



Comisiynydd y
Gymraeg
Welsh Language
Commissioner

Welsh Language Commissioner's Standards Report – Section 64 Welsh Language (Wales) Measure 2011

Public Bodies: Local Government (Providers of Social Housing)

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1 Background and context

The principal aim of the Welsh Language Commissioner, an independent body established by the Welsh Language (Wales) Measure 2011 ('the Measure'), is to promote and facilitate the use of the Welsh language. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers.

Two principles will underpin the Commissioner's work:

- in Wales, the Welsh language should be treated no less favourably than the English language
- persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

On 24 March 2015, the Welsh Language Standards (No.1) Regulations 2015¹ were approved in the National Assembly for Wales' Plenary Session. These standards were developed to impose duties upon county councils and county borough councils in Wales, national park authorities and Welsh Ministers. All references to standards in this standards report refer to the standards specified in the above regulations.

On introducing the regulations, the following was noted by the Welsh Government:

*This is a landmark piece of legislation that will put the language on a firm footing within the organizations required to comply with them. It will encourage more use of Welsh in everyday situations, be it in receiving public services or as an employee of one of the organizations.*²

The Welsh Language Commissioner's standards investigations and the Welsh Government's evidence gathering exercise for composing their regulatory impact assessment are based upon the regulations that were approved on 24 March 2015.

The Welsh Language Standards (No. 1) Regulations 2015 came into force on 31 March 2015, following a debate and vote at a Plenary Meeting of the National Assembly for Wales.

¹ <http://www.legislation.gov.uk/cy/wsi/2015/996/made/data.pdf>

² <http://gov.wales/about/cabinet/cabinetstatements/2015/welshlangstandards/?skip=1&lang=en>

2 Standards investigation in relation to public bodies: local government (providers of social housing)

In accordance with section 62 of the Measure, an exploration notice was presented on 5 May 2015 for the attention of persons whom appear to the Commissioner to be members of the following groups of persons:

- Providers of Social Housing.

The relevant persons who fall within the ***‘Providers of Social Housing’*** group in this standards report are:

- Aelwyd Housing Association Ltd
- Bro Myrddin Housing Association Ltd
- Bron Afon Community Housing Ltd
- Cadwyn Housing Association Ltd
- Cardiff Community Housing Association Ltd
- Cartrefi Conwy Cyf
- Cartrefi Cymunedol Gwynedd Cyf
- Coastal Housing Group Ltd
- Cymdeithas Tai Cantref Cyf
- Cynon Taf Community Housing Group
- Family Housing Association (Wales) Ltd
- First Choice Housing Association Ltd
- Grŵp Cynefin
- Grŵp Gwalia Cyf
- Hafan Cymru
- Hendre Ltd
- Linc-Cymru Housing Association Ltd
- Melin Homes Ltd
- Merthyr Tydfil Housing Association Ltd
- Merthyr Valleys Homes Ltd
- Mid-Wales Housing Association Ltd
- Monmouthshire Housing Association Ltd
- Newport City Homes Housing Association Ltd
- North Wales Housing Association Ltd
- NPT Homes Ltd
- Pembrokeshire Housing Association Ltd
- Pennaf Ltd
- RCT Homes Ltd
- Rhondda Housing Association Ltd

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- Seren Group Ltd
- Taff Housing Association Ltd
- Tai Calon Community Housing Association Ltd
- Tai Ceredigion Cyf
- The Cadarn Housing Group Ltd
- United Welsh Housing
- Valleys to Coast Housing Ltd
- Wales & West Housing Association Ltd

The Welsh Language Commissioner's intention was to carry out a standards investigation in relation to Newport Housing Trust Ltd as well as Seren Group Ltd during this round.

After receiving further evidence from Seren Group Ltd during the investigation, it was confirmed that Derwen Cymru Limited, namely the former Newport Housing Trust Limited, had joined with Seren Group Ltd on 1 April 2014. It is therefore deemed that Newport Housing Trust Ltd (Derwen Cymru) no longer operates as a relevant person, but rather, operates as part of Seren Group Ltd. As a result, it was decided that it was no longer appropriate to continue to carry out a standards investigation in relation to Newport Housing Trust Ltd (Derwen Cymru).

It is concluded that any references (including the conclusions) to Seren Group Ltd in this standards report is also relevant to all the organizations that form Seren Group Ltd, including Newport Housing Trust Ltd (Derwen Cymru).

Cadwyn Housing Association Ltd's most recent statutory Welsh language scheme was approved on 7 November 2006. A draft revised language scheme was provided during 2009 and agreement was reached on the final version of the draft. However, as a Welsh language version of the draft was not presented, it was never formally approved by the Welsh Language Board. Despite this, it is noted that Cadwyn Housing Association Ltd operates in accordance with the revised Welsh language scheme, and also provides the Welsh Language Commissioner with an annual monitoring report on the implementation of that scheme. As a result, this scheme was used when analysing commitments within this report.

An exploration notice is a notice in writing stating the Welsh Language Commissioner's intention to carry out a standards investigation, and which specifies the subject matter of the standards investigation. The Commissioner may not carry out a standards investigation unless she has given an exploration notice to each relevant person (organization), at least 14 days before beginning the investigation.

The subject matter of this standards investigation was to determine which standards (if any) should be specifically applicable to each relevant person within the group of persons (whether or not the standards are already specified by the Welsh Ministers under section 26(1)). The period of this standards investigation began on 26 May 2015. It ended on 18 August 2015.

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As part of this standards investigation, information was collected from each of the relevant persons listed above. This was done by means of a completed questionnaire. Evidence was also collected from the Advisory Panel and the public.

A public questionnaire was placed on the Welsh Language Commissioner's website. The purpose of this questionnaire was to give members of the public an opportunity to identify what they felt was reasonable for the relevant persons to undertake and provide in Welsh, in considering the requirements related to the standards specified in regulations on 24 March 2015. Advertisements were placed in the national press during the period of the standards investigation in order to make the public aware of this questionnaire. Furthermore, a video was posted on the Commissioner's website in order to provide an introduction to the process, and to provide guidance to the public on how to respond to the standards investigation.

3 Reasonableness and proportionality

In accordance with section 63(1) of the Measure, the Commissioner must have regard to the need to secure that requirements for persons to comply with standards by virtue of section 25(1) are not unreasonable or disproportionate.

In carrying out a standards investigation, the Commissioner must consider the following:

- (a) whether, in respect of each of the activities specified in Schedule 9 which a person carries out, it is reasonable and proportionate for service delivery standards to be specifically applicable to a person, and
- (b) as respects each such activity, if it is reasonable and proportionate for service delivery standards to be specifically applicable to a person, conclude that service delivery standards should be specifically applicable to a person in relation to that activity.

In considering the question of reasonableness and proportionality, it should be noted that the Measure places a duty upon Welsh Ministers to secure that regulations provide for service delivery standards relating to all of the activities specified in Schedule 9 to be specifically applicable to a person if, and to the extent that, the person carries out those activities.

But Welsh Ministers need not secure that regulations provide for service delivery standards to be specifically applicable to a person in relation to an activity specified in Schedule 9 if, or to the extent that:

- (a) a standards report under section 64 indicates that it would be unreasonable or disproportionate for service delivery standards to be specifically applicable to a person in relation to that activity, or
- (b) Welsh Ministers think it would be unreasonable or disproportionate for service delivery standards to be specifically applicable to a person in relation to that activity.

This does not prevent regulations from providing for other service delivery standards to be specifically applicable to a person.

By making regulations under this Measure exercisable by statutory instrument, the Commissioner is authorised to give a compliance notice to a person.

A compliance notice is a notice given to a person by the Commissioner, which:

- (a) sets out, or refers to, one or more standards specified by the Welsh Ministers under section 26(1), and
- (b) requires a person to comply with the standard or standards set out or referred to.

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The Welsh Language Commissioner will consider the evidence provided in reaching a decision on the content of a compliance notice given to a person.

The fact that a standard is made specifically applicable to a person does not mean that there is a duty to comply with that standard. A duty to comply with a standard will only be in force if the Commissioner gives a compliance notice to the person, and that notice makes it a requirement to comply with the standard on an imposition day.

The Welsh Language Commissioner will consult with the person before giving the person a compliance notice. The failure of a person to participate in a consultation will not prevent the Commissioner from giving that person a compliance notice.

After the Welsh Language Commissioner has given a compliance notice to a person, that person may apply to the Commissioner asking her to determine whether or not the requirement to comply with that standard, or to comply with it in that respect, is unreasonable or disproportionate. Should the Commissioner inform the person that the requirement to comply with the standard is not unreasonable or disproportionate, they have the right under the Measure to appeal to the Tribunal for determination.

The Welsh Language Commissioner's criteria

In reaching a conclusion on the subject of this standards investigation, in accordance with the requirements outlined in Part 4, Chapter 8 of the Measure, the following criteria were considered alongside the evidence received as part of the standards investigation. Each criterion need not be considered in each case, and no criterion is of more importance than any other.

- Is the relevant person liable to be required to comply with standards – does the relevant person come within Schedule 5 and also within Schedule 6, or do they come within Schedule 7 and also within Schedule 8?
- Is the class of standard (service delivery; policy making; operational; record keeping; promotion) potentially applicable to the relevant person?
- Does the relevant person carry out the activity³ in question?
- Has the relevant person already undertaken to provide the activity or action in question, in part or in full, via their Welsh language scheme?
- Does the relevant person already provide the service in Welsh (whether this corresponds exactly to the requirements included in the standard or not), or carry out the activity in accordance with the standard?
- Do the vast majority of other relevant persons within the same sector provide the service in Welsh, or carry out the activity?
- Are there any other reasons, for or against, making the standard specifically applicable to the relevant person?

³ This criterion will be considered in respect of service delivery standards only.

4 Evidence received from relevant persons

Evidence was received from all the providers of social housing listed above. This evidence included responses to 199 questions in a questionnaire, as well as further evidence provided after follow-up enquiries.

Each response was read individually and software was used to record and analyze the text and identify general themes. Regular meetings were held amongst Welsh Language Commissioner officers in order to analyze the evidence received from relevant persons as part of the standards investigation, along with the commitments included in the current Welsh language schemes of the relevant persons in question.

This section provides the average percentage of commitments found in the relevant persons' Welsh language schemes, which correspond to the standards (whether they correspond to the exact requirements associated with the standards or not) for each activity.

When analyzing the current commitments in Welsh language schemes against the standards, it should be noted that it was not possible to match a number of standards associated with service delivery activity because of the detailed nature of the regulations published by Welsh Government. Under some circumstances, it is possible that the relevant persons in question are committed to the requirement or comply with the requirement, but this may not be explicitly stated in their Welsh language schemes.

A summary of the evidence received from each relevant person included in the groups of persons identified is provided in section 4 of this report. The evidence submitted included information on the activities carried out by the persons in question, the activities they carry out in Welsh and the extent to which they can comply with the standards.

Providers of Social Housing

Service delivery standards

Activity 1: Correspondence sent by a body

Standards relating to correspondence sent by a body [1-7]

All of the 37 relevant persons within the providers of social housing group noted that they carry out the activity in question. Of those, 25 relevant persons (68%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all had commitments which correspond, either partly or fully, to one or more of the relevant standards. Of those persons, commitments corresponded on average, to 83% of the standards relating to correspondence sent by a body.

11 of the relevant persons stated that they considered it reasonable and proportionate to make these standards specifically applicable to them and that they had no concerns in relation to complying with them, principally because that was the current practice for correspondence.

12 of the relevant persons stated that they did not consider it would be reasonable or proportionate to make a selection of these standards specifically applicable to them in their opinion, namely standards 4 and 5. Four of them stated that they would only send a standard letter or newsletter in Welsh after receiving a request for Welsh language correspondence. The main reasons given for this view were perceived lack of demand and translation, printing and postage costs. Two of them expressed concern regarding delays before sending correspondence due to the time taken to prepare a Welsh translation.

14 of the relevant persons stated that they considered all standards regarding correspondence sent by a body to be unreasonable and disproportionate. Nonetheless, four noted that they would welcome correspondence in Welsh, confirming that they would respond in that language.

Hafan Cymru expressed concern regarding the risk of breaching a service delivery agreement they had with a local authority if there were delays in sending correspondence due to translation. It should be noted that the Welsh Language Standards (No.1) Regulations 2015 have been specified for organizations including county councils and county borough councils. It is stated that they have a duty to comply with the standards, whether they provide their own services or use a third party to do so under arrangements made between the third party and the body involved.

Grŵp Gwalia Cyf expressed concern regarding the accuracy of translations and privacy when translators have access to correspondence including personal data.

Where reference was made to low demand as evidence for the unreasonable and disproportionate nature of making these standards specifically applicable to them, the basis for that view varied from public data (e.g. Census statistics), private data (e.g. tenant and resident language choice survey/language profile conducted by them) and previous

experience (e.g. no request had been received thus far).

Activity 2: Telephone calls made and received by a body
Standards relating to telephone calls made and received by a body [8-22]

All of the 37 relevant persons within the providers of social housing group noted that they carry out the activity in question. Of those, 25 relevant persons (68%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the persons in question, 95% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average, to 66% of the standards relating to telephone calls made and received by a body.

Although ten of the relevant persons noted that they considered it would be reasonable and proportionate to make these standards specifically applicable to them, two had concerns regarding their ability to comply with standard 10 at all times. Another two had concerns regarding the practicality of recording their tenants' language choice for telephone calls.

Ten of the relevant persons stated that they did not consider it would be reasonable and proportionate to make a selection of the standards specifically applicable to them, with broad variation in those standards. On the whole, those persons could cope with Welsh language calls at present but concern was expressed regarding their ability to offer a Welsh service outside core office hours as well as the practicality of complying with standard 21.

Seren Group Ltd expressed great concern regarding transferring calls to Welsh speakers following a request from the caller due to the specialist nature of many of their calls and the specific expertise needed to deal with clients who are often very vulnerable and distressed.

