol dinasyddion Cymru a'r rheiny sydd am ddefnyddio'r Gymraeg, yn anad dim arall.

3.3 Hyd yma, y ffordd mwyaf llwyddiannus o ddylanwadu ar gynnwys rheoliadau Safonau'r Gymraeg wedi'u llunio fu eu gwrthod yn dilyn ymgyrch gan undebau'r myfyrwyr⁴. Fodd bynnag, nid yw hynny'n ddatrysiad cynaliadwy yn y pendraw ac mae'n rhwystro gweithredu deddfwriaeth gynradd y Cynulliad (hynny yw, Mesur y Gymraeg 2011) ac, fel y gwelir yn yr achos hwn, fe gymerodd bron i flwyddyn i reoliadau gael eu hail-osod gerbron y Cynulliad ar gyfer y sectorau dan sylw - heb nemor ddim newid strwythurol i'w cynnwys. Byddai caniatáu ychydig wythnosau yn hwy o graffu ar y rheoliadau hyn yn arwain at well is-ddeddfwriaeth, gan gryfhau gweithgarwch craffu'r Cynulliad fel deddfwriaeth ynghyd â sicrhau gwell canlyniadau i ddinasyddion Cymru o ran eu hawliau iaith.

⁴ <http://golwg360.cymru/newyddion/cymru/217990-safonau-iaith-prifysgolion-wediu-gwrthod>

3.4 Argymhellwn y dylai'r Pwyllgor ystyried cyflwyno'r gwelliannau canlynol i'r broses o graffu ar reoliadau Safonau'r Gymraeg i sicrhau gwell llywodraethiant ac i sicrhau nad yw swyddogaeth y ddeddfwrfa'n cael ei danseilio:

- Dod i gytundeb â'r Gweinidog y bydd yn cyflwyno cylchoedd dilynol rheoliadau Safonau'r Gymraeg (ar ffurf drafft) gerbron y Pwyllgor o hyn allan ar gyfer rhag-ymgyngori, cyn y caiff rheoliadau terfynol eu gosod gerbron y Cynulliad Cenedlaethol i'w cytuno yn y Cyfarfod Llawn, gan ei gwneud yn bosibl i'r Pwyllgor ystyried rhinweddau **polisi'r** rheoliadau yn y dull arferol ac fel rhan o'i Raglen Waith;
- Y Pwyllgor i wahodd sylwadau gan randdeiliaid ac ysgrifennu at y Gweinidog i geisio eglurder ar reoliadau Safonau'r Gymraeg drafft a/neu i roi pwysau arno i ail-ystyried elfennau sy'n peri problem, gan na all Aelodau'r Cynulliad gynnig gwelliannau yn y Cyfarfod Llawn – dim ond gwrthod y rheoliadau;
- Cadeirydd y Pwyllgor i allu adrodd i'r Cyfarfod Llawn am rinweddau **polisi** holl rheoliadau safonau'r Gymraeg dilynol;
- Argymhell i'r Llywodraeth y dylai sefydlu grwpiau technegol rhanddeiliaid ar gyfer gwella'r broses lunio.

4. Sylwadau penodol ar Reoliadau Safonau'r Gymraeg (Rhif 6); gosodwyd ar 15 Rhagfyr 2016

4.1 Fel soniwyd eisoes, penderfynodd Aelodau'r Cynulliad arfer y dull mwyaf grymus sydd ar gael iddynt o ran dylanwadu ar gynnwys rheoliadau Safonau'r Gymraeg yn achos y rheoliadau gwreiddiol a oedd yn ymhél â'r sectorau hyn (addysg uwch ac addysg bellach), sef eu gwrthod yng Nghyfarfod Llawn y Cynulliad ar 15 Mawrth 2016. Gwnaeth hynny, yn ei dro, anfon neges gref i'r Llywodraeth am y cylch hwnnw o reoliadau, ynghyd â'r broses yn ei chyfanrwydd o safbwynt diffyg democrataidd o fewn strwythurau'r Cynulliad hefyd. Ymddengys, o gael cipolwg ar y rheoliadau a wrthodwyd ar 15 Mawrth 2016 a'r rhai a osodwyd ar 15 Rhagfyr 2016, bod yr enillion o wneud hynny fel a ganlyn:

Hawl i fynegi dymuniad i gael llety myfyrwyr cyfrwng Cymraeg

Hawl i Fewnwyd myfyrwyr cyfrwng Cymraeg

Hawl i diwtor personol sy'n siarad Cymraeg

Hawl i weld arwyddion ar adeiladau'r corff yn Gymraeg

Hawl i'r Gymraeg mewn canolfannau celfyddydau

4.2 Yn ddiamau, mae'r consesiynau hyn yn rhai pwysig iawn, er yr erys llawer o wendidau difrifol. Wedi dweud hynny, nid yw'n arfer dda o ran llywodraethiant a chraffu mai'r unig ffordd sydd gan Aelodau'r Cynulliad a rhanddeiliaid i ddylanwadu ar agweddau holl bwysig ar hawliau iaith pobl Cymru yw drwy bleidleisio'n erbyn

rheoliadau, yn hytrach na meddu ar y gallu i ymgysylltu'n gadarnhaol â'r broses ddemocrataidd. Mae angen dybryd i'r Pwyllgor fynd i'r afael â'r diffyg democrataidd hwn – ar y trywydd a awgrymwn ym mhennawd 3 (uchod) – ar gyfer cylchoedd dilynol rheoliadau Safonau'r Gymraeg.

4.3 Cydnabyddir, serch hynny, na fydd modd dod i gytundeb ar ddiwygio'r dull craffu, fel yr amlinellwn uchod, mewn perthynas â chyflwyno Rheoliadau Safonau'r Gymraeg (Rhif 6) mewn pryd ar gyfer pleidlais arnynt yn y Cyfarfod Llawn ar 31 Ionawr 2017.

4.4 Argymhellwn y dylai'r Pwyllgor, drwy'r Cadeirydd, ysgrifennu at y Gweinidog cyn gynted â phosibl i geisio atebion ynghylch y pryderon sylweddol a ganlyn o ran Rheoliadau Safonau'r Gymraeg (Rhif 6) nad ydynt wedi'u datrys o hyd, a'i atgoffa o'r grymoedd y mae'r Pwyllgor yn meddu arnynt wrth ohebu ag ef:

- i) Y prif faen tramgwydd o hyd yw y **cyfyngir cwmpas Rheoliadau Safonau'r Gymraeg (Rhif 6) i restr gul o weithgareddau ym mharagraff 31, Rhan 3, tudalen 43, yn ymwneud â chyflenwi gwasanaethau i fyfyrwyr** – a hynny gydag is-ddeddfwriaeth sydd eisoes yn feintiol ac sy'n peryglu glastwreiddio egwyddorion canolog y ddeddfwriaeth gynradd. Dywed y Gweinidog yn y Memorandwm Esboniadol a osodwyd ochr yn ochr â'r Rheoliadau hyn mai'r rheswm am hyn yw:

“i sicrhau na all gweithgareddau masnachol tebyg i ymchwil a chyhoeddi deunydd academaidd eu dal (sic) gan safonau, yn ogystal â sicrhau na fydd y Rheoliadau felly, yn amharu ar allu'r sefydliad i gynhyrchu ei hincwm (sic) ei hun”

Fodd bynnag, nid yw'r Gweinidog yn cyfiawnhau rhesymeg y Llywodraeth mewn modd ystyrion wrth benderfynu i ddrafftio yn y dull hwn – sy'n torri'n groes i'r cylchoedd blaenorol ac yn glastwreiddio'r ddeddfwriaeth gynradd. Mae hefyd yn rhagfarnu yn erbyn y sector addysg bellach, gan fod ystyriaethau megis ymchwil a chyhoeddi ond yn berthnasol i'r sector addysg uwch mewn gwirionedd.

Ymhellach, mae'n enghraifft o ddrafftio deddfwriaeth gwael ar unrhyw gyfrif ac nid yw'n ffordd gynaliadwy o fynd i'r afael â chyfraith rheoleiddio. Ystyrier pa mor hurt yw'r sefyllfa yng nghyd-destun y Safonau sy'n ymwneud â darparu gwasanaeth derbynfa Cymraeg, er enghraifft. Ceir Safonau yng nghorff y safonau cyflenwi gwasanaethau sy'n dweud y dylid gwneud hynny, pe bai'r Comisiynydd yn penderfynu gosod y Safon(au) hynny ar gorff; fodd bynnag, gan nad yw'r Safonau ond yn gymwys i'r graddau y maen nhw'n ymwneud â'r rhestr ym mharagraff 31, tudalen 43, rhaid eu darllen ynghyd â'r rhestr gul honno o weithgareddau. Sut y bydd modd penderfynu a oes rhaid i'r corff ddarparu gwasanaeth derbynfa Cymraeg ai peidio, cyn i'r ymholiad gael ei wneud? Gellid gwneud cymhariaeth yma â'r model datganoli 'pwerau a roddwyd' a 'phwerau a gedwir'. Ag ymestyn y trosiad hwnnw, y model 'pwerau a roddwyd' a ddefnyddir yn achos y sector holl bwysig hon, yn wahanol i'r model 'pwerau a gedwir' lle rhestrir unrhyw eithriadau, a chymryd

yn ganiataol bod popeth arall yn gymwys, yn achos yr holl sectorau eraill. Am yr un rhesymau ag y mae'r model datganoli hwnnw yn annigonol, felly hefyd yn achos llunio rheoliadau i greu hawliau iaith – ac fe ddylid ei osgoi ar bob cyfle.

