Welsh Language Commissioner:
2017–2020 Strategic Equality Plan

Foreword from the Commissioner
It is my duty under the Equality Act 2010 to outline my goals for equality in a Strategic Equality Plan. This is the second Strategic Equality Plan to be prepared since the role of Welsh Language Commissioner was created by the Welsh Language (Wales) Measure 2011 and work commenced in April 2012.

Ombudsmen and Commissioners across Europe and the world are working to protect rights, and the Welsh Language Commissioner follows in this tradition. I am fully committed to ensuring that equality considerations are mainstreamed into the design process of this organisation’s policies and services.

The Welsh Language Commissioner is totally opposed to any discrimination on whatever basis. By using objective and fair employment practices, the Commissioner will ensure that officers are treated fairly and with respect in the workplace, and have an equal opportunity to contribute and to achieve their full potential.

As a small organisation with a limited number of staff, my ability to carry out major projects to promote equality is also limited. Nevertheless, I consider that this does not restrict me from being fully committed to improve in the field of equality and human rights whilst exercising my functions.

Meri Huws
Welsh Language Commissioner
24 January 2017
1 Equality Act 2010

1.1. The Equality Act 2010 protects people with specific characteristics within certain groups as follows:
   - Age (in the context of the workplace only)
   - Disability (or because of something connected to their disability)
   - Gender reassignment
   - Marriage and civil partnership (for employment issues)
   - Pregnancy and maternity
   - Race
   - Religion and belief
   - Sex
   - Sexual orientation.

1.2. On April 5, 2011 the public sector equality general duty came into force, and aims to ensure that public authorities and those exercising public functions consider how they can make a positive contribution to a fairer society by promoting equality and good relations in their daily activities.

1.3. Under the general duty, public authorities are required to give due regard to the need to:
   - eliminate unlawful discrimination, harassment and victimisation and other behaviours prohibited by the Act;
   - advance equality of opportunity between different groups whom share a relevant protected characteristic and those whom do not;
   - foster good relations between different groups whom

1.4. Under the Act, Welsh Ministers have also specified Public Sector Specific Equalities Duties. The specific duties are as follows:
   - develop specific equality objectives (including consideration of aims to address causes of pay differences in relation to the protected characteristics) in order to help achieve the General Equality Duty, and note the steps the Commissioner will take to achieve those objectives;
   - include people whom represent individuals with protected characteristics in determining the equality objectives and wider within the duties;
   - make arrangements for compiling information on compliance with the general duty, and consider relevant information when setting equality objectives;
   - make arrangements to promote knowledge and understanding of the general duty and regulations among the Commissioner’s staff;
   - publish assessment reports which note, when significant, the likely impact of new policies and practices;
   - publish an action plan noting any policy to address disparities between the pay of men and women;
   - publish a Strategic Equality Plan stating, amongst other things, the Commissioner’s equality objectives, the steps and timetable to achieve those objectives, and the

1The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 (OS2011/1064)
This Strategic Equality Plan meets these requirements and the Commissioner will continue to give them due regard when implementing the Plan and in day to day work.

1.6. This Strategic Equality Plan notes the Commissioner's directions in terms of equality and diversity for the next three years. It also sets out how the Commissioner intends to meet the public sector general equality duty.
2 Welsh Language Commissioner Aim and Functions

2.1. The Welsh Language Commissioner’s aims and functions are defined within the Welsh Language (Wales) Measure 2011. The principle aim of the Welsh Language Commissioner when exercising her functions is to promote and facilitate the use of the Welsh Language. In doing so Commissioner must work towards increasing the use of Welsh in the provision of services, and through other opportunities. In addition, the Commissioner will address the official status of the Welsh language in Wales and duties to use the language that are imposed by law, and the rights arising from the enforceability of those duties.

2.2. Two broad principles underpin the Commissioner’s work. The first principle is that Welsh should not be treated less favorably than English in Wales and secondly, the principle that persons in Wales should be able to live their lives through the medium of Welsh if they wish to do so. This is mainly done by imposing and enforcing standards specified in regulations on public organisations.

