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WELSH STATUTORY INSTRUMENTS

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**2017 No. 90 (W. 33)**

**WELSH LANGUAGE**

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

*Made* - - - - *1 February 2017*

*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<sup>(1)</sup>, 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—

(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) (d) 94 to 103;
  - (dd) 105 to 136;
  - (e) (e) 138 to 182.

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

1 February 2017

## SCHEDULE 1

Regulation 2(1)

## Service Delivery Standards

## PART 1

## THE STANDARDS

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| <b>1</b> | <p><b>Standards relating to correspondence sent by a body</b></p> <p><i>(1) When a body replies to correspondence</i></p> <p><b>Standard 1:</b> 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.</p> <p><i>(2) When a body initiates correspondence</i></p> <p><i>(a) When a body corresponds with an individual</i></p> <p><b>Standard 2:</b> 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—</p> <ul style="list-style-type: none"> <li>(a) keep a record of A’s wish,</li> <li>(b) correspond with A in Welsh when corresponding with A from then onwards, and</li> <li>(c) send any forms you send to A from then onwards in Welsh.</li> </ul> <p><i>(b) When a body corresponds with more than one member of the same household</i></p> <p><b>Standard 3:</b> 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—</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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.</li> </ul> <p><i>(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)</i></p> |
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**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,
- (d) 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 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.
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## PART 2

### STANDARDS THAT RELATE TO OTHER STANDARDS – SPECIAL CONDITIONS

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|           |   |
|-----------|---|
| <b>27</b> | 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). |
|-----------|---|

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**TABLE 1**

| <i>Row</i> | Column 1<br><i>Main standard</i>                                      | Column 2<br><i>Reliant standard</i>              |
|------------|---|--|
| (1)        | <b>Replying to correspondence</b><br>Standard 1                       | Standard 7                                       |
| (2)        | <b>Corresponding with members of the same household</b><br>Standard 3 | Standard 6                                       |
| (3)        | <b>Corresponding with several persons</b><br>Standard 4               | Standard 6<br>Standard 7                         |
| (4)        | <b>General standards relating to correspondence</b><br>Standard 5     | Standard 6<br>Standard 7                         |
| (5)        | <b>Raising awareness about corresponding in Welsh</b><br>Standard 7   | Standard 1                                       |
| (6)        | <b>Receiving telephone calls</b><br>Standard 9                        | One or more of the following:<br><br>Standard 10 |

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| Row  | Column 1<br><i>Main standard</i>  | Column 2<br><i>Reliant standard</i>   |
|------|---|---|
|      |   | Standard 11   |
| (7)  | <b>Receiving telephone calls</b><br>Standard 10 or 11                     | Standard 9<br>Standard 14   |
| (8)  | <b>Raising awareness about telephone services in Welsh</b><br>Standard 14 | One or more of the following:<br>Standard 10<br>Standard 11<br>and also<br>Standard 16, and<br>Standard 17              |
| (9)  | <b>Meetings with one person</b><br>Standard 24                            | One or more of the following:<br>Standard 24A<br>Standard 24B   |
| (10) | <b>Meetings with one person</b><br>Standard 24A or 24B                    | Standard 24   |
| (11) | <b>Meetings with one person</b><br>Standard 26                            | One or more of the following:<br>Standard 26A<br>Standard 26B   |
| (12) | <b>Meetings with one person</b><br>Standard 26A or 26B                    | Standard 26   |
| (13) | <b>Meetings with more than one person</b><br>Standard 27                  | One or more of the following:<br>Standard 27A<br>Standard 27B<br>Standard 27C<br>and also one or more of the following; |

| <i>Row</i> | <i>Column 1</i>  | <i>Column 2</i>   |
|------------|--|---|
|            | <i>Main standard</i>   | <i>Reliant standard</i>                                       |
|            |  | Standard 27CH<br>Standard 27D                                 |
| (14)       | <b>Meetings with more than one person</b><br>Standard 27A, 27B, 27C, 27CH or 27D | Standard 27   |
| (15)       | <b>Meetings with more than one person</b><br>Standard 29                         | One or more of the following:<br>Standard 29A<br>Standard 29B |
| (16)       | <b>Meetings with more than one person</b><br>Standard 29A or 29B                 | Standard 29   |
| (17)       | <b>Public meetings</b><br>Standard 30  | Standard 33   |
| (18)       | <b>Public meetings</b><br>Standard 33  | Standard 30   |
| (19)       | <b>Public lectures</b><br>Standard 40  | Standard 40A  |
| (20)       | <b>Public lectures</b><br>Standard 40A   | Standard 40   |
| (21)       | <b>Documents</b><br>Standard 43, 44, 45, 46, 47, 48 or 50                        | Standard 51<br>Standard 52                                    |
| (22)       | <b>Forms</b><br>Standard 53  | Standard 53A<br>Standard 53B                                  |
| (23)       | <b>Websites</b><br>Standard 55, 56 or 57   | Standard 58   |
| (24)       | <b>Signs</b><br>Standard 65 or 66  | Standard 67   |
| (25)       | <b>Reception</b><br>Standard 68  | Standard 71<br>Standard 72                                    |
| (26)       | <b>Reception</b>   | Standard 69A  |