(a) **Dylid ceisio atebion gan y Gweinidog a'i annog i gyflwyno set o reoliadau sy'n hepgor paragraff 31 ac yn nodi'r agweddau a sonnir amdanynt yn y Memorandwm fel eithriadau (e..e ymchwil, cyhoeddi, deunyddiau academaidd ayyb);**

(b) **Yn absenoldeb ewylllys i wneud hynny ar ran y Gweinidog, dylid ei annog i dynnu'r rheoliadau hyn yn ôl a'u cyflwyno fel dwy set ar wahân - gan gael gwared ar baragraff 31, yn achos y sector addysg bellach i ehangu ar hawliau defnyddwyr y sector a'r cyhoedd i'r Gymraeg.**

ii) Yn sgil y drafftio trwsgl hwn, sy'n cyfyngu cwmpas y Safonau ac nad yw'r Gweinidog wedi rhoi sylw iddo o hyd, **mae llawer o weithgareddau pwysig yn parhau i gael eu colli** - a'r rheiny'n weithgareddau sylfaenol megis gohebiaeth bersonol i fyfyrwyr, cofnodion myfyrwyr, anfonebau ffioedd dysgu a thalu ffioedd. Mae amwysedd ynghylch a fydd modd manteisio ar fwyafrif y Safonau sy'n ymwneud â chyfarfodydd o gwbl hefyd, gan nad oes cyfeiriad i gyd-fynd â'r safonau hynny ym mharagraff 31, o ddilyn y patrwm drafftio hwn.

(c) **Fan leiaf, os glynir at yr un patrwm drafftio ffaeledig hwn, dylid mynnu bod y Gweinidog yn ychwanegu'r gweithgareddau canlynol at y rhestr ym mharagraff 31: gohebiaeth bersonol i fyfyrwyr; cofnodion myfyrwyr; talu ffioedd myfyrwyr; ceisio am ysgoloriaethau myfyrwyr a rhoi gwybod am benderfyniad ysgoloriaethau; a chyfarfodydd i'r cyhoedd neu garfan o fyfyrwyr mewn blwyddyn benodol.**

iii) Codwyd pryderon yn ystod y dadlau ynghylch Rheoliadau Safonau'r Gymraeg (Rhif 3) eu bod **yn annog cyfieithu gwaith asesedig myfyrwyr i'r Saesneg** ac yn annog sefydliadau addysg i weithredu'n groes i ganllawiau'r Asiantaeth Sicrhau Ansawdd Addysg Uwch, er enghraifft, sy'n dweud y dylid ceisio asesu gwaith yn yr iaith y'i cyflwynwyd bob amser⁵. Ymhellach, dadleuwyd bod yr eithriadau yn Rhan 3 y safonau cyflenwi gwasanaethau yn groes i egwyddor ganolog y Mesur am ei fod, nid yn unig yn caniatáu'r cyrff addysg i gyfieithu gwaith eu myfyrwyr a gyflwynwyd yn Gymraeg i'r Saesneg er mwyn ei farcio, ond y gellid **darparu'r adborth yn Saesneg**. Nid yw'r Rheoliadau diwygiedig wedi'u newid yn hyn o beth a dylid dwyn y Gweinidog i gyfrif ac erfyn arno i gael gwared ar y cymalau hyn. Fe ellid ymdrin ag unrhyw eithriadau drwy gyfrwng Hysbysiadau Cydymffurfio'r cyrff perthnasol, ar ôl

⁵ <http://www.gaa.ac.uk/cy/Publications/Documents/guidelines-assessing-Welsh.pdf>

derbyn tystiolaeth na fyddai'n rhesymol ac yn gymesur i'r corff perthnasol gydymffurfio â'r safon benodol honno ym mhob cyd-destun, yn hytrach na lleihau'r disgwyliadau ar holl gyrff y sectorau yn hyn o beth, a gwanhau'r canlyniadau i fyfyrwyr.

(ch) Dylid mynnu bod y Gweinidog yn newid ei feddwl ac yn ufuddhau i Ganllawiau'r Asiantaeth Sicrhau Ansawdd Addysg Uwch ac i egwyddorion canolog y ddeddfwriaeth gynradd sy'n darparu'r fframwaith ar gyfer llunio'r rheoliadau hyn wrth hepgor yr eithriad ym mharagraff 64, tudalen 53 ynghylch Safon 90 a 90A i osgoi annog cyfieithu gwaith a sicrhau adborth Cymraeg ar waith a gyflwynwyd yn Gymraeg.

- iv) Mae pryderon yn parhau i fodoli ynghylch **defnydd y Gymraeg ar ryngwynebau cyfrifiaduron** a gwefannau rhith-dysgu myfyrwyr ac ynghylch cael **gwiryddion sillafu** ar gyfrifiaduron myfyrwyr. Dengys hyn ddiffygion polisi ar ran y Llywodraeth a methiant i sicrhau 'llywodraeth unedig', gan y manylir ar yr elfen hon yn benodol yn Strategaeth Iaith gyfredol y Llywodraeth, ond ni adlewyrchir hynny yn neddfwriaeth y Llywodraeth o fewn y maes polisi hwn. Dywed Iaith Fyw:Iaith Byw (2012): *"mae angen ystyried a fyddai modd gosod **meddalwedd cyfrwng Cymraeg a rhyngwynebau Cymraeg ar bob gorsaf waith mewn ysgolion, colegau a phrifysgolion ledled Cymru**"* (tudalen 46). Mae egwyddor y cynnig rhagweithiol – sydd i fod yn gyrru'r holl Safonau – yn cael ei hepgor hefyd yng nghyswllt y gwiryddion sillafu, gan y byddai'n rhaid mynd i chwilio am wirydd sillafu ar wefan rhith-ddysgu'r corff, er bod rhai Saesneg ar gael yn ddiodyn ar beiriannau myfyrwyr.

(d) Dylid gofyn i'r Gweinidog i gyflwyno tystiolaeth yr asesiad a gynhaliwyd i ymchwilio i'r dull o fodloni'r Strategaeth Iaith gyfredol yn y cyswllt hwn a pha reswm dilys sydd dros beidio â rhoi'r hawl i fyfyrwyr gael yr un adnoddau â staff y corff drwy gyfrwng y rheoliadau hyn. Os nad oes rheswm, rhaid diwygio'r agwedd hon.

- v) Mae'r Llywodraeth yn parhau i anwybyddu'r anghydraddoldeb rhwng hawliau iaith myfyrwyr a staff y corff mewn perthynas â rhoi **gwersi Cymraeg i fyfyrwyr** ac o ran **meithrin ymwybyddiaeth ynghylch y Gymraeg a'i diwylliant**. Gan fod swyddogaeth ganolog i'r sector addysg uwch ac addysg bellach wrth godi cenedl ddwyieithog a chynllunio gweithlu'r dyfodol, mae hyn yn anfaddeuol. Mae nifer o sefydliadau addysg eisoes yn cynnwys nifer o fodiwlau gorfodol fel rhan o'u proses ymrestru a chynefino – megis ymwybyddiaeth o beryglon tân, materion iechyd a lles ayyb; dichon y gallai'r gyrff mawr hyn ddarparu pwt am y Gymraeg a'i diwylliant fel rhan o weithgareddau o'r fath yn rhwydd.

(e) Dylid mynnu bod Safonau 140 a 141 y safonau gweithredu o fewn y rheoliadau diweddaraf hyn (ymwybyddiaeth iaith sylfaenol i staff) yn cael eu cymhwyso i fyfyrwyr yn ogystal â staff fan leiaf.

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1. UCM Cymru

- 1.1. Undeb Cenedlaethol Myfyrwyr Cymru (UCMC) yw'r mudiad democrataidd mwyaf yng Nghymru sy'n cynrychioli dysgwyr mewn ystod eang o sefyllfaoedd, gan gynnwys addysg bellach ac uwch, addysg gymunedol i oedolion a phrentisiaethau.

2. Sylwadau Cyffredinol

- 2.1. Rydym yn croesawu'r cyfle i roi ymateb ar Reoliadau Safonau'r Gymraeg.
- 2.2. Cred UCM Cymru y dylai addysg fod yn gynhwysol; hynny yw y gall y myfyrwyr oll gael mynediad i addysg a chael llwyddiant, beth bynnag fo'u cefndir neu nodweddion. Yng Nghymru, y mae'n rhaid i addysg gynhwysol gynnwys y gallu i astudio drwy gyfrwng y Gymraeg. Pan rydyn yn sôn am addysg gyfrwng Cymraeg golygw'n nid yn unig yn yr ystafell ddosbarth ond hefyd fod myfyrwyr yn gallu byw trwy gyfrwng y Gymraeg tra'n astudio; o seminarau i lety myfyrwyr, ac o gefnogaeth myfyrwyr i adnoddau digonol trwy gyfrwng y Gymraeg.
- 2.3. Teimlwn y dylai'r safonau iaith sicrhau fod gan fyfyrwyr yng Nghymru yr hawl at fynediad i addysg gyfrwng Cymraeg er mwyn iddynt allu defnyddio'r Gymraeg ym mhob agwedd o'u bywyd yn y coleg, y brifysgol neu tra'n gwneud prentisiaeth.
- 2.4. Yn 2016 roedd undebau myfyrwyr yn pryderu nad oedd y rheoliadau'n ddigon cryf i allu sicrhau addysg gynhywsol ac mai'r unig ffordd i ddylanwadu ar y safonau oedd galw iddynt gael eu gwrthod, fel y digwyddodd. Tra ein bod yn falch fod hyn wedi sicrhau mwy o amser i wella'r rheoliadau, yn y dyfodol hoffem weld strwythurau cryfach mewn lle i allu craffu ar y rheoliadau fel nad oes angen rhwystro'r rheoliadau unwaith yn rhagor.