2.3. The Commissioner may do anything she deems appropriate within the limits of legislation to achieve the aim. The Welsh Language (Wales) Measure 2011 provides the Commissioner with a number of functions and powers. For example, the Commissioner must publish 5 years reports on the position of the Welsh language and may conduct inquiries into any matter relating to her functions. The Commissioner may initiate or intervene in legal proceedings and has quasi-judicial powers through the requirement to rule on cases within its functions. The Commissioner also has wider functions, including:

- Promote the provision of opportunities to use Welsh
- Review the adequacy and effectiveness of the law relating to the Welsh language
- To produce and publish reports
- Conduct research or commission others to do so
- To make recommendations to Welsh Ministers
- To give advice to any person.
3 Vision and Values

3.1. In addition to the statutory aim and functions, the Commissioner’s wider vision is:

For the Welsh language to be central to everyday life in Wales and where it can be used increasingly

3.2. The Commissioner accomplishes this with her Strategic Plan.

3.3. In trying to achieve her long term vision, the Commissioner has identified 5 strategic objectives for 2015-18:

1. Influencing the consideration given to Welsh language in policy developments
2. Ensuring justice for Welsh language users
3. Imposing statutory duties and regulating them
4. Encouraging, promoting and facilitating the use of the Welsh language on a voluntary basis
5. Operating and communicating appropriately and effectively

3.4. The Commissioner and her officers will operate on the basis of core values. The Commissioner must operate independently by making and implementing decisions based on evidence. In forming an opinion, the Commissioner will be firm, providing assurance to the user. The Commissioner will take every opportunity to be proactive and innovative in order to encourage continuous change and improvement. To contribute towards increasing the use of the Welsh language, the Commissioner will be a voice on behalf of Welsh language users. In order to develop an attractive and healthy working environment that supports and seeks the opinions of her workers, and in order to be an organisation that learns from experience, the Commissioner will be open and fair.

How this Strategic Equality Plan was developed
The Commissioner has engaged and consulted with officers, with the public as well as individuals representing people with protected characteristics, as the basis for a review of the objectives. This Strategic Equality Plan outlines how the Commissioner will continue to ensure that, as an employer, she is acting upon those principles underpinning equality and fairness. The Plan also outlines how the Commissioner, in exercising her powers, operates in an inclusive manner.

Monitoring the progress and achievement of this Strategic Equality Plan
This Strategic Equality Plan will be operational from the date of publication of until the end of March 2020. During each new financial year, the Commissioner will publish an Annual Equality Update stating the progress made in achieving the equality objectives set out in this Strategic Equality Plan. This information will be published as part of the Commissioner's corporate annual report.

Further details regarding monitoring achievement may be found beneath each objective within this Scheme.
4 Welsh Language Commissioner’s Equality Objectives

The General Equality Duty

4.1. The Welsh Language Commissioner’s equality objectives enable her to achieve the General Equality Duty.

4.2. When exercising her functions, the Commissioner will give due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other behaviours prohibited by the Act;
- advance equality of opportunity between different groups whom share a relevant protected characteristic and those whom do not;
- foster good relations between different groups whom share a relevant protected characteristic and those whom do not.

4.3. This Plan includes four equality objectives. Should doubts be raised that either direct or indirect discrimination has happened or is currently happening, the Commissioner will investigate those doubts to establish the facts surrounding the case. This will be done in accordance with the relevant policies, e.g. the Disciplinary Policy.
4 Welsh Language Commissioner’s Equality Objectives

Objective 1
The Welsh Language Commissioner will ensure that equality is considered within each corporate process and planning process including the development of any procedure or policy, publication or document, and in all aspects of the work programme.

This objective is of considerable significance to the work of the Welsh Language Commissioner with regard to providing a deeper understanding of the consideration already given to equality and human rights issues. It is a strategic objective which will hopefully have a significant impact upon staff's understanding of the effect the Welsh Language Commissioner's work has on others.

Steps to take and timetable

4.4. This objective is of considerable significance to the work of the Welsh Language Commissioner with regard to providing a deeper understanding of the consideration already given to equality and human rights issues.

4.5. It is a strategic objective which will hopefully have a significant impact upon staff's understanding of the effect the Welsh Language Commissioner's work has on others.