Another 17 relevant persons stated that they did not consider it would be reasonable and proportionate to make these standards specifically applicable to them. All of these noted that demand was low, whether that finding was based on a direct survey undertaken, demographic data for the area they serve or a lack of experience of callers expressing their wish to speak Welsh. Furthermore, the majority stated that they did not have enough staff with the necessary skills to conduct a telephone call in Welsh at present. Two noted that they would make use of external translation services to maintain the service, with Pembrokeshire Housing Association Ltd stating that their users can only contact them in Welsh by letter.

Several relevant persons expressed concern regarding answering the phone with a Welsh greeting in accordance with standard 8. Coastal Housing Group Ltd believed that greeting callers in Welsh would decrease the number of calls that they could receive; whilst Grŵp Gwalia Cyf felt that less able staff would be under a disadvantage from having to deal with requests from people to speak Welsh. NPT Homes stated that greeting callers bilingually could lead to an increase in requests for Welsh services and that they could not guarantee that someone would be available to talk the caller in their chosen language. Cadarn Housing Group Ltd stated that they had received feedback that greeting callers from

Wales in Welsh on their main phone number was unpopular and they believed that it is inappropriate for internal lines.

**Activity 3: A body holding meetings that are not open to the general public
Standards relating to a body holding meetings that are not open to the general public [23-29]**

All 37 of the relevant persons within the providers of social housing group noted that they carry out the activity in question. Of those, 12 relevant persons (32%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 97% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 73% of the standards relating to holding meetings that are not open to the general public.

Four relevant persons stated that they believe it would be reasonable and proportionate to make these standards specifically applicable to them and that they already reflect their arrangements for meetings with tenants and residents or are within their ability to do so. However, Cymdeithas Tai Cantref Cyf stated that they could not currently guarantee that there would be enough staff available with the necessary skills to comply with standard 25 at all times.

19 of the providers of social housing stated that they did not consider it would reasonable and proportionate to make a selection of these standards specifically applicable to them, namely the standards requiring that the meeting should be held without the assistance of a simultaneous or consecutive translation service. The main reason given for this view was that they did not have enough members of staff with Welsh language skills to be able to guarantee compliance at present.

Coastal Housing Group Ltd expressed concern regarding the value for money of procuring a simultaneous translation service for a meeting where only 10% of the attendees had expressed a wish to speak Welsh.

12 of the relevant persons stated that they did not consider it would reasonable and proportionate to make each of these standards specifically applicable to them. The main reason given was that providing a simultaneous translation service was expensive with little or no demand for it; this was considered by them to mean that the requirements were disproportionate.

Melin Homes Ltd and Rhondda Housing Association Ltd expressed concern regarding privacy when simultaneous translators are present in meetings. Rhondda Housing Association Ltd went on to state that they believed that the presence of a third party could prevent a person speaking in his chosen language from speaking openly. Melin Homes Ltd echoed this by stating that it would be unreasonable to have Welsh speakers in all teams.

First Choice Housing Association Ltd stated that complying with these standards would interfere with its principal duty to provide homes for vulnerable people. Several persons expressed concern regarding delays in arranging simultaneous translation services,

describing it as troublesome. They therefore stated that they did not consider it appropriate to use such services in urgent cases. Only one person, namely Wales & West Housing Association Ltd, mentioned consecutive translation as a desirable arrangement.

Activity 4: Meetings arranged by a body that are open to the public
Standards relating to meetings arranged by a body that are open to the public [30-34]

30 of the 37 relevant persons (81%) within the providers of social housing group noted that they carry out the activity in question. Of those, 11 relevant persons (37%) noted that they carry out the activity in question in Welsh.

It should be noted that four relevant persons had differentiated between their service users and the general public in relation to this activity. That is, it was noted that they do not conduct public meetings because tenants and residents were the target audience for their meetings. Therefore, it is possible that those who noted that they do not carry out this activity do not consider their tenants to be members of the 'public' in their response to this question.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 80% of the standards relating to meetings arranged by a body that are open to the public.

Of those who noted that they carry out the activity, ten confirmed that these standards are either current practice or within their reach. As such, they considered that it would be reasonable and proportionate to make them specifically applicable to them.

13 of the relevant persons stated that they believe it would be unreasonable and disproportionate to make a selection of these standards specifically applicable to them. The main concern expressed was that simultaneous translation services are arranged without considering demand. It was stated that this would be acceptable in cases with sufficient demand. Cadwyn Housing Association Ltd stated that 30% of attendees wishing to use Welsh would be the minimum reasonable and proportionate threshold in their view.

Of those who stated that they carry out the activity, nine noted that they believe it would be unreasonable and disproportionate to make all of these standards, or nearly all of these standards, specifically applicable to them. Six of them referred to the cost, along with the perceived low demand, as factors which made the requirement unreasonable and disproportionate.

Activity 5: Public events organised or funded by a body
Standards relating to public events organised or funded by a body [35-36]

26 of the 37 relevant persons (70%) within the providers of social housing group noted that they carry out the activity in question. Of those, six relevant persons (23%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 86% of them had commitments which correspond, either partly or fully, to one or more of the relevant standards. Of those persons, commitments corresponded on average to 91% of the standards relating to public events organised or funded by a body.

Of those who stated that they carry out the activity, eight of them already complied fully or partly with both standards. As such, they considered it reasonable and proportionate to make them specifically applicable to them.

Of the rest, eight stated that they believe it would be unreasonable and disproportionate to make these standards specifically applicable to them but that they would comply with them if there was evidence of sufficient demand. Wales & West Housing Association Ltd stated their opinion that only public events held in Powys, Conwy and Denbighshire would be reasonable to conduct in Welsh.

Twelve relevant persons stated that both standards were unreasonable and disproportionate due to perceived lack of demand and the costs of promoting and holding events in both languages.

Activity 6: A body's publicity and advertising Standard relating to a body's publicity and advertising [37]

35 of the 37 relevant persons (95%) within the providers of social housing group noted that they carry out the activity in question. Of those, 23 relevant persons (62%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 92% had commitments which correspond, either partly or fully, to the standard in question.

15 relevant persons stated that they considered it reasonable and proportionate to make this standard specifically applicable to them because they already comply with it fully or partly.

Six relevant persons expressed a wish to comply with the standard's requirements when deemed appropriate, namely when there is evidence of demand or when the language of the publication or broadcast is Welsh. Seren Group Ltd noted that this standard does not appear to have been drafted in the context of commercial advertising and that it was not appropriate to their sector.

Of those who stated that they had carried out the activity, 13 stated that they considered it unreasonable and disproportionate to make this standard specifically applicable to them, due to cost and a lack of demand in their view.

Activity 7: A body displaying material in public Standards relating to a body displaying material in public [38-39]

36 of the 37 relevant persons (97%) within the providers of social housing group noted that they carry out the activity in question. Of those, 23 relevant persons (64%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 70% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded to all of the standards relating to a body displaying material in public.

17 of the relevant persons stated that they considered it reasonable and proportionate to make these standards specifically applicable to them and that they were already current practice.

Five stated that their use of Welsh is inconsistent when displaying material in public. Despite this, they considered it would be unreasonable and disproportionate to make these standards specifically applicable to them because of insufficient demand, in their view, to require compliance at all times.

13 of the relevant persons stated that Welsh does not appear on a significant amount of the material publicly displayed by them and that they consider it would be unreasonable and disproportionate to make these standards specifically applicable to them. The reasons for this included cost, low demand, compliance at short notice along with environmental impact.

Activity 8: A body producing and publishing documents **Standards relating to a body producing and publishing documents [40-49]**

All 37 of the relevant persons within the providers of social housing group noted that they carry out the activity in question. Of those, 26 relevant persons (70%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average, to 84% of the standards relating to a body producing and publishing documents.

Seven relevant persons stated that they already comply with the majority of these standards, or that they would comply shortly, and that they considered it reasonable and proportionate to make them specifically applicable to them. Another ten relevant persons stated that they considered it reasonable and proportionate to make a selection of the standards specifically applicable to them. All of the remaining persons considered it unreasonable and disproportionate to make any of these standards specifically applicable to them.

Although several relevant persons stated that they already publish key public documents bilingually, general dissatisfaction was expressed with the need to publish documents for tenants bilingually too. 22 of the relevant persons considered that demand for such documents amongst their tenants was low and therefore believed that the investment in terms of cost, time and resources would be disproportionate to that demand. Additionally, general concern was expressed regarding the possible delay in translating documents along with their ability to proofread due to a lack of Welsh language skills amongst staff.

Several relevant persons stated that they are willing to provide Welsh documents on request, with Valleys to Coast Housing Ltd and Bron Afon Community Housing Ltd stating that it would be reasonable and proportionate to impose standard 47 because it suits their circumstances better than the other standards for this activity.

In relation to standard 41, Mid Wales Housing Association Ltd stated that it would be easier and cheaper for them to prevent members of the public from observing their public meetings, although they emphasised that this would run contrary to public accountability.

Coastal Housing Group Ltd, NPT Homes Ltd, Cadarn Housing Group Ltd, Merthyr Tydfil Housing Association Ltd and Wales & West Housing Association Ltd expressed concerns with standard 46 as they did not believe it would be reasonable to send Welsh statements to English medium publications. Additionally, Newport City Homes Housing Association Ltd stated that they believe that the requirement would lead to delay due to the reliance on external translators.

Activity 9: A body producing and publishing forms **Standards relating to a body producing and publishing forms [50-51]**

34 of the 37 relevant persons (92%) within the providers of social housing group noted that they carry out the activity in question. Of those, 18 relevant persons (53%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average, to 88% of the standards relating to a body producing and publishing forms.

15 relevant persons confirmed that the requirements relating to these standards were already current practice or that they would be able to comply with them and that they therefore considered it reasonable and proportionate to make these standards specifically applicable to them. Another eight relevant persons stated that they considered it reasonable and proportionate to make a selection of these standards specifically applicable to them.

The remaining relevant persons considered it would be unreasonable and disproportionate to make any of these standards specifically applicable to them. They expressed concerns regarding the costs and resources associated with producing every document for public use in Welsh because this would be disproportionate to the demand in their view. Given this, five relevant persons believe that the standards' requirements should be varied and that they should be implemented on request only.

Melin Homes Ltd stated that they would consider limiting the number of forms they produce if these standards were required in order to manage translation costs, although this would be likely to lead to complaints in their opinion.

Four relevant persons had concerns regarding ITC software and systems, noting that they do not allow them to complete electronic forms and forms automatically generated from databases in Welsh at present. They considered that modifying these systems would be

expensive and impractical.

Merthyr Tydfil Housing Association Ltd stated that the local authority administrated the housing application process on their behalf and that therefore the relevant application forms are its responsibility.

Activity 10: A body's websites and on-line services

Standards relating to a body's websites and on-line services [52-57]

All 37 of the relevant persons within the providers of social housing group noted that they carry out the activity in question. Of those, 27 relevant persons (73%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 68% of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 83% of standards relating to a body's websites and on-line services.

14 relevant persons stated that they already comply with these standards or that they would comply with them, and that they considered it reasonable and proportionate to make them specifically applicable to them. Another ten relevant persons considered it would be reasonable and proportionate to make a selection of these standards specifically applicable to them.

The remaining relevant persons did not believe it would be neither reasonable nor proportionate to make any of these standards specifically applicable to them. Nine relevant persons stated that they use automatic translation software to provide Welsh versions of their websites at present and that using professional translators to undertake the work would be too expensive in their opinion.

It should be noted that the standard of translation provided by automatic translation software varies, and that translating machine translations cannot be considered to be accurate or standard translations. Translations generated by machines must be edited before publishing as no reliance can be placed on the results of the automatic translation. Failure to do so would run contrary to the principle that the Welsh language should be treated no less favourably than the English language.

The main concern was the cost of translating web pages into Welsh, with a number of persons stating that those costs would not be proportionate to demand in their opinion. Several relevant persons stated that a lack of Welsh language skills and recruitment problems mean that they would have to use external translators to undertake the work and that this would make it very difficult for them to update the website in a timely fashion.

Nine relevant persons explained that they use third parties to provide apps and some on-line services, such as rent payments and reporting repairs, on their behalf. These provide English services exclusively and the relevant persons had concerns regarding their ability to ensure that third party organizations comply with the standards. As a result, Tai Calon Community Housing Ltd believed that the requirements for these standards should be varied so that on-line services and "urgent" publications are excluded from the requirements. Likewise, Cartrefi Cymunedol Gwynedd Cyf stated that a practical approach

is needed in implementing those standards.

Activity 11: A body's use of social media

Standards relating to a body's use of social media [58-59]

36 of the 37 relevant persons (97%) within the providers of social housing group noted that they carry out the activity in question. Of those, 14 relevant persons (39%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 95% of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 79% of standards relating to a body's use of social media.

14 relevant persons confirmed that they already comply with these standards or that they would be able to do so and that they believe it would be reasonable and proportionate to make them specifically applicable to them. Another 12 relevant persons stated that they are willing to respond in Welsh to any Welsh messages received and that they therefore believe it would be reasonable and proportionate to make standard 59 specifically applicable to them. The remaining relevant persons did not consider it reasonable and proportionate to make any of these standards specifically applicable to them.

The main concern expressed was the relevant persons' ability to ensure that all messages published on social media are bilingual. A number noted that a lack of Welsh language skills mean that they would have to rely on external translators to undertake the work. Many believed that the nature of social media means that messages are often posted urgently or spontaneously and that waiting for a translation would detract from the effectiveness of those messages. Some also believe that translation costs would be disproportionate to the demand for Welsh language messages.

Additionally, Bron Afon Community Housing Ltd considered that such a requirement would cause confusion and would also, possibly, mean that less attention was paid to social media, whilst Cadwyn Housing Association Ltd was concerned that translators would not be able to convey the style of their organization when translating messages into Welsh. The Cadarn Housing Group Ltd stated that such a requirement could lead them to stop using social media as a method of communication.

Activity 12: Self service machines

Standard relating to self service machines [60]

Three of the 37 relevant persons (8%) within the providers of social housing group noted that they carry out the activity in question. Of those, one relevant person (33%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 43% of the relevant persons had commitments which correspond, either partly or fully, to the standard relating to self service machines.