3. Rheoliadau Safonau'r Gymraeg (Rhif 6) 2017

- 3.1. Rydym yn falch iawn o weld bod yr eflennau canlynol wedi eu hychwanegu at y rheoliadau canys eu bod yn hanfodol er mwyn galluogi i fyfyrwyr allu byw trwy gyfrwng y Gymraeg tra yn astudio:

Hawl i weld arwyddion ar adeiladau'r corff yn Gymraeg
Hawl i fynegi dymuniad i gael llety myfyrwyr cyfrwng Cymraeg
Hawl i Fewnrwyd myfyrwyr cyfrwng Cymraeg
Hawl i'r Gymraeg mewn canolfannau celfyddydau
Hawl i diwtor personol sy'n siarad Cymraeg

- 3.2. Er hyn, y mae yna dal i fod elfennau yr ydym yn teimlo sydd ar goll o'r rhestr ym mharagraff 31. Y mae'n anochel bron y bydd eflennau ar goll pan roddir rhestr gyfyngedig. Hoffem felly weld fod y rhestr yn cyfleu yr egwyddor y dylai

myfyrwyr gael mynediad at addysg Gyrraeg gynhwysol a bod yr elfennau a nodir yn y rhestr yn cyfleu y lleiafswm y dylid ei ddarparu. Hoffem hefyd weld yr eflennau canlynol yn cael eu hychwanegu:

- 1) gohebiaeth bersonol i fyfyrwyr
- 2) prosesau talu ffioedd myfyrwyr
- 3) cofnodion myfyrwyr
- 4) y broses o geisio am ysgoloriaethau

3.3. Credwn y dylai myfyrwyr allu cael mynediad at wersi Cymraeg er mwyn i bob myfyriwr gael cyfle i ddysgu a gwella eu Cymraeg. Hoffem weld mwy o sylw yn cael ei roi i'r elfen yma – yn enwedig gan ei fod yn cefnogi amcan Llydoraeth Cymru o gyrraedd miliwn o siaradwyr Cymraeg erbyn 2050.

3.4. Mae'r term 'lles myfyrwyr' yn un eang iawn. Tra nad ydym am weld y diffiniad yn cael ei ddileu o'r rhestr nac yn cael ei gyfyngu, byddai'n ddefnyddiol tynnu sylw arbennig at y gwasanaethau canlynol:

Cymorth ariannol
Gwasanethau cwnsela
Cymorth tai
Cymorth i fyfyrwyr gydag anableddau
Systemau cymorth cyfoedion

3.5. Rydym yn gobeithio y bydd Llydoraeth Cymru yn parhau i ddatblygu darpariaeth addysg gyfrwng Cymraeg yn y sector ôl-orfodol.

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Agenda Item 4

Culture, Welsh Language and Communications Committee

Date: 18 January 2017
Time: 10:00-12:00
Location: National Assembly for Wales, Cardiff Bay
Title: Culture, Welsh Language and Communications Committee: Welsh Language Strategy Inquiry
Purpose: To provide evidence to the Committee as part of its Welsh Language Strategy Inquiry

Consultation on a Welsh Government draft strategy: a million Welsh speakers by 2050

At the beginning of the fifth Assembly term, the Government set itself a considerable challenge to reach a million Welsh speakers by 2050. From the very beginning, we have been clear that this vision calls for a new way of working to make it a reality. Considering the size of the challenge, we are grateful to the Committee for taking the time to hold this inquiry and for feeding into the process of creating the final document which will shape our journey towards a million Welsh speakers by 2050.

The public consultation on our draft strategy officially came to an end on 31 October 2016. Since the end of the consultation, we have been analysing all the responses and using them as we work towards shaping and refining the final strategy. As a part of this, we have drafted a summary of responses to the consultation and it is my pleasure to include a copy of the summary at Annex 1 of this paper for the Committee's attention.

Following the publication of the summary of responses, we will continue to develop and refine our final strategy. In doing this, we will continue to pay attention to the responses to our consultation and, without doubt, we are looking forward to seeing the fruit of the Committee's work in this inquiry.



Welsh Government
Consultation – summary of responses

Consultation on a Welsh Government
draft strategy: a million Welsh speakers
by 2050

Date of issue: January 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Consultation on a Welsh Government draft strategy: a million Welsh speakers by 2050

Audience	Welsh Government groups; public bodies in Wales; third sector bodies in Wales; private sector companies in Wales; education organisations in Wales; organisations who work to promote the use of the Welsh language; organisations who work with families, children and young people, and communities; and other interested parties.
Overview	This document summarises the responses received to the Welsh Government draft strategy: a million Welsh speakers by 2050 consultation. The consultation was held between 1 August and 31 October 2016.
Action required	None – for information only.
Further information	Enquiries about this document should be directed to: Welsh Language Unit Welsh Language Division Welsh Government Cathays Park Cardiff CF10 3NQ e-mail: UnedIaithGymraegWelshLanguageUnit@wales.gsi.gov.uk Tel: 0300 060 4400
Additional copies	This document can be accessed from the Welsh Government's website at https://consultations.gov.wales/consultations/welsh-language-strategy
Related documents	<i>Consultation on a Welsh Government draft strategy: a million Welsh speakers by 2050 (2016)</i>

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Introduction

Background

Section 78(1) of the Government of Wales Act 2006 places a duty on Welsh Ministers to adopt a strategy showing how they intend to promote and facilitate the use of the Welsh language. A living language: a language for living was therefore published, a strategy that came into force from 1 April 2012. A living language: a language for living will be in operation until 31 March 2017. Section 78(5) of the Act places a statutory duty on Welsh Ministers to consult on their strategy. A public consultation was duly launched on our new and highly ambitious vision of a million Welsh speakers by 2050, by the Minister for Lifelong Learning and Welsh Language at the National Eisteddfod this year.

The consultation period began on 1 August and came to an end on 31 October.

We acknowledged the scale of the Wales-wide challenge that was set in the draft strategy. It was noted that, based on the census, some 438,000 new Welsh speakers were needed by 2050. The draft strategy recognised, therefore, that a different way of working was needed in order to realise the vision.

Unlike previous Welsh Government strategies, the draft strategy acknowledged that language planning was a long-term discipline. The draft strategy explained the areas where action would be needed in the long term in order to reach the target. The objectives were therefore set under the six following development areas:

- 1: Planning and Language Policy
- 2: Normalisation
- 3: Education
- 4: People
- 5: Support
- 6: Rights

Whilst recognising the need to plan and take action in the long term in order to fulfil our aim, the draft strategy also recognised the need to act in the short term. Potential areas for work were therefore outlined for the first five years of the draft strategy, and the areas that needed priority in the short term were consulted upon.

Engagement

In the Minister's foreword to the consultation document, the Minister noted the importance of ownership of the challenge among all those involved with the draft strategy. He also signalled his desire for the entire nation to be part of the discussion in steering and informing the final strategy.

As well as publishing an official consultation document that asked specific questions (further details on this are provided at page 5 of this document), a host of different methods were used for consultation in an attempt to draw responses from a variety of audiences. This will help us to inform the final strategy. More detail on the methods used is given below.

Engagement with children and young people

An infographic and animated video were developed on the content of the draft strategy, as well as a resource pack in order to help and stimulate children and young people to respond. We contacted government grant partners and organisations that represent children and young people to raise awareness of the consultation process. The Minister for Lifelong Learning and Welsh Language also held a session with children and young people at the National Eisteddfod this year, including a discussion on the draft strategy.

Easy read version

In order to ensure the contribution of individuals with learning disabilities to the consultation process, we developed an easy read version of the consultation document. Two focus groups were organised in conjunction with Learning Disability Wales and Carmarthenshire People First. These groups were asked specific questions for consideration as part of the consultation and the group's comments were mainstreamed into the summary of responses contained in this document.

Meetings with partners/stakeholders

In addition to the events discussed beyond this paragraph, during the consultation period the draft strategy was discussed in events and meetings with individuals across Wales with the Minister for Lifelong Learning and Welsh Language and his officials. We are grateful for the responses and comments received during these meetings as part of the consultation process and comments made in these meetings were considered as part of the summary of responses in this document.

SaysomethinginWelsh

As so many are learning Welsh outside the classroom, through working with SaysomethinginWelsh, we held a discussion on their online forum to gather comments on the draft strategy. The main themes of the discussions have been included in the summary of responses in this document.

#Cymraeg2050 – a million speakers conference

As part of the consultation, we have looked beyond Wales to learn lessons from the Basque Country and Canada. We held an international conference, '#Cymraeg2050 – a million speakers' in the Wales Millennium Centre on 4th October.

As well as promoting the event generally on social media accounts across the government, invitations were sent to the organisations in Annex 2 of this report.

85 people attended the conference. However, Welsh Government social media accounts were used to allow everyone across Wales and beyond to take part in the event.

Questions were asked online during the conference and for a period following the conference by means of a Doopoll electronic questionnaire, as a way of engaging the public in the consultation. This system enabled us to ask questions, giving the public a choice of answers (contributors were not able to construct their own answers) and a choice of points on a scale.

Although Doopoll has been an accessible and useful means of giving people a taste of people's attitudes towards questions and statements, it did not allow people to provide their own answers. Neither did it allow us to assess the demographics of those who had taken part. In addition, it is possible that the results of the polls were influenced by the demographic profile of those who attended the conference. We do not, therefore, claim any scientific basis to the data gathered. However, Annex 3 does contain a summary of the questionnaire results.

Focus groups: Ti a Fi groups

The draft strategy confirms the importance of increasing the rate at which the Welsh language is transmitted within families and the importance of increasing the numbers within Welsh-medium education. To this end, a specific effort has been made, as part of the consultation process, to gather the views of parents/carers.

We held four focus groups in conjunction with Mudiad Meithrin. The four groups were held in Ti a Fi Hermon, Cyncoed, Seiont and Peblig (Caernarfon) and St Asaph. The responses in Hermon, Cyncoed and St Asaph were based on one-to-one conversations with parents and a discussion group was held in Caernarfon.

Across the four sessions, 26 individuals took part by answering questions. Of those 26, 14 contributed in Welsh and 12 in English. Attendees were asked specific questions and their comments gathered. The questions asked, along with an overview of the responses are recorded in Annex 4.

