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Senedd Cymru | Welsh Parliament

Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Equality and Social Justice Committee

Bil Iaith Arwyddion Prydain (Cymru) | British Sign Language (Wales) Bill

Ymateb gan Prifysgol Caeredin | Evidence from University of Edinburgh

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### **What are your views on the general principles of the Bill?**

We are in support of the general principles of the Bill, but we have learned from progress with the BSL Act in Scotland that there needs to be accountability mechanisms built into the Bill for it to achieve its stated aims. There needs to be clear governance in the reporting pathway as what will happen to public bodies if the stated objectives are not met or are denied or procrastinated on. There needs to be incentives for public bodies to progress with integrating BSL into Welsh institutions and everyday life.

### **What are your views on the Bill's key provisions (set out below), in particular are they workable and will they deliver the stated policy intention?**

See above.

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#### **1 – A duty on Welsh Ministers to promote and facilitate the use of BSL**

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This is particularly important in many contexts. For example, in Health there is a paediatric cochlear implant centre in Cardiff. The current website for parents mentions sign language as helpful in some cases. It is important that staff in a CI centre use BSL because some of the children will use it as their stronger language. Recognition to the positive benefit of already having a well-established language should be made (e.g. spoken Welsh, BSL). This is a small example, but it is noticeable in Scotland that the CI centre was not included on the list of organisations which had to make a BSL plan, and the staff have only recently accepted that BSL is a possible option for children with CIs.

In Education, it would be helpful if the Welsh Government would implement a programme of employing BSL tutors for the early years to teach parents BSL. And to ensure that as many as possible of them have a career route into teaching too. Monitoring and supporting the BSL level of teachers of deaf children will also encourage more of the workforce to offer bilingual BSL/English provision.

Facilitation has economic consequences and affects all government departments.

#### **2 - A duty on Welsh Ministers to publish national strategy and guidance**

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This is clearly essential and plans will need to be published in BSL, English and Welsh.

### **3 - A duty on Welsh Ministers to publish BSL guidance**

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Policy advice will be very helpful for practitioners. Currently Welsh teachers of deaf children (ToDs) follow the English department of Education ToD competencies as far as we know. There is a very low level of expectation of BSL use for ToDs, although the English government may soon increase the level of BSL above Signature level 1, it has not happened yet. It would be helpful if the Welsh government could consult (through BSL, English and Welsh) to establish what level of BSL a specialist teacher of deaf children should have, given that some deaf children will be studying up to A levels using the language. Maybe a proportion of ToDs should have much higher levels. Or perhaps the provision of more multilingual resourced schools which deaf children attend would allow learning in BSL, English and Welsh to flourish.

Similarly, for the Welsh exam board: policy advice could support the agency in planning how deaf signing candidates could take exams using BSL, both for understanding the question and providing their responses. Clearly this would not apply in subjects such as Welsh, English, Spanish etc. Centrally produced exam papers in BSL are important to consider.

Policy and implementation advice is crucial. This has been lacking in Scotland after the 2015 Act.

### **4 - A duty on specified public bodies to publish BSL plans**

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The approach in Scotland was to collect the plans together on one website then note which councils had not managed to provide BSL versions, for example. The implementation advice noted above should include guidance for public bodies for what will happen if they do not update their plan or propose or carry out any meaningful actions.

### **5 - The appointment of a BSL adviser**

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We support this provision but would also propose a BSL advisory committee with nominations available for deaf BSL signers from across Wales, and from different communities. There should not be limitations on who can stand – engagement with deaf advocacy groups is a positive advantage. The advisor can liaise with the civil service in all departments. From our experience in Scotland, it is important that this person is not isolated and browbeaten by senior civil servants from across the administration. Appointing more than one deaf signing BSL adviser would be preferable.

### **6 - Reporting duties to be imposed on the public bodies and Welsh Ministers in relation to these duties.**

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The listed public bodies are all sound but do not include educational institutions. Schools, universities and colleges should also be included as listed public bodies, otherwise BSL will not be integrated into educational institutions, only healthcare and civil life. There needs to be strong compliance mechanisms to encourage or give incentives for public bodies to produce and enact feasible BSL Plans, not just keep avoiding it.

**How appropriate are the powers in the Bill for Welsh Ministers to make subordinate Legislation?**

See other answers re the need for compliance mechanisms.

**Are there any barriers to the implementation of the Bill's provisions and does the Bill take account of them?**

Yes, uncertain funding support. There is no funding allocated for public bodies to create BSL Plans or roll out the activities expected of BSL Plans. In Scotland there was initially money for creation and consultation of plans in BSL, but no money for implementation. This led the local plans to be extremely cautious, waiting for future government funding. The result has been extremely slow change. Most councils have continued to provide cut and paste plans waiting for national government to act or provide funds.

**What are your views on the assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?**

See above.

**Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum?**

NA

**Anything else?**

Thank you for the opportunity to consult on the BSL (Wales) Bill. We wish the Senedd Cymru every success in this endeavour.