North Wales Housing Association Ltd was the only relevant person to state that they already comply with this standard and that they believe it would be reasonable and

proportionate to make the standard specifically applicable to them. None of the other relevant persons considered it reasonable and proportionate to make the standard specifically applicable to them.

Cardiff Community Housing Association and Cartrefi Conwy Cyf referred to the rent payment service available to their tenants. It was noted that this service is provided in English only at present, through a third party agreement. Cardiff Community Housing Association stated that they would be able to procure a bilingual service from another provider but that this would lead to a breach of contract with their current provider and that they would incur costs for this. It should be noted that the Welsh Language Standards (No.1) Regulations 2015 states the following:

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.*

NPT Homes Ltd also stated that the system for their self service machines does not allow for the service to be provided through the medium of Welsh at present. This means that a brand new system would need to be created in order to comply.

Activity 13: Signs displayed by a body **Standards relating to signs displayed by a body [61-63]**

All 37 of the relevant persons within the providers of social housing group noted that they carry out the activity in question. Of those, 29 relevant persons (78%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 68% of the standards relating to signs displayed by a body.

19 relevant persons confirmed that they already fulfil the requirements associated with these standards and that they believe it would be reasonable and proportionate to make them specifically applicable to them. Another nine relevant persons stated that they consider it reasonable and proportionate to make a selection of these standards specifically applicable to them.

Several relevant persons expressed concerns regarding the need to place Welsh text first on new or renewed signs. Many felt that this requirement was not proportionate given that Welsh speakers are in a minority in the areas they serve. Others believe that the requirement could cause confusion to vulnerable people and those with literacy needs.

Some relevant persons expressed concern regarding their ability to comply with these standards for temporary signs because these signs usually need to be displayed urgently. They felt that the delay whilst waiting for translations would pose a risk and others felt that the associated costs would be disproportionate given that they would only be displayed for a short time. The Cadarn Housing Group Ltd questioned the justification for imposing the standard stating that it would cause unnecessary interference.

North Wales Housing Association Ltd felt that it would be difficult to keep a record of all their signage in order to ensure that those needing renewal are compliant.

Monmouthshire Housing Association Ltd and NPT Homes Ltd stated that there would be significant costs related to replacing all signs in order to ensure compliance. It should be noted that the requirements relating to these standards are relevant when a relevant person erects a new sign or renews a sign.

Activity 14: A body receiving visitors at its buildings
Standards relating to a body receiving visitors at its buildings [64-68]

36 of the 37 relevant persons (97%) within the providers of social housing group noted that they carry out the activity in question. Of those, 12 relevant persons (33%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 84% of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 67% of the standards relating to a body receiving visitors at its buildings.

15 relevant persons confirmed that they already comply with these standards or that they could do so and that they consider it reasonable and proportionate to make the specifically applicable to them. Another eight relevant persons considered it reasonable and proportionate to make a selection of these standards specifically applicable to them.

The relevant persons' main concern was their ability to comply at all times. Many noted that it would be difficult to guarantee this due to the low number of reception staff who can speak Welsh, with some stating that they have no such staff at all. Some were concerned about the cost of recruiting new staff, training existing staff or using translation services, whilst others felt that recruiting Welsh speakers would be difficult given the area's profile of Welsh speakers. Some also felt that the investment associated with this would be disproportionate to the demand for Welsh language services in reception areas.

Grŵp Gwalia Cyf stated that they had a number of signing-in areas in different nursing homes and residential care settings and that it would be difficult to guarantee a Welsh service in these areas at all times. Due to the nature of the visits, visitors do not make an appointment and therefore it would be impossible to ascertain their language choice beforehand. Hafan Cymru also stated that it would be able to comply with the standards for their main reception but that it would be difficult for the remaining areas because staff with Welsh language skills are limited and scattered across their offices in Wales.

Activity 15: Official notices made by a body

Standards relating to official notices made by a body [69-70]

26 of the 37 relevant persons (70%) within the providers of social housing' group noted that they carry out the activity in question. Of those, nine relevant persons (35%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 86% of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 50% of the standards relating to official notices made by a body.

14 relevant persons stated that they already comply with these standards or that they would be able to do so and that they considered it reasonable and proportionate to make them specifically applicable to them. Another two relevant persons considered it reasonable and proportionate to make a selection of the standards specifically applicable to them. Although Merthyr Valley Homes Ltd stated that they do not carry out this activity at present, they believe that they would be able to comply if they were to carry out the activity in the future.

The relevant persons' main concern was the cost of translating notices into Welsh and a number of them considered that these costs would not be proportionate to demand. Additionally, Grŵp Gwalia Cyf, Hendre Group, NPT Homes Ltd and United Welsh Housing expressed concern regarding technical and legal documents.

Bron Afon Community Housing Ltd felt that the requirement to put Welsh first on official notices could cause confusion to those with literacy needs.

Activity 16: A body awarding grants

Standards relating to a body awarding grants [71-75]

15 of the 37 relevant persons (41%) within the providers of social housing group noted that they carry out the activity in question. Of those, six relevant persons (40%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 73% of the standards relating to a body awarding grants.

Seven relevant persons confirmed that the requirements associated with the standards are already current practice or that they could comply with them and that they considered it reasonable and proportionate to make the standards specifically applicable to them. Additionally, Cartrefi Cymunedol Gwynedd Cyf stated that they would be able to comply fully with all the standards except for standard 73. They felt that it would be difficult to ensure full compliance with that standard at all times because a non-Welsh speaking officer could attend such an interview.

The concerns expressed by the relevant persons included the cost of using translation services in order to comply due to a lack of Welsh language skills amongst their current

staff. Additionally, a number of them felt that the cost would not be proportionate to the demand for these services in Welsh.

Wales & West Housing Association Ltd stated that they were unclear of what is meant by the term "grant" in this context, although they acknowledge that they do offer grants to residents. **Welsh Ministers should ensure clarity regarding the term "grant" when specifying standards in regulations.**

Activity 17: A body awarding contracts
Standards relating to a body awarding contracts [76-80]

36 of the 37 relevant persons (97%) within the providers of social housing group noted that they carry out the activity in question. Of those, seven relevant persons (19%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average of 72% of the standards relating to a body awarding contracts.

Four relevant persons stated that they would be able to comply with these standards and that they considered it reasonable and proportionate to make them specifically applicable to them. Additionally, another seven relevant persons stated that they considered it reasonable and proportionate to make a selection of these standards specifically applicable to them. Cymdeithas Tai Cantref Cyf stated that they felt that they would need to examine their ability to comply further in order to come to a conclusion.

Several relevant persons stated that there would be considerable costs associated with implementing these standards and that they felt that those costs would be disproportionate to the demand and place increasing pressure on the organization. Several relevant persons stated that there is a lack of Welsh language skills amongst relevant staff and consultants at present and that this would lead to a reliance on external translation services in order to comply with these standards.

Additionally, a number felt that there was a risk that information could get lost in the translation of complex, legal documents such as invitations to tender and that this could make them open to challenge. Likewise, Taff Housing Association Ltd felt that there would be privacy problems related to using translation services during interviews with tenderers.

Pennaf Ltd and United Welsh Housing expressed concerns that some of the documents produced by other organizations and used by them as part of the invitations to tender, are not available in Welsh at present. As a result, there would be considerable costs associated with translating them.

Aelwyd Housing Association Ltd stated that the contracts awarded by them are of low value and therefore they felt that these would not be relevant to the purpose of these standards. It should be noted that the Welsh Language Standards (No.1) Regulations 2015 do not elaborate on the value of contracts to which these standards are relevant.

Activity 18: Raising awareness about Welsh language services provided by a body
Standards for raising awareness about Welsh language services provided by a body [81-82]

20 of the 37 relevant persons (54%) within the providers of social housing group noted that they carry out the activity in question. Of those, 15 relevant persons (75%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 97% of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 88% of the standards relating to raising awareness about Welsh language services provided by a body.

18 relevant persons confirmed that they already implement these standards partly or that they would be able to comply with them and that they considered it reasonable and proportionate to make these standards specifically applicable to them.

Although Cartrefi Conwy Cyf and Grŵp Gwalia Cyf stated that they considered these standards to be reasonable and proportionate, it was noted that consistency is needed in all work areas when implementing them. Likewise, although Pennaf Ltd stated that they comply partly with these standards, it was explained that some of their forms are fixed and that it would not be possible to insert a sentence stating that equivalent Welsh forms are available.

It appears that a number of relevant persons believe that they need to provide specific Welsh language services for every work area under these standards. Many feel that they do not have the ability to do so and therefore they do not consider it reasonable and proportionate to make these standards specifically applicable to them. It should be noted that these standards require persons to raise awareness of the Welsh language services that they are required to provide.

Hendre Group stated that it is difficult to predict their ability to comply without knowing exactly which Welsh language services they would be required to provide under the standards.

Activity 19: A body's corporate identity
Standard relating to a body's corporate identity [83]

36 of the 37 relevant persons (97%) within the providers of social housing group noted that they carry out the activity in question. Of those, 26 relevant persons (72%) noted that they carry out the activity in question in Welsh. It should be noted that the evidence provided by Cynon Taf Community Housing Group Ltd demonstrates that they do carry out the activity, contrary to what is stated.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 97% of the relevant persons had commitments which correspond, either partly or fully, to the standard relating to a body's corporate identity.

29 relevant persons stated that they already comply with this standard or would be able to do so and that they considered it reasonable and proportionate to make the standard

specifically applicable to them.

Wales & West Housing Association Ltd stated that they comply partly with the standard at present because they use a bilingual logo on most of their corporate documents but that their corporate identity is presented mainly in English on their website. They considered that continuing with this arrangement would be more reasonable given the language profile of the areas they serve.

Likewise, Coastal Housing Group Ltd, Cynon Taf Community Housing Group Ltd and Valleys to Coast Housing Ltd all felt that it would not be reasonable for them to comply with the standard due to the low numbers of Welsh speakers in the areas that they serve. Additionally, Melin Homes Ltd did not consider the cost of having to comply with the standard for all documents represented a proportionate use of resources. First Choice Housing Association Ltd stated that they would be willing to comply on request but that doing so at all times could interfere with other services.

United Welsh Housing felt that their current name was now widely known and that it would not be possible to translate it directly. Additionally, it was noted that they had come to an agreement with the Welsh Language Board that they would not have to translate their name. Additionally, several other relevant persons referred to the fact that they have only officially registered their English name and that their Welsh name has no legal status. It should be noted that the Welsh Language Standards (No.1) Regulations 2015 states:

- (1) For the purposes of standard 83, the reference to a body 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 83 does not apply to the extent that an enactment requires a body to use a legal name.*

Activity 20: Courses offered by a body **Standards relating to courses offered by a body [84-86]**

13 of the 37 relevant persons (35%) within the providers of social housing group noted that they carry out the activity in question. Of those, one relevant person (8%) noted that they carry out the activity in question in Welsh. Although they stated that they do not carry out the activity, First Choice Housing Association Ltd noted that all their courses are provided externally.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 11% of the relevant persons had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 67% of the standards relating to courses offered by a body.

Three relevant persons stated that they considered it reasonable and proportionate to make these standards specifically applicable to them. Additionally, another five relevant persons considered it reasonable and proportionate to make a selection of them specifically applicable to them.

It appears that there is some uncertainty amongst some relevant persons regarding the scope of the definition of "public". Five relevant persons noted that they do not provide courses for the public although they do so for tenants and their families. **Welsh Ministers should ensure greater clarity regarding the scope of the term "public" when specifying standards in regulations and considering the work and audience of providers of social housing.**

The main concerns expressed regarding the relevant persons' ability to comply with these standards included the availability of Welsh language tutors and the cost of sourcing those tutors and translation services. A number of relevant persons felt that the resources needed to implement the standards would not be proportionate to the demand amongst their tenants to attend Welsh medium courses.

NPT Homes Ltd expressed concerns regarding the possibility of delay in translating written material and that they therefore would not be able to guarantee consistency in terms of the quality of the courses provided by them.

Additionally, three relevant persons stated that they provide courses through a third party and that they believe it would be difficult to ensure bilingual provision due to the specialist nature of the courses and the fact that such a requirement did not form part of the current contracts.

Activity 21: Public address systems used by a body Standard relating to public address systems used by a body [87]

Nine of the 37 relevant persons (24%) within the providers of social housing group noted that they carry out the activity in question. Of those, two relevant persons (22%) noted that they carry out the activity in question in Welsh.

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 8% of the relevant persons had commitments which correspond, either partly or fully, to the standard relating to public address systems used by a body.

Pennaf Ltd stated that it would be able to comply with this standard and that they considered it reasonable and proportionate to make the standard specifically applicable to them. Mid Wales Housing Association Ltd stated that they already provide bilingual messages in lifts and that they also believe that the standard is reasonable and proportionate. However, they expressed concern regarding the need to ensure that messages for internal use by staff are bilingual stating that English is the language choice of their current staff and that this requirement would create complexity with very little benefit in their opinion.

The availability of Welsh speaking staff was the relevant persons' main concern in relation to their ability to comply with this standard whilst others felt that there is no demand amongst their tenants given their language profile. Grŵp Gwalia Cyf stated that they would stop making announcements as a result of such a requirement.

Three relevant persons stated that they use public address systems occasionally in public events such as annual general meetings. However, all three felt that it would be unreasonable and disproportionate to implement the standard stating that it would not be

possible to ensure that a Welsh speaker is available on each occasion to make such announcements and that it should depend on the audience and demand. It should be noted that there are specific standards in the Welsh Language Standards (No.1) Regulations 2015 for public events organised or funded by a body.

Standards which deal with supplementary matters in relation to the service delivery standards [155-160]

Eighteen relevant persons confirmed that they would be able to comply with these standards and that they considered it reasonable and proportionate to make them specifically applicable to them. Another five relevant persons stated that they considered it reasonable and proportionate to make a selection of these standards specifically applicable to them.

The main concerns expressed by the other relevant persons were that implementing these standards would create an additional administrative burden, and a number felt that that burden did not appear proportionate to the demand for Welsh services. Additionally, a number felt that the costs associated with translating the relevant documents would not represent value for money.