4.6. In tandem with the development of this Plan, the Commissioner shall establish a system of Equality Impact Assessment in relation to decisions and policies, including any procedure or policy, document or publication, whether of a small or large scale, the original work schedule and adjustments to it and in the exercise of the Commissioner's functions.

4.7. During the preparation period for implementing the Plan, the Commissioner's staff will undergo equality impact assessment training, to ensure that all officers are aware of the Equality Act 2010 and the public sector equality duties.

4.8. When reviewing the risk register, compliance with all legislation to which the Commissioner is subject should be considered. This is to be scrutinized by the Welsh Language Commissioner’s Audit and Risk Committee. The operational risks will refer to individual legislation including the Equality Act 2010.

4.9. The Management Team will scrutinise the assessments and either refuse or accept them with action points. The assessments must be thorough if to be considered by the Management Team.

4.10. When an assessment highlights a significant effect, a report will be published.

4.11. The Commissioner expects this objective to be implemented on an ongoing basis over the period of the Plan.

How will the Commissioner Monitor achievement?

4.12. The Welsh Language Commissioner Management Team receives reports, papers and policies on a monthly basis either for information or for decision which will include the Assessment.

4.13. Furthermore, the Assessment will be used when planning work programs for the Commissioner's operational plan, which is used to monitor officers' progress against agreed targets. This work will be coordinated by the Senior Governance Officer whom will facilitate appropriate use of the Assessment.
4 Welsh Language Commissioner’s Equality Objectives

Objective 2
The Commissioner will continue to improve the delivery of services by ensuring that users’ needs are central to how services for users are configured and implemented.

Steps to take and timetable

4.14. The Welsh Language Commissioner recognizes that people have different needs and it is important to learn through engaging and listening.

4.15. The Welsh Language Commissioner will discuss annually with representatives from groups of people with protected characteristics and maintain an ongoing open dialogue. The Commissioner will also participate in a networking group with an equality and human rights agenda between other commissioner and ombudsman representatives and consider good practice such as those published by the Ombudsman Association.

4.16. The Commissioner will continue to make adjustments, wherever possible, for people from groups with protected characteristics with a view to ensuring that they are not disadvantaged compared to any other person during the process of considering their complaint or any other dealings with the Commissioner. As an example of what is already in place, the Enforcement Policy states

‘The Commissioner will accept written complaints by post, by e-mail, through the website and through social media. In order to ensure accessibility, it is possible for those who cannot submit a written complaint due to their personal circumstances, to contact the Commissioner over the telephone or any other appropriate medium to explain so and to discuss their complaint. The Commissioner will make reasonable provision and provide support for them to submit their complaint through an alternative method.’

4.17. Where the Commissioner has considerable contact with the public, such as the field of complaints, the Commissioner will increase the information about the people involved with the organisation, through the processes of data collection, monitoring and more detailed analysis, and use the information to identify any areas where improvements can be made.

4.18. The Commissioner will conduct a review of complainants’ profiles. The degree to which the Commissioner is accessible to complainants with protected characteristics will be considered as part of this review. The Commissioner will establish which improvements may be made in order to become more inclusive where required.

4.19. The Commissioner will keep a record of equality issues by monitoring complaints (whether against an organisation which is under a duty to comply with standards or Welsh language scheme or not) and complaints against the Commissioner.

4.20. The Commissioner will ensure that officers respect the principles of equality and they are considered when performing their roles.
# Welsh Language Commissioner’s Equality Objectives

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<td>Vision and Values</td>
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<td>Welsh Language Commissioner’s Equality Objectives</td>
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</table>

## 4.21. The Commissioner will operate this objective on a continuous basis over the Plan’s period.

### How will the Commissioner Monitor achievement?

## 4.22. The Welsh Language Commissioner will note within the annual report, what contact was made with groups representing people with protected characteristics and what has changed as a result.
4 Welsh Language Commissioner’s Equality Objectives

Objective 3
When developing the communication strategy it will be ensured that diversity and equality are considered when communicating externally.

Steps to take and timetable
4.23. The Commissioner will review her external communication strategy during the lifetime of this Plan and give particular consideration to people with protected characteristics. Particular attention will be paid to content, quality and medium of the communication so that key messages are relayed to all members of society.

4.24. The Commissioner will review her publications to ensure that everyone can access information about the Commissioner. Documents’ formats will be considered as part of this and the use of alternative formats considered.