Summary of responses

We asked 13 specific questions in our official consultation document. The majority of respondents used the official response form or the electronic version. Some bodies sent responses independently without using the form. Those responses were added to the others to create the summary below. An overview of the main themes arising in the comments and the results¹ of the questions asked are also noted below. In developing the final strategy, we will consider all the consultation responses in their entirety.

Where contributions were provided in Welsh by respondents, these have been translated into English and are marked by an asterisk (*).

Question 1: Do you agree with the approach of creating a long-term strategy for the Welsh language?

Total	Agree	Disagree	Neither agree nor disagree
238	178 (74.8%)	44 (18.5%)	16 (6.7%)
Main themes of comments			
<p>The majority of respondents agreed with the long-term nature of the draft strategy.</p> <p style="padding-left: 40px;">‘Placing policy and language planning activities within a framework for change which spans a generation – and beyond the political electoral cycle – is to be supported’*</p> <p style="text-align: right; padding-right: 40px;">- Language Planning Wales</p> <p>At the same time, several responses considered the practicality of meeting the strategy target of a million Welsh speakers. The measure of the challenge set for the Government in the draft strategy was recognised, but generally the challenge was welcomed. The focus of several responses was the strategic element of the draft strategy, and the need to highlight the link between the draft strategy and one of the well-being goals of the Well-being of Future Generations (Wales) Act 2015.</p> <p>Whilst welcoming the challenge, a number of respondents emphasised the importance of early and intensive action in the short term in order to establish the foundations for the increase in the number of Welsh speakers to materialise in the long term.</p> <p>A number of respondents warned that the vision of a million Welsh speakers, whilst recognising the importance of the education system, should not be at the expense of efforts to promote and maintain the use of Welsh among those who already speak Welsh. Some felt the draft strategy did not adequately address this aspect of language planning.</p> <p>Some felt the geographical aspect of language planning was not adequately considered in the draft strategy, with some noting the challenges in the high-density areas of Welsh speakers were different to the challenges in the lower-density areas, and that the strategy needed to recognise and embrace that.</p>			

¹ To facilitate the presentation of the data, percentages have been recorded to one decimal place. As a result, the results do not necessarily add up to 100%.

However, not all who responded to this question supported our vision or the draft strategy. Some comments expressed concern in relation to teaching Welsh to non-Welsh speakers as well as concerns regarding spending on the Welsh language during an economically difficult time when public spending is curtailed.

Question 2: Apart from a million Welsh speakers by 2050, there are no specific targets associated with this draft strategy as it stands. In your opinion, are there any targets or milestones that should be used to map the journey and measure our progress towards a million speakers?

Total	Yes	No	Not sure
235	154 (65.5%)	54 (23%)	27 (11.5%)
Main themes of comments			
<p>In response to this question, the majority were of the opinion that extra targets and milestones were needed within the draft strategy as well as the main target of a million Welsh speakers by 2050. However, some said they did not believe targets and milestones should be set.</p> <p>Among the reasons noted in favour of targets was to ensure progress could be monitored and scrutinised in implementing the final strategy.</p> <p>Recommendations were made in terms of potential targets and milestones to be included in the strategy to map the journey towards a million Welsh speakers, e.g. targets in relation to the education sector workforce, the public sector workforce, fluency levels, use of Welsh at work, regional models, Welsh-medium further and higher education courses and the extent of the Welsh-medium statutory education provision.</p>			

Question 3: Do you broadly agree with the six areas of development outlined in the strategy – Planning, Normalisation, Education, People, Support and Rights?

Total	Agree	Disagree	Neither agree nor disagree
231	142 (61.5%)	58 (25.1%)	31 (13.4%)
Main themes of comments			
<p>The responses to this question were varied. Although a high percentage of people noted that they agreed with the areas outlined (as above), a number of comments expressed a desire to see the government use the strategic areas included in the current strategy, A living language: A language for living.</p> <p>‘For the sake of consistency and possibly reporting on progress, I wonder why the development areas in Iaith Fyw: Iaith Byw weren’t also appropriate for this strategy: i.e. The Family, Children and Young People, The Community, The Workplace, Welsh Language Services, Infrastructure. As the field of language planning and policy is still a relatively new one, it is important to establish consistency so that policy planners are able to</p>			

familiarise themselves with the headings, and the requirements associated with them. The table at the beginning of the document “Iaith fyw:laith byw - Bwrw Ymlaen” is useful – 1. Language Acquisition (education, language transmission) 2. Language Use (children and young people, the community, the workplace, Welsh language Services) 3. Infrastructure (including the economy)*.

- Ceredigion County Council

A number of respondents were of the opinion that the areas in the draft strategy were confusing and too open-ended, and others noted that they were not sure what the conceptual basis was for choosing these areas of development, in terms of language planning.

‘The nature of the development areas which form the structure of the strategy, and which will direct activities in future, should be re-examined. There isn’t enough clarity around the way the areas in the consultation document are conceptualised, and consequently there is considerable ambiguity concerning what kind of activity is relevant to these areas’.*

- Centre for Welsh Politics and Society, Aberystwyth University

A number of comments also recommend including additional strategic areas in the final strategy to address other areas such as further education, leadership, the economy, town and country planning etc.

Question 4: How can you contribute to achieving the strategy’s vision?

Main themes of comments

Most of those who responded to this question were positive. Personal and corporate commitments were made by individuals and organisations across Wales from a wide spectrum of different sectors identifying potential work areas on which they are focussing, and can focus, during the lifetime of the final strategy to work towards a million Welsh speakers.

Development area 1: Planning and language policy

Question 5: Are there any other objectives or actions that should be included in this document in order to improve planning in relation to the Welsh language?

Total	Yes	No	Not sure
214	119 (55.6%)	44 (20.6%)	51 (23.8%)

Main themes of comments

Responses expressed support to the objective within the draft strategy to increase the number across the education sector workforce with Welsh-language skills. As well as comments about increasing the number of teaching staff with Welsh-language skills, some highlighted the need to plan for and train an adequate supply of supplementary staff with Welsh-language skills (such as assessors). Among the responses, some specifically highlighted the early years workforce.

'PACEY Cymru would like to see all early years and childcare practitioners be offered and encouraged to access basic Welsh training, tailored to their need.'

- PACEY Cymru

As well as planning for the education sector workforce and increasing the number, comments were made in relation to the care sector workforce. The Welsh language was referred to as a skill, and the need to consider that skill on an equal footing with other skills in assessing and providing care services was discussed.

In their responses, a number of references were made to normalising and incorporating the Welsh language within planning. UCAC noted that specific structures needed to be created in order to improve understanding of the basics of language planning among large public sector bodies and the business world. UCAC also discussed the importance of developing leaders among important and influential groups – in their case, governors. The importance of developing leadership in order to implement the draft strategy was also clear in the Care Council for Wales' response:

'We would recommend the inclusion of leadership as an additional area, or aligned to people/rights.'

In answering this question, a number of respondents referred to the importance of the economy in attempting to achieve the draft strategy's objectives. The importance of engaging with businesses was emphasised, and Awr Cymru suggested making the economy a specific development area.

'The document makes no reference to the fundamental role of the economy in maintaining language viability, nor to population migration – whether in-migration or out-migration – and its influence on the vitality of the Welsh language.'*

- Language Planning Wales

Development area 2: Normalisation

Question 6: In your opinion, how else can we engender goodwill towards the Welsh language in order to further normalise it?

Question 7: What else is needed to convert positive attitudes towards the language into speakers?

As questions 6 and 7 deal with the same development area, we have dealt with both questions as one for the purposes of this report.

Main themes of comments

Several respondents disputed the term 'normalisation' in the draft strategy:

'I do not particularly like the term 'Normalisation' as it suggests that speaking Welsh is currently abnormal. I do not consider myself to be abnormal'

- Kenneth Jones

As well as the appropriateness of the term itself, some noted that the use of Welsh should not be considered as a stand-alone element. It was suggested, rather, that the use of Welsh should be considered generally in the draft strategy within each development area.

In the responses to these questions, factors were discussed that affect the choices of people in terms of whether they use the Welsh language or not. The need to work towards making it usual to hear and use Welsh in all aspects of life was given considerable attention.

The way services are provided by public bodies was therefore considered. The importance of being proactive in this context, as well as what should be done to create and foster a bilingual environment and ethos was discussed. The role of Welsh across several sectors and the importance of increasing the visibility of Welsh generally and in the business and tourist world specifically, with a view to its normalisation, was discussed.

Normalisation was also discussed from a psychological perspective, and the effects various environments have on the language choice of people. Several respondents suggested areas for consideration in terms of research to understand the factors that influence people's decisions in choosing to speak one language over another.

In relation to the use of Welsh, some emphasised the final strategy needed to adequately consider raising awareness of the language and the corresponding culture and history within the final strategy. One respondent said:

'...training events were given which consisted of an introduction to Welsh history, culture and language. This had a positive effect on attendees who hitherto were ignorant of the status of Welsh and its culture and their goodwill towards Welsh was engendered. It is for our public bodies to train their staff to create positive attitudes'.

As well as the above, responses recognised the role of marketing and promotion in communicating the advantages of the Welsh language and bilingualism in Wales. To this end, Dyfodol i'r laith noted:

'Gaining the support of the people of Wales to the effort to revive the Welsh language is absolutely necessary. To this end, a wide-ranging and multifaceted programme is needed to educate the population about the advantages of bilingualism and the importance of the Welsh language to the nation's development'. *

The importance of targeting various ethnic communities as well as people with different needs was also discussed by some.

Development area 3: Education

Question 8: Are there any other objectives or actions that should be included in this document in order to increase the number of people who learn Welsh?