Four relevant persons expressed specific concerns regarding the date specified in standard 158(3) for submitting annual reports. All four felt that submitting such a report by this date would be very challenging and contrary to the current date for submitting annual reports to Welsh Government.

From the evidence received, it appears that a number of relevant persons have misinterpreted these standards. Three of them referred to other performance standards which they have a duty to comply with and they believed that they would have to translate and publish these too. As a result, they did not consider it reasonable and proportionate to make these standards specifically applicable to them. Another three stated that they do not have a duty to comply with any standards and therefore they feel that these standards would not be relevant to them. **When specifying standards in regulations, Welsh Ministers should ensure that the final regulations outline the requirement clearly.**

Policy making standards [88-97]

Standards relating to considering the effects of a body's policy decisions on the Welsh language [88-97]

14 of the relevant persons confirmed that they assess and monitor the impact that policies created or reviewed has on the Welsh language. Two stated that they currently conduct informal assessments, whilst ten relevant persons stated that they include the impact of policy decisions on the Welsh language in the equality impact assessments for new policies. Two organizations confirmed that they consider the effects of policy on the Welsh language in general at present.

Ten organizations stated that they do not consider the impact of their policies at present and another ten relevant persons stated that this is not current practice but that specific questions on the Welsh language could be incorporated into the current equality impact assessment in future. No information was provided by three organizations about their current methods of assessing the impact of policy decisions.

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When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 97% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 74% of the standards relating to considering the effects of a body's policy decisions on the Welsh language.

16 relevant persons (43%) stated that they considered it reasonable and proportionate to make these standards specifically applicable to them.

Mid Wales Housing Association Ltd stated that they review a significant number of business policies regularly and that conducting a Welsh language equality impact assessment for each one would increase costs and impact on staff time. This was echoed by concerns that there would be delay in other crucial policy changes.

Twenty two relevant persons (59%) confirmed that they consult on policy decisions in accordance with standards 91-93. Cartrefi Conwy Cyf stated that they undertake consultation but that the discussions are held informally rather than by publishing a specific consultation document. It was noted that they had participants which usually included a small group of service users and that they received additional input from agencies and colleagues from time to time. It was noted that they do consider effects on the Welsh language; however, it was acknowledged that there is no consistent approach in place.

Nine relevant persons (24%) confirmed that they have a grant awarding policy. Cardiff Community Housing Association stated that they have a process and application form in place for this currently but no corporate policy. Merthyr Valley Homes Ltd stated that they do not have any specific guidance at present on dealing with the Welsh language as part of this process.

Cartrefi Cymunedol Gwynedd Cyf stated that there is current provision within the scoring guidance for the 'Communities Investment Fund' grant for 'Identifying and responding to the community's social, linguistic and cultural needs'.

A number of relevant persons acknowledged that they do not assess the effect that awarding a grant would have on the Welsh language.

When commissioning research to guide their policy decisions, most of the relevant persons acknowledged that they do not consider the impact on the Welsh language in a structured manner at present.

Standards which deal with supplementary matters in relation to the policy making standards [161-166]

15 relevant persons (41%) confirmed that they considered it reasonable and proportionate to make the supplementary standards in question specifically applicable to them. Melin Homes Ltd stated that they predict that the policy making standards, their annual report, their complaints and reporting procedures would not be different to their current requirements and that it would be reasonable for them to translate the documents into Welsh. Likewise, Bron Afon Community Housing Ltd stated that they believe that supplementary standards 161-166 are reasonable and proportionate as they could be

incorporated in their current governance arrangements.

18 relevant persons (49%) stated that they considered standards 161-166 to be unreasonable and disproportionate. Hafan Cymru confirmed that they have monitoring arrangements in place for their Welsh language scheme but that these are not published at present. They also added that in order to comply with these standards they would have to commit more staff time and additional resources.

Grŵp Gwalia Cyf felt that a selection of the standards would be reasonable but given the organization's scale and the varied nature of its work, there would be major implications to complying with the policy making standards.

NPT Homes Ltd felt that the policy standards are not relevant as their current regulator, Welsh Government, did not require them to have a policy making document in place.

Operational standards [98-144]

Standards relating to the use of the Welsh language within a body's internal administration [98-111]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 57% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 16% of the standards relating to the use of the Welsh language within a body's internal administration.

15 of the 37 relevant persons confirmed that they operate a policy on use of Welsh internally at present, with ten of them stating that a policy could be developed easily in future. With regards to standard 98, the main concerns expressed by the other persons were the resource and cost implications; the fact that English is the organization's administrative language; the view that there was no demand from staff to use Welsh internally; and the appropriateness of imposing the standard on an organization with a low percentage of Welsh language skills.

Newport City Homes Housing Association Ltd stated that all the organization's internal activities are conducted in English currently and that any changes to that arrangement would depend on staff demand. Monmouthshire Housing Association Ltd did not believe that staff had any interest in using Welsh internally and that establishing policies and processes to facilitate internal use of the language would lead to significant costs. Tai Calon Community Housing Ltd stated that limited use of Welsh amongst staff, along with their lack of Welsh language skills in general, mean that implementing standard 98 would be impractical, uneconomical and disproportionate.

Of the 15 relevant persons who already had a policy in accordance with standard 98, 13 (87%) stated that they publish the policy on their intranet or similar communication network. However, concerns were expressed about ensuring full compliance with standard 98 in terms of publishing the policy on communication networks which may not come under the definition of 'intranet' (e.g. staff section of the website). **Welsh Ministers should ensure clarity regarding the scope of the definition of 'intranet' in the context of the standards in question, when specifying standards in regulations.**

21 of the 37 relevant persons confirmed that it is already current practice to provide all or some of the documents noted in standards 99-104 in Welsh, or that they could do so in future. Standard 104 caused the most concern amongst the other persons. Evidence was received from The Cadarn Housing Group Ltd, Taff Housing Association Ltd and Cartrefi Conwy Cyf stating that electronic HR software used to record leave, absences and flexible working is only available in English at present. Additionally, they stated that developing or procuring a new bilingual system to fulfil the standard would incur costs.

As seen with standard 98, concerns were expressed regarding the resource and cost implications of complying with standards 99-104 as well as the fact that Welsh was not the administrative language of the organization. Furthermore, comments were received stating that they do not consider it reasonable and proportionate to make the standards in question specifically applicable due to the practicality of translating the content of live documents from one language to another; the perceived lack of staff demand for the documents; and possible inconsistencies between the meaning and purpose of the translated documents compared to the originals.

For example, Grŵp Gwalia Cyf emphasised that there would be significant practical implications associated with standards 99-104. Given the high number of HR-related documents transferred between non-Welsh speaking staff and line managers, it was stated that it would be impossible for them to fulfil their functions if they had to translate documents in accordance with the language choice of a member of staff.

In relation to the requirements associated with standards 105-111, four relevant persons, namely Cartrefi Cymunedol Gwynedd Cyf, Cymdeithas Tai Cantref Cyf, Tai Ceredigion Cyf and Grŵp Cynefin, stated that all the policies in question are published bilingually at present. The remaining relevant persons stated that their current practice is to publish the policies in English only. However, 13 relevant persons stated that it would be reasonable for them to publish all those policies, or a selection of them, in Welsh in future; others (Cadwyn Housing Association Ltd, Coastal Housing Group Ltd, Hendre Group and Wales & West Housing Association Ltd) stated that they considered it reasonable to provide policies in Welsh on request.

Standards relating to complaints made by a member of a body's staff [112-115]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 24% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 42% of the standards relating to complaints made by a member of a body's staff.

19 of the 37 relevant persons confirmed that they allow all members of staff to submit complaints to them in Welsh, with 18 stating that they respond to any complaint made against them in that language. However, only seven relevant persons stated that they inform staff of their right to do this in Welsh at present. Furthermore, only five confirmed that they inform individuals, in Welsh, of their decision following a complaint at present.

If a meeting was needed regarding a complaint made in Welsh, only six stated that it would be possible to conduct that meeting in Welsh at present. Only Grŵp Cynefin, Cartrefi Cymunedol Gwynedd Cyf and Tai Ceredigion Cyf confirmed that conducting such

meetings in Welsh without the assistance of translation services was current practice, with Cymdeithas Tai Cantref Cyf, Family Housing Association (Wales) Ltd and Merthyr Valley Homes Ltd confirming that a simultaneous translation service could be provided during the meeting if needed.

16 of the 37 relevant persons stated that it would be reasonable and proportionate to make standards 112-115, or a selection of them, specifically applicable. The main concerns expressed by the other persons included the perceived lack of staff demand for the service; the lack of Welsh language skills amongst HR staff; the cost implications of providing translation services; the possible delay in the complaints process due to the requirement to provide a Welsh language service; and the possible inconsistencies between Welsh and English versions of documents.

Additionally, The Cadarn Housing Group Ltd stated that they strongly oppose the standards in question as they feel that there is no demand for a Welsh service and that English is the administrative language of the organization. It was also stated that the standards would cause delay, ambiguity and confusion in the complaints process.

Standards relating to a body disciplining staff [116-119]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 22% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 45% of the standards relating to a body disciplining staff.

18 of the 37 relevant persons confirmed that they allow all members of staff to respond in Welsh to claims made against them in Welsh. However, only six of those persons inform staff that they can do so at present.

Seven of the 37 relevant persons stated that they offer to conduct meetings regarding disciplinary cases in Welsh at present.

Cadwyn Housing Association Ltd, Cartrefi Cymunedol Gwynedd Cyf, Grŵp Cynefin and Tai Ceredigion Cyf stated that it is current practice to conduct disciplinary meetings in Welsh, with Cymdeithas Tai Cantref Cyf, Family Housing Association (Wales) Ltd and Merthyr Valley Homes Ltd stating that they would be able to conduct a meeting by providing a simultaneous translation service.

22 of the 37 relevant persons (59%) stated that it would be reasonable and proportionate to make standards 116-119, or a selection of them, specifically applicable to them. As seen with standards 112-115, the main concerns expressed by the other persons included the perceived lack of staff demand for the service; the lack of Welsh language skills amongst HR staff; the cost implications of providing translation services; the possible delay in the complaints process due to the requirement to provide a Welsh language service; and the possible inconsistencies between Welsh and English versions of documents.

For example, Rhondda Housing Association Ltd stated that they do not have HR specialists who speak Welsh fluently and that they would therefore have to rely on external consultants to undertake work on their behalf; it was noted that procuring such services is very expensive. Additionally, they felt that forcing the organization to rely on external

expertise in order to provide services in Welsh poses a significant risk to the organization as they wouldn't have any means of ensuring that those consultants adhere to employment law.

Standards relating to a body's information technology and about support material provided by a body, and relating to the intranet [120-126]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 46% of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 24% of the standards relating to information technology and support material provided by a body, and relating to the intranet.

18 of the 37 relevant persons stated that they provide computer software to check employees and workers' Welsh spelling and grammar at present, or that they could do so in future. Additionally, only Tai Calon Community Housing Ltd, First Choice Housing Association Ltd, Cartrefi Cymunedol Gwynedd Cyf, Grŵp Cynefin and North Wales Housing Association Ltd confirmed that they provide staff with Welsh interfaces for software at present, with four additional persons stating that they could fulfil the requirement in future.

All relevant persons except for Aelwyd Housing Association Ltd, Merthyr Tydfil Housing Association Ltd, Hafan Cymru, Cymdeithas Tai Cantref Cyf, Seren Group Ltd and Cynon Taf Community Housing Group Ltd (86%) confirmed that they operate an intranet system. Of those, only Tai Ceredigion Cyf, Wales & West Housing Association Ltd, Cartrefi Cymunedol Gwynedd Cyf and Grŵp Cynefin (13%) confirmed that intranet pages were available either partly or completely in Welsh.

13 of the 37 (35%) stated that they consider it reasonable and proportionate to make standards 121-126, or a selection of them, specifically applicable to them. Amongst the comments received from the remaining persons, concerns were expressed regarding the inability to fulfil some requirements because the relevant person did not have an intranet; the lack of staff demand for the service in Welsh; the lack of Welsh language skills amongst staff to update the intranet pages in Welsh; the reliance on external translators to update the Welsh pages and the associated cost; and the cost and resource implications of modifying the current intranet system or buying a new intranet system to ensure that they are available in Welsh.

For example, Pembrokeshire Housing Association Ltd stated that their IT systems would require significant investment in order to fulfil all the requirements of the standards relating to the intranet. It was stated that the required expenditure would be greater than the sums earmarked at present and that ensuring compliance with the standards in question would impact negatively on services to customers.

Standards relating to a body developing Welsh language skills through planning and training its workforce [127-135]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 62% of the standards relating to a body developing Welsh language skills

through planning and training its workforce.

28 of the 37 relevant persons (76%) confirmed that they assess their employees' Welsh language skills.

In their response to the requirements associated with standard 128, five relevant persons stated that it is current practice to provide Welsh language training to staff in one or more of the specified areas.

With regards to standard 129, Cartrefi Cymunedol Gwynedd Cyf, Tai Ceredigion Cyf, Cymdeithas Tai Cantref Cyf and Grŵp Cynefin stated, to varying degrees, that it is not current practice to comply with the requirements because a large number of their staff are Welsh speakers who can use Welsh effectively in the specified areas. Wales & West Housing Association Ltd and Bro Myrddin Housing Association Ltd confirmed that provision of such training would be made subject to a request from a member of staff. Furthermore, Pennaf Ltd stated that arrangements are underway to provide bilingual training in the areas in question in cooperation with other organizations.

In relation to standards 130 and 131, 28 of the 37 relevant persons (73%) confirmed that they already comply with the requirements in question. However, evidence was received suggesting that staff demand and uptake for these courses varied. For example, Hendre Group and Aelwyd Housing Association Ltd stated that demand for Welsh courses for learners was low, whilst Wales & West Housing Association Ltd, Cartrefi Conwy Cyf and Mid Wales Housing Association Ltd stated that a number of staff are choosing to attend courses to learn Welsh currently.

15 persons confirmed that they provide Welsh language awareness training at present, with 20 informing staff of their requirement to implement the Welsh language scheme.