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| <i>Row</i> | <i>Column 1</i>   | <i>Column 2</i>   |
|------------|---|---|
|            | <i>Main standard</i>  | <i>Reliant standard</i>                                     |
|            | Standard 69   |   |
| (27)       | <b>Reception</b><br>Standard 70   | Standard 71   |
| (28)       | <b>Raising awareness of Welsh-language services in a reception</b><br>Standard 71 | One or more of the following:<br>Standard 68<br>Standard 70 |
| (29)       | <b>Grants and financial assistance</b><br>Standard 76                             | Standard 76A<br>Standard 79                                 |
| (30)       | <b>Grants and financial assistance</b><br>Standard 77 or 78                       | Standard 76<br>Standard 76A                                 |
| (31)       | <b>Contracts</b><br>Standard 81   | Standard 81A<br>Standard 84                                 |
| (32)       | <b>Contracts</b><br>Standard 82 or 83   | Standard 81<br>Standard 81A                                 |
| (33)       | <b>Written work in Welsh</b><br>Standard 90                                       | Standard 90A  |
| (34)       | <b>Written work in Welsh</b><br>Standard 90A                                      | Standard 90   |
| (35)       | <b>Student accommodation</b><br>Standard 92                                       | Standard 92A  |
| (36)       | <b>Student accommodation</b><br>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).

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**TABLE 2**

| <i>Row</i> | Column 1  | Column 2  |
|------------|---|---|
| (1)        | <p><b>Meetings with one person</b></p> <p>Standard 23, 24, 24A or 24B</p>                       | <p><b>Meetings with one person relating to complaints, disciplinary proceedings or student support</b></p> <p>Standard 25, 26, 26A or 26B</p>           |
| (2)        | <p><b>Meetings with more than one person</b></p> <p>Standard 27, 27A, 27B, 27C, 27CH or 27D</p> | <p><b>Meetings with more than one person relating to complaints, disciplinary proceedings or student support</b></p> <p>Standard 28, 29, 29A or 29B</p> |

### PART 3

#### INTERPRETING THE STANDARDS

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- 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<sup>(2)</sup>;
- (i) allocation of a personal tutor<sup>(3)</sup>;
- (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).

34 (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 subparagraph (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<sup>(4)</sup>;
- (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;

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(2) See paragraph 63.

(3) See paragraph 66.

(4) 1993 c.38.



- (c) “the 2006 Act” means the Government of Wales Act 2006<sup>(5)</sup>;
- (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.

- 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).

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(5) 2006 c.32.

- 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(6).
- 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).

(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.
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## 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.
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## PART 2

### INTERPRETING THE STANDARDS

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- |   |  |
|---|--|
| 2 | <p>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—</p> <ul style="list-style-type: none"><li>(a) the admission and selection of students;</li><li>(b) information provided to students and prospective students about the body;</li><li>(c) the welfare of students;</li><li>(ch) complaints;</li><li>(d) disciplinary proceedings in respect of a student;</li><li>(dd) careers service;</li><li>(e) student intranet, virtual learning sites and learning portal sites;</li><li>(f) graduation and award ceremonies;</li><li>(ff) the assessment or examination of a student;</li><li>(g) the awarding of grants and the provision of financial assistance;</li><li>(ng) (ng) public lectures;</li><li>(h) learning opportunities;</li><li>(i) courses;</li><li>(j) signs on the body’s buildings;</li><li>(l) student accommodation, libraries and arts centres;</li><li>(ll) allocation of a personal tutor;</li><li>(m) calls to a main telephone number (or numbers), helpline numbers, call centre numbers and automated telephone systems;</li></ul> <p>and includes, amongst other things (and as appropriate to the body), decisions about —</p> <ul style="list-style-type: none"><li>(i) the content of legislation;</li><li>(ii) the exercise of statutory powers;</li><li>(iii) the content of policy statements;</li><li>(iv) strategies or strategic plans;</li><li>(v) internal structures;</li><li>(vi) office and building locations;</li><li>(vii) the recruitment or use of volunteers.</li></ul> |
| 3 | <p>In Part 1 of this Schedule a reference to positive or adverse effects is a reference to such effects whether direct or indirect.</p>  |
| 4 | <p>In this Schedule ‘learning opportunities’ has the same meaning as in paragraph 63 of Schedule 1.</p>  |
| 5 | <p>In this Schedule ‘allocation of a personal tutor’ has the same meaning as in paragraph 66 of Schedule 1.</p>  |
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## SCHEDULE 3

Regulation 2(3)