Total	Yes	No	Not sure
210	120 (57.1%)	38 (18.1%)	52 (24.8%)

Main themes of comments

In responding to this question, there was a considerable focus on ensuring local authorities respond to the demand for Welsh-medium education in their areas. However, some felt responding to the demand alone was not enough to increase the number who learn Welsh:

‘we need to create demand for Welsh-medium education instead of only responding to the demand’*

- Carmarthenshire County Council

Some highlighted the importance of including all schools in Wales in the attempt to increase the number of those learning Welsh. Action to increase co-operation between Welsh-medium schools and English-medium schools was discussed, along with the process of recategorisation of schools. Looking at the structure of schools, the need to give adequate attention to provision for specific groups was also discussed, such as latecomers and those with additional learning needs.

Beyond the structure of education provision, the role of the national curriculum in increasing the number who learn Welsh was discussed. The introduction of a language continuum for all schools in Wales was referred to, along with ensuring a Welsh perspective to other elements of the curriculum, drawing attention to the culture and history of Wales and to the Welsh language.

‘Provide more Education on the history of our language & heritage – show why it is important that we retain and grow the language as part of our culture’

- Jeremy Randles

A large number of the comments made identified the need to develop the Welsh-medium provision beyond the statutory stage in further education and higher education to increase the opportunities available for people to continue with their education through the medium of Welsh. Comments also considered how to attract people to Welsh-medium courses in further and higher education, along with the work that should be done to ensure a clear route for students through the education system into jobs where Welsh-language skills are needed in the workplace.

Respondents also discussed methods adults use to learn Welsh. Some noted Welsh-medium schools should provide opportunities for adults and their children to

learn Welsh at their school:

'We agree that Welsh speaking homes have a great impact on the use of Welsh. Every effort should be made to support parents who wish to learn Welsh eg by provision for adult learning at local Welsh medium schools'.

- Woking Welsh Society

Development area 4: People

Question 9: Are there any other objectives or actions that should be included in this document in order to increase the number of people who use Welsh?

Total	Yes	No	Not sure
203	93 (45.8%)	53 (26.1%)	57 (28.1%)

Main themes of comments

Whilst there is general support for the focus on people in the draft document, a few respondents felt the People area was trying to accomplish too much, for example:

'While the principle of creating development areas is to be welcomed, the areas suggested in the document are too open-ended. For instance, the "People" section in the present document encompasses areas as wide-ranging as language acquisition through the statutory education system and lifelong learning, language transmission in the family, and opportunities to use the language in the community, and by doing so attempts to deal with too many issues'.*

-Mudiadau Iaith Cymru

This was reflected by several respondents, with a number also feeling that Planning and Language Policy was also too openended, and that the content overlapped too much with other areas of the document. Some were of the opinion that there was ambiguity in this section when speakers were referred to and when users were referred to.

The meaning of community

The statement "Improve our understanding of the local factors which affect the Welsh language, and of the discussions about how the definition of "community" is evolving, and plan accordingly" which appeared in the draft document evoked quite a response. Although there was general agreement that the discussion regarding the relationship between the Welsh language and different kinds of communities needs to be widened, and recognition that communities and the definition of them constantly evolve, a number of the responses emphasised the importance of continuing to focus on the community in the geographical sense of the word:

'Regarding the meaning of community, yes, we must look wider than the traditional definition. We must include networks of interest and digital networks, work-based communities – as well as geographical communities (villages/towns/cities).'*

- UCAC

'Whilst we do not disagree with the analysis about new forms of community, "geography" is still a key driver of social interaction. Within geographical communities decisions about what types of development, their scale and location can have an important influence on language maintenance and acquisition, and this again reinforces the need for stronger links between socio-language planning and spatial planning'.

- RTPI Wales

'We feel that the concept of community remains valid in rural areas, and that we must continue or strengthen the work of supporting these communities from a linguistic perspective. However it is also true that the idea of community is different in more populous areas but that, in both types of community, dynamic and decisive support and development is needed to stabilise and increase the use of Welsh.'*

- Carmarthenshire County Council

'We recognise that what is considered a 'community' has now changed, expanded, and is a difficult concept to define, but care must be taken not to depreciate the value and significance of the 'geographical' community which brings people together through the medium of Welsh. This is where the foundations of Welsh speakers' identity and values are set and community leaders nurtured. This is where Welsh speakers can gain the skills to offer contemporary and attractive activities and events which make Welsh a norm in an agreeable informal context. In other words, to live mainly through the medium of Welsh'.*

- Gwynedd Council

Some respondents felt that creating Areas of Linguistic Significance are a natural extension of the importance of geographical communities.

Others also saw the development of new kinds of community as an opportunity for the language:

'Although there are significant numbers [of Welsh speakers in populous areas] it is a challenge for the language to establish itself in physical communities. How can technology offer a solution? According to OFCOM's most recent report, two of every three people in Wales own a smartphone. We need to research and invest in digital technology in order to create a digital virtual community which can highlight the Welsh language in these communities and create opportunities for people to develop social networks digitally and on the ground.'*

- Awr Cymru

Language transmission

Respondents expressed considerable support to increasing Welsh-language transmission rates within families, and in the process, increase the use of Welsh. Some referred to families using more than one language and the importance of ensuring they were aware of the benefits of bilingualism:

'Parents in mixed-language homes will need to be convinced that they have everything to gain and nothing to lose from having the Welsh speaking parent

using Welsh exclusively with the child / children.’*

- Dyfodol i'r Iaith

Some noted that greater effort and focus was needed in response to the challenge of increasing language transmission rates within families.

Others highlighted the need to look at methods of supporting parents who don't speak Welsh but whose children go to Welsh-medium education to support and participate in their children's education.

'Policies which support non Welsh speaking parents in Welsh medium schools are essential. Many parents feel isolated from their children's school life as there is not enough support for them as non Welsh speakers, and their experiences are what will shape their friends and family in choosing schools later on'.

- Aspiration Training

'Support for non-Welsh speaking parents in terms of 'work / home learning, help their children with reading, etc. are all important. There must be a large investment in the support here and think very creatively about technology in this respect. The words 'see for themselves the importance of Welsh' in the strategy are crucial'.

- Caerphilly County Borough Council

Social changes

A number were of the opinion that the consultation document did not give adequate consideration to the great social changes that are afoot, and their effect on the Welsh language. These changes include migration within Wales (eg from rural areas to urban areas), the number of Welsh speakers who leave Wales every year, immigrants to Wales from elsewhere in Britain, and immigrants to Wales from beyond Britain. Several respondents were eager to see latecomers being given every opportunity and encouragement to learn Welsh:

'The document does not give enough attention to integrating people moving to Wales, nor to explaining local culture and customs to encourage people to learn and become a part of the community, especially in rural areas. .. We should move to a situation where anyone moving to Wales has easy access to Welsh-medium education, and that this is the default so that they are given every opportunity to become bilingual'.*

- Carmarthenshire County Council

Places to use Welsh

In relation to increasing the use of Welsh, there was support for maintaining bodies and organisations that provide opportunities for people to use the language. Some noted that the current provision of Welsh centres should be widened to more communities in Wales. It was clear that a number wanted to see the number of these "safe" locations increase, and that the workplace was another essential location in this respect:

'People of usual working age spend a third of their lives in the workplace, therefore the workplace is an invaluable opportunity to influence their ability to speak and use Welsh.....'*

- Menter a Busnes

'Organisations need help to use Welsh naturally in the workplace and improve the confidence of staff members who are less confident in their Welsh language skills'.*

- Partneriaeth Ogwen

'Our social networks have changed, with people living and working in different places and socialising in scattered networks....it is much easier for purposive planning to affect the language decisions of a Welsh speaker in the workplace than to affect the language choices involved in that same individual's social life'.*

- Osian Elias

As in all areas, the importance of finance and resources were highlighted time after time to support any action in this area.

Development area 5: Support

Question 10: Are there any other objectives or actions that should be included in this document in order to improve the infrastructure that helps people to use Welsh?

Total	Yes	No	Not sure
199	96 (48.2%)	54 (27.1%)	49 (24.6%)
Main themes of comments			
<p>In response to this question, attention was given in a number of answers to the need to ensure the provision of bilingual resources for the education sector. Attention was given to the process of commissioning and developing Welsh-medium resources, noting the need to pay attention to the timing of the publication of the resources, to ensure sufficient time for the preparation of qualifications and courses which will accompany the resources, and also to ensure that the resources are published in both Welsh and English at the same time.</p> <p>'Assumption of parity of release for educational resources in both languages' - Coedffranc Community Council</p> <p>Another theme which became clear in the responses was the need to give attention to language fundamentals. Some responses discussed completing work to standardise Welsh-language grammar and vocabulary. This theme arose in the context of alleged problems which can occur when people with different dialects communicate. In addition, some respondents noted that the draft strategy did not sufficiently highlight the importance of compiling dictionaries and developing Welsh-language terminology. It was also mentioned that there was a need to ensure permanent funding for Geiriadur Prifysgol Cymru to undertake this work.</p> <p>'As long as the Welsh language develops, its development will need to be recorded by permanently employed workers'.* - Bruce Griffiths</p>			

Several respondents to the consultation addressed the role of technology in achieving the aims of the draft strategy. The increasing role of technology in people's lives was discussed, and the corresponding need to ensure the presence of the Welsh language in this field. Caerphilly County Borough Council noted that there was an urgent need to establish a Language Technology Board to tackle the challenges in this field. When dealing with the question of technology and the Welsh language, attention was also given to the international digital economy and the potential for Wales as a bilingual country to take advantage of that economy, as well as the possible benefits of technology to the Welsh language:

'Wales in is an unique position within the United Kingdom to offer services and develop new businesses in this space as it has a large, genuinely bilingual workforce. By highlighting a workforce which has the ability to work in English and "A N Other language" the incentive to learn and use the language from day to day will become increasingly attractive, with the additional advantage of a significant increase in digital services and content in the Welsh language'.*

- Awr Cymru

Another clear theme amongst the responses was the importance of the media in achieving the aims of the draft strategy, and the joint relationship between the vitality of the media in a specific language and the language itself. However, attention was also drawn to developments in this field with regard to how people engage with the media.