Standards relating to a body recruiting and appointing [136-140]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 65% of the standards relating to a body recruiting and appointing.

18 of the 37 relevant persons stated that they conduct assessments (either formally or informally) of the need for Welsh language skills in relation to new posts or vacant posts advertised. As part of the assessment, the organization's business needs are considered alongside the requirements of the current Welsh language scheme. Further comments were received regarding the appropriateness of imposing standards 136/136A given the perceived lack of demand for Welsh services amongst tenants; the low percentage of Welsh speakers in the community served; and the possible reduction in the number of applications received when advertising posts with language conditions.

For example, Melin Homes Ltd stated that they did not have any Welsh speaking customers or residents and, as a result, Welsh skills had never been a requirement when advertising posts. It emphasised that it was a customer-focused organization and that therefore any language requirements should correspond with the number of Welsh speaking customers. Additionally, Hendre Group stated that it is already difficult to recruit

care staff and that including a Welsh language requirement in job descriptions would compound the recruitment difficulties further.

Nine relevant persons confirmed that they categorize all posts as Welsh desirable posts. Furthermore, Cartrefi Cymunedol Gwynedd Cyf and Grŵp Cynefin stated that Welsh language skills are an essential qualification for all new posts, with Tai Ceredigion Cyf stating that all new posts dealing with customers are designated as Welsh essential posts.

Five relevant persons noted that it was current practice to state in job advertisements that individuals are welcome to apply for posts in Welsh and that a Welsh application would be treated no less favourably than an English one. Additionally, 13 persons stated that it is current practice to provide recruitment material in Welsh, in accordance with standard 137A.

Only Hafan Cymru, Cymdeithas Tai Cantref Cyf and Tai Ceredigion Cyf confirmed that their application forms include a space for candidates to state that they wish to be interviewed or assessed in Welsh. However, it should be noted that North Wales Housing Association Ltd, Cartrefi Cymunedol Gwynedd Cyf and Grŵp Cynefin confirmed that they can conduct interviews and assessments in Welsh (or via translation services).

Standards relating to signs displayed in a body's workplace [141-143]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 68% of the standards relating to signs displayed in a body's workplace.

20 of the 37 relevant persons (54%) confirmed that signs displayed inside the organization's building are in Welsh. Of those, nine relevant persons stated that it is current practice to position the Welsh text on signs so that it is this version which is likely to be read first.

Standard relating to audio announcements and messages in a body's workplace [144]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, 5% of them had commitments which correspond to the standard relating to audio announcements and messages in a body's workplace.

Ten of the 37 relevant persons stated that announcements via audio equipment are made in the organization's workplace at present. Of those, only Grŵp Cynefin stated that these announcements are made in Welsh.

Grŵp Gwalia Cyf stated that it would be reasonable to make pre-recorded standard announcements in Welsh but that the expectation to make *ad hoc* announcements in Welsh would be unreasonable. One of the reasons for this was the low percentage of staff with Welsh language skills at present. This comment was echoed by Merthyr Tydfil Housing Association Ltd and Linc-Cymru Housing Association Ltd.

Standards which deal with supplementary matters in relation to the operational standards [167-172]

20 of the 37 relevant persons (54%) stated that they considered it reasonable and proportionate to make all the standards, or a selection of them, specifically applicable to them. The majority of those persons stated that it is current practice to implement similar requirements to the supplementary standards when reporting on the implementation of their Welsh language scheme.

However, the concerns expressed by other persons regarding the standards in question included the resource implications and possible cost of administering the requirements of the supplementary standards along with the bureaucracy of the requirement to provide information to the Welsh Language Commissioner.

Pennaf Ltd confirmed that they have already adopted the Public Services Ombudsman for Wales' model complaints policy. This comment was reinforced by Taff Housing Association Ltd who stated that they provide information on their performance to Welsh Government as well; it was noted that this raises questions regarding the need for the sector to be regulated further by the Welsh Language Commissioner, given that it is already regulated by others. It should be noted that it is the Welsh Language Commissioner's function under the Welsh Language Measure (Wales) 2011 to regulate compliance with Welsh language standards.

Promotion standards [145-146]

Tai Ceredigion Cyf confirmed that they consent to be subject to promotion standards and that they considered it reasonable and proportionate to make the standards specifically applicable to them.

Record keeping standards [147-154]

When analyzing the commitments in the current Welsh language schemes of the relevant persons in question, all of them had commitments which correspond, either partly or fully, to one or more of the standards in question. Of those persons, commitments corresponded on average to 87% of the standards relating to record keeping.

22 relevant persons (59%) believed it would be reasonable and proportionate to make standards in relation to record keeping specifically applicable to them. Those relevant persons stated that they already keep records on the implementation of their current Welsh language schemes and that these systems could be expanded to reflect the requirements of the standards.

Cartrefi Cymunedol Gwynedd stated that it is impossible to know what new arrangements would be needed to implement record keeping standards without receiving further details on the monitoring expectations, along with how the information would be submitted to the Commissioner.

Bron Afon Community Housing Ltd, Hendre Group, Linc-Cymru Housing Association Ltd, Monmouthshire Housing Association Ltd, Hafan Cymru and Seren Group Ltd stated that they have concerns regarding the cost of implementing these standards, with two of them

noting that they would need to employ a new member of staff to comply with the standards. Hendre Group was of the opinion that the additional cost would divert the organization from its main business purpose.

Although Aelwyd Housing Association Ltd stated that it would be possible to comply with these standards, it believed that the scale of the organization, along with the perceived lack of demand for a Welsh service, would make the requirement to keep a formal record of the information disproportionate. Three other relevant persons shared this view.

Standards which deal with supplementary matters in relation to the record keeping standards [175-176]

22 relevant persons (59%) considered it reasonable and proportionate to make standards in relation the supplementary matters in question specifically applicable to them. Ten relevant persons (27%) stated that it would be unreasonable and disproportionate to make standards 175-176 specifically applicable to them. No evidence regarding the supplementary matters was received from five relevant persons.

Melin Homes Ltd and Taff Housing Association Ltd considered the standards to be reasonable and proportionate but that this would be dependent on whether confidential information would be included and the level of bureaucracy.

NPT Homes Ltd believed that these standards would create additional work and that the implications of this cannot be considered until more information is available about the requirements of the standards and the record keeping arrangements required by the Commissioner.

5 Evidence received from members of the public

172 responses were received from members of the public to the standards investigations carried out by the Welsh Language Commissioner in relation to persons within this standards report. 94 responses to the standards investigation were received by individuals who chose to complete the questionnaire provided for them by the Welsh Language Commissioner on the website.

A further 78 responses were received based on a template of a standard response published by Cymdeithas yr Iaith Gymraeg; in this case, all of the responses were the same. In six cases, responses were received from individuals twice. Two responses were received from other organizations or movements.⁴ The Commissioner has noted every response received.

A full list of respondents who were willing for their responses to be published can be seen in Appendix B.

Figure 1 indicates where the respondents came from according to their group and geographical location.

Figure 1 Number of responses to the standards investigation by location⁵

Locations	Number	Percentage (%)
Swansea	8	5%
Blaenau Gwent	0	0 %
Vale of Glamorgan	10	6%
Caerphilly	5	3%
Newport	1	1%
Neath Port Talbot	2	1%
Ceredigion	18	10%
Conwy	9	5%
Cardiff	17	10%
Gwynedd	35	20%
Merthyr Tydfil	2	1%
Bridgend	1	1%
Powys	5	3%
Rhondda Cynon Taf	3	2%
Pembrokeshire	4	2%

⁴ A list of those movements/organizations has been included within Appendix B of the standards report.

⁵ These statistics include all the responses received via the questionnaire, as well as Cymdeithas yr Iaith Gymraeg's template.

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Denbighshire	10	6%
Monmouthshire	2	1%
Carmarthenshire	4	2%
Flintshire	4	2%
Torfaen	2	1%
Wrexham	8	5%
Isle of Anglesey	13	8%
Outside Wales	5	3%
No information	4	2%
Total	172	100%

The public's response to the standards investigation carried out in relation to Public Bodies: Local Government (Providers of social housing)

Service delivery standards

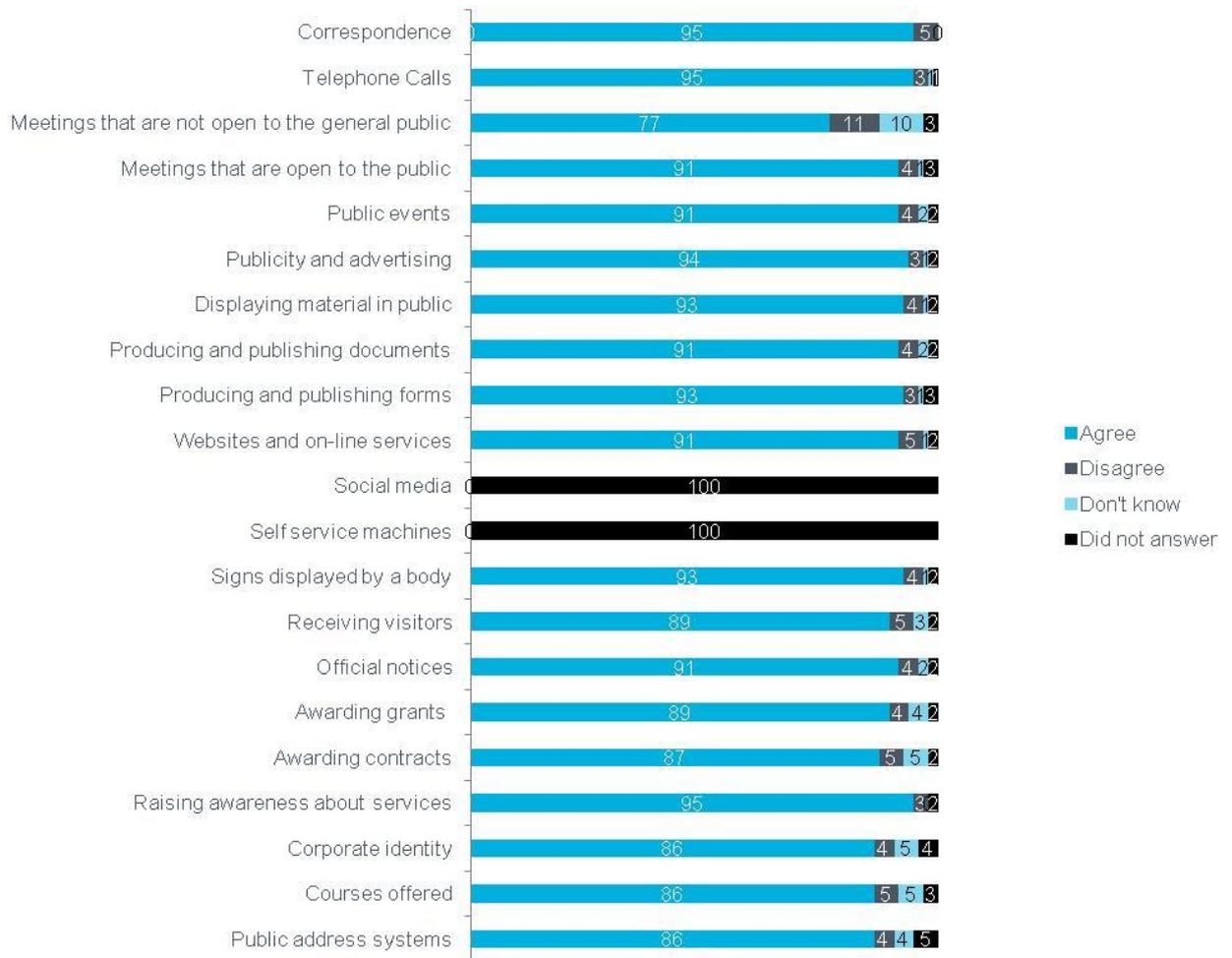
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the service delivery standards, they were asked to respond to the following question for each activity:

Do you agree or disagree that the organizations in question should carry out service delivery standards activities in the Welsh language, in order to enable you as a member of the public to use the Welsh language in the following situations?

In answering this question, the public were given the opportunity to respond per activity within the scope of the service delivery standards.

Figure 2 indicates the variety of the responses received.

Figure 2 Response to question 1 of the questionnaire – Service delivery standards⁶



Policy making standards

In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the policy making standards, they were asked to respond to the following question:

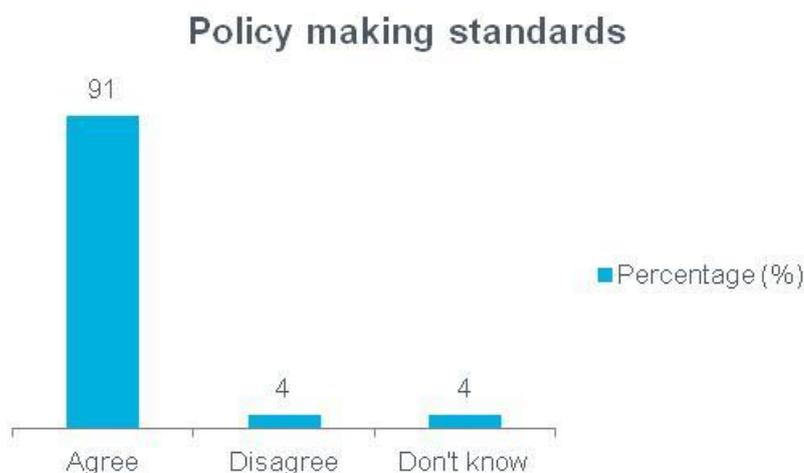
Do you agree or disagree that the policy decisions of the organizations in question should improve the opportunities for you to use the Welsh language and ensure better treatment for the Welsh language?

Of the 94 that responded via the questionnaire on the Welsh Language Commissioner's website, 97% (91) had answered this question. Of the 91 that responded, 91% (84) agreed with the above.

The figure below indicates how members of the public responded to this question:

⁶ Questions were not asked in relation to social media or self-service machines.