4.25. The Commissioner will ensure effective dialogue with stakeholders via targeted communication.

4.26. The Commissioner will look continually at different methods of communication, taking into account new technological developments, to make it as easy as possible for the public to contact the organisation.

4.27. The Commissioner expects this objective to be achieved by the end of April, and then reviewed annually as applicable.

4.28. How will the Commissioner monitor achievement?
The Welsh Language Commissioner’s annual report states achievement against the organisation’s communication strategy objectives in relation to equality and human rights. Also, requests for publications in alternative formats are recorded to respond proactively to any trends.
4 Welsh Language Commissioner’s Equality Objectives

**Objective 4**
Develop and strengthen an appropriate working relationship with the Equality and Human Rights Commission where issues arise that are of interest to both organisations and it is of benefit to the citizen that the organisations work together.

**Steps to take and timetable**

4.29. Section 21 of the Welsh Language (Wales) Measure 2011 guides the Welsh Language Commissioner in determining the extent of the relationship. The Measure notes that the Commissioner may inform the Commission for Equality and Human Rights about a connected matter, if she is of the opinion that it is appropriate and they may co-operate with each other in relation to their separate investigations or conduct, prepare and publish a joint report.

4.30. The relationship with Equality and Human Rights Commission is to be developed at an operational level between officers so that issues relevant to both organisations may be discussed.

4.31. Where investigations into complaints highlight one or more issues relating to equality and human rights within the nine protected characteristics, the Welsh Language Commissioner will notify their contact within the Equality and Human Rights Commission.

4.32. How will the Commissioner monitor achievement?
The Commissioner will review the contact made during the previous year and assess the effectiveness of the relationship based upon the outcomes for both organisations.
5 Equality at work

5.1. The Welsh Language Commissioner is totally opposed to any discrimination on whatever basis; below are details of these arrangements already in place to achieve the goal of eliminating unlawful discrimination. The majority of the commitments found below aren’t new; the Commissioner wishes for them to be included within this Plan so as to have them reaffirmed.

5.2. In order to continue to work towards a workforce that reflects diversity, the Commissioner will monitor her workforce’s protected characteristics, with the aim of identifying and implementing appropriate positive action to recruit, retain and provide opportunities for all individuals.

5.3. The Commissioner will encourage its officers to supply equality information on its HR system by expressing the advantages of doing so and confirming the data protection arrangements.

5.4. The Commissioner will review its recruitment monitoring to include all protected characteristics. The Commissioner will continue to ask everyone who applies for a post to complete the equal opportunities monitoring form with standardized terms and classifications on the advice of the Equality and Human Rights Commission.

5.5. The Commissioner will review the relevant human resources policies to ensure that any unnecessary discriminatory effects are eliminated as much as possible within the constraints of business needs.

5.6. The Commissioner will include questions about equality in its staff survey, including all protected characteristics and continue to inquire about bullying and harassment.

5.7. The Commissioner will use the staff survey results to understand and improve workforce experiences in the context of equality and human rights. The action plan derived from the survey will give consideration to equality and human rights issues.

5.8. The Commissioner will continue to meet its commitment to equality and human rights to its workforce with its package of human resources policies (which apply to sex, pregnancy and maternity, marital status and disability).

5.9. The Commissioner will conduct an access audit of its offices to highlight the features and obstructions to access and prioritize improvements.

5.10. The Commissioner uses a systematic job evaluation scheme which incorporates equal pay. The Commissioner will consult the union on issues of salaries and conditions of service will also include issues of equal pay (direct or indirect wage inequality) within the Commissioner’s internal auditing programme.

5.11. The Commissioner will ensure that suppliers are fully aware of its duty towards equality by including it in tender specifications and test their understanding during the selection process (where relevant to the

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Please note that the Commissioner has not included an objective to this end as pay difference between men and women is addressed on an ongoing basis within the human resources team’s responsibilities. The corporate annual report will include information on this issue.
5 Equality at work

work). Purchasing via Sell to Wales will ensure that the Commissioner can take advantage of agreed public sector protocols in the application of equality to the contracting process.