Development area 6: Rights

Question 11: Are there any other objectives or actions that should be included in this document in order to improve the rights of Welsh speakers?

Total	Yes	No	Not sure
207	70 (33.8%)	93 (44.9%)	44 (21.3%)

Main themes of comments

It became obvious from reading the responses, especially those which were submitted in English, that not everyone was completely supportive of the idea of "improving rights" in relation to the Welsh language. A perception amongst these responses was that any measure to strengthen the rights of Welsh speakers was an automatic step against the rights of English speakers, and that the idea of a "right" in itself was too strong. Some preferred the idea of "freedom to use the Welsh language":

'The Welsh Language (Wales) Measure does not reference rights, more the 'freedom to use'. If we realise the normalisation of the Welsh language, rights will follow suit'.

- Colleges Wales

In several cases, Welsh speakers also thought that the legal foundation was in place and action now needed to be taken to ensure that people took advantage of it by using the Welsh language.

'The Welsh language has official status, legislation is in place which gives Welsh speakers the right to Welsh language services, we have a Welsh Language Commissioner to oversee the implementation of these rights. There is also a statutory basis for planning Welsh-medium education provision, and "a thriving Welsh language" has been included in one of the national well-being goals. We now need to build on these foundations'.

- Qualifications Wales

However, this was not a unanimous opinion, with a number of respondents noting the need to strengthen and expand the scope of the measure and the obligations in some vital sectors.

(i) Establish general rights to use the Welsh language to ensure that bodies continually improve their service provision, deal with the inevitable weak points in the wake of the Welsh Language Standards, and ensure that people's rights to use Welsh are intelligible

(ii) Extend the Measure to the remainder of the private sector in order to normalise and strengthen the use of Welsh in every part of life

* naming on the face of the Measure banks, supermarkets, retailers and companies with a turnover higher than a set figure as short term priorities

* establishing a power and duty on the face of the Measure to add all private sector bodies as categories of person which can be added to Schedule 8 of the legislation*

- Cymdeithas yr Iaith Gymraeg

In this context, some respondents discussed the positive aspects of the Welsh Language Standards regime, whilst others gave attention to the regime's negative aspects. Several comments discussed the regime's processes, alongside the inadequacies of the regime in terms of giving rights to use Welsh in vital sectors, such as banking.

'The Welsh language standards, although praiseworthy in some cases, are too narrow and take too long to implement – they must be strengthened in everyday areas like banks, leisure centres etc'.*

- Tudur Williams

The need to speed up and simplify the process of introducing the new standards was also noted:

'The process for implementing the Welsh Language (Wales) Measure seems to have become somewhat cumbersome, resulting in a delay to its roll-out If anything can be done to make this process simpler, it would be welcomed'.

- Construction Industry Training Board

Another matter which was the subject of discussion was the balance between regulation and promotion, with a number of respondents feeling that the system of standards was negative in nature:

'Regulating for success not for describing failure'.*

- Rhian Huws Williams

It was therefore interesting to see in some of the responses which reached the Welsh Government near to the closing date, a positive response to the announcement that funding had been set aside to establish an "Agency" to promote the Welsh language (this funding was announced on 18 October).

A few respondents also mentioned the importance of taking full advantage of every piece of legislation concerning the Welsh language, and ensuring that the final strategy did not omit these important elements. For example:

'We would also welcome more attention to the importance of ensuring the status of the language through the Well-being of Future Generations Act'.*

- Mentrau Iaith Cymru

Priorities

Question 12: The Welsh Government will publish a series of detailed policies in specific policy areas during the strategy's lifespan. Which policies do you think we should prioritise for publication during the first five years of the strategy?

Main themes of comments

By far the largest number of responses to this question prioritised developing the field of education in order to accomplish the aims of the draft strategy. In the range of responses which prioritised education, there were references to the need to thoroughly develop the education sector, from the Early Years provision, Welsh-language provision in primary and secondary schools, up to further and higher education as well as lifelong learning and immersion courses. In addition, there was recognition of the need to develop the current provision in the field of vocational education, as well as the need to increase the provision of Welsh-medium apprenticeships.

'The Association would suggest that education and learning opportunities is a key area along with normalisation of the Welsh language'.

- Welsh Local Government Association

In addition, many of the responses agreed with the emphasis in the draft strategy on developing the education sector workforce to increase the number of teachers with Welsh-language skills by training more Welsh-speaking teachers, and by building on the skills of the current workforce. Many respondents to the consultation from the education sector in particular were in agreement with this. In this regard, the following recommendation was received from Colleges Wales:

'Make the changes to ITE, PGCE course content and introduce Welsh language as a compulsory part of the course'

Commissioning and developing Welsh-medium educational resources was prioritised by some respondents to further support the Welsh-medium education

infrastructure.

In addition to considerations regarding infrastructure and educational provision, several respondents discussed the curriculum in the context of teaching Welsh in English-medium schools and the importance of creating a linguistic continuum. Furthermore, it was noted that families needed to be supported by promoting the advantages of Welsh-medium education to parents, and by supporting non-Welsh-speaking parents who are learning the language and/or those who have children in Welsh-medium education.

A few respondents asserted that there should be a move towards Welsh-language only schools, instead of bilingual schools. In addition, some respondents noted that there should be a study of linguistic progression, researching the reasons behind pupils leaving Welsh-medium streams.

The use of the Welsh language was prioritised by a number of respondents. Usage was discussed in terms of increasing the use of Welsh in the community, in the home, within families, between young people and pupils in schools, in the workplace and within public bodies.

'A language use policy which encourages speakers to take pride in their ability to speak Welsh, whether they are learners or fluent speakers. Ensuring that the benefits of Welsh and advantages of learning and using the language are at the heart of any policies addressing the economy and the main business of the Assembly'.*

- National Centre for Learning Welsh

Considerable attention was given by some respondents from a wide cross-section of groups to the need to develop the role of the Welsh language in technology as a priority. The current inability to use Welsh in some technological spheres was discussed, and the need to undertake work in this field. In addition, there was a reference to the need to:

'improve the visibility of the Welsh language on electronic devices'.*

- University of Wales Trinity St David

A considerable number of respondents noted the field of teaching Welsh as their priority, including observations on the provision itself and the need to market that provision appropriately. Attention was also given by a number of respondents to the need to focus on teaching Welsh in the workplace and more generally, to develop the use of the Welsh language in workplaces. Respondents discussed the need to ensure that workforce planning takes place within institutions, as well as raising language awareness. At the same time, some respondents mentioned developing the use of the Welsh language in the workplace.

'Prestige should be attached to the Welsh language as a skill which feeds into the economy, and plans should be introduced which enable workplaces to recognise the need to develop linguistic skills, providing encouragement and support for staff to learn or develop their language skills. It is important that the area of learning Welsh receives full backing to support this agenda, and we believe that 'Welsh in the workplace' needs to be a cornerstone of provision in future'.*

In the context of legislation, some respondents prioritised promoting the current rights which people have to use the Welsh language, while others believed that the rights which are currently available to people should be strengthened. In addition, there were references to the well-being goal 'A Wales of vibrant culture and thriving Welsh language' within the Well-being of Future Generations (Wales) Act 2015, and the importance of acting on this legislation as a priority.

Planning policy was prioritised by some respondents with references to Technical Advice Note 20². On the same theme, there were references to Wylfa Newydd and the effect of the project on the Welsh language, and the need to consider the Welsh language as a part of economic development. Others noted that there was a need to prioritise economic development to execute the strategy and protect traditional strongholds of the Welsh language.

In response to the question, some respondents prioritised normalising the use of the Welsh language and undertaking a marketing campaign to promote the Welsh language and language transmission within families. In addition, some responses were noted which gave priority to developing health and care services in Welsh, as well as the provision of Welsh-medium childcare.

Other observations

Question 13: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Main themes of comments

Amongst the responses to this question, the subject which was most often noted by respondents was the cost/investment which would be connected to implementing the draft strategy in its current form. A few responses noted that the draft strategy had not stated the cost of implementing the strategy, while others noted that investment and sufficient funding would be needed to ensure that the objectives and targets would be met. 3 of the Local Authorities who responded to the consultation noted that it would be necessary to finance the implementation of the strategy. An anonymous respondent noted:

'To reach a million speakers by 2050, investment and resources are needed, at a local and national level'.*

One of the other main themes of the responses was the need to consider the linguistic profile of different areas of Wales. As well as this, several respondents noted that specific work was needed in particular geographical areas, taking into consideration the unique demographic situation in some areas. While some respondents noted the need to focus on areas with a high percentage of Welsh speakers, the responses were not unanimous. Menter Iaith Maelor noted:

'Unless enough attention is paid to these areas in the east of the country, the

² <http://gov.wales/topics/planning/policy/tans/planning-and-the-welsh-language/?skip=1&lang=en>

Welsh language will lose ground, with the decline moving towards the stronger areas and eating into them in the long run'.*

Amongst the main themes in the responses to this question, a number of respondents discussed the need to give sufficient attention to people's use of Welsh in the final strategy, as compared to numbers of Welsh speakers. There was discussion about increasing the use of Welsh amongst learners, students and socially throughout aspects of culture and in everyday life. One response claimed that the use of Welsh should be increased, since this would increase the figures for linguistic progression and therefore contribute towards the target of a million Welsh speakers by 2050.

As well as the above, attention was given to the field of teaching Welsh. A number of responses noted that there was a need to strengthen the support which is available to people who are learning Welsh. Amongst the responses, it was mentioned twice that fluent Welsh speakers should be educated regarding the best way to assist learners. In addition, there was mention of the need to extend the provision for people to learn Welsh in workplaces. On a different track, one response noted that research should be carried out as to the reasons why non-Welsh speakers decide not to learn and use the Welsh language.