Figure 3 Response to question 3 of the questionnaire – Policy making standards⁷



Operational standards

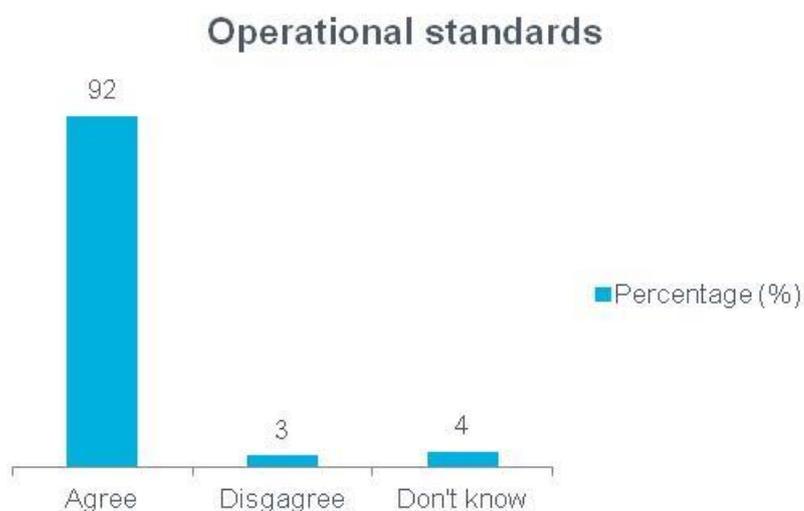
In seeking the public's opinion regarding the reasonableness and proportionality of the requirements attached to the operational standards, they were asked to respond to the following question:

Do you agree or disagree that the organizations in question should have to facilitate the use of the Welsh language in accordance with the operational standards?

Of the 94 that responded via the questionnaire on the Commissioner's website, 98% (92) had answered this question. Of the 92 that responded, 92% (85) agreed with the above.

The figure below indicates how members of the public responded to this question:

Figure 4 Response to question 4 of the questionnaire – Operational standards⁸



⁷ Note that these statistics relate to the respondents who answered this question.

⁸ Note that these statistics relate to the respondents who answered this question.

Record keeping standards

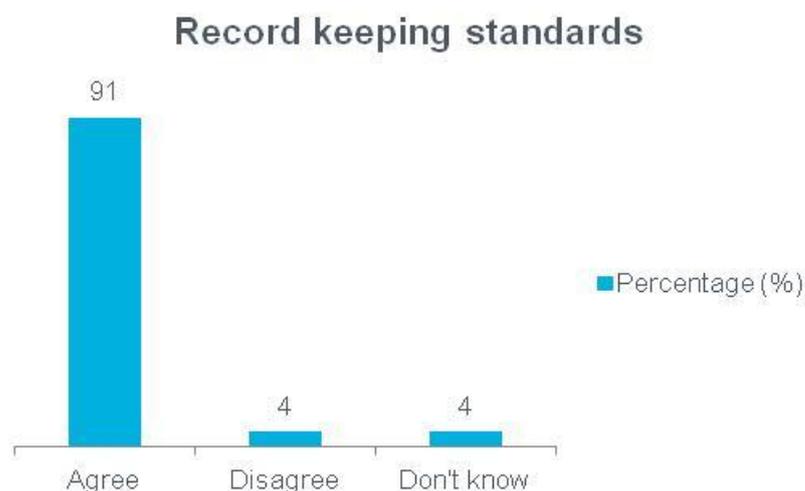
In seeking the public's opinion regarding the reasonableness of the requirements attached to the record keeping standards, they were asked to respond to the following question in the questionnaire:

Do you agree or disagree that the organizations in question should have to keep a record of how they adhere to the Welsh language standards and keep a record of complaints?

Of the 94 that responded via the questionnaire on the Welsh Language Commissioner's website, 98% (92) had answered this question. Of the 92 that responded, 91% (84) agreed with the above.

The figure below indicates how members of the public responded to this question:

Figure 5 Response to question 5 of the questionnaire – Record keeping standards⁹



Further comments

As well as providing responses to specific questions on the subject of the standards investigation, the public were given the opportunity to note any additional standards they believed should be specified and made specifically applicable to the relevant persons in question, together with any further comments relevant to this standards investigation.

Of the 94 that responded via the questionnaire on the Commissioner's website, 54% (51) provided additional comments to be considered by the Welsh Language Commissioner as part of the standards investigation.

⁹ Note that these statistics relate to the respondents who answered this question.

Figure 6 Further comments provided by members of the public



As with the previous rounds, the responses received were generally supportive of the idea of introducing standards, in order to ensure clear rights for Welsh speakers in relation to the Welsh language services provided by all the organizations included in round 3.

Once again, the public expressed a great desire to ensure that the standards introduced are clear, robust and user-friendly. This was echoed by comments stating that this is the only way of ensuring that Welsh speakers' rights are protected.

Outlined below are the main themes of the responses received in favour of making the standards specifically applicable:

- The need to ensure that all organizations delivering services in Wales are subject to the requirements of the Welsh Language Measure (Wales) 2011, thereby avoiding possible inconsistencies created by implementing two statutory regimes.
- The need to ensure that standards ensure that Welsh language services are provided as default, ensuring that the notion of a proactive offer is consistent at all times.
- Ensure that the process of awarding or dealing with a tender or contract does not override the need to impose Welsh language conditions on the grants/contracts distributed by organizations included in round 3.
- The need to ensure that standards in relation to face to face services go beyond the main reception areas and pre-planned personal meetings.
- The need to ensure that the definition of personal meetings includes all face to face contact.
- The need to specify a standard that imposes clear requirements for organizations' recruitment policies.

Some responses were received from members of the public expressing general opposition to language duties.

Outlined below are the main themes of the responses received against making the standards specifically applicable:

- The need to consider the current economic climate and how public money is spent in Wales.
- Prioritise other policy areas over the Welsh language.
- The relevance of the Welsh language in Wales.

- Disagreement with the requirement that Welsh should appear or be published first.
- The bureaucracy of the requirements.

Service delivery standards

A number of responses were received stating that all of the organizations in round 3 should correspond with the public in Wales in Welsh. Some respondents went on to state the importance of ensuring that Welsh addresses and forms are used when corresponding with an individual in Welsh. They believed that this would be a significant step towards promoting the language and encouraging citizens to use the Welsh place names.

One respondent believes that housing associations' Welsh correspondence to tenants is patchy and that there is a need to impose clear duties on them in that regard. Likewise, some referred to the importance of imposing these duties on the postal services. However, one respondent believed that the standards as drafted were impractical in areas where Welsh is the majority language. Likewise, some comments were received stating that the Welsh service should only be provided on request, due to environmental and economic reasons.

When considering the standards relating to public meetings or events, a significant number of respondents felt that it should be ensured that Welsh speakers have the right to express themselves in Welsh and that it therefore should be ensured that there is a requirement to provide simultaneous translation services or conduct the meeting in Welsh. Others believed that such a service should be ensured when there was sufficient demand for it.

Concerns were expressed regarding the scope of the standards relating to meetings between a body and an individual, with regard to counter services provided in post offices. This respondent would like to see Welsh Ministers ensure that those services are included within the definition. Likewise, this respondent believed that services provided by water companies in customers' houses should fall within the scope of these standards.

The importance of ensuring a complete reception service in Welsh was emphasised. Some expressed frustration with the service provided at present, with a number of reception areas providing greetings in Welsh but failing to deal fully with enquiries. Others believed that this requirement could pose a significant challenge to a number of organizations who operate a number of reception areas outside their main reception. These comments were echoed in relation to the phone service provided by a number of the organizations in round 3.

In the context of the standards relating to producing documents and forms, a number of respondents considered it to be more than reasonable to expect the organizations in round 3 to ensure that those publications are available in Welsh. One respondent went on to state that documents and forms may now be published as bilingual on-line documents only, thereby ensuring that production costs are significantly lower. However, others felt that strong emphasis should be placed on prioritisation here, based on the target audience, and others felt that these documents should only be produced in Welsh on request.

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A number of responses were received from the public highlighting the importance of ensuring that the organizations in question provide bilingual signs at all times. Some of those respondents went on to state the importance of ensuring that the Welsh language was given priority, in order to ensure linguistic consistency across Wales. However, some comments were received against adopting such an approach, in order to avoid confusion for non-Welsh speakers and visitors to Wales.

With regard to websites and on-line services provided by round 3 organizations, there was broad support in general for bilingual websites, given the increase in services offered through this medium by now, with some cases where those services are only available through that medium.

Some went on to discuss the problems caused when organizations use the Royal Mail Group's address file, due to the lack of consistency in that database in terms of Welsh place names. This means that a number of forms or letters received by them have English only addresses meaning that they do not comply with the standards.

Policy making standards

A number of respondents emphasised that the policies of the organizations in question should adhere to the principle of equality, ensuring that they employ sufficient Welsh speakers to be able to provide services in that language. One respondent referred specifically to housing associations, stating that they need to promote Welsh in the community.

Operational standards

Evidence was received from many who felt that it was entirely reasonable and proportionate for the highest level of operational standards to be imposed on those bodies in round 3, given that these bodies receive significant public money or are companies that should operate for the benefit of the public.

However, one respondent believed that the operational standards as drafted for the first round did not achieve the objective of ensuring that more organizations work internally in Welsh only. Reference was made to Cartrefi Cymunedol Gwynedd Cyf as one prominent organization where that should happen automatically. The respondent went on to state that standard 136 should be revised to enable the Commissioner to impose a standard with an expectation that all posts advertised by them should be designated as Welsh essential posts, in order to uphold the current policy.

A similar comment was received from a member of the public regarding the need to ensure that the standards imposed on providers of social housing are the same as those imposed on local authorities. This would ensure the same level of service geographically.

Record keeping standards

A number of comments were received supporting the need for organizations to keep records, in order to be able to monitor and examine compliance with the other standards. However, some believed that elements of the requirements were bureaucratic for organizations that are administrated internally through the medium of Welsh, whilst others felt that record keeping is not an effective way to improve the quality and range of Welsh medium services.

Promotion standards

Evidence was received stating the view that promotion standards should be made specifically applicable to Housing Associations, on the basis that they fulfil an important function for a large number of people, including many of the most vulnerable people in society. As a result, they believe that they had a prominent role in promoting and facilitating the use of Welsh in their communities.

Another respondent went on to state their surprise that not more bodies are subject to promotion standards, including providers of social housing; bodies who are in close contact with the community and who have a strong local influence.

6 Evidence received by the Welsh Language Commissioner's Advisory Panel

Evidence was received from the Advisory Panel in accordance with the requirements outlined in section 63(3) of the Welsh Language (Wales) Measure 2011.

The responses received from the Panel showed support for the purpose of the regulations, namely to realise the fundamental objectives of the Welsh Language (Wales) Measure 2011: that Welsh is an official language in Wales and that it should not be treated less favourably than English.

Recognising the concerns which will exist amongst those regulated by the Welsh Language Commissioner, emphasis was placed on ensuring that everyone understands the requirements of the Welsh Language (Wales) Measure 2011; the Legislation which gave rise to these standards.

Similar to that noted in relation to those persons subject to a standards investigation in round 2, the Panel believe that consideration should be given to how certain standards will be implemented in a 'reasonable and proportionate' manner when setting the requirements in compliance notices under section 44 of the Measure.

That was supported, noting that reasonableness and proportionality could be considered in one of two ways, namely: setting different standards for persons in different parts of Wales reflecting the linguistic nature of relevant areas or setting common standards across Wales, with different imposition dates for complying with a standard or standards e.g. when an element of staff training is needed in order to comply with a standard, allowing more time for compliance compared to those where appropriate staff resources are available.

Some Panel members believe that standards should be implemented in accordance with different areas' language patterns. UK Government bodies were mentioned specifically here. Once again, emphasis was placed on ensuring that any requirements imposed on similar persons should identify those circumstances where they will be expected to comply with a standard or standards.

In considering the activities related to service delivery standards, specific reference was made to education courses offered to the public, noting that they believe that there should be a needs assessment, examining any content-related gaps, before requiring a person to meet the requirement.

7 Conclusions of the standards investigation

General comments

The following conclusions were reached on the basis of the evidence received by the relevant person, the public and the Advisory Panel on the standards investigation, in addition to independent evidence collected by the Welsh Language Commissioner in relation to the relevant person's Welsh language scheme.

It is noted in the Explanatory Memorandum of the Welsh Language (Wales) Measure 2011 that one of the main objectives of the Legislation is to build on and modernise the system of schemes created under the 1993 Act. Similarly, it is noted that the aim of the Welsh Government in Legislating was to ensure better consistency between persons, especially between those in the same sector, in terms of providing Welsh language services.

Similarly, we note that section 42 of the Measure imposes a duty on Welsh Ministers to ensure that regulations provide for service delivery standards relating to all of the activities specified in Schedule 9 to be specifically applicable to the person if and to the extent that the person carries out those activities.

However, it should be noted that they do not have to do so if the Commissioner indicates in a standards report, or if the Welsh Ministers are of the opinion, that it would be unreasonable or disproportionate for service delivery standards to be specifically applicable to a person in relation to that activity. It should be noted that this section in the Measure does not prevent regulations under section 39 from providing for other service delivery standards to be specifically applicable to a person.

In accordance with the above, if the standards investigation identifies that a person carries out the activity¹⁰, be that to a lesser or a greater extent, the Welsh Language Commissioner will conclude that all standards relating to that activity should be made specifically applicable to them. These conclusions were reached due to the fact that the standards introduced by the Welsh Government are interdependent on each other within the scope of the activity.

This was reinforced in the Welsh Ministers' response to the Welsh Language Commissioner's reports and conclusions in relation to the second round of standards investigations, which was published in October 2015 and noted the following:

The Commissioner also concludes that if at least one organisation within a sector has identified that they undertake an activity, the draft standards relating to that activity should be made specifically applicable to all organisations within that sector. The Welsh Ministers support this approach as it follows a precedent established in the first set of Regulations, which made the same standards specifically applicable to organisations within the same sector.¹¹

We also note that the way in which a service is delivered under an activity can change in the future and that it would be necessary to adapt to reflect that by varying the compliance notice, rather than going back to regulations.

¹⁰ A service delivery activity as defined in section 28 of the Welsh Language (Wales) Measure 2011.

