Publication Scheme – The Welsh Language Commissioner’s Guide to Information

Approval Date: 14/07/2015
Background

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

Two principles will underpin the 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

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- Email: post@welshlanguagecommissioner.org
- Website: welshlanguagecommissioner.org

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1 Background information

1.1 The Welsh Language Commissioner has produced this Guide to complement the Model Publication Scheme developed by the Information Commissioner’s Office under Section 19 of the Freedom of Information Act 2000. The Model Publication Scheme, along with this Guide, are available on the Welsh Language Commissioner’s website: welshlanguagecommissioner.org

2 The Purpose of the Publication Scheme

2.1 Under section 19 of the Freedom of Information Act 2000, the Welsh Language Commissioner, like every other public authority, must produce and maintain a publication scheme. This scheme must set out what information is provided by the Welsh Language Commissioner, when it will do so and whether or not this information will be free of charge.

2.2 The scheme sets out the information that the Welsh Language Commissioner will make available to you without the need for you to make a specific request. A publication scheme is intended to ensure that as much information as possible is easily accessible to the public at minimum cost and inconvenience. Also, the aim is to promote an open culture among public authorities regarding how they carry out their duties, make decisions and spend public money.

3 The Welsh Language Commissioner

3.1 The Welsh Language Commissioner is a corporate sole. It was established under the Welsh Language (Wales) Measure 2011. The Measure received royal approval on 9 February 2011. The Welsh Language Commissioner is funded by Welsh Ministers.

3.2 The principal aim of the Welsh Language Commissioner in exercising its functions is to promote and facilitate the use of the Welsh Language.

3.3 The Commissioner may do anything it thinks appropriate to promote the use of the Welsh language, to facilitate the use of the Welsh language and to work towards ensuring that the Welsh language is treated no less favourably than the English language.

3.4 The Welsh Language Commissioner is independent.
4 Information Published

4.1 The information is grouped according to the categories listed in the Model Publication Scheme. We aim to publish the majority of necessary information on our corporate website.

4.2 Who we are and what we do

Procedural information, venues and contracts, legal and constitutional management.

4.2.1 Information regarding the role and responsibilities of the Welsh Language Commissioner, its organisational structure and the legislative basis of its activities can be found in the ‘Commissioner’ section on the corporate website.

4.2.2 For further information see the Welsh Language (Wales) Measure 2011 in the ‘Language duties’ and ‘My rights’ sections of the website. Information about the Commissioner’s Health Inquiry and Standards Investigations and Reports can now be found on the website.

4.2.3 Location and contact details for the Welsh Language Commissioner can be found in the ‘Contact’ section of the website.

4.3 What we spend and how we spend it

Financial information relating to projects and actual income and expenditure, procurement, contracts and financial audit.

4.3.1 The Financial Reports of the Welsh Language Commissioner for the year ending 31 March 2015 will appear on the website in August 2015. A hard copy of the full accounts for the year ending 31 March 2014 is available by contacting post@welshlanguagecommissioner.org.

4.3.2 Copies of the Welsh Language Commissioner’s annual financial estimates appear on the website in the ‘Commissioner’ ‘Policies / Corporate Documents’ section.

4.3.3 Copies of the expenses manual; the ‘Welsh Language Commissioner : Procedures for Purchasing Goods and Services’; along with the details of any contracts awarded are available by contacting post@welshlanguagecommissioner.org.

4.3.4 A list of the tenders which are open to suppliers, as well as tenders which will be advertised in the near future are available by following the ‘Tenders’ link at the bottom of the website’s home page.

4.3.5 Details of the hospitality and expenses claimed by the Welsh Language Commissioner are updated quarterly and are available in the ‘Commissioner’ ‘Hospitality and Expenses’ section of the website.
4.4 Our priorities and how we are performing

Strategies and plans, performance indicators, audits, inspections and reviews.

4.4.1 The Welsh Language Commissioner’s strategic priorities are outlined in the Strategic plan for 2015-17, a copy of the Strategic Plan is available in the ‘Publications’ ‘Policies/Corporate Documents’ section of the website.

4.4.2 A copy of the Welsh Language Commissioner’s 2013-14 Annual Report is available in the ‘Publications’ ‘section of the website.

4.5 How we make decisions

Decision making processes and records of decisions. Processes concerning decision making, internal criteria and procedures, consultations.

4.5.1 A copy of the Welsh Language Commissioner’s Governance Statement is available in the ‘Commissioner’, ‘Policies/Corporate Documents’ section of the website.

4.5.2 A copy of the Management Team’s Terms of Reference is available in the ‘Commissioner’, ‘Policies/Corporate Documents’ section of the website.

4.5.3 A copy of the Audit and Risk Committee’s Terms of Reference is available in the ‘Commissioner’ section of the website.

4.5.4 A copy of the Welsh Language Commissioner’s Advisory Panel Terms of Reference is available in the ‘Commissioner’ section of the website.

4.6 Our Policies and Procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

4.6.1 Copies of the Publication Scheme and the Model Publication Scheme are available in the ‘Commissioner’ ‘Policies/Corporate Documents’ section of the Commissioner's website. Instructions on how to make a request for information under the Freedom of Information Act 2000 can be found in section 6 of this Scheme.

4.6.2 Details of job vacancies with the Welsh Language Commissioner will be published on the ‘Jobs’ page on the website footer.

4.6.3 The Commissioner’s Complaints Procedures and a Complaints Form can be found by clicking on the ‘Complain’ icon on the website’s homepage.

4.6.4 The Commissioner’s Enforcement Policy can be found in the ‘Language Duties’ ‘Enforcing Standards’ ‘Enforcement Policy’ section.