5.12. Annual quality review arrangements will examine samples of work / projects completed by a third party on behalf of the Commissioner in order to confirm whether the supplier has made arrangements to achieve the General Equality Duty. Suppliers will be notified of the results of quality reviews, and in significant cases, remedial action taken in accordance with the agreement. The results will also be taken into account when making annual reports on progress.
### Action plan to support the requirements

<table>
<thead>
<tr>
<th>Objective</th>
<th>Action point</th>
<th>Target Date</th>
<th>Responsible Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Conduct specialist training on the Equality Act 2010 and how to carry out an effective screening exercise and equality impact assessment.</td>
<td>14 February 2017 and as required thereafter</td>
<td>Senior Human Resources Officer and Senior Governance Officer</td>
</tr>
<tr>
<td>1</td>
<td>Include ‘scrutinize equality impact assessments’ as a standing item on the covering page of decision papers submitted before the Management Team.</td>
<td>30 February 2017</td>
<td>Welsh Language Commissioner</td>
</tr>
<tr>
<td>1</td>
<td>Management Team to reject, accept or provide feedback on assessments submitted.</td>
<td>Monthly</td>
<td>Management Team</td>
</tr>
<tr>
<td>1</td>
<td>Conduct a review of the assessments and the screening process 6 months after the training.</td>
<td>July 2017 and then annually</td>
<td>Senior Governance Officer</td>
</tr>
<tr>
<td>1</td>
<td>Conduct an equality impact assessment on policies and procedures when they are under review.</td>
<td>On a continuous basis as of 14 February 2017</td>
<td>Author of revised document</td>
</tr>
<tr>
<td>1</td>
<td>Conduct an equality impact assessment on the annual Action Plan's draft work programmes.</td>
<td>Annually</td>
<td>Directors and Senior Officers</td>
</tr>
<tr>
<td>1</td>
<td>Conduct an equality impact assessment on publications and documents which don’t require the Management Team's approval.</td>
<td>On a continuous basis as of 14 February 2017</td>
<td>Publication's author</td>
</tr>
<tr>
<td>2</td>
<td>Participate in a networking group with fellow regulators on equality and human rights issues.</td>
<td>Quarterly</td>
<td>Senior Governance Officer</td>
</tr>
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</table>
## Appendix 1

<table>
<thead>
<tr>
<th>Objective</th>
<th>Action point</th>
<th>Target Date</th>
<th>Responsible Officer</th>
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<tbody>
<tr>
<td>1</td>
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<tr>
<td>2</td>
<td>Hold a specific engagement event with invitees representing groups with protected characteristics and / or attend other groups’ events.</td>
<td>January 2018 and annually thereafter</td>
<td>Senior Governance Officer</td>
</tr>
<tr>
<td>2</td>
<td>Officers to refer to a specific guide when organising events so that all access requirements are addressed.</td>
<td>On a continuous basis as of April 2017</td>
<td>Senior Governance Officer</td>
</tr>
<tr>
<td>2</td>
<td>Conduct a review of complainants’ profiles. The degree to which the Commissioner is accessible to complainants with protected characteristics will be considered as part of this review. The Commissioner will establish which improvements may be made in order to become more inclusive where required.</td>
<td>October 2017</td>
<td>Senior Investigation and Enforcement Officer</td>
</tr>
<tr>
<td>3</td>
<td>Consideration of equality issues when developing the Welsh Language Commissioner’s External Communication Strategy.</td>
<td>April 2017</td>
<td>Policy and Research Director</td>
</tr>
<tr>
<td>3</td>
<td>Conduct a review of publications and formats to establish whether they meet user requirements.</td>
<td>October 2017</td>
<td>Publications Officer</td>
</tr>
<tr>
<td>4</td>
<td>Screen complaints received for equalities and human rights issues which could be involved and consider whether it is appropriate to contact the Equality and Human Rights Commission in relation to the matter.</td>
<td>On a continuous basis as of 14 February 2017</td>
<td>Senior Investigation and Enforcement Office and Compliance and Enforcement Director</td>
</tr>
<tr>
<td>4</td>
<td>Relevant officers to familiarise themselves with the Commission for Equality and Human Rights' litigation strategy.</td>
<td>By 31 March 2017</td>
<td>Compliance and Enforcement Director</td>
</tr>
</tbody>
</table>