¹¹ <http://gov.wales/docs/dcells/publications/151019-second-standards-investigations-en.pdf>

However, where evidence exists that a person does not undertake an activity at all, whether by means of evidence acquired as part of the standards investigation, or by other means, the Welsh Language Commissioner will conclude that standards in relation to that activity should not be specifically applicable to them, unless there are valid reasons for doing so.

The Welsh Language Commissioner will consider the evidence provided in order to reach a decision on the content of compliance notices issued to relevant persons under section 44 of the Welsh Language (Wales) Measure 2011.

Standards that should be made specifically applicable to providers of social housing

Service delivery standards

Once again, the Commissioner wishes to highlight the importance of clear differentiation between a person's commitments (what is expected of them) and performance (to what extent do they currently meet those expectations). Every Welsh language scheme carries the full authority of the person when agreeing its content. Not to specify standards that are equal to those commitments and to make them specifically applicable to the persons in question would be a step back and go against the intention of the Welsh Language (Wales) Measure 2011.

We note that performance, as well as to what degree the organization can comply with a standard at a specific period in time, is a practical matter. Those degrees can improve, deteriorate or remain the same. The Welsh Language Commissioner is of the opinion that commitments should meet the needs of the Welsh language users they serve, with a reasonable timetable set down for dealing with any challenges that exist. The Welsh Language Commissioner will consider those obstacles when deciding on the content of compliance notices issued under section 44 of the Welsh Language (Wales) Measure 2011.

It is recognised that the persons in question identified potential challenges and obstacles to full compliance with some service delivery standards. However, the Commissioner believes that commitments which are proportionate to the needs of Welsh language users could be met with a reasonable timetable set down for action and dealing with any challenges. It is also recognised that the persons in question stated that they did not undertake all of the activities in question. However, in order to ensure consistency within the sector, when at least one person in the group has stated that they undertake the activity, the Welsh Language Commissioner believes that that activity should be specifically applicable to every person in that group.

Each member of the group expressed that some standards were unreasonable and disproportionate in all activities. Each member of the group expressed that they already complied with a number of the standards in all activities too. Furthermore, undertaking all of the activities was current practice amongst at least 70% of the group.

The Welsh Language Commissioner will consider those inconsistencies when deciding on

the content of compliance notices issued to individual organizations under section 44 of the Welsh Language (Wales) Measure 2011.

Conclusion 1: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for service delivery standards in relation to the activities below to be specifically applicable to providers of social housing:

- correspondence sent by a body
- telephone calls made and received by a body
- a body holding meetings that are not open to the general public
- meetings arranged by a body that are open to the public
- public events organised or funded by a body
- a body's publicity and advertising
- a body displaying material in public
- a body producing and publishing documents
- a body producing and publishing forms
- a body's websites and on-line services
- a body's use of social media
- self service machines
- signs displayed by a body
- a body receiving visitors at its buildings
- official notices made by a body
- a body awarding grants
- a body awarding grants
- raising awareness about Welsh language services provided by a body
- a body's corporate identity
- courses offered by a body
- public address systems used by a body.

Policy making standards

The required measures that form the basis for the content of Welsh Language Schemes can be seen in the form of statutory guidelines approved before the House of Commons [Guidelines for the Form and Content of Language Schemes were approved by the UK Parliament on 19 July 1995]. It is specified in those guidelines that organizations should specify the measures the organization proposes to take when assessing the impact of new policies, strategies and initiatives and when implementing them.

The Commissioner believes that any organization operating in Wales should consider the impact their policies may have on the Welsh language, and how policies which meet the aim of achieving one or more of the following outcomes as identified in the Welsh Language (Wales) Measure 2011 are produced:

- That the person making the policy decision considers what effects, if any, (whether positive or adverse) the policy decision would have on -*
- (a) opportunities for other persons to use the Welsh language, or*
 - (b) treating the Welsh language no less favourably than the English language*

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The second of those results is that the person making the policy decision considers how the decision could be made so that the decision has positive effects, or increased positive effects, on —

(a) opportunities for other persons to use the Welsh language, or

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

The third of those results is that the person making the policy decision considers how the decision could be made so that the decision does not have adverse effects, or has decreased adverse effects, on —

(a) opportunities for other persons to use the Welsh language, or

*(b) treating the Welsh language no less favourably than the English language*¹²

As a result of carrying out this standards investigation, and on the basis of the evidence received, the Commissioner has reached the conclusion that the policy decisions of providers of social housing should improve the opportunities for persons to use Welsh and ensure that the Welsh language is not treated less favourably than English.

The Commissioner's reasons for reaching that conclusion is that there is already an expectation on a number of these persons to assess the linguistic implications of new policies, strategies and initiatives, during the process of their creation and review. This was supported by the evidence received from the relevant persons as part of this standards investigation. There is evidence, from analysis of Welsh language scheme commitments, that there is already a commitment to undertaking the activity in the relevant persons' current Welsh language schemes. A total of 97% of them have commitments which correspond, either partly or fully, to one or more of the relevant standards. In addition, 57% of the persons in this report stated that it would be reasonable and proportionate to make these policy making standards specifically applicable to them.

It is recognised that issues have been highlighted regarding a person's ability to comply with every policy making standard requirement. 15 of the relevant persons noted that they do not currently consult on any policy decisions, with 28 noting that they do not have a grant awarding policy, which, in many cases, is because they do not award grants. As a result, they did not believe that those standards were relevant to them. Similar comments were made by the Cynefin Group, although it is noted that they award small grants of up to £500 towards local activities or projects. It should be noted that current regulations do not refer to total sums in relation to grant awards. The Welsh Language Commissioner will consider those circumstances further when deciding on the content of compliance notices issued under section 44 of the Welsh Language (Wales) Measure 2011.

Conclusion 2: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for making policy making standards specifically applicable to providers of social housing.

¹² Section 29 of the Welsh Language (Wales) Measure 2011

Operational standards

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

a standard which is intended to promote or facilitate the use of the Welsh language

- (i) by A in carrying out A's relevant activities,*
- (ii) by A and another person in dealings between them in connection with A's relevant activities, or*
- (iii) by a person other than A in carrying out activities for the purposes of, or in connection with, A's relevant activities.*

Evidence was received from a number of relevant persons stating that making the operational standards specifically applicable to them would not be reasonable nor proportionate. The main concerns expressed included the perceived lack of staff demand for Welsh language services at present. Evidence suggests that there is a complex range of reasons affecting the use of and demand for Welsh language services, including lack of access, visibility and availability in relation to current provision as well as the quality and consistency of that provision.¹³

As noted in a written statement by the First Minister on laying of the Welsh Language Standards Regulations (No 1) 2015 in relation to organizations in Round 1, the standards will play a key role in setting up a framework that ensures people can be confident in the services they receive in Welsh, and know what to expect.¹⁴ The Commissioner believes that this principle is just as applicable to employees undertaking their relevant activities as to members of the public.

The policy statement 'A living language: a language for living - moving forward' states that the standards will 'be an important catalyst for improving how organizations consider the development of Welsh language skills within their workforce.'¹⁵ Not making the operational standards specifically applicable to providers of social housing would limit the rights of their employees, hamper the use of Welsh within these workplaces and go against the main objectives of the Welsh Language (Wales) Measure 2011 as well as the aims outlined in the Welsh Government's strategy for the Welsh language: 'A living language: a language for living (Welsh Language Strategy 2012-2017)'.¹⁶

The Welsh Language Commissioner recognises that some elements of the operational standards are new to a number of the relevant persons in this standards report. To that end, there were some examples where there were no arrangements in place to ensure full compliance with the requirements at present. The Welsh Language Commissioner will consider that further when deciding on the content of compliance notices issued under section 44 of the Welsh Language (Wales) Measure 2011.

However, it is important to note that a number of the requirements are already imposed on a number of the relevant persons in complying with their commitments in their Welsh language schemes. These include dealing with language issues in terms of recruitment and appointments as well as ensuring that the organization develops Welsh language skills through planning and training its workforce.

¹³ https://www.citizensadvice.org.uk/Global/Migrated_Documents/corporate/english-by-default--march-2015.pdf

¹⁴ <http://gov.wales/about/cabinet/cabinetstatements/2015/welshlangstandards/?skip=1&lang=en>

¹⁵ <http://gov.wales/docs/dcells/publications/140806-living-language-moving-forward-en.pdf>

¹⁶ <http://gov.wales/topics/welshlanguage/publications/wlstrategy2012/?skip=1&lang=en>

The evidence highlights the fact that at least one of the relevant persons already undertakes, either partially or in full, each relevant activity identified in the operational standards. Similarly, at least one relevant person in the group currently undertakes the activity through the medium of Welsh.

To this end, and based on the evidence received, the Commissioner comes to the conclusion that it is reasonable and proportionate for these persons to allow their workers to undertake their relevant activities in Welsh.

In terms of those elements not rooted in their Welsh language schemes, or not currently operational, the Welsh Language Commissioner comes to the conclusion that it would be reasonable and proportionate to allow sufficient time to reach this new policy aim, as well as including other mitigating measures, in compliance notices, where appropriate.

Conclusion 3: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for operational standards in relation to the activities below to be specifically applicable to providers of social housing:

- standards relating to the use of the Welsh language within a body's internal administration
- standards relating to complaints made by a member of a body's staff
- standards relating to a body disciplining staff
- standards relating to a body's information technology and about support material provided by a body, and relating to the intranet
- standards relating to a body developing Welsh language skills through planning and training its workforce
- standards relating to recruitment by a body
- standards relating to signs displayed in a body's workplace
- standard relating to audio announcements and messages in a body's workplace.

Record keeping standards

In their evidence as part of this standards investigation, 59% of relevant persons stated that it would be reasonable and proportionate to make these standards specifically applicable to them.

It is a requirement under an organization's Welsh language scheme to determine actions to be taken to publish information on the organization's performance against the statutory requirements. That was confirmed by the evidence that was received, by Welsh Ministers noting that the record keeping standards, in principle, is current practice.

As a result of carrying out this standards investigation, and on the basis of the evidence received, the Commissioner has reached the conclusion that providers of social housing should keep a record of how they meet the standards expected of them, as well as complaints involving their compliance with the standards and Welsh language skills for the workplace.

Conclusion 4: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that regulations provide for making record keeping standards specifically applicable to providers of social housing.

Promotion standards

Tai Ceredigion Cyf confirmed that they wish to consent to making promotion standards potentially applicable and specifically applicable to them.

Welsh Ministers noted the following in their response to the Welsh Language Commissioner's conclusions in relation to those persons in which standards investigations were carried out in the second round:

The Commissioner also concludes that promotion standards, which were not made potentially applicable to these organizations in the Measure, should be made potentially applicable to organizations that have given their consent to this.¹⁷

It should be noted that section 38 of the Welsh Language (Wales) Measure 2011 gives Welsh Ministers the power to amend the table in Schedule 6 so that column (2) of the entry 'for any other person, but only if the person has given consent that promotion standards should be potentially applicable to that person' includes a reference to promotion standards.

Evidence was received by members of the public that was of the opinion that it should be ensured that promotion standards be made specifically applicable to social housing providers, on the basis that they fulfil an important function for a very large number of people, including many of the most vulnerable people in society. Consequently, they considered that they had a prominent role in promoting and facilitating the use of the Welsh language in their communities.

This was echoed by the social housing provider that noted that they wish to consent to making promotion standards specifically applicable to them.

Conclusion 5: The Welsh Language Commissioner concludes that Welsh Ministers should ensure that the regulations provide for promotion standards to be potentially applicable and specifically applicable to Tai Ceredigion Cyf.

Conclusion 6: The Welsh Language Commissioner concludes that Welsh Ministers should specify alternative promotion standards, ensuring that they are suitable and appropriate to the functions of the persons concerned.

Standards which deal with supplementary matters

There are provisions in the Measure regarding monitoring arrangements and reporting requirements for the standards system (Section 27 - Supplementary Provisions). Following the approval of the 'Welsh Language Standards Regulations (No 1) 2015'¹⁸ in a National Assembly for Wales Plenary Meeting on 24 March 2015, standards were laid in relation to supplementary matters under section 26 of the Measure.

The Welsh Language Commissioner states that it is a requirement under Welsh language scheme to determine actions to be taken to publish information on the organization's

¹⁷ <http://gov.wales/docs/dcells/publications/151019-second-standards-investigations-en.pdf>

¹⁸ <http://www.legislation.gov.uk/cy/wsi/2015/996/made/english/data.pdf>

performance against the statutory requirements.

The Welsh Government policy document 'Inspection, Audit and Regulation'¹⁹, explains that the role of inspectors is to 'provide an independent check, using professional expertise and backed by legal powers'. This is supported by the Crerar Report on inspection in Scotland which notes that the role of external inspectors is to provide independent assurance that services are being managed well and are fit for purpose. According to Crerar, the five main principles for inspection are a public focus; independence; proportionality; transparency and accountability. Crerar's proposals are consistent with the principles of Hampton which note that inspection should take place on the basis of risk; that inspections should not be carried out for no reason and that regulators should be able to provide authoritative and accessible advice. Similarly, there is also an acknowledgement that it is not possible for inspection bodies to oversee everything service providers do. That is, there is an increasing expectation upon service providers to have robust internal scrutiny and audit arrangements. In addition, self-assessment plays an increasingly important role in external audit arrangements.

Providers of social housing raised questions regarding the need for the sector to be regulated further by the Welsh Language Commissioner, as it is already regulated by other bodies such as the Public Services Ombudsman for Wales and the Welsh Government. It should be noted that it is the Welsh Language Commissioner who is responsible for regulating compliance with Welsh language standards. Section 71 of the Welsh Language (Wales) Measure 2011 (the Measure) allows the Welsh Language Commissioner to investigate whether an organization has failed to comply with a requirement which is related to the standards. In order to undertake these regulatory functions effectively, it is essential that relevant persons provide the Commissioner with enough information to monitor compliance with Welsh language standards.

Conclusion 7: The Welsh Language Commissioner has reached the conclusion that Welsh Ministers should ensure that regulations provide for making supplementary matters specifically applicable to providers of social housing.