4.6.5 If you want to complain about maladministration or lack of service on the part of the Welsh Language Commissioner’s officers, further information is available in the ‘Welsh Language Commissioner’ section of the website or by contacting post@welshlanguagecommissioner.org.
4.7 Lists and Registers

Information kept in registers required by law and other lists pertaining to the roles of the authority.

4.7.1 An electronic copy of the Welsh Language Commissioner and the Deputy Commissioner’s register of interests is available in the ‘Commissioner’ section of the website. An electronic copy of the Gifts Register is available by contacting post@welshlanguagecommissioner.org.

4.8 The services we offer

Information about the services we currently provide including leaflets, guidance and newsletters produced.

4.8.1 Details of all the services offered by the Welsh Language Commissioner can be found on the Welsh Language Commissioner website.

4.8.2 A range of documents, including information booklets and leaflets published by the Welsh Language Commissioner, are available in the ‘Publications’ section of the website.

4.8.3 Hard copies will also be published. Advice documents for public organisations, private companies and third sector organisations are available in the ‘Publications’ section.

4.8.4 Further advice for private companies and third sector organisations on the Welsh Language Commissioner’s “Hybu” microsite.

4.8.5 The Welsh Language Commissioner’s news releases can be viewed by following the ‘News’ link.

5 How we make information available, and what charges may apply

On our website

5.1 When information or publications are available on the Welsh Language Commissioner’s website, you can print them yourself without any fee being payable to the Commissioner (but you should note the copyright guidance below).

By post or e-mail

5.2 When the information noted in the Scheme is not available on our website, or if you prefer to receive a hard copy of the information, we can send you the information through the post or by e-mail. Normally, the information will be readily available, in which case we will forward the information to you immediately. If for some reason the information is not immediately available, we will send you an interim reply explaining the circumstances, within 5 working days of your request, and then despatch the
information within 20 working days of receiving your original request. Unless otherwise stated, publications published directly by the Welsh Language Commissioner are available free of charge. (Please note, if you ask us to produce several copies of the same document, we may charge a photocopying fee, but we will always inform you beforehand of any possible fee).

**Format of Publications in the Publication Scheme**

5.3 The vast majority of information published by the Welsh Language Commissioner is available in ‘pdf’ form on the Commissioner website, unless stated otherwise. The majority of documents produced by the Welsh Language Commissioner are bilingual, i.e. in Welsh and English.

5.4 If information is published in electronic format only, you may contact the Welsh Language Commissioner for a hard copy of the documentation. Occasionally, the Welsh Language Commissioner produces information in other formats. We can arrange to provide information in alternative formats (e.g. large print or audio) on request.

**6 Exempt Information**

6.1 The Welsh Language Commissioner’s commitment to publish information excludes any information which can properly be withheld under the exemptions set out in the Welsh Government Code of Practice on allowing public access to information. Where there are exemptions in individual categories, the main reasons for this are to safeguard commercial interests and personal information under the Data Protection Act 1998.

6.2 The Freedom of Information Act 2000 gives people a general right of access to information kept by a public body, unless one of the exemptions outlined in the legislation is applicable. The Welsh Language Commissioner has a duty to provide the information within 20 working days of receiving a written request for the information. If we consider that one or more exemptions are applicable to the information, we may withhold the information and inform you of our reasons for doing so.

6.3 Section 22 of the Welsh Language (Wales) Measure 2011 expects the Commissioner to treat any information that comes into its possession while exercising its functions with confidentiality. Such information will not be shared with anyone unless Section 22 allows it. However, the Commissioner may need to disclose such information in exceptional circumstances. Section 22 does not affect the Commissioner’s duties in respect of the Data Protection Act 1998 or the law on confidentiality. For further information on Section 22, contact post@welshlanguagecommissioner.org. If you want to request information that is not included in the Publication Scheme, this should be done in writing, by contacting post@welshlanguagecommissioner.org.
7 Welsh Language Commissioner Publication Scheme and Copyright

7.1 Information available through this scheme is protected by copyright unless otherwise stated. Generally speaking, material may be reproduced for personal or in-house use without requiring formal permission and free of charge. Material may not be reproduced for sale or for other commercial purposes. If you copy any of the copyright information available through this scheme, or distribute it to others or republish it, you must identify the source of the material and acknowledge its copyright status.

7.2 Permission to reproduce material protected by Welsh Language Commissioner Copyright does not extend to any material on the website identified as copyright material of a third party. Authorisation to reproduce such material must be obtained from the relevant copyright holders. If you wish to enquire about other material, or if you are in any doubt, further information and guidance notes on publishing and copyright is available from the National Archives.

- 020 8876 3444 (Please note that this is the National Archive’s general enquiries number)

8 Publication Scheme

8.1 We want our publication scheme to meet your needs. The Welsh Language Commissioner welcomes suggestions for other information which could be included in the future – together with suggestions about how to ensure that the published information might be made more accessible to you.

8.2 Enquiries or comments regarding this Scheme should be sent to post@welshlanguagecommissioner.org.

9 Complaints and appeals

9.1 If you are not satisfied with the way we have handled your request for information, then you have the right to appeal. Indeed, if you have a complaint about anything for which the Welsh Language Commissioner is responsible, we would like to know. Please contact the Director of Promotion, Communication and Administration.

10 The Information Commissioner

10.1 The Information Commissioner is responsible for overseeing the Freedom of Information Act and the Data Protection Act. If you wish to raise any issues in connection with these items with the Information Commissioner, the contact details
are as follows:

Office of the Information Commissioner – Wales
2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

029 2067 8400

cymru@ico.gsi.gov.uk

11 Contact Details

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