Another theme which motivated a considerable response to this question was education. Responses were received which dealt with the curriculum, together with the need to expand the current provision of Welsh-medium education throughout the system.

In addition to the above, the value which is given to Welsh as a skill was discussed in a number of responses and the discourse which surrounds the Welsh language. One response [Survey Monkey] noted:

'We need to move away from the image of Welsh as the language of school and chapel, and emphasise that it is a modern community language, with economic value and of genuine power'.*

Conclusion

The Welsh Government is grateful to everyone who has taken the time to respond to this consultation and assist the government in its aim of creating a million Welsh speakers. Responses to the consultation will be considered seriously when drafting the final strategy. A number of responses included detailed observations and practical recommendations to support the Welsh language which will be useful when we implement the strategy in due course, and as we develop policies and plans to support the strategy.

Annex 1: List of respondents

1: Responses on the consultation's official template

Bodies and individuals from the education and childcare sector

Alun Davies – Ysgol Gyfun Gymraeg Glantaf
Andrea Folland – CITB Cymru
Angharad Starr – Mudiad Meithrin
Christine James – The Learned Society of Wales
Claire Protheroe – PACEY Cymru
Claire Roberts – CollegesWales
Clare Grist – WEA YMCA CC Cymru
Coleg Cymraeg Cenedlaethol
David Hytch – Ysgol Maes Garmon Chair of Governors
Estyn
Grŵp Llandrillo Menai
Gwilym Dyfri Jones – University of Wales Trinity Saint David
Huw Lewis, Elin Royles a Catrin Edwards – Centre for Welsh Politics and Society
Hywel White – City & Guilds
Iwan Davies – Swansea University
J Kemp – Ysgol Uwchradd Fitzalan
Jane Alexander – Wales Pre-school Providers Association
Jeff Williams-Jones – Nant Gwrtheyn
John Graystone – Agored Cymru
Lisa Lloyd – Aspiration Training
Lisa McDougall – Qualifications Wales
Governors Wales
NASUWT Cymru, The Teachers' Union
University of South Wales
Rebecca Williams – UCAC
Rob Williams – NAHT Cymru
Ryan Evans – National Training Federation for Wales
Sandra Welsby – NDNA Cymru

Health and care sector bodies

2 anonymous responses were received
Claire Fauve – Local Public Health Team Abertawe Bro Morgannwg University Health Board
Welsh Language Team – Betsi Cadwaladr University Health Board
Sarah McCarty – Care Council for Wales

Welsh Language Associations

Dathlu'r Gymraeg
Efa Gruffydd Jones – National Centre for Learning Welsh
Elin Maher – Menter Iaith Casnewydd
Gill Stephen – Menter Iaith Sir y Fflint a Menter Iaith Maelor
Glenys Craig – Woking Welsh Society
Ioan Talfryn – Popeth Cymraeg
Lynsey Thomas – Menter Iaith Ceredigion
Marilyn Davies – Y Glannau
Meirion Davies – Menter Iaith Conwy

Mike Farnworth – Liverpool Welsh Language Group
Owain Gruffydd – Menter Bro Dinefwr
Ruth Williams – Menter Iaith Ddinbych

Local government

2 anonymous responses were received
Welsh Local Government Association
The City of Cardiff Council
Delyth Wynne Jones – Conwy Education Department
Diane Evans - Adran Addysg Conwy
Einir Wyn – Llanengan Community Council
Ellen Ap Gwynn – Ceredigion County Council
Fiona Mocko – Flintshire County Council
Huw Isaac – Vale of Glamorgan Council
Huw Owen – Merthyr Tydfil County Borough Council
Llio Elgar – Newport City Council
Mair Stephens – Carmarthenshire County Council
Nan Jones – Conwy Education Department
Sian Vaughan – Conwy Education Department

Other

6 anonymous responses were received
Alun Jones – Menter a Busnes
Andrew Hawke
Ann Keane
Bruce Griffiths
Charles Dillon – Dictionary of the Irish Language, Royal Irish Academy
Flintshire Youth Forum
Geoffrey Osborne-Taylor
Gethin Rhys – Cytûn – Churches Together in Wales
Gwyn Hopkins
Jeremy Randles
Keith Ingram
Kenneth Jones
Lorna Pike – Faclair na Gáidhlig
Phillip Evans
Rhian Huws Williams
RTPI Cymru
Tudur Williams

2: Responses via Survey Monkey

87 anonymous responses were received
Alwyn Lloyd
Andrea Lee
Anthony Cusack
Anthony Pritchard
Bethan Price – Menter Brycheiniog a Maesyfed
Buddug A Hughes
Catrin Jones
Catrin Roberts – Ysgol Dyffryn
Chris Waite

Dafydd Eveleigh
David Stanley Williams
Dawn Lloyd
Edward Thomas
Elan
Emma Sandrey
Frank Bradfield – County Councillor and Governor of Ysgol y Gogarth
Jack Nighte
Jacques Potic – Glasnost.Org.UK
James Sibley
Jane Morgan
Jason Burton
Jen Llywelyn
Joel Carre
John Howard Jones
John Les Thomas
Katherine Dulson
Kenneth Vernon Williams
Lucina
Martin Davis
Michaela Beddows
Naomi Price
Owen McArdle
Paul Kindred
Philip Barker
Pol Wong
Rhys Ap Dafydd
R W Ebley
Sally Spillane
Samuel Dunt
Sarah Jones – Bridgend County Borough Council
Shan Morgaine
Simon R. P. Treloar
Sion Jobbins
Sue Stanford
Susan Berry
Tegwen Morris – Merched y Wawr
Thomas Hopkins-Rees
Thomas Shaw
Victoria Byrne – Ysgol Bryn Alyn
Vynor Hill

3: Freehand responses

Antur Waunfawr
Awr Cymru
Brian Clark
Brian Williams
Hywel Dda University Health Board
Chris Brown
RCN Cymru
Welsh Language Commissioner

Caerphilly County Borough Council
Cymdeithas Cyfieithwyr Cymru (the Association of Welsh translators and interpreters)
Cymdeithas yr Iaith Gymraeg
Cymdeithas Ysgolion Dros Addysg Gymraeg
Councillor Derek Cundy – Cyngor Sir Gâr
Vale of Glamorgan council
Rhondda Cynon Taf County Borough Council
Higher Education Funding Council for Wales
Coedffranc Community Council
Gwynedd Council
Isle of Anglesey County Council
Porthmadog Town Council
Education Workforce Council
Language Planning Wales
Dyfodol i'r Iaith
Geiriadur Prifysgol Cymru
National Offender Management Service in Wales
Gwyneth Price
Huw Alun Roberts
Huw Davies
Huw Onllwyn Jones
Huw Roberts
Jay Watts
Jess Rees
LinguaNi
Marie-Clare Hunter
Menter Bro Ogwr
Menter Caerffili
Mentrau Iaith Cymru
National Trust
Nesta Davies
Neville Morris Pughe
Osian Harri Elias
Partneriaeth Ogwen Cyf.
Peter Christopher
Bangor University
Parents for Welsh Medium Education
Rob Evans
Terry Owen
TJ Williams
National Union of Students Wales
Urdd Gobaith Cymru

Annex 2: Institutions which received a direct invitation to attend the #Cymraeg2050 – a million speakers conference

- Welsh Language Partnership Council
- Welsh Language Commissioner
- Chief Executives of Local Authorities
- Directors of Local Authorities with responsibility for education
- Welsh Books Council
- Sport Wales
- Welsh Arts Council
- Natural Resources Wales
- Care Council for Wales
- National Museum Wales
- National Library of Wales
- Urdd
- National Eisteddfod
- National Centre for Learning Welsh
- Young Farmers Clubs Wales
- Merched y Wawr
- Mudiad Meithrin
- Welsh Rugby Union
- FA Wales
- Welsh Water
- British Gas
- BT Wales
- CBI
- FSB
- Swyddle
- Barclays
- TSB Bank
- Wales Council for Voluntary Action
- S4C
- BBC Wales
- ITV Wales
- Golwg 360
- Literature Wales
- Colleges Wales
- Cardiff University
- Aberystwyth University
- Bangor University
- Swansea University
- Coleg Cymraeg Cenedlaethol
- Cymdeithas yr Iaith Gymraeg
- Dyfodol i'r Iaith
- Parents for Welsh-Medium Education

Annex 3: Summary of responses from the doopoll questionnaire at the #Cymraeg 2050 – a million speakers conference

For further information on this response method, see page 3 of the report.

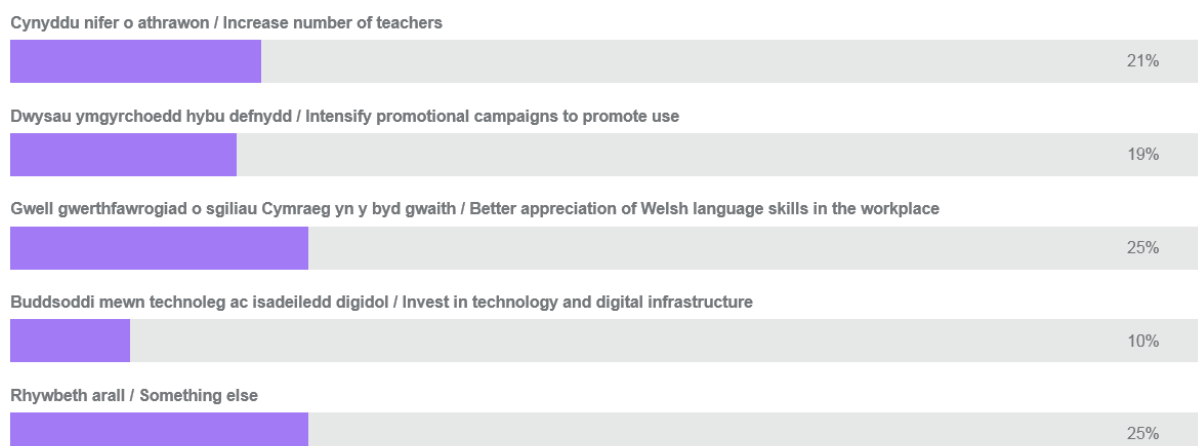
Question 1: A million Welsh speakers by 2050 – is it possible?