¹⁹ <http://gov.wales/docs/dpsp/publications/inspectionpolicystatement/090930inspstatementen.pdf>
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8 The next steps

In preparing this standards report, the Welsh Language Commissioner has considered all the responses submitted to the standards investigation. This report will be submitted to the following in accordance with section 64(4) of the Measure:

- all relevant persons
- Advisory Panel to the Welsh Language Commissioner
- all persons who participated in the Commissioner's consultation in accordance with section 63
- Welsh Ministers.

Alongside the standards investigations of the Welsh Language Commissioner, Welsh Ministers are expected to carry out regulatory impact assessments in respect of relevant secondary legislation they intend to create, using their own secondary legislation powers.

The Government of Wales Act 2006 notes that a regulatory impact assessment is as follows:

A regulatory impact assessment is an assessment as to the likely costs and benefits of complying with relevant Welsh subordinate legislation.²⁰

In this respect, a regulatory impact assessment may be considered:

- a process to help Welsh Ministers to consider the effect of the proposed regulation on the interests of individuals, groups, organizations etc
- a means of enabling Welsh Ministers to weigh up the costs and benefits of all the options available to them before implementing a policy; and
- a means of submitting the relevant evidence on the positive and negative effects of such interventions for the purposes of scrutinizing that evidence.²¹

Welsh Ministers will be expected to consider the evidence they collected for the purposes of the regulatory impact assessment, alongside the Welsh Language Commissioner's conclusions in a standards report in deciding whether or not to exercise the powers granted to them under Part 4 of the Measure.

The Rt Hon. Carwyn Jones AM, First Minister of Wales confirmed in a Plenary Meeting of the National Assembly for Wales on 20 October 2015 that it would not be possible to develop the third round of regulations before the end of this Assembly term, and therefore that would be a matter for the next Assembly.

As a result, there is no timetable for introducing regulations in relation to the person(s) that fall within this standards report.

²⁰ Section 76(2)(a) Government of Wales Act 2006.

²¹ <http://gov.wales/docs/legislation/guidance/091020riacodeen.doc>

Appendix A – General comments received from members of the public in relation to round 3 of the standards investigations

As with the previous rounds, the responses received were generally supportive of the idea of introducing standards, in order to ensure clear rights for Welsh speakers in relation to the Welsh language services provided by all the organizations included in round 3.

Once again, the public expressed a great desire to ensure that the standards introduced are clear, robust and user-friendly. This was echoed by comments stating that this is the only way of ensuring that Welsh speakers' rights are protected.

Outlined below are the main themes of the responses received in favour of making the standards specifically applicable:

- The need to ensure that all organizations delivering services in Wales are subject to the requirements of the Welsh Language Measure (Wales) 2011, thereby avoiding possible inconsistencies created by implementing two statutory regimes.
- The need to ensure that standards ensure that Welsh language services are provided as default, ensuring that the notion of a proactive offer is consistent at all times.
- Ensure that the process of awarding or dealing with a tender or contract does not override the need to impose Welsh language conditions on the grants/contracts distributed by organizations included in round 3.
- The need to ensure that standards in relation to face to face services go beyond the main reception areas and pre-planned personal meetings.
- The need to ensure that the definition of personal meetings includes all face to face contact.
- The need to specify a standard that imposes clear requirements for organizations' recruitment policies.

Some responses were received from members of the public expressing general opposition to language duties.

Outlined below are the main themes of the responses received against making the standards specifically applicable:

- The need to consider the current economic climate and how public money is spent in Wales.
- Prioritise other policy areas over the Welsh language.
- The relevance of the Welsh language in Wales.
- Disagreement with the requirement that Welsh should appear or be published first.
- The bureaucracy of the requirements.

Service delivery standards

A number of responses were received stating that all of the organizations in round 3 should correspond with the public in Wales in Welsh. Some respondents went on to state the importance of ensuring that Welsh addresses and forms are used when corresponding with an individual in Welsh. They believed that this would be a significant step towards promoting the language and encouraging citizens to use the Welsh place names.

One respondent believes that housing associations' Welsh correspondence to tenants is patchy and that there is a need to impose clear duties on them in that regard. Likewise, some referred to the importance of imposing these duties on the postal services. However, one respondent believed that the standards as drafted were impractical in areas where Welsh is the majority language. Likewise, some comments were received stating that the Welsh service should only be provided on request, due to environmental and economic reasons.

When considering the standards relating to public meetings or events, a significant number of respondents felt that it should be ensured that Welsh speakers have the right to express themselves in Welsh and that it therefore should be ensured that there is a requirement to provide simultaneous translation services or conduct the meeting in Welsh. Others believed that such a service should be ensured when there was sufficient demand for it.

Concerns were expressed regarding the scope of the standards relating to meetings between a body and an individual, with regard to counter services provided in post offices. This respondent would like to see Welsh Ministers ensure that those services are included within the definition. Likewise, this respondent believed that services provided by water companies in customers' houses should fall within the scope of these standards.

The importance of ensuring a complete reception service in Welsh was emphasised. Some expressed frustration with the service provided at present, with a number of reception areas providing greetings in Welsh but failing to deal fully with enquiries. Others believed that this requirement could pose a significant challenge to a number of organizations who operate a number of reception areas outside their main reception. These comments were echoed in relation to the phone service provided by a number of the organizations in round 3.

In the context of the standards relating to producing documents and forms, a number of respondents considered it to be more than reasonable to expect the organizations in round 3 to ensure that those publications are available in Welsh. One respondent went on to state that documents and forms may now be published as bilingual on-line documents only, thereby ensuring that production costs are significantly lower. However, others felt that strong emphasis should be placed on prioritisation here, based on the target audience, and others felt that these documents should only be produced in Welsh on request.

Welsh Language Commissioner Standards Report – Public Bodies: Local Government (Providers of Social Housing)

A number of responses were received from the public highlighting the importance of ensuring that the organizations in question provide bilingual signs at all times. Some of those respondents went on to state the importance of ensuring that the Welsh language was given priority, in order to ensure linguistic consistency across Wales. However, some comments were received against adopting such an approach, in order to avoid confusion for non-Welsh speakers and visitors to Wales.

With regard to websites and on-line services provided by round 3 organizations, there was broad support in general for bilingual websites, given the increase in services offered through this medium by now, with some cases where those services are only available through that medium. Specific attention was drawn to the websites of organizations operating on a British level e.g. UK government departments operating within the gov.uk system.

This was reinforced by drawing attention to the fact that the Cabinet Office, a body which has responsibility for that system, cannot be required to comply with standards if Welsh Ministers have not received the consent of the Secretary of State. The respondents felt that this could cause major problems in the long run, with an individual's experience of a service dependent on which regime governs that organization. One respondent emphasised the importance of placing standards on non-devolved bodies and departments, in order to raise awareness of the status and importance of the Welsh language in service delivery.

Some went on to discuss the problems caused when organizations use the Royal Mail Group's address file, due to the lack of consistency in that database in terms of Welsh place names. This means that a number of forms or letters received by them have English only addresses meaning that they do not comply with the standards.

Policy making standards

A number of respondents emphasised that the policies of the organizations in question should adhere to the principle of equality, ensuring that they employ sufficient Welsh speakers to be able to provide services in that language. One respondent referred specifically to housing associations, stating that they need to promote Welsh in the community.

Operational standards

Evidence was received from many who felt that it was entirely reasonable and proportionate for the highest level of operational standards to be imposed on those bodies in round 3, given that these bodies receive significant public money or are companies that should operate for the benefit of the public.

However, one respondent believed that the operational standards as drafted for the first round did not achieve the objective of ensuring that more organizations work internally in Welsh only. Reference was made to Cartrefi Cymunedol Gwynedd Cyf as one prominent organization where that should happen automatically. The respondent went on to state that standard 136 should be revised to enable the Commissioner to impose a standard with an expectation that all posts advertised by them should be designated as Welsh essential posts, in order to uphold the current policy.

Welsh Language Commissioner Standards Report – Public Bodies: Local Government (Providers of Social Housing)

A similar comment was received from a member of the public regarding the need to ensure that the standards imposed on providers of social housing are the same as those imposed on local authorities. This would ensure the same level of service geographically.

Record keeping standards

A number of comments were received supporting the need for organizations to keep records, in order to be able to monitor and examine compliance with the other standards. However, some believed that elements of the requirements were bureaucratic for organizations that are administrated internally through the medium of Welsh, whilst others felt that record keeping is not an effective way to improve the quality and range of Welsh medium services.

Promotion standards

Evidence was received stating the view that promotion standards should be made specifically applicable to Housing Associations, on the basis that they fulfil an important function for a large number of people, including many of the most vulnerable people in society. As a result, they believe that they had a prominent role in promoting and facilitating the use of Welsh in their communities.

Another respondent went on to state their surprise that not more bodies are subject to promotion standards, including providers of social housing; bodies who are in close contact with the community and who have a strong local influence.

Appendix B – List of the respondents to the standards investigations

Below is a list of the relevant person(s) in respect of which a standards investigation was carried out, the Advisory Panel, together with the members of the public who were willing for us to publish their comments.

Relevant persons

- Aelwyd Housing Association Ltd
- Bro Myrddin Housing Association Ltd
- Bron Afon Community Housing Ltd
- Cadwyn Housing Association Ltd
- Cardiff Community Housing Association Ltd
- NPT Homes Ltd
- Cartrefi Conwy Cyf
- Merthyr Valleys Homes Ltd
- Cartrefi Cymunedol Gwynedd Cyf
- RCT Homes Ltd
- Coastal Housing Group Ltd
- Mid-Wales Housing Association Ltd
- Cymdeithas Tai Cantref Cyf
- North Wales Housing Association Ltd
- Linc-Cymru Housing Association Ltd
- Merthyr Tydfil Housing Association Ltd
- Monmouthshire Housing Association Ltd
- Cynon Taf Community Housing Group
- Family Housing Association (Wales) Ltd
- First Choice Housing Association Ltd
- Grŵp Cynefin
- Grŵp Gwalia Cyf
- Hafan Cymru
- Hendre Group
- Melin Homes Ltd
- Newport City Homes Housing Association Ltd
- Pembrokeshire Housing Association Ltd
- Pennaf Ltd
- Rhondda Housing Association Ltd
- Seren Group Ltd
- Taff Housing Association Ltd
- Tai Ceredigion Cyf
- Valleys to Coast Housing Ltd
- Tai Calon Community Housing Association Ltd
- The Cadarn Housing Group Ltd
- United Welsh Housing
- Wales & West Housing Association Ltd

Members of the public

- Aaron Jones
- Angharad Rhys
- Aled Cottle
- Aled Edwards
- Aled Lewis Evans
- Aled Powell
- Alfred S Nathan
- Alison Cummins
- Alwyn Gruffydd
- Andrew Shurey
- Anna Williams
- Annette Williams
- Anwen Evans
- Bedwyr Griffiths
- Ben Screen
- Bethan Rowlands
- Bethan Williams
- Bethan Wyn Jones
- Bob Gaffey
- Brian Dafis
- Bryn Moseley
- Carl Morris
- Carys Evans
- Catrin Stevens
- Cathryn Griffith
- Celt Roberts
- Cen Llwyd
- Ceri Owen
- Ciaran Spooner
- Colin Nosworthy
- Connor Keyes
- Curon Wyn Davies
- Councillor Jeff Smith
- Dafydd Chilton
- Dafydd Frayling
- Dafydd Williams
- David Davies
- David Jones
- David Williams
- Delyth Wotherspoon
- Dorothy Williams
- Dr T H Thomas
- Eifion Glyn
- Eirian Conlon
- Elin Mair
- Enfys Jones
- Eurfyl Lewis
- Euros Jones
- Evie Wyn Jones
- Gareth Clubb
- Gareth Dobson
- Geraint Lovgreen
- Geraint Parri
- Gethin Kurtis Sugar
- Glenn Wall
- Goronwy Evans
- Gwen Bevan
- Gwydion Davies
- Gwyn Morris
- Huw Roberts
- Hynek Janoušek
- Iago ap Steffan
- Iago Sion
- Ifan Alun Puw
- Ifor Glyn Efans
- Iwan Standley
- Iwan Williams
- Jackie Owens
- James Merchant
- Jamie Bevan
- John Christopher Williams
- Jon Hicks
- Jonathan Brown
- Judith Bartley
- Judith Griffith
- Julia Burns
- Kevin Williams
- Lauren Evans
- Lisabeth Miles
- Liz Saville Roberts
- Lleucu Roberts
- Llinos Parri
- Mair Nutting
- Manon Elin
- Manon James
- Manon Owen
- Mari Evans
- Mari Gwilym
- Mary Williams
- Meic Haines
- Meinir James
- Meirion Powell
- Menna Machreth

Welsh Language Commissioner Standards Report – Public Bodies: Local Government (Providers of Social Housing)

- Miriam Collard
- Mr K Jones
- Myrddin Williams
- Nest Efans
- Neville Evans
- Nia Lloyd
- Nia Wyn Jones
- Osian Rhys
- Paul Pritchard
- Petroc ap Seisyllt
- Randal Isaac
- Richard Vale
- Robat Idris
- Ruth Evans
- Ruth Williams
- Rhian Jones
- Rhiannon Mair
- Rhisiart Morgan
- Rhobet Williams
- Rhodri Glyn
- Rhys Llwyd
- Sandra McKenzie
- Sarah Parry
- Selwyn Lloyd - Jones
- Siân Cwper
- Siân Roberts
- Sion Morris
- Sion Pennant
- Siwan Evans
- Steffan Bryn
- Stephen Taylor
- Stephen Turner
- Stephen Vaughan Thomas
- Susan Jeffries
- Tegwyn Jones
- Tim Barrell
- Tudor Williams
- Thomas Gareth Jones
- Thomas Shaw
- Wendy Lewis
- William Schleising

Organizations/Movements

- Cymdeithas yr Iaith Gymraeg
- Dyfodol i'r Iaith

Advisory Panel to the Welsh Language Commissioner

- Bethan Jones Parry
- Carl Cooper
- Dr Heledd Iago
- Meinir Davies
- Nick Speed