## Operational standards

## PART 1

## THE STANDARDS

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|                      |  |
|----------------------|--|
| <b>1</b>             | <b>Standards relating to the use of the Welsh language within a body's internal administration</b>   |
| <b>Standard 105:</b> | 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.  |
| <b>Standard 106:</b> | 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.  |
| <b>Standard 107:</b> | You must — <ul style="list-style-type: none"> <li>(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</li> <li>(b) if an employee so wishes, provide any such correspondence to that employee in Welsh.</li> </ul>          |
| <b>Standard 108:</b> | 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.  |
| <b>Standard 109:</b> | 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.  |
| <b>Standard 110:</b> | 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.   |
| <b>Standard 111:</b> | You must ask each employee whether he or she wishes to receive any forms that record and authorise— <ul style="list-style-type: none"> <li>(a) annual leave,</li> <li>(b) absences from work, and</li> <li>(c) flexible working hours,</li> </ul> <p>in Welsh; and if that is an employee's wish, you must provide any such forms to him or to her in Welsh.</p> |
| <b>Standard 112:</b> | 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 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 speak 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

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|                      |   |
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|                      | is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.  |
| <b>Standard 151:</b> | 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. |
| <b>Standard 152:</b> | You must ensure that the Welsh language text on signs displayed in your workplace is accurate in terms of meaning and expression.   |
| <b>8</b>             | <b>Standard relating to audio announcements and messages in a body's workplace</b>  |
| <b>Standard 153:</b> | 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.                   |

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## PART 2

### STANDARDS THAT ARE RELIANT ON OTHER STANDARDS – SPECIAL CONDITIONS

|          |   |
|----------|---|
| <b>9</b> | 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. |
|----------|---|

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**TABLE 1**

| <i>Row</i> | <b>Column 1</b><br><i>Main standard</i>       | <b>Column 2</b><br><i>Reliant standard</i> |
|------------|---|--|
| (1)        | <b>Complaints procedures</b><br>Standard 119  | Standard 119A                              |
| (2)        | <b>Complaints procedures</b><br>Standard 119A | Standard 119                               |
| (3)        | <b>Disciplining staff</b><br>Standard 123     | Standard 123A                              |
| (4)        | <b>Disciplining staff</b><br>Standard 123A    | Standard 123                               |
| (5)        | <b>Intranet</b>                               | Standard 131                               |



| <i>Row</i> | <b>Column 1</b>   | <b>Column 2</b>                                |
|------------|---|--|
|            | <i>Main standard</i>  | <i>Reliant standard</i>                        |
|            | Standard 128, 129 or 130  |  |
| (6)        | <b>Raising awareness of Welsh language badge</b><br>Standard 144  | Standard 144A                                  |
| (7)        | <b>Raising awareness of Welsh language badge</b><br>Standard 144A | Standard 144                                   |
| (8)        | <b>Recruitment and appointments</b><br>Standard 145               | Standard 145A                                  |
| (9)        | <b>Recruitment</b><br>Standard 146                                | Standard 146A<br>Standard 146B<br>Standard 149 |
| (10)       | <b>Internal signs</b><br>Standard 150                             | Standard 152                                   |

### PART 3

#### INTERPRETING THE STANDARDS

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- 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 subparagraph (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.
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#### SCHEDULE 4

Regulation 2(4)

#### Record Keeping Standards

### PART 1

#### THE STANDARDS

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- 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

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- (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

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- 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.
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## SCHEDULE 5

Regulation 2(5)

Standards which deal with Supplementary Matters

## PART 1

### SERVICE DELIVERY STANDARDS

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- 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.

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## PART 2

### POLICY MAKING STANDARDS

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**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.
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## PART 3

### OPERATIONAL STANDARDS

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- 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.

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## PART 4

### RECORD KEEPING STANDARDS

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**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.

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## PART 5

### INTERPRETING THE STANDARDS

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| <b>21</b> | The standards specified in Parts 1 to 4 must be interpreted as follows.   |
| <b>22</b> | For the purposes of standards 166, 172 and 178 “financial year” means the body’s own financial year.  |
| <b>23</b> | 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). |
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## PART 6

### SUPPLEMENTARY PROVISION

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| <b>24</b> | <b>Complaints procedures</b><br><p>(1) When a body is under a duty to comply with one or more of the following standards, it may—</p> <ul style="list-style-type: none"><li>(a) comply with them in one complaints procedure;</li><li>(b) revise an existing complaints procedure.</li></ul> <p>(2) The standards are—</p> <ul style="list-style-type: none"><li>(a) standard 164;</li><li>(b) standard 170;</li><li>(c) standard 176.</li></ul> |
| <b>25</b> | <b>Supervisory arrangements</b><br><p>(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.</p> <p>(2) The standards are—</p> <ul style="list-style-type: none"><li>(a) standard 165;</li><li>(b) standard 171;</li><li>(c) standard 177.</li></ul>   |
| <b>26</b> | <b>Annual reports</b><br><p>(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”.</p>   |

- (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.
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**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.