Respondents were asked to decide on this question by placing their answer on a scale. On one side of the scale was 'No', on the other, 'Yes'. 607 responses to the poll were received. The graph below shows the average of the answers which were received.



Question 2: If we had to do one thing first on the road to a million Welsh speakers, what should that be?

This question was provided with multiple-choice answers. There was no opportunity for respondents to add answers, or their reason for answering in a specific way. However, it was possible to choose 'Something else' as an answer. 592 people responded to this question. The graph below shows the results.



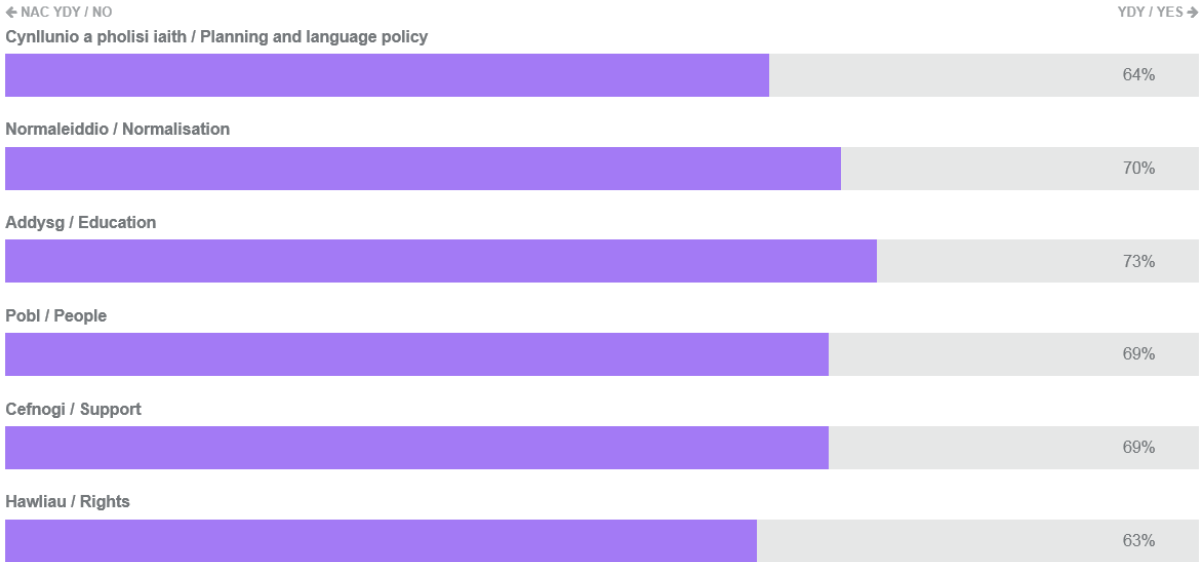
Question 3: How important are the below for supporting the Welsh language?

Poll respondents were asked to place regulation and promotion on a scale, with 'Not important' on one side, and 'Very important' on the other. 590 responses to the question were received and the graph below shows the average result amongst those people who answered the question.



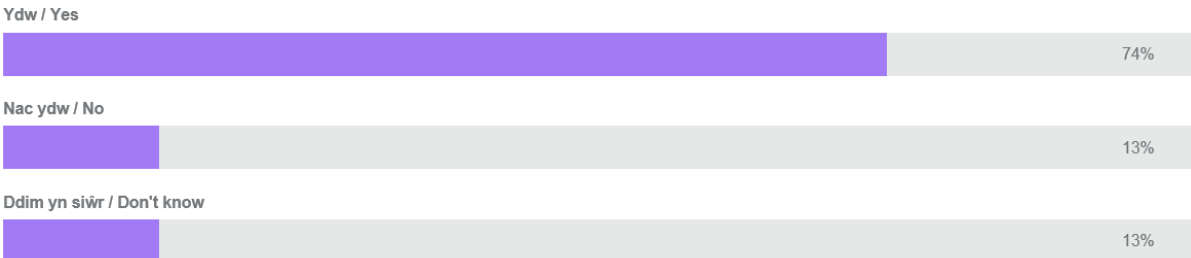
Question 4: Do the development areas outlined in the draft strategy focus on the correct themes?

In this question, the six areas of development which are included in the draft strategy were given to the respondents. Then, the respondents were asked to note their answer on a scale for each of the individual areas of development, with 'Yes' on one side of the scale, and 'No' on the other. The graph below shows an average of the answers from the 535 respondents.



Question 5: Do you think there's a need to persuade all people in Wales that they are already on a 'bilingual journey'?

This question was provided with multiple-choice answers. There was no opportunity for respondents to add answers or their reason for answering in a specific way. However, it was possible to choose 'Something else' as an answer. 532 people responded to this question. The graph below shows the average results of the poll.



Annex 4: Overview of responses from Ti a Fi focus groups

For further information on this response method, see page 4 of the report.

Question 1: How important is the Welsh language and being Welsh to you?

A large number of contributors to the sessions thought that the Welsh language and Welshness were either very important or quite important. One contributor noted that he saw the language as less important than he had at one time, and uncertainty was noted by other contributors.

One contributor noted that the Welsh language can open doors for their child, and two contributors recorded that they believed that culture was important.

Question 2: What do you think of the government's vision to create a million Welsh speakers by 2050?

The majority agreed with the Welsh Government's vision in the draft strategy to create a million Welsh speakers. However, doubts were noted amongst some of the contributors to the sessions concerning the feasibility of the target. In addition, one contributor noted that motivating people to use Welsh and choose Welsh-medium education can be a problem. One contributor added that people lack confidence to speak Welsh.

Question 3: How confident do you feel to use the Welsh language socially?

This question received a mixed response with some noting that they were confident while others noted that they were not confident to speak Welsh. In addition, some noted that their confidence depended on the person they were speaking with and also the situation.

It was recorded that some respondents use Welsh when they are in Welsh-speaking groups. One contributor noted that there were not enough groups of this kind.

Question 4: Are there enough opportunities to use the language?

When comparing the answers received for this question from contributors, a difference was found in the answers from those people who live in areas with a high percentage of Welsh speakers (Seiont and Peblig, and Hermon), compared to those from areas with a lower percentage (Cardiff and St Asaph). Among those who answered the question, almost everyone from Seiont and Peblig and Hermon noted that there were enough opportunities to speak Welsh. Conversely, in the Cyncoed and St Asaph sessions, people noted that there was a lack of opportunities to use the Welsh language, especially in everyday life outside of recreational groups which were organised through the medium of Welsh.

Some noted that more Welsh lessons for parents were needed, as well as more activities for children through the medium of Welsh. One contributor remarked that the Welsh language needed to be promoted amongst large institutions.

Question 5: How can we make Welsh a more natural part of everyday life?

Lots of respondents believed that there was a need to increase people's use of the Welsh language and encourage more people to use the language, especially outside of school.

Some noted that there was a need to increase use of the language by encouraging people to begin conversations in Welsh. Similarly, some respondents registered support for the use of badges to allow recognition of Welsh speakers in businesses and public services.

One contributor asked whether the language needed to be made a more natural part of everyday life.

Question 6: How do we encourage more people to pass Welsh on to their children?

It was noted that several contributors had mentioned the importance of parents receiving information about bilingualism amongst children. One contributor mentioned that it would be desirable to see more information about this in hospitals and maternity services. Some noted that play sessions and Welsh-medium schools were important in this sense, and that there was a need to ensure a welcome for all, no matter which language they spoke.

Question 7: How do you think we can grow Welsh-medium education?

Among the main themes of the responses, a number of contributors noted that there was a need to expand the present Welsh-medium provision in nurseries and schools. One contributor mentioned that the Welsh language should be present in all schools, instead of in separate streams. In addition, there was support for getting rid of Welsh Second Language, and for teaching more Welsh in schools.

Question 8: Do you agree with our aim to increase the amount of Welsh-medium places in schools, colleges and universities?

The response of contributors to the sessions was almost unanimous in answering this question. With the exception of one contributor, everyone agreed that it was important to expand the provision of Welsh-medium education to meet the demand.

When discussing higher education, one parent noted that there was less choice to study in Welsh at the moment, and it was noted that another contributor had mentioned the need to develop Welsh-medium textbooks.

Question 9: How do we ensure the Welsh language is the default and natural language for people to speak in the workplace, with friends and in the community?

A few contributors noted that it was not possible to achieve this and one noted concerns about the cost which could be connected to this. However, most people contributed ideas about how to ensure that Welsh was the natural language. Amongst the ideas were:

- increasing people's confidence to speak Welsh

- publicly raising the profile of the Welsh language and ensuring that the language is visible
- ensuring the use of the Welsh language
- encouragement from employers to persuade those who can speak Welsh to do so.

Question 10: How do you feel about the role of the Welsh language in technology and the media?

Amongst the responses from the contributors, it was noted that there was a need to build upon the present provision of Welsh-language material in the media. In addition, it was recorded that a number of contributors had noted insufficient use of Welsh in technological fields, and that the present provision of Welsh-language apps and digital games should be expanded.

Some respondents noted that they either did not have the confidence to use Welsh or that they simply did not choose to use Welsh on social media.

Question 11: Any other comments?

One respondent noted that there was a sense of being fortunate to live in a Welsh-speaking area, since using Welsh in urban areas can cause problems. In addition, one contributor noted that it was easier to have discussions with doctors in Welsh.